

**EAU CLAIRE RIVER, LLC, CONDITIONAL USE PERMIT APPLICATION FOR NON-METALLIC
MINING AT 1320 KOWALSKI ROAD, KRONENWETTER, WI 54455.**

TAX PARCEL ID NUMBER: 145-2707-023-0996

STAFF REPORT FOR PLAN COMMISSION

**PUBLIC HEARINGS/
MEETINGS:**

Plan Commission Public Hearing: 6:00 p.m. October 19, 2026

APPLICANT:

Eau Claire River, LLC
7306 Zinser St.,
Weston, WI 54476

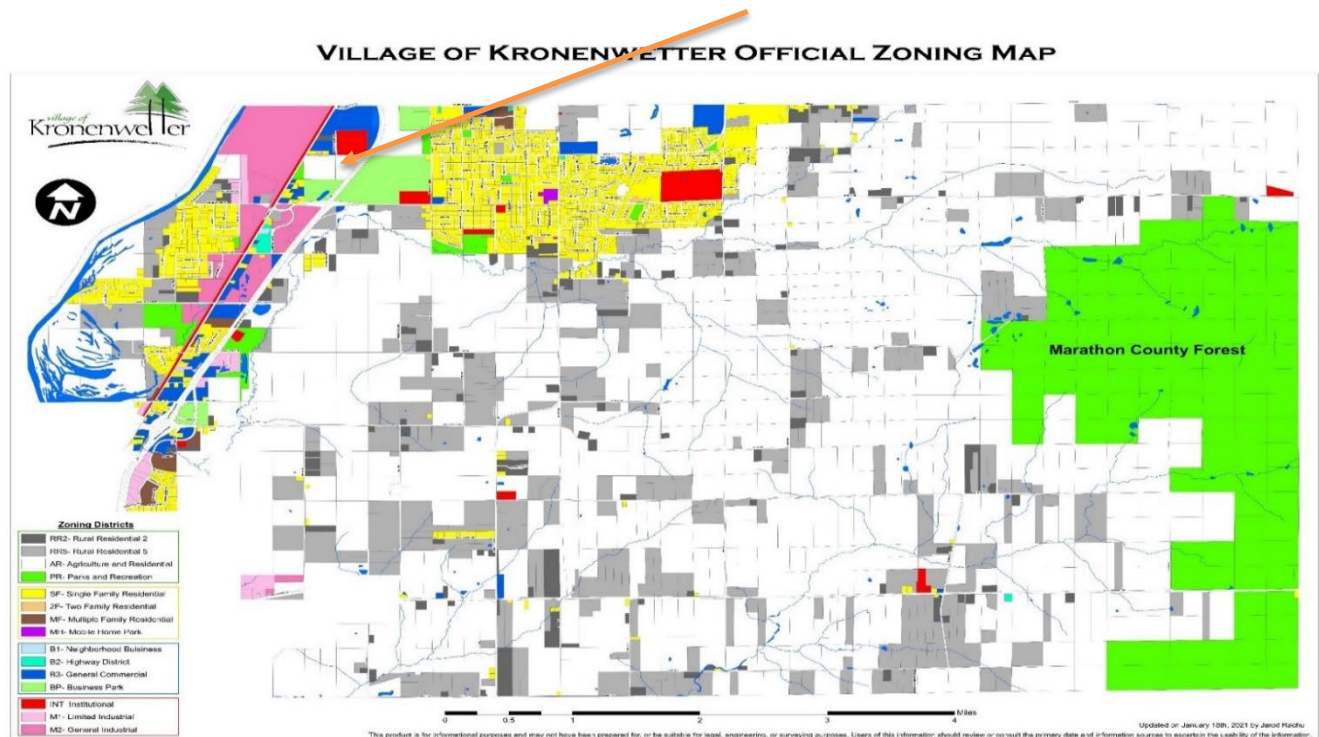
OWNER:

