

NOTICE OF PUBLIC MEETING

CITY OF CHIPPEWA FALLS, WISCONSIN

IN ACCORDANCE with the provisions of Chapter 19, Subchapter IV of the Statutes of the State of Wisconsin, notice is hereby given that a public meeting of the:

Plan Commission XXX

(Reasonable accommodations for participation by individuals with disabilities will be made upon request. Please call 726-2736)

Will be held on **Monday, October 9, 2023 at 6:30 P.M.** in the City Hall **Council Chambers**, Chippewa Falls, Wisconsin. Items of business to be discussed or acted upon at this meeting are shown on the attached Agenda or listed below:

NOTE: If unable to attend the meeting, please notify the Engineering Dept. by calling 726-2736.

1. Approve the minutes of the September 11, 2023 Plan Commission Meeting. *(Attachment)*
2. Consider request from Adam Trenda to rezone parcel #22808-1811-75794002, Lot #2, CSM #5794 from P-1 Public and Institutional District to R-1C Single Family Residential District. Make recommendation to the Common Council. *(Attachment)*
3. Conduct a Public Hearing to consider Planned Development Conditional Use Permit Resolution No. 2023-02 for Jon Kemper, Karen Knight and Jean Kellogg to revise the lot lines at parcels 22808-0744-62470103 and 22808-0744-62470104, located at 727 and 733 Maple Street creating a substandard lot at 727 Maple Street. *(Attachment)*
4. Consider Planned Development Conditional Use Permit Resolution No. 2023-02 for Jon Kemper, Karen Knight and Jean Kellogg to revise the lot lines at parcels 22808-0744-62470103 and 22808-0744-62470104, located at 727 and 733 Maple Street creating a substandard lot at 727 Maple Street. *(Attachment)*
5. Conduct a Public Hearing to consider Conditional Use Permit Resolution No. 2023-03 for KYMA Battery Technologies to operate a battery assembly and repurposing facility at 1400 Halbleib Road, parcel 22908-2943-73878001A. *(Attachment)*
6. Consider Conditional Use Permit Resolution No. 2023-03 for KYMA Battery Technologies to operate a battery assembly and repurposing facility at 1400 Halbleib Road, parcel 22908-2943-73878001A. *(Attachment)*
7. Adjournment

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THEY HAVE DECISION MAKING RESPONSIBILITY.

Please note that attachments to this agenda may not be final and are subject to change.
This agenda may be amended as it is reviewed.

CERTIFICATION

I hereby certify that a copy of this agenda was emailed to the Chippewa Herald and posted on the City Hall Bulletin Board on Wednesday, October 4, 2023 at 2:00 P.M. by Mary Bowe.

**MINUTES OF THE PLANCOMMISSION MEETING
CITY OF CHIPPEWA FALLS
MONDAY, SEPTEMBER 11, 2023- 6:30 PM**

The Plan Commission met in City Hall on Monday, September 11, 2023 at 6:30 P.M. Present were Commissioners Greg Misfeldt, Mike Tzanakis, Dan Varga, Chad Trowbridge, Alderperson Jason Hiess, Secretary Bill McElroy, Vice-Chairperson Tom Hubbard, Mayor Greg Hoffman, Dave Cihasky and Ross Wilson. Absent was Beth Arneberg. Also attending were City Planner Brad Hentschel, Director of Public Works Brandon Cesafsky, City Inspector Paul Lasiewicz and those on the attached attendance sheet.

1. **Motion** by Varga, seconded by Tzanakis to approve the minutes of the August 7, 2023 Plan Commission meeting. McElroy noted that he would continue to vote on the Plan Commission as the ordinance names the City Engineer as the secretary. **All present voting aye. Motion carried.**

2. The Plan Commission considered the Certified Survey Map submitted by Scheffler Land Surveying on behalf of GT Ventures and Enterprises for parcels located in part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 8, T28N, R8W. McElroy noted that the parcels are currently zoned R1-C and the new lot would conform to those standards. County Surveyor Wenz had already reviewed and made comments and were addressed by Scheffler Land Surveying and resubmitted.
Motion by Hiess, seconded by Hubbard to recommend the Common Council approve the attached Certified Survey Map submitted by Scheffler Land Surveying on behalf of GT Ventures and Enterprises for parcels located in part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 8, T28N, R8W contingent on the following:
 - a. Receipt of the appropriate Certified Survey Map review fees
 - b. Review of the Certified Survey Map by County Surveyor Samuel Wenz and corresponding revisions completed.
 - c. Recording of the Certified Survey Map at Chippewa County by GT Ventures and Enterprises and emailing a recorded copy of the Certified Survey Map to the City of Chippewa Falls Engineering Department.**All present voting aye. Motion carried.**

3. The Plan Commission considered the petition from Jon Kemper, Karen Knight and Jean Kellogg for a Conditional Use Permit to create a substandard lot at 727 Maple and 733 Maple Street on parcels 22808-0744-62470103 and 22808-0744-62470104. McElroy provided background information and handed out a Map of Survey that indicated the proposed lot lines (attached). This is the former property of Charles Kemper who originally used the two buildings as an office and residence. The office was later converted into a residence. The structure at 733 Maple extends over the lot line. The parcels are currently zoned R1-C which requires a 66 foot front lot and 7200 square foot lot size. The proposed lot lines would reduce the 727 Maple Street to a 48.42 foot lot frontage and approximately 7100 square foot lot size. The lot at 733 Maple Street would not be substandard. In addition, a maintenance agreement for the carport that is attached to both structures is required and an access agreement for the shared driveway.
Motion by McElroy, seconded by Hubbard that the Plan Commission conduct a public hearing to consider a Conditional Use Permit Resolution revising the lot lines at parcels 22808-0744-62470103 and 22808-0744-62470104 located 727 and 733 Maple Street creating a substandard lot at 727 Maple Street contingent on:

- a. Receipt of the \$300 administrative and advertising fee.
- b. Proper notification of adjacent property owners.
- c. Advertisement in the Chippewa Herald.

All present voting aye. Motion carried.

4. The Plan Commission considered the petition from KYMA Battery for a Conditional Use Permit for a battery assembly and repurposing facility at 14587 CTH S, parcel #22908-2943-73878001A (1400 Halbleib Rd). City Planner Hentschel provided background information indicating that a Conditional Use Permit was needed in the I-3 zoning district due to Chippewa Falls Ordinance Chapter 17.34(6)(a,e,h,j). He indicated that City Attorney Ferg agreed with that assessment. Chris Gregory, KYMA Battery, presented the attached slide deck. He noted that his company is not a recycling company but instead they are buying good quality used batteries that are inspected and tested prior to shipping. Battery disposal would only occur on those batteries that were damaged in transit and could not be re-used. Discussion continued over whether the Conditional Use Permit would cover certain buildings or the entire parcel. It was clarified that the Conditional Use Permit would be for the entire parcel as the ordinance required that. Any future uses of other locations on the parcel would require an amendment to the Conditional Use Permit at that time, even if it is an approved use in the I-3 zoning district. Dax Atkinson representing Independence LLC (property owner) indicated at this time they do not have any other tenants. Fire suppression systems were discussed and it was noted that in the United States there are few regulations that cover lithium ion battery storage. KYMA intends to use containers with thermal imaging and fire suppression to store the batteries. A fire suppression system will also be in place in the manufacturing building.

Motion by Misfeldt, seconded by Hubbard that the Plan Commission conduct a public hearing to consider a Conditional Use Permit Resolution for KYMA Battery Technologies to operate a battery assembly and repurposing facility at 1400 Halbleib Road, parcel #22908-2943-73878001A contingent on:

- a. Receipt of the \$300 administrative and advertising fee.
- b. Proper notification of adjacent property owners.
- c. Advertisement in the Chippewa Herald.

All present voting aye. Motion carried.

5. **Motion** by Varga, seconded by Cihasky to adjourn. **All present voting aye. Motion carried.** The Plan Commission adjourned at 7:21 P.M.



William McElroy, P.E., Secretary
Plan Commission

PLAN COMMISSION ATTENDANCE SHEET

DATE: 9/11/23

NAME	COMPANY REPRESENTING	ADDRESS	PHONE #	EMAIL
JASON THOM	FIRE DEPT			
GREG ARNISON	GT Ventures			
CHRIS GREGORY	KYMA BATTERIES			
Dax ATKINSON	Independence WI			
Chad Cister	CBS ²			
Tyler Arneson	GT Ventures			
LESLY BLAIME (REMOTE)	KYMA BATTERY			
FREDERIK VAN HEESEN (REMOTE)	KYMA BATTERY			
JOHN MONRESKI	ALGERGESSON - CITY OF CHEPPONA FALLS			

Date Filed: 9/28/2023

Fee Paid: 215.00 Date: 10-2-2023 TR#: 67228

Fee Paid: _____ Date: _____ TR#: _____

PETITION FOR REZONING

TO THE CITY OF CHIPPEWA FALLS, WISCONSIN:

I/We, the undersigned, hereby petition the Common Council of the City of Chippewa Falls, WI, for rezoning authorized by the Chippewa Falls Zoning Code, Section 17.46, for the following described property:

Address of Property: _____

Lot: _____ Block: _____ Subdivision: _____ Parcel# _____

Legal Description: LOT 2 OF CERTIFIED SURVEY MAP No. 5794 AS RECORDED IN VOLUME 29 OF CERTIFIED SURVEY MAPS ON PAGE 87 AS Document No. 943886 BEING A PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 9 WEST, CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN

Present zoning classification of property: PI (PUBLIC INSTITUTE)

Zoning classification requested: RESIDENTIAL RIC

Lot number of any real estate owned by the petitioner adjacent to the area proposed to be changed: _____

Existing use of all buildings on such land: N/A

Principal use of all properties within 300 feet of such land: RESIDENTIAL

Purpose for which such property is to be used: RESIDENTIAL, BUILD A HOUSE

Recite any facts indicating that the proposed change will not be detrimental to the general public's interest and the purposes of this Chapter: WOULD LIKE TO REZONE TO MATCH NEIGHBORS SURROUNDING THE PROPERTY. I ALSO BELIEVE THE LOT IS TOO SMALL TO DO ANYTHING WITH AS A PI ZONED

Attach a plot plan or survey plat, drawn to scale, showing the property to be rezoned, location of structures and property lines within 300 feet of the property to be altered.

