1. PRELIMINARY MATTERS
   a. Call to Order and Roll Call
   b. Pledge of Allegiance
   c. State of Committee and Hearing Procedure
   d. Statement of Hearing Notice
   e. Approval of Previous Meeting Minutes
      February 21, 2020
   f. Public Comment

2. REZONE APPLICATIONS
   a. 1) A Public Hearing for RZN #20-003 in the Town of Sand Lake. Owner: Jon & Markus Armstrong. The West ½ of the NE ¼ of the SW ¼; S15, T39N, R09W; Parcel #026-939-15-3101; 20 Total Acres; Zoned Residential/Recreational One (RR-1). Purpose of the request is to rezone from Residential/Recreational One (RR-1) to Commercial one (C-1) for a dock and lift business to include boat storage, retail sales, and potential Christmas tree sales in the future.
      RZN #20-003, Jon & Markus Armstrong
   b. 2) Discussion/Action Item RZN #20-2003 in the Town of Sand Lake. Owner: Jon & Markus Armstrong. The West ½ of the NE ¼ of the SW ¼; S15, T39N, R09W; Parcel #026-939-15-3101; 20 Total Acres; Zoned Residential/Recreational One (RR-1). Purpose of the request is to rezone from Residential/Recreational One (RR-1) to Commercial one (C-1) for a dock and lift business to include boat storage, retail sales, and potential Christmas tree sales in the future.
17 - 28
a. 1) A Public Hearing for CUP #19-012 in the Town of Winter. Owner: Northwoods ATP LP. Agent: Steigerwaldt Land Services Inc. The NE ¼ of the SW ¼; S24, T38N, R05W; Parcel #032-538-24-3101; 40 total acres; Zoned Forestry One (F-1); Known as the ATP Pit. Permit desired for the carry forward of conditional use permit #06-025 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on March 17, 2006. Public Hearing was held February 15, 2019 at the Zoning Committee meeting and Discussion/Action was postponed until Town decision was made on 11/13/19.

CUP #19-012, Northwoods ATP LP

b. 1a) Discussion/Action Item CUP #19-012 in the Town of Winter. Owner: Northwoods ATP LP. Agent: Steigerwaldt Land Services Inc. The NE ¼ of the SW ¼; S24, T38N, R05W; Parcel #032-538-24-3101; 40 total acres; Zoned Forestry One (F-1); Known as the ATP Pit. Permit desired for the carry forward of conditional use permit #06-025 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on March 17, 2006. Public Hearing was held February 15, 2019 at the Zoning Committee meeting and Discussion/Action was postponed until Town decision was made on 11/13/19.

4. NEW BUSINESS

29 - 35
a. 1) Non-Metallic Mining Ordinance change the renewals to 5 years. (Discussion/Action to send to Towns)

Non-Metallic Mining Renewal Changes

36 - 37
b. 2) Bunkhouse. (Discussion/Potential action to send to Towns)

Bunk Houses - Temporary Guest Quarters

c. 4) Any other business that may become before the Committee.

5. ADJOURNMENT

A Quorum of the County Board of Supervisors or any of its committees may be present at this meeting to listen and observe. Neither the Board nor any of the committees have established attendance at this meeting as an official function of the Board or committee(s) or otherwise made a determination that attendance at the meeting is necessary to carry out
the Board or committee’s function. The only purpose for other supervisors attending the meeting is to listen to the information presented. Neither the Board nor any committee (other than the committee providing this notice and agenda) will take any official action with respect to this noticed meeting.
Zoning Committee Members
Ronald Buckholtz, Chairman
Bruce Paulsen
James Bassett
Elaine Nyberg
Troy Morgan
Dawn Petit

Zoning Administration
Jay Kozlowski, Zoning & Conservation Administrator
Kathy Marks, Deputy Zoning & Conservation Administrator

PRELIMINARY MATTERS
1) Call to Order and Roll Call
Buckholtz called the Public Hearing before the Sawyer County Zoning Committee to order at 8:30 AM in
the Sawyer County Courthouse, 10610 Main St. Hayward, Wisconsin. Roll was called finding present:
Buckholtz, Bassett, and Petit. Paulsen, Nyberg and Morgan are absent. James Schlender County Board
member attends by phone as alternate for potential conflict of interest. From the Zoning Office Kozlowski
and Marks. Rebecca Roeker from von Briesen & Roper, s.c. as legal counsel for Sawyer County.
2) Pledge of Allegiance.
3) Statement of Committee and Hearing Procedure.
   Those persons wishing to speak will be afforded the opportunity provided they identify themselves.
4) Statement of Hearing Notice.
The Public Hearing Notice was published as a Class 2 Notice in accordance with Chapter 985 of the
Wisconsin Statutes in the Sawyer County Record on February 5th and 12th, 2020.
5) Approval of January 17, 2020 minutes. Motion to approve by Bassett, 2nd by Petit. All in favor.
6) Public Comment Linda Zillmer, Edgewater property owner questions having an alternate appear by
phone. Roeker explains that there is no conflict attending by phone. Motion by Bassett to hear case #20-
003, Phillips first and recuse himself from this case, second by Petit. All in favor. Bassett leaves. James
Schlender, County Board member attends meeting by phone.