Eau Claire River, LLC
7306 Zinser St.,
Weston, WI 54476

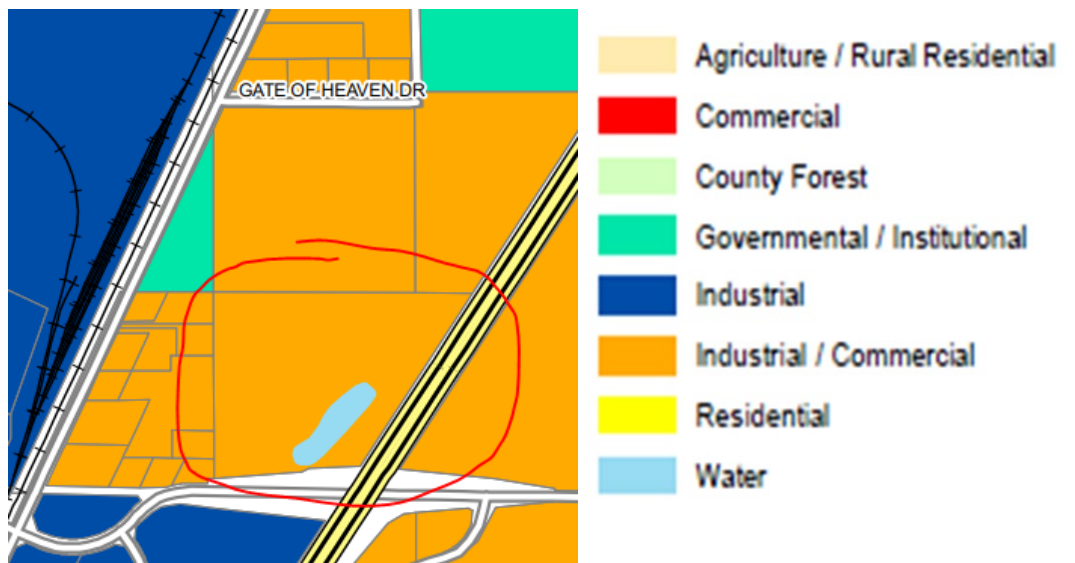
Prepared By:

REI Engineering, Inc.
4080 N. 20th Ave.,
Wausau, WI 54401

LOCATION OF REQUEST: 1320 KOWALSKI ROAD, KRONENWETTER, WI 54455



Legal Description of Property: SEC 02-27-07 PT OF S 1/2 SW 1/4 THAT PT LYG WLY OF HWY '51' & D/I CSM VOL 10 PG 182 (#2709) (DOC #772685) EX DOC 1488725-(RD)



Map 2: Future Land Use Map
(Source Data: Village of Kronenwetter)

Future Land Use Descriptions (for reference)

Industrial/Commercial: Area designated for concentrated development in an industrial park (heavy) or business park (light / office) setting.

Industrial: Light and heavy industrial development. Industrial facilities, manufacturing operations, and contractor shops at which all operations are conducted entirely within an enclosed building, with the exception of fully screened outdoor storage and loading operations. Light industrial facilities are those which are not associated with nuisances such as odor, noise, heat, vibration, and radiation detectable at the property line and which do not pose a significant safety hazard such as danger of explosion. A "Light Industrial" land use may conduct retail sales activity as an accessory use. A *"Heavy Industrial" use may include activity conducted partially or wholly outside of an enclosed building and may be associated with nuisance conditions.*

Commercial: Lower impact commercial uses such as retail stores, taverns, restaurants, business offices, motels/hotels, offices, telephone/gas company, gas stations.



Map 3: Aerial Photo
(Source Data: Marathon County GIS)

ZONING: M2 – General Industrial

ACREAGE: 35.58 acres

LEGAL NOTIFICATION:

A legal advertisement was published in the Wausau Daily Herald on October 5, 2026 and October 13, 2026. Notice of the zoning change request was sent by regular mail to adjacent property owners within 500 feet of the subject property on October 1, 2026.

PROPOSED CONDITIONAL USE: CONDITIONAL USE PERMIT for a NONMETALLIC MINE.

**DEVELOPMENT
PATTERN (AND
ZONING):**

Subject Property:	M2
North:	AR
South:	M2, (RR5 across I39)
East:	BP (across I39)
West:	SF, B3

INTRODUCTION

Eau Claire River, LLC requests a Conditional Use Permit for non-metallic mining to excavate up to 1,300,000 cubic yards of sand and gravel within a 20-year window for excavation and reclamation. Sand and gravel mining occurred at this site in the past, resulting in the pond that exists today. Completion and of proposed excavation and reclamation would result in a larger pond (~22.5 acres) with another ~13 acres of developable land in the western portion of the parcel.

REVIEW

This Conditional Use Permit Application is complete with information required by the Village of Kronenwetter for non-metallic mining applications (§ 520-26(D)) as well as written justification with respect to review criteria required for all conditional use permit applications (§ 520-121(B)). Accordingly, the application indicates the applicant's proposal and approach to meeting the Village's performance standards for non-metallic mining including: plans for erosion control and reclamation; preservation of trees in a 25-foot buffer yard where required; separation of mineral extraction, washing, crushing and processing activities (minimum distances) from adjacent structures and land uses; separation of parking areas from the property line; road access design; and acceptance of performance standards established in the Village's zoning code.