Add any further information requested on the petition or which may be required by the Common Council to facilitate the making of a comprehensive report to the Council:

IN ORDER FOR THIS PETITION TO BE CONSIDERED, THE OWNER(S) OF THE PROPERTY MUST SIGN BELOW:

MAILING ADDRESS



Owner(s)/Address(es):

Petitioner(s)/Address(es):

Adam TRENOA
5811 LAUDER ST
FMB, FL 33931
Phone #: 651-983-9400
Email: AT0247@AOL.com
Signature:

Adam TRENOA
412 BRIDGEWATER AVE
CHIPPEWA FALLS WI 54729
Phone #: 651-983-9400
Email: AT0247@AOL.com
Signature:

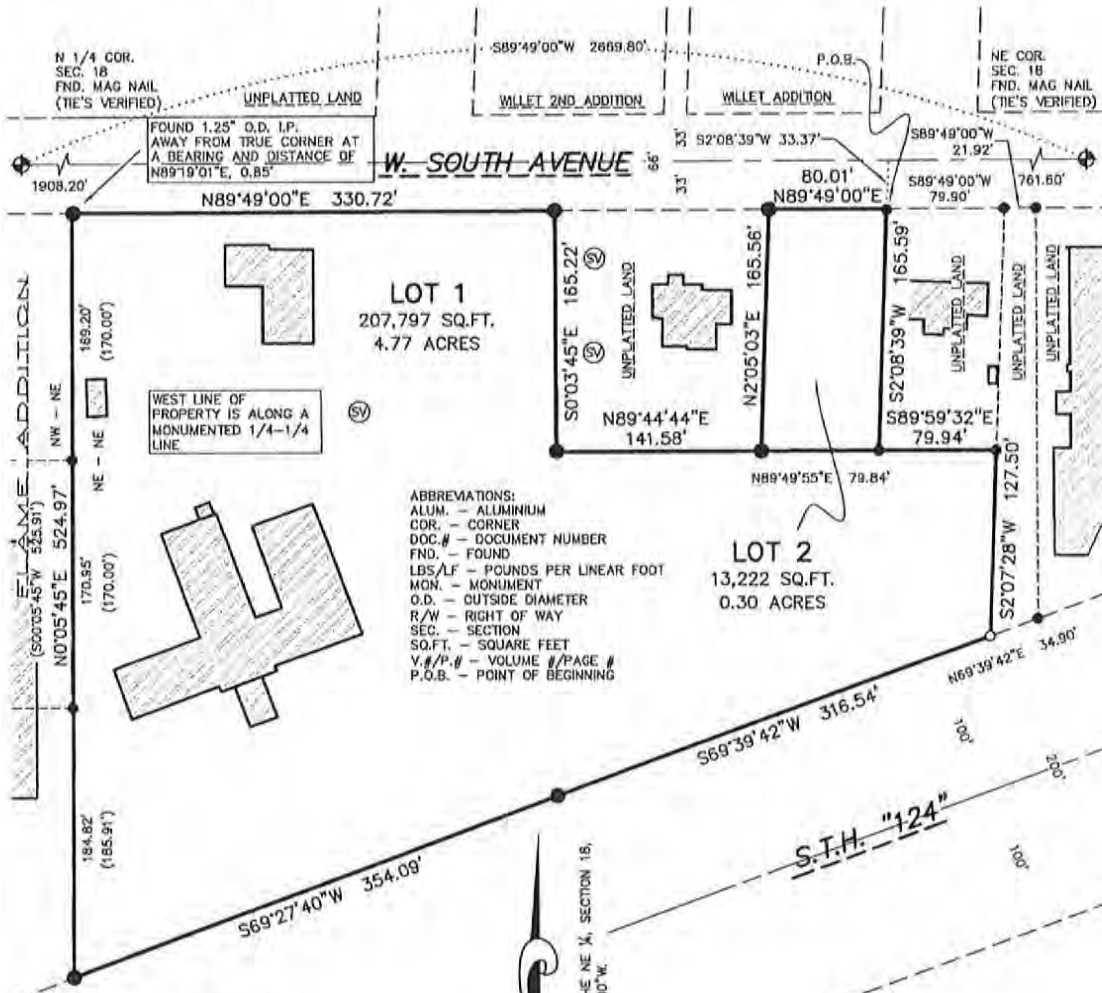
Phone #: _____
Email: _____
Signature: _____

Phone #: _____
Email: _____
Signature: _____

Phone #: _____
Email: _____
Signature: _____

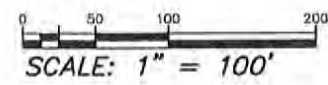
Phone #: _____
Email: _____
Signature: _____

IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4,
SECTION 18, TOWNSHIP 28 NORTH, RANGE 8 WEST,
CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN



ABBREVIATIONS:
ALUM. - ALUMINIUM
COR. - CORNER
DOC.# - DOCUMENT NUMBER
FND. - FOUND
LBS/LF - POUNDS PER LINEAR FOOT
MON. - MONUMENT
O.D. - OUTSIDE DIAMETER
R/W - RIGHT OF WAY
SEC. - SECTION
SQ.FT. - SQUARE FEET
V.#/P.# - VOLUME #/PAGE #
P.O.B. - POINT OF BEGINNING

- LEGEND**
- --- FOUND 1" IRON PIPE
 - --- FOUND 2" OUTSIDE DIAMETER IRON PIPE
 - --- SET 1" OUTSIDE DIAMETER x 18" IRON PIPE WEIGHING 1.13 POUNDS PER LINEAR FOOT
 - () --- RECORDED AS
 - ▭ --- EXISTING BUILDING
 - SV --- SEPTIC VENT



REAL LAND SURVEYING, LLC
1306 INTERNATIONAL DRIVE
EAU CLAIRE, WI 54701
(715)514-4118
rlawj.com
CADD # 23195 CSM

FIELDWORK
COMPLETION
DATE: 7/5/2023



CHIPPEWA COUNTY CERTIFIED SURVEY MAP NO. _____

RECORDED IN VOLUME _____ OF CERTIFIED SURVEY MAPS PAGE _____

IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4,
SECTION 18, TOWNSHIP 28 NORTH, RANGE 8 WEST,
CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, PETER J. GARTMANN, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY: THAT BY THE DIRECTION OF CROSSROADS CHURCH INC., I HAVE SURVEYED, DIVIDED AND MAPPED THE LAND PARCEL WHICH IS REPRESENTED BY THIS CERTIFIED SURVEY MAP.

THAT THE EXTERIOR BOUNDARY OF THE LAND PARCEL SURVEYED AND MAPPED IS AS FOLLOWS: LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, TOWNSHIP 28 NORTH, RANGE 8 WEST, CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE NORTHEAST CORNER OF SECTION 18;
- THENCE S89°49'00"W ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 761.60 FEET;
- THENCE S02°08'39"W, A DISTANCE OF 33.37 FEET TO THE SOUTHERLY LINE OF W. SOUTH AVENUE R/W ALSO BEING THE POINT OF BEGINNING;
- THENCE CONTINUING ON S02°08'39"W, A DISTANCE OF 165.59 FEET;
- THENCE S89°59'32"E, A DISTANCE OF 79.94 FEET;
- THENCE S02°07'28"W, A DISTANCE OF 127.50 FEET TO THE NORTHERLY R/W LINE OF S.T.H. "124";
- THENCE S69°39'42"W, ALONG THE SAID R/W LINE, A DISTANCE OF 316.54 FEET;
- THENCE S69°27'40"W, ALONG THE SAID R/W LINE, A DISTANCE OF 354.09 FEET;
- THENCE N00°05'45"E, A DISTANCE OF 524.97 FEET TO THE SOUTHERLY R/W OF W. SOUTH AVENUE;
- THENCE N89°49'00"E, ALONG SAID R/W, A DISTANCE OF 330.72 FEET;
- THENCE S00°03'45"E, A DISTANCE OF 165.22 FEET;
- THENCE N89°44'44"E, A DISTANCE OF 141.58 FEET;
- THENCE N02°05'03"E, A DISTANCE OF 165.56 FEET TO THE SOUTHERLY R/W LINE OF W. SOUTH AVENUE;
- THENCE N89°49'00"E, ALONG THE SAID R/W LINE, A DISTANCE OF 80.01 FEET TO THE POINT OF BEGINNING; AND BEING SUBJECT TO EXISTING EASEMENTS

THAT THIS CERTIFIED SURVEY MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY SURVEYED AND DESCRIBED.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES, AE-7 OF THE WISCONSIN ADMINISTRATIVE CODE, AND THE SUBDIVISION REGULATIONS OF THE CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN IN SURVEYING AND MAPPING THE SAME.


PETER J. GARTMANN, P.L.S. 2279

DATED THIS 2nd DAY OF August, 2023

PREPARED FOR:
CROSSROADS CHURCH INC
209 W SOUTH AVE.
CHIPPEWA FALLS, WI 54729

Prepared By:
Real Land Surveying
1356 International Drive
Eau Claire, WI 54701



CITY COUNCIL RESOLUTION:

RESOLVED, THAT THIS CERTIFIED SURVEY MAP IN THE CITY OF CHIPPEWA FALLS, IS HEREBY APPROVED.

MAYOR DATE _____
I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF CHIPPEWA FALLS