REZONE APPLICATIONS
None

CONDITIONAL USE APPLICATION
Part of the NW ¼ of the SE ¼; S05, T40N, R06W; Parcel #012-640-05-4201; Zoned Forestry One (F-1) and
Residential/Recreational Two (RR-2); 29.82 Total Acres. Permit desired for a General Repair Shop to
provide the community with a variety of mechanical repairs within the newly approved
Residential/Recreational Two (RR-2) District Kozlowski reads the application, Opinion letters, Town
approval and Staff Report. Buckholtz motions to open the public hearing portion, second by Petit. All in
favor. Mark Phillips, owner speaks in favor of the application. Discussion held with Committee. No other
comments. Motion to close the public hearing portion by Petit, second by Buckholtz. All in favor.
Kozlowski reads Discussion/Action portion of case. No comments. Motion by Petit to approve the
application with conditions of 1. Land Use Permits are required for all new structures. 2. Hours of
operation to be no earlier than 7am or later than 9pm, 7 days a week. (modify if needed). 3. Any and all signage must meet Sawyer County Zoning Ordinance requirements. 4. Downward facing or shielded lighting only for the business. 5. 100’ buffering of trees from the right-of-way of County Trunk Highway B. 6. All other Town, County, State and Federal Laws are followed. Second by Schlender. Findings of Fact: It would not be damaging to the rights or others or property values. It would not be detrimental to ecology, wild life, wetlands or shorelands. It would not create an air quality, water supply, or pollution problem. It would not create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal. It would not create traffic or highway access problems. It would not destroy prime agricultural lands. It would be compatible with the surrounding uses and the area. It would not create an objectionable view. Roll call finds: Petit –yes, Buckholtz – yes, Schlender – yes. All in favor.

Schlender leaves attendance by phone and Bassett returns to meeting.

1) A Public Hearing for Conditional Use #20-002 in the Town of Winter. Owner: Flambeau River State Forest – WDNR. All of Section 34; S34, T37N, R04W; Parcel #032-437-34-1101; Zoned Forestry One (F-1); 40 Acres of the 640 Total Acres, more specifically the area lying North of Cedar Rapids Road and South of West Lane. Permit desired for the renewal of conditional use permit #12-001 for the location of a non-metallic mineral extraction operation, including rock crusher, which was approved at public hearing on October 21, 2001 and most recently renewed on February 7, 2017. Kozlowski reads the application, Town approval, no opinion letters and Staff report. Motion by Bassett to open the public hearing portion of the case, second by Petit. All in favor. Kozlowski reads letter from DNR stating they are unable to attend. No comments. Motion by Petit to close the public portion of the case, second by Bassett. All in favor. Kozlowski reads Discussion/Action. Motion by Bassett to approve the application with conditions of: 1. Maintain compliance with NR135. 2. Maintain compliance with Plan of Operation including hours of operation from 6am to 6pm, Monday – Friday and crushing operations from May – November as needed from 6am – 9pm. 3. Maintain compliance with Department of Natural Resources Chapter 30. 4. All other Town, County, State and Federal Laws are followed. Second by Petit. Roll call finds: Buckholtz – yes, Bassett – yes, Petit – yes. All in favor. Findings of Fact: It would not be damaging to the rights of others or property values. It would not be detrimental to ecology, wild life, wetlands or shorelands. It would not create an air quality, water supply, or pollution problem. It would not create topographical problems such as run off, drainage, erosion, flooding or vegetative cover removal.

3) A Public Hearing for Conditional Use #20-004 in the Town of Lenroot. Owner: James Miller. Part of the NW1/4 of the SW ½ and the SW ¼ of the SW ½; Lot 1 CSM 32/41 #7815; S11, T41N, R09W; Parcel #014-941-11-3203; Zoned Commercial One (C-1) and Forestry One (F-1); 18.29 Total Acres. Permit desired for the three (3) year renewal of conditional use permit #01-007 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on May 18, 2001 and renewed most recently February 17, 2017. Kozlowski reads the application, Town approval, Opinion letters and Staff report. Motion by Bassett to open the public hearing portion of the case, second by Buckholtz. All in favor. James Miller, owner speaks in favor of the application. Discussion with Committee held. No other comments. Motion by Bassett to close the public hearing portion, second by Petit. All in favor. Kozlowski reads Discussion/Action. Discussion held by Committee. Motion to approve by Petit with conditions of: 1. Maintain compliance with NR135. 2. Maintain compliance with Plan of Operation including normal hours of operation from 6am-7pm, Monday-Saturday, with crushing operations from 3-6 weeks per year. 3. Maintain compliance with DNR Chapter 30. 4. All other Town, County, State and Federal Laws are followed. Second by Bassett. Roll call finds: Buckholtz – yes, Petit – yes, Bassett – yes. All in favor. Findings of Fact: It would not be damaging to the rights of others or property values. It would not be detrimental to ecology, wild life, wetlands or shorelands. It would not create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal. It would not create traffic or highway access problems. It would not destroy prime agricultural lands. It would be compatible with the surrounding uses and the area. It would not create an objectionable view.
4) A Public Hearing for Conditional Use #20-005 in the Town of Round Lake. Owner: Robert & Elaine Thompson Trust. Part of the SW ¼ of the NW ¼ and Part of the NW ¼ of the SW ¼; S12, T41N, R08W; Parcel #024-841-12-2302 and #024-841-12-3201; Zoned Forestry One (F-1), Commercial One (C-1) and Residential/Recreational One (RR-1); 26.5 Total Acres, however this Conditional Use is only being considered for the mining taking place in the Forestry One (F-1) zone district and is approximately 13.6 Total Acres. Known as the Hwy 77 Pit. Permit desired for the three (3) year renewal CUP #88-011 for the location of a non-metallic mineral extraction, including rock crusher and hot mix plant, which was originally approved at public hearing on July 29, 1988 and renewed most recently on February 17, 2017. Kozlowski reads application, Town approval, Opinion letters and Staff report. Motion to open the public hearing portion of the case by Bassett, second by Buckholtz. All in favor. No representative. No comments. Motion by Petit to close the public hearing, second by Bassett. All in favor. Kozlowski reads Discussion/Action. Committee discussion held. Motion by Bassett to approve the application with conditions of: 1. Maintain compliance with NR135. 2. Maintain compliance with Plan of Operation including hours of operation from the Town request of 7am-7pm, Monday-Friday. 3. Maintain compliance with DNR Chapter 30. 4. All other Town, County, State and Federal Laws are followed. Second by Petit. Roll call finds: Bassett – yes, Petit – yes, Buckholtz – yes. All in favor. Findings of Fact: It would not be damaging to the rights of others or property values. It would not be detrimental to ecology, wild life, wetlands or shorelands. It would not create traffic or highway access problems. It would be compatible with the surrounding uses and the area

