

## **OCTOBER 30, 2017, PLANNING COMMISSION MEETING**

5:15 p.m. Council Chamber. Members present: A. Christianson 2, C. Goin, B. Groothusen, C. Huiras, M. Platteter, D. Willingham. Absent: A. Kaiser, C. Ostenso. Others present: J. Baye, M. Buchholz, A. Christianson 1, K. Gibbs, K. Gorsegner, M. Hraban, G. and E. Malaise, R. Moore, B. Morgan, J. Pearson, J. Platteter, M. Reynolds, J. Terrill.

### **Call to Order:**

Commission Chair C. Goin called the meeting to order and presided.

### **Hearing:**

A Public Hearing was convened on the Rusk Co. Historical Society's request for a Conditional Use Permit to enable erection of a 35' vintage windmill in front of the 1920s House at the Society's museum complex. Bldg. Inspector Gorsegner explained why requirements for siting wind energy systems was applied to the request. Essentially, it was the most restrictive approach such that it encouraged the most involvement by the most people to cover bases. Society rep Jim Platteter explained where the windmill would be located and replied to questions by indicating that the following would all be done:

-This will be a display that recycles water for demo purposes. It will not pump groundwater.

-The windmill will be fenced to control access by inquisitive youth.

-At least the lower part of the ladder will be removed to prevent climbing.

Society President John Terrill also commented favorable about the windmill as an attraction in itself.

Society Board member Joe Baye was also present in support.

It was mentioned that Rusk Co. has already approved of the project as it is the property owner. Mr. Block, from Wausau, who has already set 17 windmills this year, will be assisting the Society's efforts, and will plan to inspect the windmill annually.

Motion was made by Willingham seconded by Huiras and carried by voice vote to grant the Conditional Use Permit per the draft permit attached hereto.

### **Rail Quiet Zone:**

Mayor Reynolds explained that the City recently learned that WisDOT approval of a painted rather than raised concrete median at the Lake Ave. rail crossing has the unfortunate downside of eliminating the option of obtaining quiet zone status for the City. This status would keep engineers from sounding train horns except when dangerous situations are present. He continued with other comments and observations including, but not limited to, the following:

-Marshfield has a single raised median, but it is at that City's busiest crossing where Highways 13 and 97 meet. Like this Marshfield crossing, there is greater accident potential at the Lake Ave. crossing in Ladysmith than all our other N-S crossings combined. As such, nothing we can do at all the other crossings will score enough points to qualify Ladysmith for a quiet zone without the raised median at Lake Ave. This is the crux of the issue.

-As CN doesn't allow anyone but their employees or contractors to work on CN right of way, CN itself would construct and maintain any and all safety structures. Maintenance would be at CN's expense.

-We tested the median. Mr. Gibbs drove through with a fire truck and then a semi and neither could get through without hitting cones set to simulate the median's location.

-Barriers don't solve anything. There is little accident history at this crossing; the last being in 1974. One more recent involved a car hitting a post in the crossing zone, not a train.

-Mr. Morgan and I have been in contact with Senator Baldwin's office and Rep. Sean Duffy seeking ways to get legislative action.

A lengthy discussion followed during which the following were among comments made:

- Several entities offered resolutions in support of no median at the Lake Ave. rail crossing: Rusk Co.; Rusk Co. Emergency Gov't.; Police and Fire Commission; City. We've spent a year fighting it.
- I have lived by the RR for 50 years and train horns can give me a headache inside the house.
- I am going to continue seeking legislative support.
- No entity with authority over the CN has made any effort to reduce the 120 decibel train horns may be sounded at even though whistles above 50-70 decibels are known to cause human hearing damage when in close proximity. Decibel readings LPD has taken here indicated 105 db directly adjacent to the tracks and 90 db one block away.
- Everybody wants a quiet zone.
- FRA quiet zone regulations are not simple, consisting of some 55 pages.
- CN may relocate the north rail yard, currently used for log storage and loading, to the Tony Rail Yard. On the other hand, that may result in the north yard being used instead for frac sand car storage. So not only might that situation not improve, but train horns on the line east to Tony will recur after several years' absence.
- I'm supportive of a quiet zone if the cost isn't prohibitive.
- Write your legislators about your thoughts.

Asked for a show of hands, nobody indicated opposition to continuing to seek quiet zone approval, although legislative intervention currently seems the only way. At the same time, nobody seemed to indicate a desire to give away the painted median for all the benefits that is believed to confer. Mayor Reynold clarified that, except for emergency vehicles, it will still be unlawful for vehicles to cross the painted median, and CN's officer may choose to monitor it and write tickets for violations.

**Announcement:**

Commission Chair Goin advised that he just turned 75 and needs to shed some involvements. He went on to say that he is retiring from both the Planning Commission and Ethics Board effective at year's end.

**Adjourn:**

Motion was made by Christianson 2, seconded by Huiras and carried by voice vote to adjourn at 6:25 p.m.