CITY CLERK DATE _____

Map

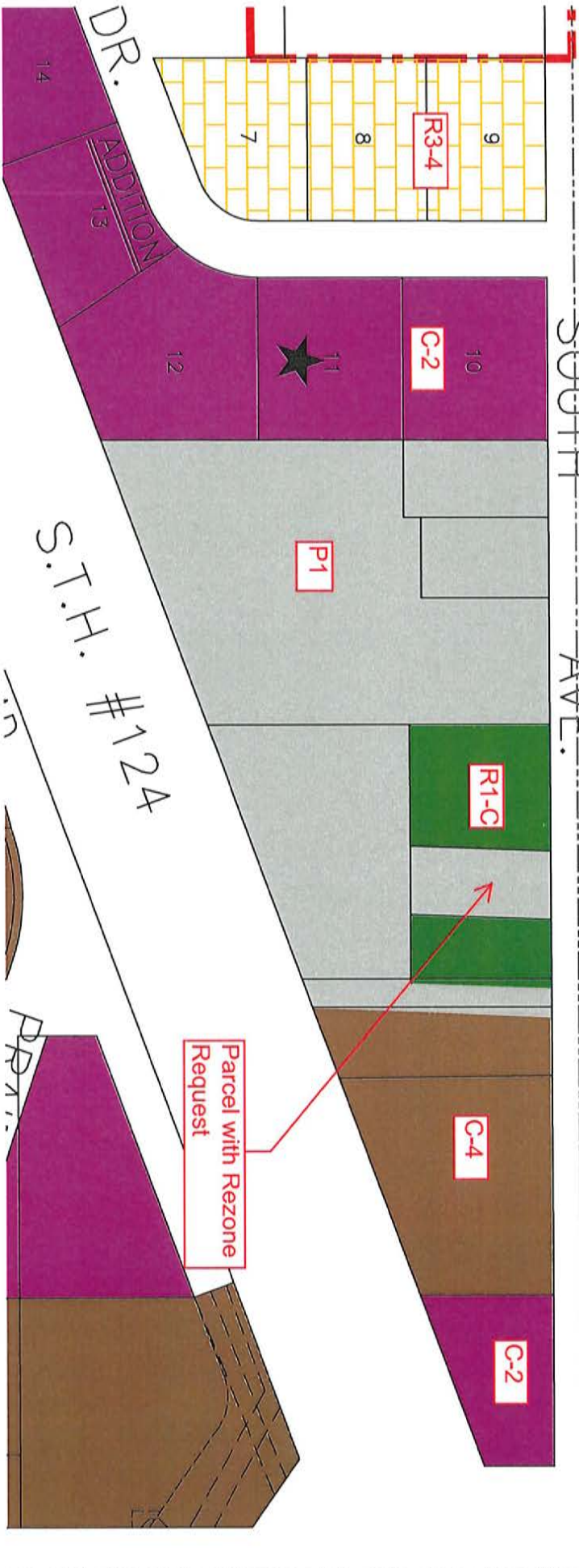
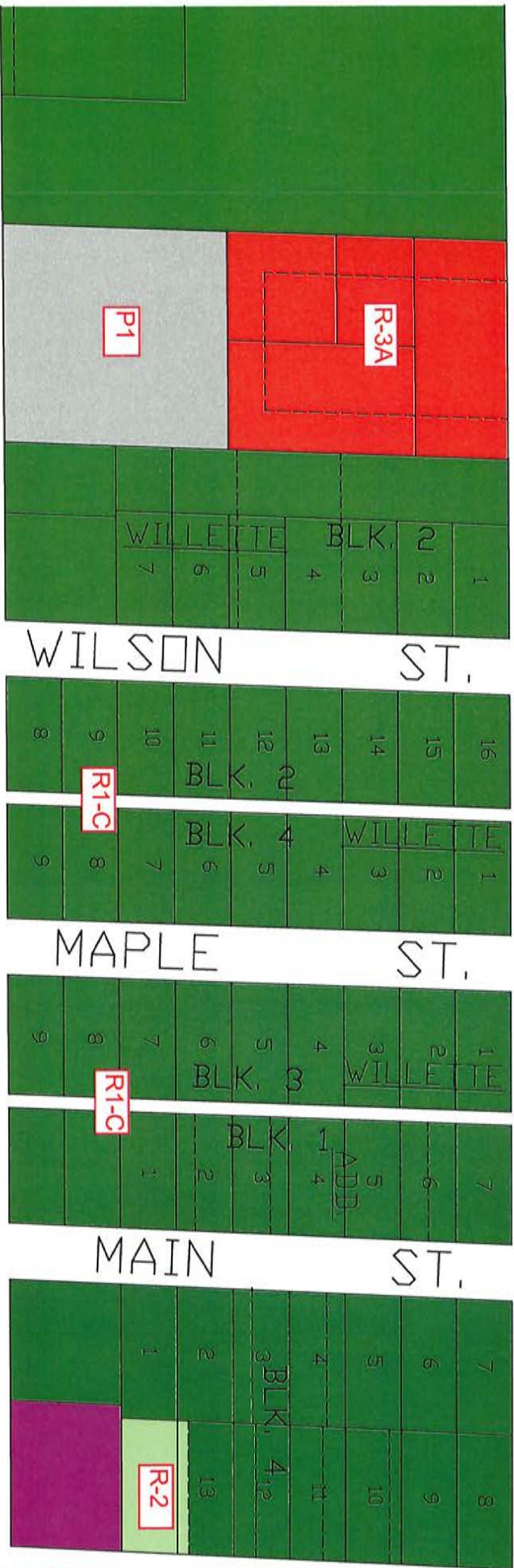
Printed 10/04/2023

Scale = 1:92'



Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.

EXISTING NEIGHBORHOOD ZONING



Parcel with Rezoning Request

Planned Development Conditional Use Permit Resolution 2023-02

**CITY OF CHIPPEWA FALLS PLAN COMMISSION
RESIDENTIAL PLANNED DEVELOPMENT CONDITIONAL USE PERMIT
RESOLUTION 2023-02 FOR KAREN KNIGHT, JON KEMPER AND JEAN KELLOGG
TO REVISE THE LOT LINES AT PARCELS 22808-0744-62470103 AND 22808-0744-
62470104 LOCATED AT 727 AND 733 MAPLE STREET CREATING A
SUBSTANDARD LOT AT PARCEL 22808-0744-62470103**

WHEREAS, on September 11, 2023 the City of Chippewa Falls Plan Commission heard a request from Jon Kemper, Karen Knight and Jean Kellogg to revise the lot lines at 727 and 733 Maple Street creating a substandard lot at 727 Maple Street due to the existing residential structure at 733 Maple Street being over the existing lot line; and

WHEREAS, an existing a carport is currently connected to the two existing residential structures and a driveway from Maple Street serves both parcels; and

WHEREAS, parcels 22808-0744-62470103 and 2808-0744-62470104 are zoned R-1C Single Family Residential; and

WHEREAS, the City of Chippewa Falls Plan Commission has reviewed and evaluated the request of Karen Knight, Jon Kemper, and Jean Kellogg to revise the lot lines at parcels 22808-0744-62470103 and 22808-0744-62470104 located at 727 and 733 Maple Street creating a substandard lot at parcel 22808-0744-62470103 in accordance with Chippewa Falls Municipal Code 17.22 (3) R-1C Single Family Residential Lot Size; and

WHEREAS, the City of Chippewa Falls Plan Commission conducted a public hearing on Monday, October 9, 2023 at 6:30 P.M. to hear all concerns about requested Residential Planned Development Conditional Use Permit Resolution No. 2023-02 after proper notification of all adjacent property owners within 150 feet of the parcel and the publishing of a Class II notice for the said public hearing.

WHEREAS, the Plan Commission finds the following facts:

- a) Revising the lot lines at parcels 22808-0744-62470103 and 22808-0744-62470104 creating a substandard lot at parcel 22808-0744-62470103 would not be detrimental to the health, welfare, and character of the existing residential zoned neighborhood.
- b) Such other findings of fact related to the proposed permit, which are made after hearing on the record.

Planned Development Conditional Use Permit Resolution 2023-02

NOW, THEREFORE, BE IT RESOLVED BY THE PLAN COMMISSION OF THE CITY OF CHIPPEWA FALLS, WISCONSIN that pursuant to Chapter 17.22(3) and 17.47 of the Code of Ordinances of the City of Chippewa Falls, Wisconsin, that a Residential Planned Development Conditional Use Permit is hereby issued to Karen Knight, Jon Kemper and Jean Kellogg to revise the lot lines at parcels 22808-0744-62470103 and 22808-0744-62470104 located at 727 and 733 Maple Street creating a substandard lot at parcel 22808-0744-62470103 under the following conditions:

- a. That a front width of 48.42 feet be allowed.
- b. A maintenance agreement for the carport that is attached to the residential structures at 727 Maple Street and 733 Maple Street be in effect.
- c. A shared driveway agreement between the property owners be in effect.
- d. That this permit shall run with the land and apply to all present and future owners as long as permitted uses in the R-1C Single Family Residential District are employed and the carport maintenance agreement and shared driveway agreement are in effect between the future owners.
- e. That the map of survey, carport maintenance agreement and shared driveway agreement are made an integral part of this permit and are available in the City of Chippewa Falls Engineering Department and the City of Chippewa Falls Building and Inspection office.
- f. Except as specifically provided herein, all regulations of the City Zoning Code shall apply.
- g. That this permit shall become null and void by non-compliance with this permit or related Codes or by application to the Board of Appeals for any Code variance at these premises.
- h. Chapter 17.47 (13) shall apply and this permit shall terminate if the use for which this permit is issued shall cease for a continuous two year period.
- i. Modifications or changes to this permit may be made only by the Plan Commission after an application for an amendment has been duly filed and notices and hearing requirements have been complied with.

MOTION: _____

SECONDED: _____

I hereby certify that the Plan Commission of the City of Chippewa Falls, Wisconsin, adopted the above Resolution on October 9, 2023 by a vote of _____ ayes, _____ nays, and _____ abstentions.

ATTEST: _____
William McElroy, PE, Secretary
Plan Commission

Surrounding
Zoning

Dark Green= R-1C Single Family
LightGreen= R-2 Two Family

WISCONSIN ST.



GARDEN

ST.



**NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT**

Notice is hereby given that the Plan Commission of the City of Chippewa Falls will conduct a public hearing in the Council Chambers, Municipal Building, 30 West Central Street, Chippewa Falls, Wisconsin, commencing at **6:30 P.M. on Monday, October 9, 2023** regarding:

A Planned Development Conditional Use Permit Resolution for Jon Kemper, Karen Knight and Jean Kellogg to revise the lot lines at on parcels 22808-0744-62470103 and 22808-0744-62470104, located at 727 and 733 Maple Street in the City of Chippewa Falls, creating a substandard lot at 727 Maple Street.

This parcel is currently zoned R-1C Single Family District.

Following the hearing, the Plan Commission will consider adoption of a resolution granting the permit.

A copy of the proposed resolution with the conditions of the proposed permit may be inspected at the office of the City Engineer in the Municipal Building at 30 West Central Street during regular office hours. (8:30 A.M. to 3:30 P.M.)

William McElroy P.E., Secretary
Plan Commission



727 & 733 Maple St

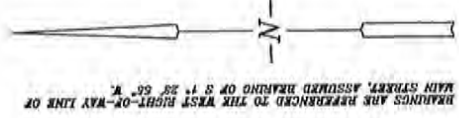


Printed 09/28/2023

Scale = 1:49'



Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.



SCALE : 1" = 100'

LEGEND

- SET 1 1/4" OUTSIDE DIAMETER x 24" IRON PIPE WEIGHING 1.68 POUNDS / LINEAL FOOT
- FOUND 3/4" IRON BAR
- FOUND 3/4" OUTSIDE DIAMETER IRON PIPE
- FOUND 1" OUTSIDE DIAMETER IRON PIPE

SURVEYOR'S CERTIFICATE

I, JOHN D. MICKESH, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. SAID PARCEL IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

JOHN D. MICKESH

DATED THIS _____ DAY OF SEPTEMBER, 2023.