NEW BUSINESS
1) Non-Metallic Mining Ordinance change for renewals to 5 years. Kozlowski explains that to the Committee that they had discussed this Ordinance change last month and that he would like to send the changes to the Towns for their input. Then have a Public Hearing and approval on the changes before going to County Board for the 5- year renewal. Motion by Petit to approve the 5-year renewal change and send to the Towns for input. Discussion by Committee with Kozlowski. No second on motion to approve so motion failed. Motion by Buckholtz to postpone until March 20, 2020 for all Committee members to discuss. Second by Bassett. Roll call finds: Bassett – yes, Buckholtz – yes, Petit – no. 2 to 1 in favor to postpone. Linda Zillmer, Edgewater property owner requests that there be Public Comment on this in March. Discussion continues. Petit speaks in favor of the 5 year renewal. Mark Olson, Town of Bass Lake points out that Kozlowski is just requesting that the information to be sent to the Towns, so they may have their input and can there be a reconsideration of the Motion. Zillmer Edgewater property owner brings up the language on the agenda for this item. Discussion continues. Kozlowski explaining that the Zoning Department does do annual inspections and that this is a cost savings approach for publications, staff time and that there would be an increase in fees. Discussion continues with Committee.

2) Bunkhouse. Kozlowski advises that this is just a discussion item. Motion by Petit to table Bunkhouse and Storage Waste Ordinance until the March 20, 2020 Zoning Committee meeting. Discussion held by Committee, Kozlowski and Roeker. Second by Bassett. Roll call finds: Buckholtz – yes, Bassett – yes, Petit – yes. All in favor.

3) Any other business that may come before the Committee for discussion. Linda Zillmer questions the telephone attendance for the meeting, Conditions placed on a CUP that stays with the owner and not the land. Discussion continues with Zillmer Edgewater property owner, Phil Nies, Town of Bass Lake, Olson, Kozlowski, Roeker and Committee regarding conditions and attending by telephone. Roeker researches and finds that attendance by telephone is acceptable. Chairman Buckholtz agrees. Roeker states that member Schlender was contacted to attend the meeting the day before. Discussion continues.

ADJOURNMENT
Buckholtz adjourns at 9:57am

Minutes prepared by: Kathy Marks – Deputy Zoning & Conservation Administrator.
Applicant:
Jon & Markus Armstrong
W7235 Old 14
Ladysmith, WI 54848

Property Location & Legal Description:
The West ½ of the NE ¼ of the SW ¼; S15, T39N, R09W; Parcel #026-939-15-3101; 20
Total Acres; Zoned Residential/Recreational One (RR-1)

Request: Rezone 20.0 acres from Residential/Recreational One (RR-1) to Commercial (C-1). As
per applicant’s statement, “This would be to maximize the economic potential with the parcel by
expanding an existing small business in the area. The land has already been logged and the
resources are expunged. Rezoning this land would allow the applicant to expand a dock and lift
business to include boat storage and retail sales for docks, lifts, and water accessories. Christmas
trees would be replanted to revive the ecosystem and provide aesthetic and privacy for the
operation.”

Summary of Request & Project History:
The applicant(s) are requesting to conditionally rezone 20.0 acres of RR-1 to C-1 (see
attached map of parcel). The proposed rezone would result in conforming lot dimensional
requirements. The purpose of this request would then be to have a permitted use within the
commercial-one zone district. The use as specified by the applicant is for boat storage and retail
sales for docks, lifts, and water accessories.

Additional Information/details:
See attached additional maps included in this packet. The nearest C-1 zoned property in
relation to this property is an adjacent portion of C-1 to the SW of this parcel along the HWY 70
corridor. The future land use map for the Town of Sand Lake shows this area as forest
residential. Forest residential as defined by the Town of Sand Lake comprehensive plan are areas
where the town has seen the largest growth in residential development and is projected to
continue to be privately owned forest areas. Areas within the forest residential district are to
maintain a minimum density of one home per five acres. The Town of Sand Lake has approved
the requested rezone request as it would not create a traffic or highway access problem and would not be damaging to the rights of others. There are a few other residential structures within the immediate area specifically north of County Hwy E approximately 250’ from the start of the subject property.

Findings of Fact for Approval: (choose from list below)

1  It would not be damaging to the rights of others or property values
2  It would not be detrimental to ecology, wild life, wetlands or shorelands.
3  It would not create an air quality, water supply, or pollution problem.
4  It would not create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal.
5  It would not create traffic or highway access problems.
6  It would not destroy prime agricultural lands.
7  It would be compatible with the surrounding uses and the area.
8  It would not create an objectionable view.

