

## WASTE FACILITY SITING BOARD

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A meeting of the Waste Facility Siting Board was called to order at 2:30 p.m. on Thursday, April 7, 2016, by Planning Director Jakel.

Members Present: McGinnis, Schoenike, Sundelius.

Also Present: Planning Director Jakel, Mark Nessman, Heath Hoffmann and Joe Plutz representing Expera Specialty Solutions, Joel Gregozeski representing the Town of Buchanan.

Absent and Excused: Knaus.

### **Update and potential amendment to the Landfill Siting Agreement relative to Wisconsin Department of Natural Resources wetland mitigation requirements.**

Mr. Hoffman explained that the WDNR is requiring Expera to look into every practical alternative to avoid or minimize taking of the wetlands including consideration of adjacent property that Expera does not own. Mr. Nessmann explained that Expera is now looking at all proposed options and ways to minimize wetland mitigation however that may involve renegotiating the agreement.

- Option #1. The current stock pile area which stays 300 feet from the navigable stream. Considered very inefficient.
- Option #2. 50 feet from the navigable stream and would require a DNR variance. The cost of the option would be prohibitive and not practical.
- Option #3. Eliminates 1.3 acres of wetlands currently located in the City's recycling area.

Expera considered the first option to be the most practical based on the configuration of the site and the consultant is proposing extending the berm behind the residential area and avoiding the wetlands. Mr. Nessmann explained that all the options will require more money than was originally proposed. Mr. Hoffman asked if the City would consider relocating the recycling center. Mr. Sundelius asked how long the material would be stockpiled for in Option #3. Mr. Hoffman explained that it would be used for closure of the landfill and would be stored for a significant period of time. Mr. Schoenike asked if the stockpiled material would be gone eventually. Mr. Hoffman explained that it would and additional material would need to be brought in for the closure. Mr. Sundelius asked if the City could have a say on the screening method adjoining the residential areas. Mr. Hoffman explained that the WDNR can overrule the Siting Board. Mr. Nessmann explained that the PAA will be submitted to the WDNR and if the wetland permit is not granted, the appeal process can begin. Mr. Sundelius will research the contact information for the WDNR liaison. Mr. McGinnis asked if Mr. Killian was aware of the proposed options. Mr. Hoffman explained that he was and the property is currently being farmed. Mr. Sundelius explained that he was inclined to fight for the original option. Mr. Hoffman explained that Expera's consultant concurs that the best option is the original option. Mr. Jakel explained that the state required comprehensive plan references Killian's property as residential. The project is going to have an impact on the wetlands but with mitigation, the original option is the most viable plan. Mr. Gregozeski explained that the town anticipates the landfill siting wholly on property within currently owned Expera property and changes outside the scope of the agreement would need to be renegotiated. Mr. Sundelius explained that the WDNR option would significantly reduce the size of the City's compost operation. Mr. Jakel suggested writing a letter on behalf of the Waste Facility Siting Board in opposition to changes to the original scope of the agreement. Mr. Nessmann explained that the view from the high school would see over the screening. Mr. Jakel suggested that we fall back on the comprehensive plan reference for the area as that should be recognized by the State. Mr. Sundelius explained that the property is unlikely to be rezoned. Mr. Nessmann asked if the comprehensive plan could be amended. Mr. Jakel explained that would require approval of the Plan Commission, City Council, and notice to all surrounding communities – who may have the opportunity to object. Mr. Hoffman asked about possibly relocating the City's recycling center. Mr. Sundelius explained that the City would like to see the recycling center placed as originally proposed however, Expera can ask the City to leave the site at any time. Mr. Sundelius explained that since it is unlikely that the comprehensive plan will be amended, the City could not agree with the proposed changes. Mr. Jakel explained that any change in the characteristics of the project or any

potential impacts to adjoining properties would cause the agreement to be renegotiated. Mr. Hoffman explained that if the original site is denied, the whole project will have to be reconsidered.

There being no further business to be brought before the Board, the meeting was adjourned at 3:35 p.m.

Julianne Schroeder  
Executive Secretary