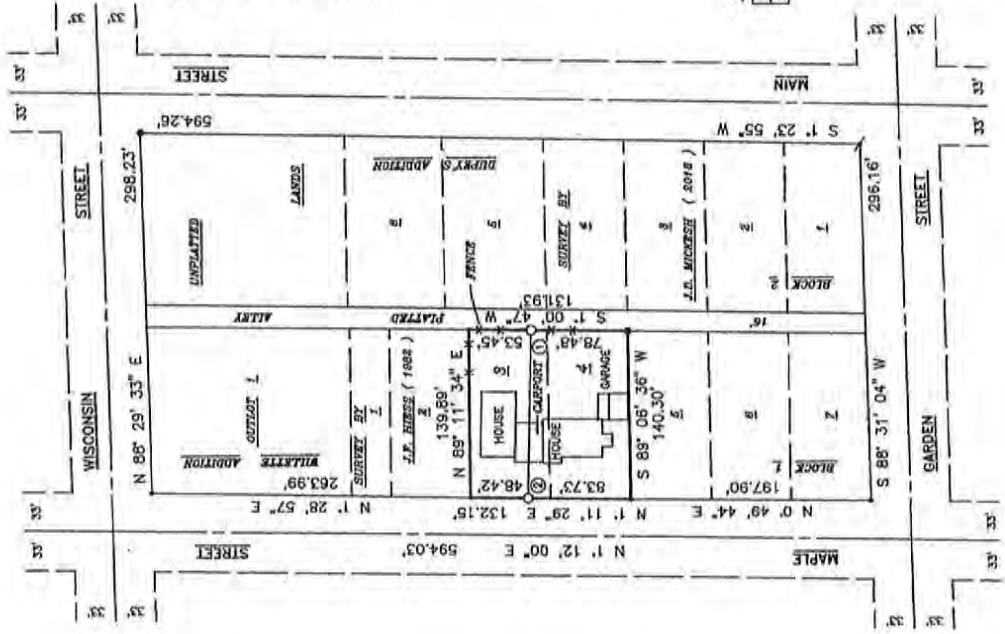
CHIPPEWA SURVEYING INC.
CHIPPEWA FALLS, WISCONSIN

KEMPER SURVEY LOCATED IN LOTS 3 AND 4 OF BLOCK 1 OF WILLETTE ADDITION IN SECTION 7, TOWNSHIP 28 NORTH, RANGE 8 WEST, CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN.

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN LOT 3, BLOCK 1 OF WILLETTE ADDITION IN SECTION 7, TOWNSHIP 28 NORTH, RANGE 8 WEST, CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3, BLOCK 1 OF WILLETTE ADDITION, THENCE N 89° 11' 34" E 139.89 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE S 1° 00' 47" W 53.45 FEET; THENCE N 88° 44' 39" W 139.97 FEET; THENCE N 1° 11' 29" E 48.42 FEET TO THE NORTHWEST CORNER OF LOT 3, BLOCK 1 OF WILLETTE ADDITION AND THE POINT OF BEGINNING.



DATA TABLE

NUMBER	BEARING	DISTANCE
1-2	N 88° 44' 39" W	139.97'

NOTE:

AN OPINION OF TITLE SHOULD BE OBTAINED FROM AN ATTORNEY FOR THE SURVEYED PARCEL AS SHOWN ON THIS MAP BEFORE ANY UTILIZATION OF THIS PROPERTY IS MADE BY THE OWNER, HIS ASSIGNS OR HEIRS.

The owner of 727 Maple St., Chippewa Falls, Wisconsin agrees to grant the owner of 733 Maple St., Chippewa Falls, Wisconsin easement to the driveway between the houses as long as there is a carport connecting the two properties. The easement will cease once the 733 side of the carport is removed or the driveway is widened to a full driveway on the 733 property.

Both the owners of the 727 and 733 sides shall share the maintenance of the common driveway and carport equally until the half of the carport on the 733 side is removed.



Jean Kellogg

8/30/23
Date



Jon Kemper

8/30/23
Date



Karen Knight

8/30/23
Date

CITY OF CHIPPEWA FALLS PLAN COMMISSION CONDITIONAL USE PERMIT RESOLUTION 2023-03 GRANTING A CONDITIONAL USE PERMIT TO OPERATE A BATTERY ASSEMBLY AND REPURPOSING FACILITY ON PARCEL #22908-2943-73878001A LOCATED AT 1400 HALBLEIB ROAD

WHEREAS, the City of Chippewa Falls Plan Commission granted Conditional Use Permit Resolution #08-05 to Canadian Sand and Proppants, Inc. on August 11, 2008 to allow structures to exceed the City's maximum height for operation of a sand processing plant in a Heavy Industrial Zoning District; and

WHEREAS, the City of Chippewa Falls Plan Commission found facts supporting C.U.P. Resolution #08-05 on June 1, 2009 and additional facts on August 30, 2010; and

WHEREAS, the City of Chippewa Falls Plan Commission granted an amendment to Conditional Use Permit Resolution #08-05 on August 30, 2010; and

WHEREAS, the Chippewa Falls Plan Commission granted a second amendment (C.U.P. R-11-03) to Conditional Use Permit Resolution #08-05 for a revision to the rail loadout building on May 9, 2011; and

WHEREAS, the City of Chippewa Falls Plan Commission granted a third amendment (C.U.P. R-12-05) to Conditional Use Permit Resolution #08-05 to add a 180' x 74' x 25' high equipment storage building on July 23, 2012; and

WHEREAS, the City of Chippewa Falls Plan Commission granted a fourth amendment (C.U.P. R-12-06) to Conditional Use Permit Resolution #08-05 to add two 180' diameter x 78' high heated concrete sand storage domes on August 20, 2012; and

WHEREAS, the City of Chippewa Falls Plan Commission granted a fifth amendment (C.U.P. R-14-02) to Conditional Use Permit Resolution #08-05 to a 64' x 190' x 62' high addition to the west end of the existing process building on August 11, 2014; and

WHEREAS, all of the buildings constructed under Conditional Use Permit Resolution #08-05 and subsequent amendments are still in place but not in use; and

WHEREAS, at its September 11, 2023 meeting, the City of Chippewa Falls Plan Commission heard a request from Lesley Blaine and Chris Gregory of KYMA Battery Technologies to use the existing Office Building, Building 11 with expansion to Areas 4, 5 & 6 on Parcel #22908-2943-73878001A located at #1400 Halbleib Road to operate a battery assembly and repurposing facility. KYMA Battery Technologies is a start-up company leasing the mentioned buildings from Independence, LLC represented by Dax Atkinson; and

WHEREAS, Parcel #22908-2943-73878001A on which #1400 Halbleib Road is located is presently zoned as I-3 Heavy Industrial; and

WHEREAS, the use of a parcel as a battery assembly and repurposing facility is a conditional use in a I-3 Heavy Industrial Zoning District as set forth in City of Chippewa Falls Municipal Code Chapter 17.34(6)(h); and

WHEREAS, the City of Chippewa Falls Plan Commission has reviewed and evaluated the request of KYMA Battery Technologies for a Conditional Use Permit to operate a battery assembly and repurposing facility on Parcel #22908-2943-73878001A; and

WHEREAS, the City of Chippewa Falls Plan Commission conducted a public hearing on Monday, October 9th, 2023 at 6:30 P.M. to hear all concerns about requested Conditional Use Permit Resolution No. 2023-03 after proper notification of all adjacent property owners within 150 feet of the parcel and the publishing of a Class II notice for the said public hearing.

WHEREAS, the Plan Commission finds the following facts:

- a) Using parcel # 22908-2943-73878001A as a battery assembly and repurposing facility would not be detrimental to the health, welfare, and character of the existing neighborhood.
- b) Such other findings of fact related to the proposed conditional use permit, which are made after hearing on the record.

NOW, THEREFORE, BE IT RESOLVED BY THE PLAN COMMISSION OF THE CITY OF CHIPPEWA FALLS, WISCONSIN that pursuant to Chapter 17.34(6)(h) of the Code of Ordinances of the City of Chippewa Falls, Wisconsin, that a Conditional Use Permit is hereby issued for the KYMA Battery Technologies to operate a battery assembly and repurposing facility on parcel #22908-2943-73878001A located at #1400 Halbleib Road under the following conditions:

- a. KYMA Battery Technologies shall obtain all required federal, state and local permits.
- b. All transport of battery and battery components by truck and rail shall conform to United States Department of Transportation regulations.
- c. All batteries shall be tested and inspected prior to shipping to the site. Only those batteries that have been approved for reuse shall be shipped to the site.
- d. There shall be no open storage of damaged, defective, or recalled battery components.
- e. Any damaged, defective, or recalled battery components must be inventoried and removed from the site within 60 days.
- f. Waste management of batteries and components shall comply with the attached processes and all state and federal regulations.
- g. All batteries and components must be stored in a location that has a fire detection system. The detection system must include at a minimum, as proposed, gas, thermal, and smoke detection.
- h. All batteries and components must be stored in a location that has a fire suppression system.

- i. All proposed fire detection and suppression systems must be submitted to the Chippewa Falls Fire Department for review and approval. Upon submittal of the proposed systems, the Chippewa Falls Fire Department will respond within 30 calendar days. All installed systems must be adequate in the opinion of the Chippewa Falls Fire Department.
- j. All fire suppression must meet or exceed any current or future standards of the National Fire Protection Agency (NFPA). If new standards are developed, the site must comply with implementation of the standards.
- k. KYMA Battery Technologies shall host a bi-annual invitation to the Chippewa Falls Fire Department to review operations and train on any fire suppression systems as necessary.
- l. A secondary containment system for any potential stormwater and groundwater contamination shall be in place at battery storage locations.
- m. The Standard Operating Procedures for clean up in the event of a fire suppression activation shall be reviewed and approved by the Chippewa Falls Fire Department and Chippewa Falls Engineering Department.
- n. KYMA Battery Technologies will occupy the Office Building and Building 11 as shown on the attached site plan. They may expand to areas 4, 5, and 6 without an amendment to this Conditional Use Permit.
- o. That the Company Overview (Appendix 1), Operational Considerations (Appendix 2) and Site Plan, which are attached hereto, and made an integral part of the Conditional Use Permit be maintained in both the City of Chippewa Falls Engineering Department Office and the City of Chippewa Falls Building and Inspection Office.
- p. Except as specifically provided herein, all regulations of the City Zoning and Sign Code shall apply.
- q. That this permit shall become null and void by non-compliance with this permit or related Codes or by application to the Board of Appeals for any Code variance at these premises.
- r. Chapter 17.47 (13) shall apply and this permit shall terminate if the use for which this permit is issued shall cease for a continuous two year period.
- s. Modifications or changes to this permit may be made only by the Plan Commission after an application for an amendment has been duly filed and notices and hearing requirements have been complied with.