Findings of Fact for Denial: (choose from list below)

9  It would be damaging to the rights of others and property values.
10 It would be detrimental to ecology, wild life, wetlands or shorelands.
11 It would create an air quality, water supply, or pollution problem.
12 It would create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal.
13 It would create traffic or highway access problems.
14 It would destroy prime agricultural lands.
15 It would not be compatible with the surrounding uses and the area.
16 It would create an objectionable view.
SUBJECT: Change in Zone District Application

TO: Sawyer County Zoning and Conservation Administration
10610 Main Street, Suite 49
Hayward, Wi 54843
E-mail: kathy.marks@sawyercountygov.org

Owner: Jan C & Mark F Anderson
Address: 15564W County Hwy E
Saw Lake, WI 54876

Property description:

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Change from District: RR4 to District: C1

Purpose of request:

To maximize the economic potential with my land, I plan to expand and upgrade my existing small business in the area. The land has already been cleared and the selected area expanded. Access to this land would allow me to build two dock side storage units, storage and retail sales, and improve the area for visitors, which would help me to revitalize the area.

Public Hearing:

Name & Address of Agent:

Phone: Email:

Fee: $400 due by 01/03/2020

* Signature of property owner(s). The above hereby make application for a change in zone district and hereby certify that the listed information and intentions are true and correct. The above person hereby gives permission to access the property for onsite inspections.
### Real Estate Sawyer County Property Listing

**Today's Date:** 1/27/2020

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### Ownership

**Updated: 12/5/2019**

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<td>W7235 OLD 14</td>
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<td>LADYSMITH WI 54848</td>
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**Site Address**  
15569W COUNTY HWY E  
STONE LAKE 54876

### Tax Districts

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### Property History

N/A

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http://tas.sawyercountygov.org/Access/REAL ESTATE/listing.a,
Conditional Use Permit Request
STAFF REPORT
Prepared By: Jay Kozlowski, Sawyer County Zoning & Conservation Administrator

File: # CUP 19-012

Applicant:
Northwoods ATP, LP
ATTN: F&W Forestry Service INC ATP Client Service
PO BOX 3610 Albany, GA 31706
Agent: Stiegerwaldt Land Service INC

Property Location & Legal Description:
Prt NW 1/4 SW 1/4 S24 T38N R05W. Parcel# 032-538-24-3101. Property is Zoned Forestry One (F-1) and is 40.0 acres. Current operation is approximately 9 acres. This is known as ATP Pit.

Request: The carry-forward of conditional use permit #06-025 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on March 17, 2006 and renewed most recently March 21, 2014.

Project History & Summary of Request
The carry-forward of CUP 06-025 is for the location of a non-metallic mineral extraction operation including rock crusher. Originally a public hearing for the carry forward of CUP 06-025 was held in February 15, 2019. As part of that public hearing that CUP was postponed pending Town approval of the CUP. The Town had also postponed the hearing pending access road issues as well as gate issues. The Town heard the case in November 15, 2019 where a motion was made to approve the CUP. On November 18, 2019 discussion/action was conducted by the Sawyer County Zoning Committee. A motion was made to postpone the application decision until March 2020 to give time to refer the matter back to LWFRC for possible rescinding of insurance for trails. At the Dec 11, 2019 Land, Water, and Forest Resource Committee the Sawyer County Forestry Administrator, Greg Peterson gave the Committee some background on the Northwoods ATP trial, and how long the process of getting insurance for this trail took. He suggests that the County does not tie the trail insurance with the non-metallic mine request, as it may cause complications for the trail. This matter was just for discussion and no further action was taken at that time.

Since the initial public hearing was conducted more than a year ago it seems appropriate to conduct a new public hearing on this case

The property is 40.0 acres and zoned F-1. The existing land use in this area is forestry and no other structures are within a 9 square mile block in this area.
The Sawyer County Zoning & Conservation Department currently does not have any complaints for this file.

There currently aren't any hours of operation specified per the operation plan. It is recommended that the hours be 5 AM to 9 PM, Monday – Saturday.

Financial assurance has been received in a form of a bond for $1253.

Additional information for Conditional Use Permits:

Substantial evidence means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

If an applicant agrees to meets all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning board, the county shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence. The conditions must be reasonable and, to the extent practicable, measurable. The applicant must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The county's decision to approve or deny the permit must be supported by substantial evidence.

Possible Conditions for Approval: (choose from list below) (add or delete from list below)
1. Maintain compliance with NR 135 (reclamation plan)
2. Maintain compliance with Plan of Operation including recommend hours.
3. Maintain compliance with Department of Natural Resources Chapter 30
4. Comply with all other federal, state, and local regulations

Findings of Fact for Approval: (choose from list below)
1. It would not be damaging to the rights of others or property values
2. It would not be detrimental to ecology, wild life, wetlands or shorelands.
3. It would not create an air quality, water supply, or pollution problem.
4. It would not create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal.
5. It would not create traffic or highway access problems.
6. It would not destroy prime agricultural lands.
7. It would be compatible with the surrounding uses and the area.
8. It would not create an objectionable view.

Findings of Fact for Denial: (choose from list below)
9. It would be damaging to the rights of others and property values.
10. It would be detrimental to ecology, wild life, wetlands or shorelands.
11. It would create an air quality, water supply, or pollution problem.
It would create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal.

It would create traffic or highway access problems.

It would destroy prime agricultural lands.

It would not be compatible with the surrounding uses and the area.