The property is located within a flood storage district. An area of the property contiguous to lands lying outside the floodplain can be filled to the flood protection elevation if an equal volume of flood storage is created. The flood storage capacity of the site is estimated to increase from 216 acre-feet to 484.5 acre-feet (more than double the current capacity).

AUTHORITY

Plan Commission may approve the conditional use as originally proposed, may approve the proposed conditional use with conditions or modifications, or may deny approval of the proposed conditional use permit and include reasons for denial.

Each requested conditional use permit shall meet the following criteria (achieve "yes" answers) to be approved. Below you find Staff's comments as it relates to each.

2017 Act 67

- requires that standards governing conditional uses be "reasonable and, to the extent practicable, measurable..."
- prohibits a community from basing a conditional use permit decision on "personal preferences or speculation."
- instructs that, where an applicant "meets or agrees to meet all of the requirements and conditions specified" in the ordinance or imposed by the decision-maker, the conditional use permit must be granted.

FINDINGS OF FACT CONDITIONAL USE

1. Is the proposed conditional use in harmony with the Comprehensive Plan, this chapter, and any other plan, program, or ordinance adopted by the Village?

The Future Land Use identified for this area in the Village's Comprehensive Plan is Commercial/Industrial. That is defined as an area designated for concentrated development in an industrial park (heavy) or business park (light/office) setting.

The proposed use could proceed without construction of a large permanent building at this location near where aspirational Village and MPO plans continue to call for an interchange which would be a major undertaking.

The proposed use advances the development strategy for Tax Increment District #1 by elevating a buildable (13-acre) area on this site, and also by providing fill to other sites in nearby flood fringe areas that will need fill in order to be developed.

2. The proposed conditional use does not, in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted by the Village?

As proposed, the use would not result in substantial or undue adverse impacts in the vicinity. Potential impacts on nearby properties may be mitigated through compliance with established performance standards and satisfaction of conditions. A professional geotechnical analysis may be needed to confirm that the excavation of 1.3 million cubic yards of material reaching depths of ~70 feet below water would not, in this setting, compromise the structural integrity of adjacent roadways or building foundations. Trucks would haul material along local routes during allowed hours of operation.

As stated in the applicant's written justification, there is potential for increased flood storage capacity that benefits nearby properties. Upon reclamation, the expanded pond will be an amenity that may complement future developments in the vicinity.

3. Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

The proposed mining operation aligns with the industrial development strategy of TID #1. The subject property is zoned M2. Adjacent uses to the west are residential and commercial. This will be separated from the proposed excavation site by the 25-foot buffer yard, an earthen berm, and distances, helping to mitigate noise expected to be generated by excavation and crushing equipment. To the north is a wooded undeveloped property zoned Agriculture and Residential. To the south and east are roadways.

4. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property?

The applicant states that the area can be adequately served by utility services. Village sanitary sewer and water infrastructure serve the general area. The applicant requests an easement to allow sanitary sewer and water service to the subject parcel from the existing service lines located adjacent to the west property boundary. The applicant also requests improved roadway access through a large break in the existing Kowalski Road median.

5. Do the potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts?

The benefits of cost-effective preparation of building sites in the area, elevated property value upon reclamation, and anticipated flood water storage capacity are substantial, and outweigh foreseeable adverse impacts as ameliorated.

RECOMMENDED ACTION

Consider conditional approval of the CUP application with reasonable conditions to address any consequential issues among the following:

- Permitted months/days/hours of operation. (Applicant has proposed 6 AM to 7 PM, Monday through Friday, and 6 AM to noon Saturday.)
- Restrict months/days/hours and/or locations for specific activities such as hydraulic dredging, crushing, screening, washing.
- Clarity that no blasting or asphalt batching will occur onsite. Frequency and strength of blasting is regulated by DSPS.
- Timeframe for excavation and reclamation (20-year window proposed.)
- Perimeter of the excavation area to be properly staked to conform with the site plan.
- Suitability of haul routes and clarity about the requested median break for improved access.
- Potential road repair agreement with monitoring for any attributable accelerated wear, damage or bridge stress.
- Required that trucks be covered to suppress dust and debris.
- Reclamation plan in compliance with Marathon County.
- Compliance with Village erosion and stormwater control standards.
- Monitoring for compliance with performance standards.
- Monitoring of buffer yard vegetation, slopes, erosion control, or stormwater performance.
- Geotechnical analysis and confirmation by a qualified engineer that the proposed excavation reaching proposed depths below groundwater level would not compromise the structural integrity of adjacent roadways or other structures in the area.
- Clarity that the operation shall meet all applicable laws and regulations.