MOTION: _____

SECONDED: _____

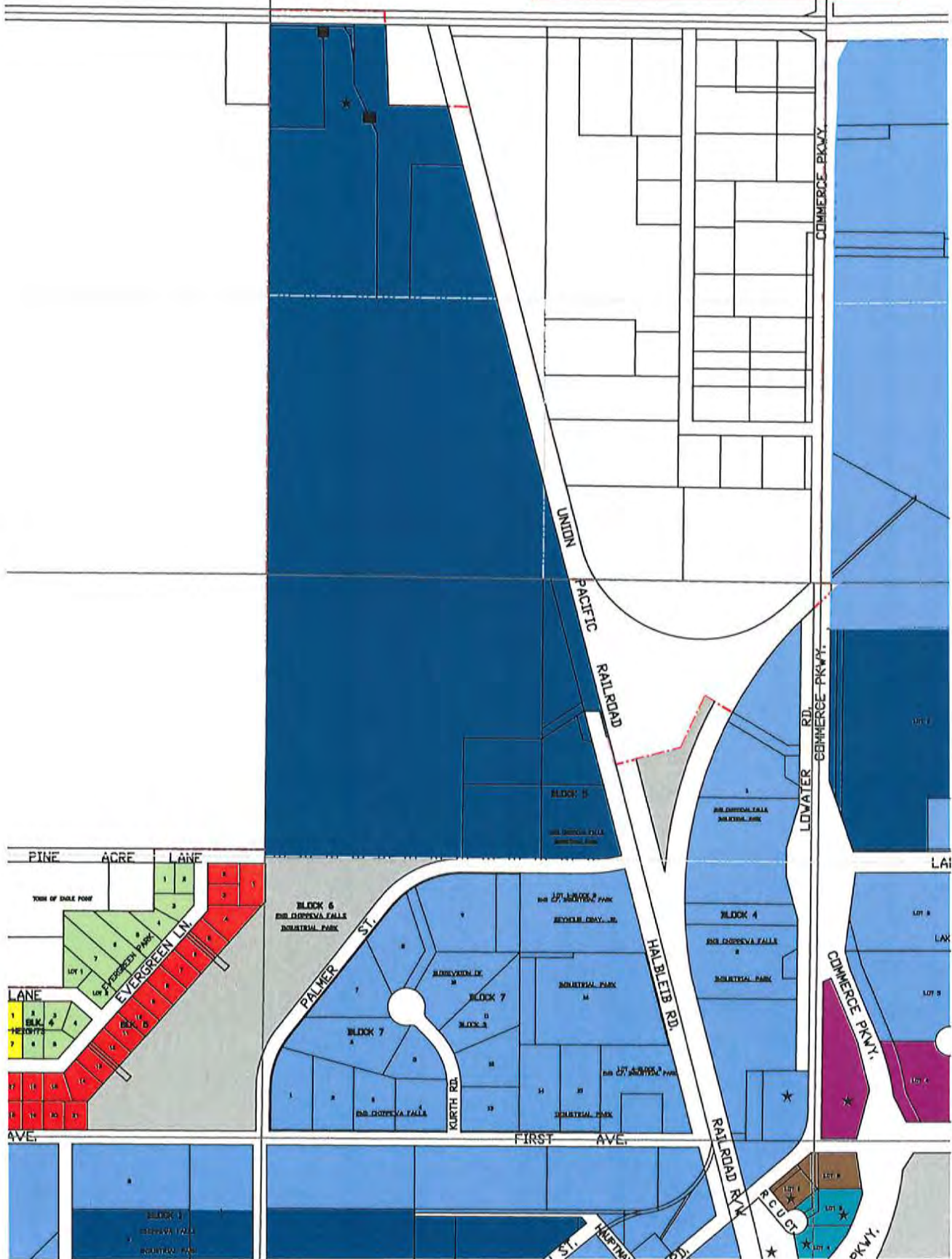
I hereby certify that the Plan Commission of the City of Chippewa Falls, Wisconsin, adopted the above Resolution on October 9, 2023 by a vote of _____ ayes, _____ nays, and _____ abstentions.

ATTEST: _____

William McElroy, PE, Secretary
Plan Commission

Surrounding Zoning

- Dark Blue = I-3 Heavy Industrial
- Green = R-2 Two Family
- Orange = R-3A Multi-Family
- Grey = P-1 Public
- Light Blue = I-2 Light Industrial
- Magenta = C-2 General Commercial



NOTICE OF PUBLIC HEARING CONDITIONAL USE PERMIT

Notice is hereby given that the Plan Commission of the City of Chippewa Falls will conduct a public hearing in the Council Chambers, Municipal Building, 30 West Central Street, Chippewa Falls, Wisconsin, commencing at **6:30 P.M. on Monday, October 9, 2023** regarding:

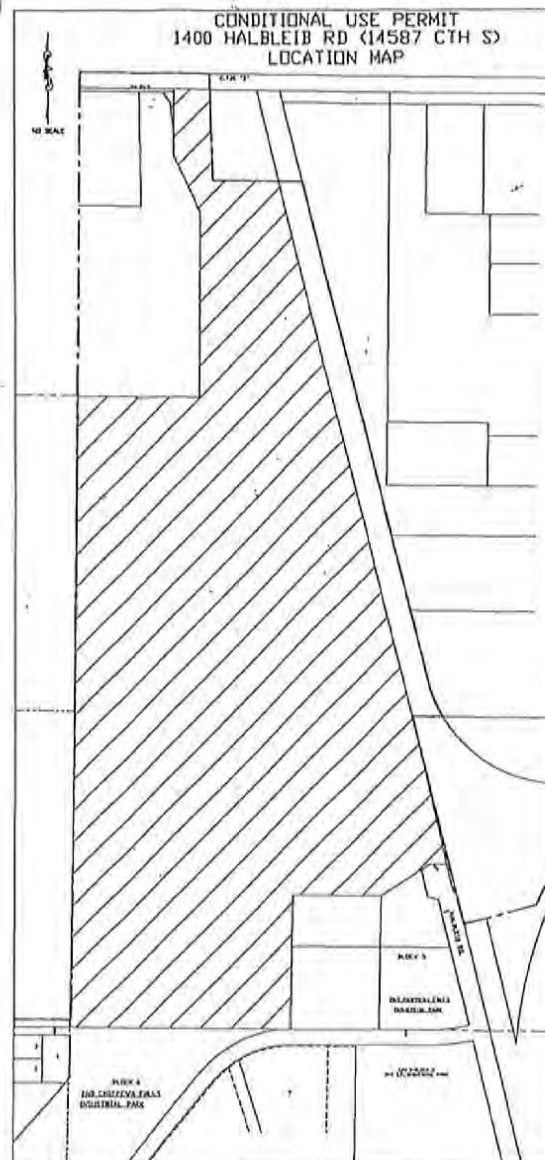
A Conditional Use Permit Resolution to allow KYMA Battery Technologies to operate a battery assembly and repurposing facility at 1400 Halbleib Road, parcel 22908-2943-73878001A, in the City of Chippewa Falls.

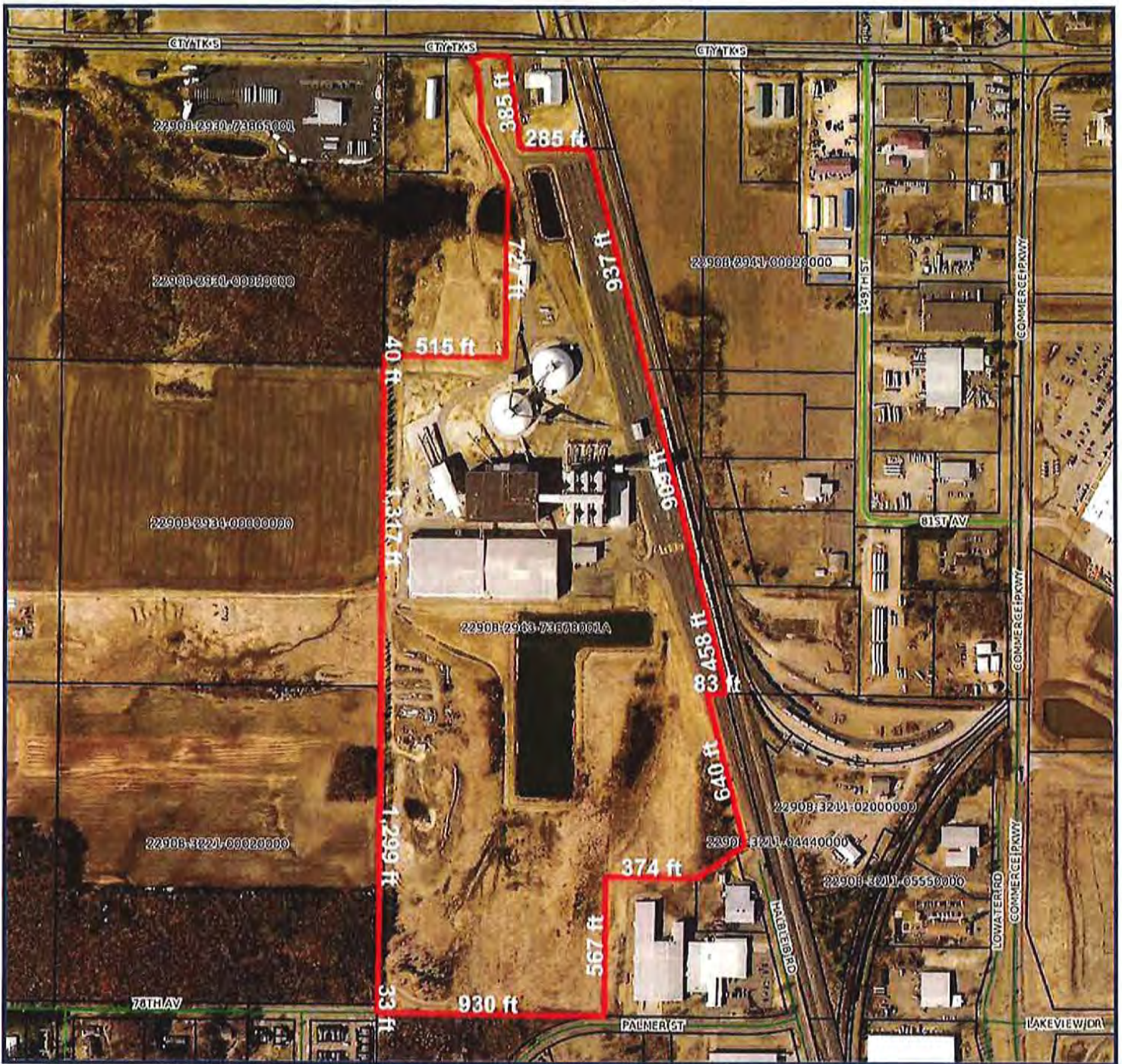
This parcel is currently zoned I-3 Heavy Industrial District.