It would create an objectionable view.
SUBJECT: Conditional Use Public Hearing Application

TO: Sawyer County Zoning and Conservation Administration
10610 Main Street Suite 49
Hayward, Wisconsin 54843
E-mail: kathy.marks@sawyercounty.gov

Owner Name & Address: Northwoods ATP, LP
Attn: F & W Forestry Services INC ATP Client Service
PO Box 3610 Albany GA 31706-3610

Agent: Steigerwaldt Land Services Inc.
11242N Gorski Rd Hayward, WI
Phone: 715-699-1401

Property description including Parcel Number:
Part of the NW ¼ SW ¼, S24, T 38N, R 65W: Parcel # 032-538-24-3101. Known as ATP Pit.

Permit is desired for:
The carry-forward of conditional use permit #06-025 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on March 17, 2006.

Date of Public Hearing: February 15, 2019

Signature of property owner required.
The above hereby make application for a conditional use and the above certify that the listed information and intentions are true and correct. The above person hereby gives permission to access the property for onsite inspections.

Renewal Fee $100.00
December 6, 2018

Steigerwaldt Land Services Inc.
11242N Gorski Rd
Hayward, WI 54843

This is the application for renewal of conditional use permit #06-025 for a non-metallic mineral extraction at the ATP pit. This permit was approved at public hearing on March 17, 2006.

The application should be completed and signed by the property owner. Please return this application accompanied by an updated plan of operation, including any expansion or changes since the previous renewal, and the public hearing fee of $100.00.

An application returned by the first Friday of the month will be scheduled for public hearings in the following month. Please return the application by January 4, 2019 (Friday) for hearings in February.

Please contact the zoning office if you have any questions on this application.

Thank you,

Pat Brown
Zoning and Conservation Technician, Non-metallic Mining Reclamation
### Description

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
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<tr>
<td>Tax ID:</td>
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<tr>
<td>PIN:</td>
<td>57-032-2-38-05-24-3 01-000-000010</td>
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<td>Map ID:</td>
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<td>Municipality:</td>
<td>(032) TOWN OF WINTER</td>
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<td>STR:</td>
<td>524 T38N R05W</td>
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<td>Zoning:</td>
<td>(F-1) Forestry One</td>
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### Tax Districts

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<td>State of Wisconsin</td>
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<tr>
<td>57</td>
<td>Sawyer County</td>
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<tr>
<td>032</td>
<td>Town of Winter</td>
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<tr>
<td>576615</td>
<td>Winter School District</td>
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<td>001700</td>
<td>Technical College</td>
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### Recorded Documents

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<tr>
<th>Document Type</th>
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<tr>
<td>EASEMENT</td>
<td>8/13/2018</td>
<td>413816</td>
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<tr>
<td>MFL TRANSFER ORDER</td>
<td>1/25/2010</td>
<td>364897</td>
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<td>SPECIAL WARRANTY DEED</td>
<td>6/26/2009</td>
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<td>MFL TRANSFER ORDER</td>
<td>6/12/2003</td>
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<td>SPECIAL WARRANTY DEED</td>
<td>12/10/2002</td>
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### Property Assessment

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<tr>
<th>Code</th>
<th>Acres</th>
<th>Land</th>
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<tr>
<td>2-Year Comparison</td>
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<td>2005</td>
<td>40.000</td>
<td>32.000</td>
<td>0</td>
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<tr>
<td>2017</td>
<td>32.000</td>
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<tr>
<td>2018</td>
<td>32.000</td>
<td>32.000</td>
<td>0</td>
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### Property History

N/A
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.
ADJOINING LAND USE

The surrounding property is also owned by Northwoods ATP, L.P. and is zoned forestry. See Location/Ownership Map, Figure 1.

OPERATION PLAN

SITE LAYOUT

Currently the Northwood's Gravel Pit is inactive and will remain inactive for the year 2014. The Plan of Operation Map, Figure 3, shows the proposed gravel pit operation for when gravel crushing activity does resume.

CLEARING AND STRIPPING

Prior to excavation trees will be cleared from the extraction area and topsoil will be stockpiled for future reclamation use.

EXTRACTION SEQUENCE

Material extraction will begin at the existing open gravel face and proceed in an easterly and southeasterly direction.

OPERATION ACTIVITIES

When gravel is crushed in this pit the likely proposed activities will include: gravel extraction, conveying, loading, crushing and screening.

Duration, hours of operation, extraction rates and operation equipment used are unknown at this time as this is currently an inactive pit. In the event that crushed gravel is hauled, it will be hauled and spread onto Northwoods ATP's road systems.

ENVIRONMENTAL PROTECTION

EROSION CONTROL

Precipitation falling within the current gravel pit remains contained within the historic extraction zone limits. Runoff waters are not expected to accumulate in the bottom of the pit due to the porosity of the soil.

DUST AND NOISE

Existing woodlands will provide a natural buffer to any future gravel operations.

OPERATION PLAN SUBMITTED BY:

STEIGERWALDT LAND SERVICES, INC.
10632 HAYWARD COURT
HAYWARD, WISCONSIN 54843
Gravel Pit Location
(Approx. 3.6 acres)
January 9, 2020

Dear Sawyer County Zoning Committee,

In regards to the amendment of Section 6.22 & 6.23. It is my option that we as a county change the Conditional Use Permit (CUP) term length to five years across the board. This will be a change from the current ordinance in granting the first CUP for five years and upon application for renewal that permit is subsequently valid for an additional three years.

The proposed ordinance would create a scenario where all non-metallic mines are renewing on a 5 year time line. However, these sites will still be visited and monitored for compliance on an annual basis.

In my opinion this would help out both are larger scale and small scale operators throughout the county. Sometimes these operations aren’t used much in a three year time period for various reasons.

Please see following documents showing what other adjacent counties ordinances state and the proposed ordinance change.