Following the hearing, the Plan Commission will consider adoption of a resolution granting the permit.

A copy of the proposed resolution with the conditions of the proposed permit may be inspected at the office of the City Engineer in the Municipal Building at 30 West Central Street during regular office hours. (8:30 A.M. to 3:30 P.M.)

William McElroy P.E.,
Secretary Plan Commission





PIN: 22908-2943-73878001A

Computer Number: 211-4760.4507

Owner Name: INDEPENDENCE WI LLC

Owner Address: 4719 FOREST LN

Owner Address: DALLAS TX, 75244

Physical Address: 14587 COUNTY HWY S CHIPPEWA FALLS 54729

GIS Acres: 86.8 Deed Acres: 88.1

School Code: 1092

Assessed Value: 27281700 Fair Market Value: 32145300

Description: W 1/2 SE & SE SE OF SEC.29 LOT 1 OF CERT SUR MAP #3878 IN V17

P298 DOC #798570 (COMP #4760.4400, 4760.4501 4760.4502, 4760.

ALL COMBINED INTO ONE PCL) & PART OF LOT 2 OF CSM #4243 DESCR AS

@ THE SW COR OF SD LOT 2, N 40', S 89 D E 514.60' TO E LN



Scale = 1"=570'

Printed 08/23/2023

Disclaimer: This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.



KYIMA
BATTERY TECHNOLOGIES

APPENDIX 1

Company Overview



Each day one of us gets the chance to start an
adventure.....

MISSION STATEMENT

American made batteries that promote reuse of materials, reduce the carbon footprint, and save critical materials being recycled.

September 4, 2023

WHO ARE WE?

- ⓧ We are a startup company that was formed from an idea that Collaborative Engineering Services had to build a battery assembly and repurposing company in the US.
- ⓧ Our landlord is Independence Wisconsin who own and manage the site in Chippewa Falls.
- ⓧ Our plan is to work with other startup battery technology companies to grow our technology portfolio and introduce incubator companies to the Chippewa Valley.



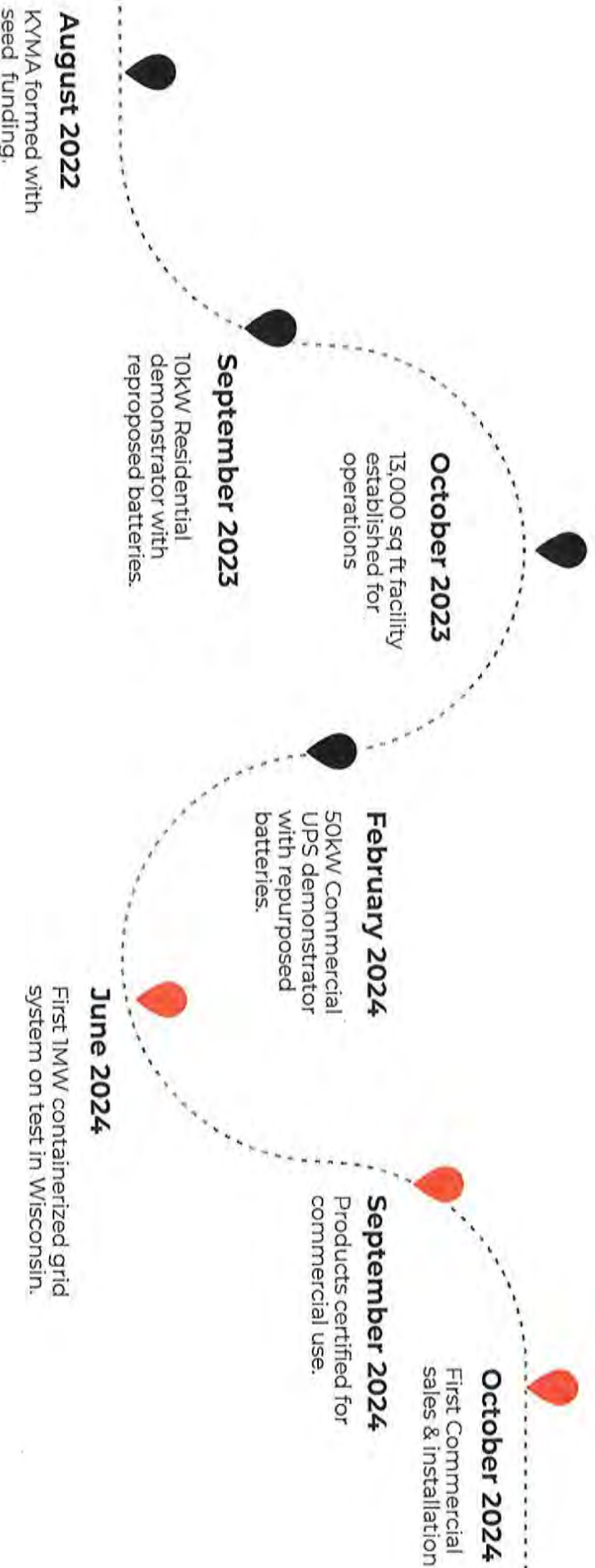
UNIQUE VISION

- Ⓚ We are a new company formed to deliver repurposed and new batteries to the US.
- Ⓚ We are combining battery pack assembly and repurposing in the same facility.
- Ⓚ We are creating a new facility that will have a flexible approach to service provision for assembly of modules and battery packs for electric vehicles, heavy goods vehicles, rail and sport utility customers enabling USA made batteries to be sold across the globe.
- Ⓚ Our initial focus will be repurposing electric vehicle batteries for energy storage applications. Where appropriate we will reuse critical components and materials.
- Ⓚ We will carry out R&D with a collaborative approach to working with partners and start-up companies to invest in new technology.

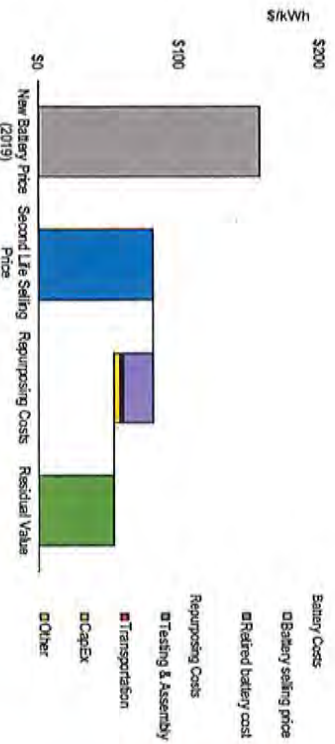
FACILITY & PRODUCTION

- ⊗ The battery assembly and recycling facility will initially operate from Building 11 after refurbishment has taken place.
- ⊗ Planned completion ready for full operation is end of October 2024.
- ⊗ The engineering team and collaborative partners are working on designs and prototypes to take to test and market during 2023 and into 2024.
- ⊗ The layout of the facility is unique in that it is an arrangement that includes both assembly and repurposing bought together around a central services area.
- ⊗ Attention is focused on safety and a high-quality service for our customers.

KYMA ROADMAP



KYMA ECONOMIC MODEL BENEFITS



- ⊗ Reduce the number of EV batteries recycled using additional energy and resources to recover materials.
- ⊗ Lower the total carbon footprint of batteries and the supply chain.
- ⊗ Provide reserve capacity for grid infrastructure and community energy. Access to cheaper energy storage systems.
- ⊗ Lower energy storage system costs for consumers
- ⊗ Legislate to ensure OEM's have a path to repurpose and recycle all electric vehicle batteries.

WHY REPURPOSE LITHIUM-ION BATTERIES?

- Majority of electric vehicles on the road today will have between 15-20 years useful life left in the battery after the battery is deemed end of life by the OEM.
- Applications can be developed for energy storage systems from residential, community energy to large scale grid storage applications.
- We need to disrupt the supply chain to ensure healthy batteries are not scrapped and recycled to form black mass which in turn uses energy intense processes to reclaim metals.
- We need to incentivise OEM's to look at better ways of taking back batteries and to repurpose rather than recycle





KRYMA
BATTERY TECHNOLOGIES

APPENDIX 2

Operational Considerations



Each day one of us gets the chance to start an
adventure.....

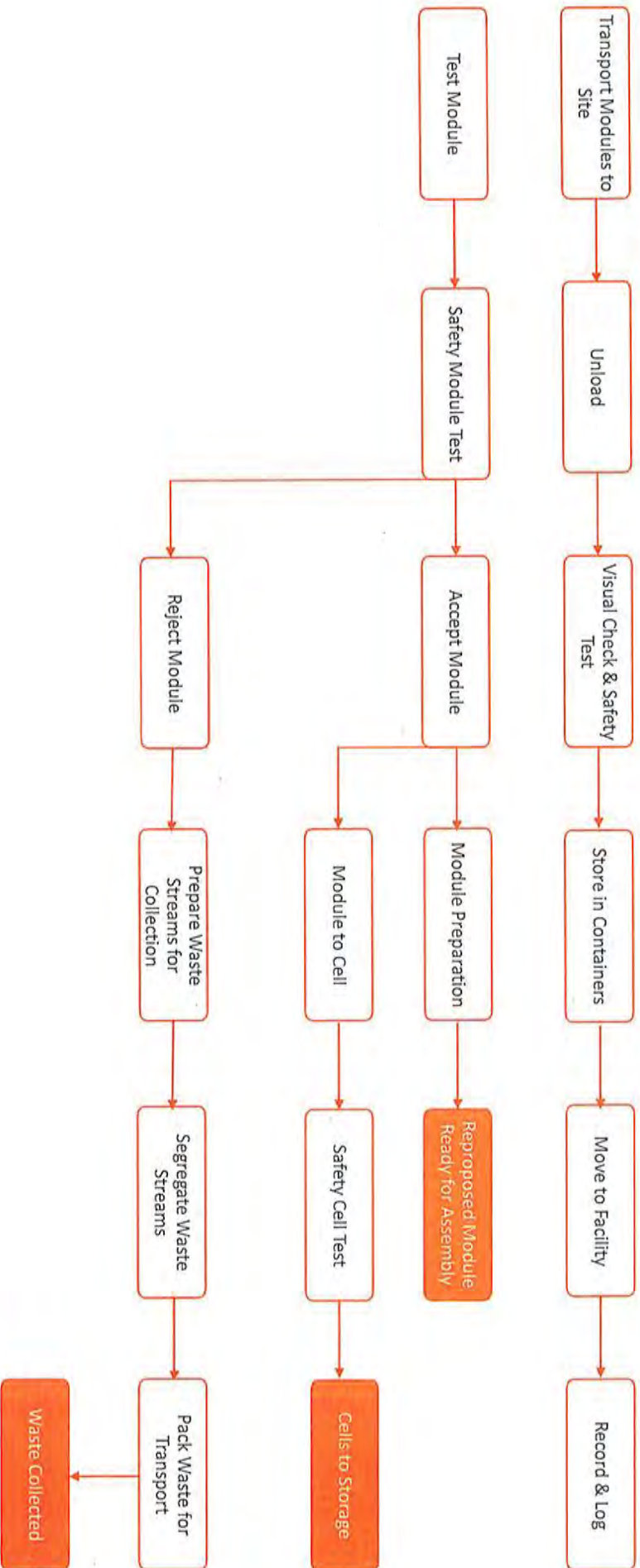
OPERATIONAL CONSIDERATIONS

KYMA Battery Technologies are focused on producing high quality, safe battery packs for energy storage applications. The following presentation outlines the production methodology and highlights operational safety aspects for the site. In addition to energy storage applications KYMA will be seeking to manufacture new battery packs for other applications such as rail, off highway and commercial applications. This presentation deals with:

- Operations
- Fire Safety
- Health & Safety
- Environmental
- Waste Management
- Transport

The following slides show the process flows for 1) repurposing battery modules from electric vehicles and 2) Assembly of new battery packs.

PROCESS FLOW FOR REPURPOSED PACKS

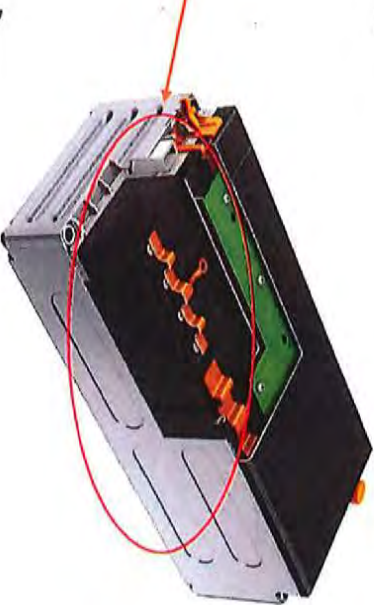
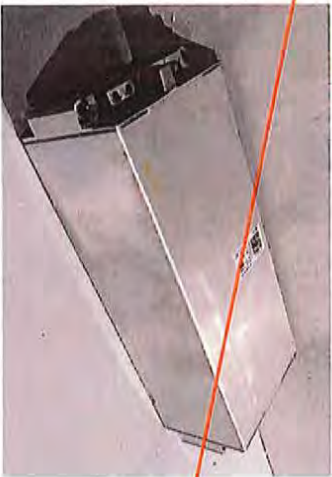


WHAT IS A BATTERY MODULE?

Nissan Leaf Battery Module contains 4 pouch lithium-ion cells

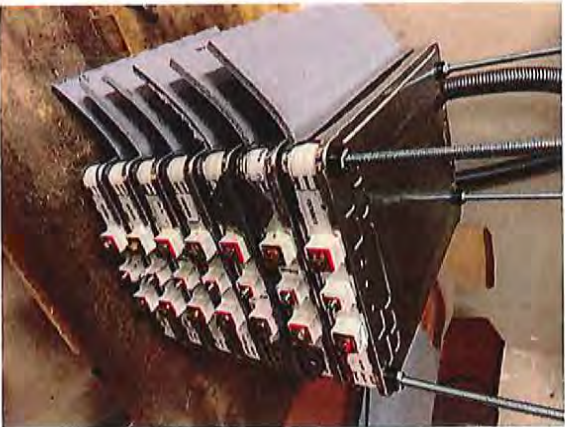


The Audi e-tron module contains 12 prismatic lithium-ion cells.

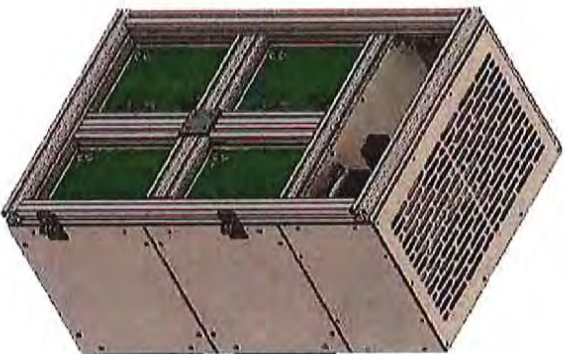


KYMA DEMONSTRATOR UNIT

Nissan Leaf Modules



Assembled with battery management and safety systems.



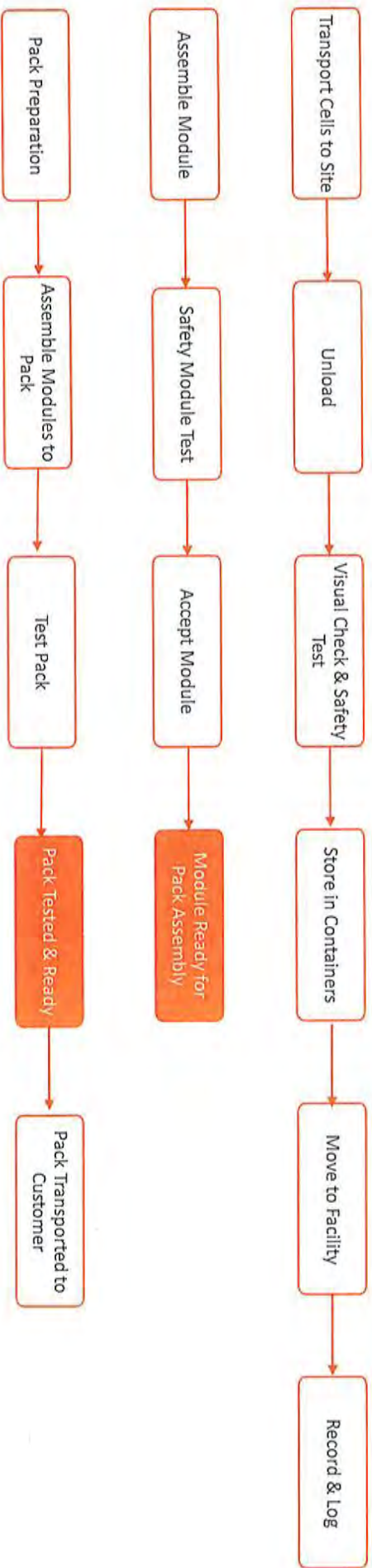
8kW Home energy storage unit.



SOURCE OF BATTERIES

State of Battery	Sources of Battery or Cells	Reason for Being a Source	State of Battery or Cell
In Service	- Vehicle Manufacturers and OEMs	Warranty Claim on Battery by Customer	Battery pack not working. Module removed from pack and tested.
End of Life	- Dealerships - Independent Repair Shops - Collision Centers - Vehicle Manufacturers - Waste Management Companies	Batteries Need Disposal	Battery pack not working. Module removed from pack and tested.
Stock	- OEM's - Suppliers	Excess or Cells Not Required	New unused
Stock	- OEM's - Suppliers	Technical Change and Upgrade	New Unused

PROCESS FLOW FOR NEW PACKS



SOURCE OF BATTERY CELLS

Lithium Titanate – Toshiba

- Due to the lower operating voltage of this technology, there are significant safety advantages for the consumer and the environment.
- As Lithium Titanate batteries are entirely free of carbon, they avoid thermal runaway or overheating which is a main cause of fires in traditional energy storage systems.

Lithium Iron Phosphate – CATL

- LiFePO₄ batteries are superior with thermal and chemical stability, which provides better safety characteristics than Lithium-ion batteries with other cathode materials.
- LiFePO₄ batteries are non-toxic, non-contaminating and contain no rare earth metals, making them an environmentally conscious choice.



Fire Safety

FIRE SAFETY – HOW DOES A LITHIUM-ION FIRE START?

Ways that a fire can start:

- Internal manufacturing defects (material defects, construction, contamination).
- Physical damage (during assembly, shipping, handling, waste disposal, accidental during product use).
- Electrical abuse (overcharging, over - discharging, short circuit).
- Thermal abuse (exposure to high temperatures).

There are many different types of lithium-ion batteries and not all are flammable or produce toxic gases. Cell failure results in a voltage drop and increasing heat release and signals the start of 'thermal runaway'. This typically develops through the following events:

1. Temperature increase
2. Venting/gassing off of electrolyte vapours
3. Flare
4. Steady burn
5. Flash fireball
6. Explosion

Thermal Runaway starts in a single cell before thermal propagation creates a domino effect through the adjacent cells. Defects and physical damage can create internal short circuits leading to cell failure. Other events which could lead to cell failure arise external to the cells and so may be detected.

FIRE SAFETY – FIRE SOLUTIONS

PROTECTION

1. Design

By designing packs that are intrinsically safe with high quality assembly and manufacturing techniques to reduce mechanical and electrical failures.

2. Battery Management System

Using a high-quality battery management system that contains sensors to detect changes in the battery cells. The battery management system also isolates and prevents overcharging or electrical issues.

3. Testing

Regular testing of modules and packs during the assembly process.

4. Containment

Battery cells, modules and packs are stored appropriately in fireproof cabinets or containers that contain fire suppression systems. By storing lower quantities of lithium-ion in one place lowers the risk of fire.