Thank you,

Pat Brown
Assistant Zoning and Conservation Administrator
<table>
<thead>
<tr>
<th>County</th>
<th>Renewal Years</th>
<th>CUP Renewal Fee</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>Ashland</td>
<td>None</td>
<td>NA</td>
<td>Permit years are determined by the committee; most of ours do not require a renewal; others are 5 years and some are 10 years. Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
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<tr>
<td>Barron</td>
<td>None</td>
<td>NA</td>
<td>Permit years are determined by the committee; most of ours do not require a renewal; others are 5 years and some are 10 years. Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
</tr>
<tr>
<td>Bayfield</td>
<td>Case by Case</td>
<td>$350 + $30 recording fee</td>
<td>Permit years are determined by the committee; most of ours do not require a renewal; others are 5 years and some are 10 years. Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
</tr>
<tr>
<td>Buffalo</td>
<td>None</td>
<td>NA</td>
<td>Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
</tr>
<tr>
<td>Burnett</td>
<td>None</td>
<td>NA</td>
<td>Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
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<tr>
<td>Chippewa</td>
<td>4 years</td>
<td>$150 (reduced fee)</td>
<td>If no changes, the County send a letter to neighbors within 660'. If a neighbor requests a public hearing, then we pay another $350 for the public hearing fee otherwise the permit is automatically renewed. If changes are proposed then we go through a full public hearing.</td>
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<tr>
<td>Douglas</td>
<td>5 years then 3/5</td>
<td>$295</td>
<td>Initial permit is 5 years then a 3 and 5 year rotation.</td>
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<tr>
<td>Dunn</td>
<td>None</td>
<td>NA</td>
<td>Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
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<tr>
<td>Pierce</td>
<td>2 years</td>
<td>$200 + $20/open acre</td>
<td>Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
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<td>Polk</td>
<td>None</td>
<td>NA</td>
<td>Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
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<td>Price</td>
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<td>Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
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<td>Rusk</td>
<td>None</td>
<td>NA</td>
<td>Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
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<tr>
<td>Sawyer</td>
<td>3 years</td>
<td>$175</td>
<td>Fee depends on the size of the mine.</td>
</tr>
<tr>
<td>St. Croix</td>
<td>5 years</td>
<td>$1250-$3000</td>
<td>Fee depends on the size of the mine.</td>
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<tr>
<td>Washburn</td>
<td>None</td>
<td>NA</td>
<td>Need to renew or do a new permit if making changes to existing permit or plans; OR if there is a complaint.</td>
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</tbody>
</table>

With proposed changes, fee schedule would be updated for Jan 1, 2021 to increase CUP renewal to $300.

$175/yr = 58.33 per year (current)

$300/yr = $60.00 per year of renewal (proposed)
6.22 CONDITIONAL USES
All four phases of mining operations and activities shall be allowed only in those zones in which such mining activities are a conditional use, and shall be consistent with the general provisions of Section 8.0 of the ordinance and the rules and standards enumerated in this section (6.2) below.

1) Applicants for a conditional use permit under 6.22 above shall specify whether they are seeking a temporary or regular conditional use permit. A temporary conditional use permit shall be used only during the exploration and/or prospecting phases of a mining or drilling operation and shall not be effective for more than one (1) year from the date of issuance; unless renewed upon re-application for periods of one year.

2) A regular conditional use permit shall be required for the operation and reclamation phases of mineral extractions and mining. Exploration and/or prospecting phases may be included in the conditional use application. The regular conditional use permit shall be granted for a period not to exceed five (5) years, but may be renewed or revised upon re-application for periods of up to three (3) five (5) years.

3) Applicants seeking temporary conditional use permits for exploratory mining or drilling and/or prospecting phases may be required to supply the Zoning Committee with information on the operational and reclamation phases that relate to the exploratory and/or prospecting phases.

2) Fees for a temporary conditional use permit and a regular conditional use permit for mining shall be established by the Zoning Committee. The fee schedule shall be posted in the office of the Zoning Administrator.

6.23 RULES AND STANDARDS FOR NONMETALIC MINING
The following rules and standards shall apply to any nonmetallic mineral extraction operations judged by the Zoning Administrator to meet the definitional tests. Nonmetallic mining does not include removal from the earth of products or commodities that contain only minor or incidental amounts of non-metallic minerals, such as sod, agricultural crops, ornamental or garden plants, forest products, or nursery stock.

1) Hot mix plants, asphalt mixing plants and rock crushers shall conform to state, federal, or local pollution standards. The location and operation of asphalt mixing plants, rock crushers and hot mix plants shall be requested by conditional use application.

2) Setback requirements for asphalt mixing plants, hot mix plants and rock crushers. Asphalt mixing plants, hot mix plants and rock crushers operating in nonmetallic mines active as of August 16, 2001, shall be located not less than 1,000 feet from any residence, hotel, motel or resort.

3) Nonmetallic mineral extraction operations existing as of August 16, 2001. The
requirements of 2) above shall not apply in those situations where:
   a) The permit holder of the mine owns the residence.
   b) Residences not owned by the permit holder were constructed after August 16, 2001.
   c) Residences not owned by the permit holder were constructed with a land use permit issued after August 16, 2001.
   d) The property owner of the property on which the residence is located provides a written/notarized agreement to the Zoning Office stating that the property owner has waived the setback requirements.

4) Nonmetallic mineral extractions approved after August 16, 2001. The requirements of 2) above shall not apply in those situations where residences, hotels, motels and resorts are constructed with a land use permit issued after the approval of the operation of a new nonmetallic mine extraction operation by the Sawyer County Zoning Committee at a public hearing.