FIRE SAFETY – FIRE SOLUTIONS

DETECTION

1. Gas Detection

Systems that can detect off-gases in low concentrations can provide an early warning of an impending thermal runaway and trigger shutdown systems to electrically isolate the individual, or bank of, or rack of battery cells

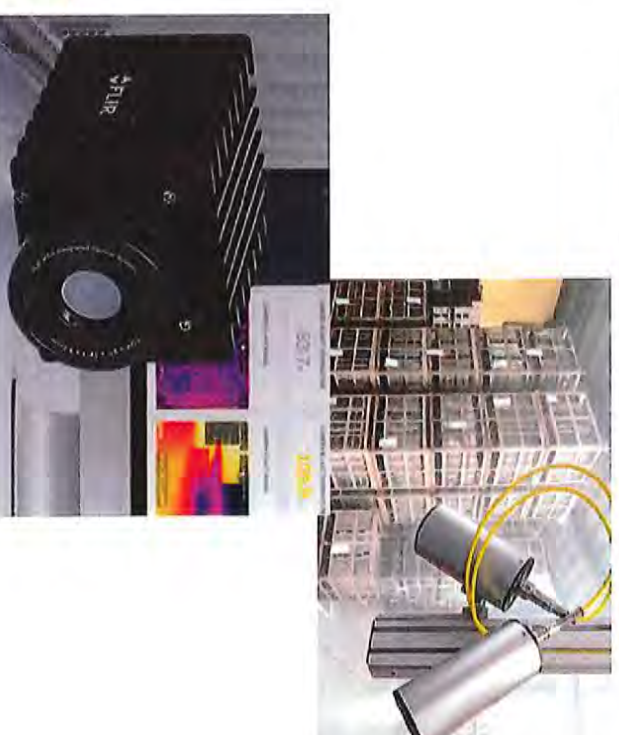
2. Thermal Detection

Where battery enclosures exist, detectors sensitive to the heat emitted by batteries may provide warning and be linked to battery management and fire protection systems. These may take the form of linear heat sensing cables or infra-red fire detectors.

3. Smoke Detection

The smoke and off-gases may be sensed by 'video' cameras with smoke obscuration algorithms and able to link to battery management and fire protection systems.

Fire detection systems will be implemented post fire risk assessment for each operational area.



FIRE SAFETY – FIRE SOLUTIONS

SUPPRESSION & EXTINGUISHING

1. Gaseous Fire Extinguishing Systems

A gaseous system comprises of one or more containers containing an extinguishing agent. When the system is operated it discharges the agent into an enclosure through one or more discharge nozzles. Systems may be activated manually or automatically through a connection to an appropriate fire detection system.

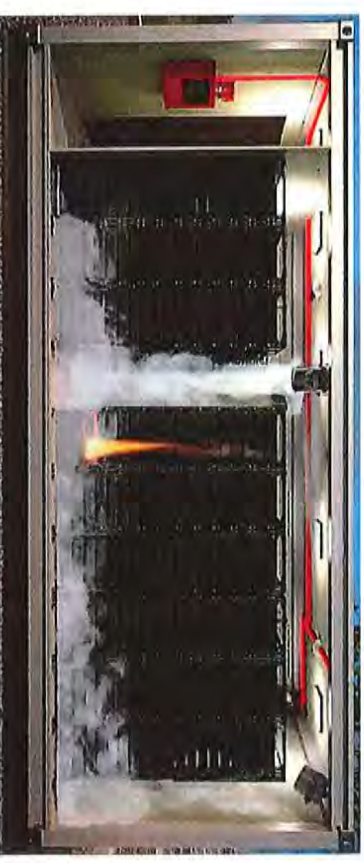
2. Condensed Aerosol Systems

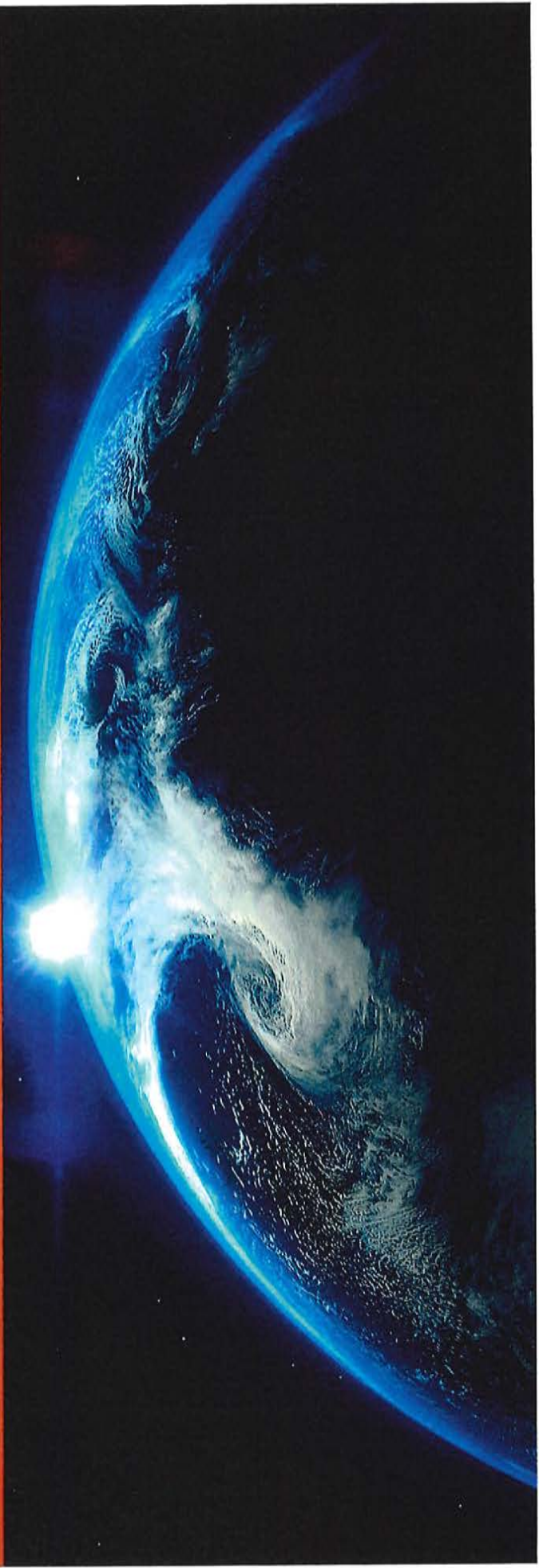
Condensed aerosol systems use similar control and monitoring equipment to gaseous fire suppression systems. They also flood the room with a fire suppression agent.

3. Portable fire Extinguishers

Portable fire extinguishers should only be used on individual small fires as directed by the fire risk assessment or to prevent a non-lithium fire spreading.

Fire suppression & extinguishing systems will be implemented post fire risk assessment for each operational area.





Health Safety & The Environment

HEALTH & SAFETY

- Covered by OSHA Standards under the Occupational Safety and Health Act of 1970.
- Ensure employees are trained and competent to carry out their duties.
- Provide protective equipment for all employees.
- Carry out workplace risk assessments for all tasks.

KYMA will implement a safety and health program to:

- Prevent workplace injuries and illnesses
- Improve compliance with laws and regulations
- Engage workers
- Enhance social responsibility goals
- Increase productivity and enhance overall business operations

Our Health & Safety Program will cover:

- Management leadership
- Worker participation
- Hazard identification and assessment
- Hazard prevention and control
- Education and training
- Program evaluation and improvement
- Communication and coordination for host employers, contractors, and staffing agencies

ENVIRONMENTAL CONSIDERATIONS

KYMA Battery Technologies will demonstrate compliance with current statutory and regulatory requirements for the environment. KYMA understands that there is concerns regarding the environmental impact of setting up a battery assembly facility in Chippewa Falls.

There is often misinformation about the environmental impact of lithium-ion batteries. When handled, stored and disposed of correctly through a recognised hazardous waste carrier they do not pose an environmental risk to the site. Any lithium-ion batteries that are damaged or defective will be collected promptly by our recycling partners CIRBA solutions using approved waste routes as per the information listed on their site.

<https://www.cirbasolutions.com/damaged-batteries/>

KYMA Battery Technologies will not be recycling lithium-ion batteries or cells down to the component materials.

WASTE MANAGEMENT OF LITHIUM-ION BATTERIES

- KYMA Battery Technologies will employ an approved hazardous waste management company to dispose of any lithium-ion batteries that are damaged, defective or Recalled (DDR).
- The type of container used will be dependent on the battery cells in question. Typical recycling containers are:
 - UN-approved steel drum
 - 100 Anti-static bags
 - CellBlockEX
 - Transportation (DOT) labels

CORRECTLY PACKAGING DDR LITHIUM BATTERIES OR DEVICES

<p>1</p>  <p>UNPACK BOX Remove drum from overpack box. This box will be reused when you return batteries.</p>	<p>2</p>  <p>LINE DRUM Pour the CellBlock into the drum, initially 1/2" deep.</p>
<p>3</p>  <p>PROTECT BATTERIES Place each affected battery/ device into a bag and seal 1 battery/device per bag.</p>	<p>4</p>  <p>FILL DRUM Place bagged DDR items into drum. Completely surround the batteries/devices with CellBlock on all sides.</p>
<p>5</p>  <p>PACK DRUM Place the any remaining CellBlock into the drum. Do not over fill. Any remaining can be used later.</p>	<p>6</p>  <p>SEAL DRUM LINER Gather the liner at the top of the drum, twist and secure with the zip tie.</p>
<p>7</p>  <p>SEAL DRUM Use ring clamp to secure lid. See next page for further instructions before moving to STEP 8.</p>	<p>8</p>  <p>SEAL & SHIP BOX Place the return shipping label provided over the old shipping label, covering it completely. Provide box to your local UPS carrier.</p>

TRANSPORT OF LITHIUM-ION BATTERIES

- The Department of Transportation (DOT) regulates the transport of lithium-ion batteries, including testing, documentation, packaging and hazard communication requirements.
- Lithium batteries are most commonly shipped by ground, in both palletized and non-palletized forms.
- DOTs regulations for transporting lithium batteries are located in Title 49 of the Code of Federal Regulations. Subpart 173.185 is where the specific regulations for lithium cells and batteries are located at.
- The responsibilities are highlighted in 173.185 of Title 49 of the CFR can be broken down into the following steps.
 - Testing requirements
 - Correct documentation
 - Packaging requirements
 - Hazard communication
- KYMA Battery Technologies will ensure that it conforms to all codes when shipping battery packs and will authorize approved shipping companies to transport any of its products in a safe and compliant manner.



Risk Assessment

HIGH LEVEL RISK ASSESSMENT KYMA BATTERY TECHNOLOGIES

KYMA Battery Technologies will carry out risk assessment for all activities in the operational environment.

Hazard	Risks
Manual Handling Of Heavy Or Bulky Objects	Back Injury, Crush Injury, Entrapment, Damage To Goods Being Lifted Or Transported
Slips Trips And Falls	Strains, Bruising, Limb Breakages, Concussion, Laceration
Electrical Safety	Electric Shocks Or Burns From Using Electrical Equipment With Possible Electric Seizure Or Fatality.
Fire	Burns, Asphyxiation, Death
Working Environment	Temperature, Facilities, Hygiene, Equipment, Lack of Training
Workplace Stress	Prolonged Periods Of Excessive Demands Being Placed On And Experienced By Staff.
Working With Hazardous Substances	Chemicals, Oils, Greases, Gases.
Falling from height	Falling when working at height. Dropping items onto others when working at height