5) When extractions are discontinued, all machinery and equipment which exists incidental to the operation shall be removed. The excavation shall be drained, if necessary and if it is possible to do so by removing obstructions to natural drainage so that water will not collect therein; all banks or cuts not in rock shall be sloped at an angle not steeper than 1 1/2 foot horizontal to one (1) foot vertical, except that banks or cuts located within 200 feet of a road right-of-way shall be sloped no steeper than 3:1, pit or quarry bottoms shall be left in a generally level condition, excess boulders, rocks, stones, or other unusable materials shall be buried; scrap machinery and similar debris shall be removed. These reclamation activities shall be completed within three (3) months of the date of discontinuance.

6) Nonconforming Nonmetallic Operations. Pre-existing nonmetallic mineral extractions are those operations involving the excavation, removal and/or processing of nonmetallic minerals which operations were in active use during any part of a five year period prior to the effective date of this section and which is not in conformity with the provisions of the ordinance. The continuation of such non-conforming nonmetallic operations shall be subject to Section 10.0 and; no expansion or enlargement of the existing operation, over the life of the operation, shall exceed 50% of its current area unless it is permanently changed to conform to the requirements of this ordinance.

6.24 RULES AND STANDARDS FOR NON-METALLIC MINING AND MINERAL FUEL MINING ACTIVITIES.

1) Applications for conditional use permits to conduct nonmetallic mineral extraction or processing activities and conditional use permits to conduct mineral fuel extractions or processing activities shall be accompanied by the following information:
   a) Ownership and management data: information on location of the proposed site of the operations, ownership of the land, leasehold, license and other property interests, and accurate information on the identity of all individuals, partnerships, associations or corporations which will be involved in control of the proposed operation. The purpose of this requirement is to allow the Zoning
Committee to determine accountability for all conditions that it decides to impose upon the activities and the information shall be sufficiently detailed and complete to accomplish this purpose.

b) Operations plan data: full and complete information on the precise nature of mineral extractions or processing activity that is proposed to be undertaken.

c) Reclamation plan data: full and complete information on the nature of reclamation which the applicant proposes to undertake.

2) Standards for decisions by the Zoning Committee in conditional use applications for mineral extraction or processing activities. In order to grant a conditional use permit the Zoning Committee must find:
   a) The mineral extraction and/or processing is an allowable conditional use in the zone district, and an appropriate land use at the site in question, based upon consideration of such factors as:
      (i) Existence of mineral deposits; and
      (ii) Proximity of the site to transportation facilities and to market areas; and
      (iii) Ability of the operation, as described in the proposed operations plan, to avoid harm to the public health, safety, and welfare and to the legitimate interests of nearby properties.
   b) That an operations plan, which the Zoning Committee shall direct be imposed as a condition of approving the conditional use permit, will protect affected public and private rights against undue interference; and
   c) That a reclamation plan, which shall similarly be imposed as a condition of approval, will be enforceable and, as enforced, will result in a condition which is reasonably safe, attractive, and if possible, conducive to productive new uses for the site.
   d) The Zoning Committee shall attach such conditions to each approved application as are necessary to assure that the operation will satisfy the standards set forth above. These conditions may be conveyed as deed restrictions.
   e) The conditional use permit shall be in effect for a period specified by the Zoning Committee not to exceed five (5) years and may be renewed or revised upon re-application for periods of up to three (3) five (5) years. All permitted operations shall be inspected at least once every year by the Zoning Committee or its agents and shall be inspected at the time a request for renewal is before the Zoning Committee to determine if all conditions of the operation are being complied with.
      (i) If such inspections yield information showing that all conditions have been met, the applicant shall be entitled to renewal of the permit unless such renewal would be contrary to State Law.
      (ii) Permits may be amended upon application to allow extensions or alterations in operations under new ownerships or managements.
   f) A termination of mining or drilling activities on a site which is the subject of an approved conditional use permit for a period of one year or more shall distitle the permit holder to a right of renewal at the end of the permit period, despite compliance of former operations will all conditions of the original permit, unless:
(i) Such a discontinuance was specified as part of the original operations plan; or
(ii) The operator has submitted and had Zoning Committee approval of an amendment to the original permit placing the operation in inactive status with accompanying conditions as to interim or partial reclamation.

g) The Zoning Committee shall require reasonable assurance that the conditions it imposes will be satisfied. Such assurance shall be achieved through some combination of:

(i) Performance bonds or substitute guarantees in the form of pledged collateral;
(ii) Establishment of escrow accounts into which deposits shall be made to assure financial resources for investments in reclamation work;
(iii) Clear identification of the relationship between landowners, lessees, licenses, and operators and the signing of written pledges by those persons who assume responsibility for various elements of the conditions imposed.

3) Non-metallic mining whose proposed active size is expected to exceed 25 acres in area OR 25 feet in depth OR are proposed as an “industrial sand” mine may be required, at the discretion of the Zoning and Conservation Department, to follow this section as well as the balance of 6.23 and 6.24. Included are:

a) Must file a digital and hard copy of reclamation plan a minimum of 60 days before the first public hearing for the conditional use permit.
   (i) Reclamation plans must follow the Large Pit Reclamation Plan guidelines as provided by the Department.
   (ii) A review fee must accompany the reclamation plan.
   (iii) Must include a “road use agreement” under WI State Statute 349.16 with all municipalities whose public roads are used for ingress, egress, or other functions of the mine.

b) A stormwater management plan may be required at the discretion of the Zoning and Conservation Department based on the recommendations of the reclamation plan reviewer.

c) Wetland mitigation may be required through the Wisconsin Department of Natural Resources.

4) Impacts of particular concern to the Zoning Committee in evaluating plans and proposals, and in enumerating conditions, prior to the granting of conditional use permits for mineral extractions activities. The Zoning Committee shall use its conditional use powers in such a way as to minimize, on-location and off-site, the potential for mineral extractions activities to:

a) Exploration Activities
   - Affect springs and water wells
   - Remove vegetation
   - Create litter
   - Encourage off-road vehicle use
   - Compact and disturb soils
b) Drilling Operations
- Remove vegetation
- Create noise
- Destroy archaeological sites
- Displace wildlife
- Potential mud pit problems
- Potential erosion problems
- Potential off-road vehicle use on access roads
- Create aesthetics problems
- Affect surface or groundwater quality

c) Production Activities
- Remove vegetation
- Create noise and odor problems
- Displace wildlife
- Create aesthetics problem
- Destroy archaeological sites
- Potential safety problems
- Affect surface or groundwater quality

d) Transportation and Pipeline Facilities
- Remove vegetation from right-of-way
- Cause silt and sediment in stream
- Cause bank erosion
- Mix topsoil with substrate
- Change wildlife habitat
- Displace wildlife
- Create aesthetics problems
- Potential safety problems
- Change drainage patterns
- Encourage off-road vehicle use and trespass problems
February 14, 2020

Re: Bunk Houses/Temporary Guest Quarters

Sawyer County Zoning Committee Members,

The Sawyer County Zoning & Conservation Department struggles each year with the literal enforcement of “secondary sleeping areas”. The Sawyer County Zoning Ordinance requirements as well as State requirements, state only allow one habitable living area per legal parcel. Unless they are exempted through commercial zoning, condominium ownership, or conditional use permits where applicable. The Sawyer County Ordinance further references additional sleeping areas are defined as habitable living areas. Each Land Use Permit is stamped stating, “Habitable living area shall not be created in accessory structures”. With that said, the Zoning Ordinance does allow finished area in accessory buildings provided it is not used habitation. County Ordinances also allow for plumbing in accessory structures provided it is connected to a code complying sewer system and installed per proper licensed individual.

When zoning staff does inspections on newly built structures we are making sure that additional “sleeping area” is not installed in these areas. That being said, it becomes a use issue. When the inspection is conducted there may be no sign of beds within this area and then years later we receive complaints. Use issues such as this are very difficult to enforce. Office staff is currently not allowed inside structures without warrants. Even when secondary sleeping areas are suspected, staff generally has no enforcement to fall back on that would merit Cooperation Counsel from pursuing a citation.

I have seen firsthand two story garages I suspected the use was going to be additional sleeping area. Eventually, it was revealed the area was indeed being used for winter storage. Additionally, I have seen these areas have several bunk beds and people using them almost year-round. It all boils down to the use dilemma. When staff is able to witness the illegal activity, we are addressing it. However, if curtains are closed and/or external staircase aren’t present, it becomes very difficult to enforce and we are somewhat assuming what might be occurring.

This has been a very difficult topic of discussion for several years and over the course of several zoning administrators. Since literal, lawful, and non-assumption based enforcement isn’t effective, I am proposing that we look into allowing bunkhouses and temporary guest quarters. Through careful planning and proper permitting there is the potential to allow uses that are already occurring. Having a better set of checks and balances will mitigate unintended consequences.
Per State requirements and Uniform Dwelling Code (UDC) requirements these areas would still be restricted to less than 500 sq ft. Additionally, no kitchen facilities or food preparation areas would be allowed. These areas would need to be of an open room concept and separate walled off bedrooms are not allowed. By having these types of requirements these “areas” are not defined as habitable living space. They would be viewed and defined bunkhouse/temporary quest quarters. The intent here is to allow for overflow sleeping area. All newly created bunkhouses/temporary quest quarters require a UDC inspection, which would be looking at firewall protection, smoke detectors, carbon monoxide detectors, and proper ingress/egress. I have spoken to the Fire Chief for the Town of Hayward, and he expressed that having the UDC inspections was one of his main concerns. Furthermore, some type of identifier that denotes a second potential sleeping area. We would also be looking into requiring fire numbers for these areas or at least additional signage stating secondary sleeping area. Finally, an affidavit would also need to be signed and recorded, on the deed that this new “area” would not be allowed to have kitchen facilities and not to be rented as part of a Short Term Rental (STR) or any other type of rental agreement.

Prior to providing the Sawyer County Zoning Committee and the public with draft ordinance language, a survey will be sent to each Township. I am hoping to have this survey submitted to the Towns by the end of February 2020. Since this is a zoning ordinance amendment it would require over 50% of Towns approval to move forward.

Throughout the rest of the State as well as within the NW District it is pretty evenly split for those Counties that allow bunkhouse/temporary guest quarters. For those that do allow them we would try to mirror certain ordinance requirements. I personally think that Sawyer County is probably in a little different situation than other Counties. The fact of existing secondary sleeping areas are out there already, sets us apart. However, this goes back to the use issue and the community trend for wanting/needling these additional overflow sleeping areas. It would be the intent with the change to the Ordinance that many of these existing structures would be able to apply for after-the-fact permits and become compliant. For those that did not apply for the new permit after a certain timeframe then enforcement efforts could be focused to correct illegal uses and structures. Increased permit revenue would also be expected with potential granting of these permits.

In closing, there is a problem that grows with each passing year. Rules either need to be changed to allow the increase in trends, additional staffing is needed to keep up with enforcement, or continue to have limited enforcement where possible and correct violations if and when observed. My staff and I will continue to look at all possible options as well as the unintended consequences as we look into providing a rough draft in future months.

Jay Kozlowski
Sawyer County Zoning & Conservation Administrator