

**MINUTES OF PUBLIC HEARING**  
**Sawyer County Zoning Committee**  
**April 16, 2021, 8:30 AM Sawyer County Courthouse**

**Zoning Committee Members**

Ron Buckholtz, Chairman  
Bruce Paulsen  
Dawn Petit  
Jesse Boettcher  
Tweed Shuman  
Stacey Hessel, Alternate

**Zoning Administration**

Jay Kozlowski, Zoning Administrator  
Kathy Marks, Deputy Zoning & Conservation Administrator  
Rebecca Roeker, Corporation Council

**2) PRELIMINARY MATTERS**

- a) Call to Order and Roll Call  
Buckholtz called the Public Hearing before the Sawyer County Zoning Committee to order at 8:30 AM at the Sawyer County Courthouse, 10610 Main St., Hayward, Wisconsin. Roll is called finding present: Buckholtz, Paulsen, Petit – virtual, Boettcher – virtual, Shuman – absent, Hessel. Attending from the Zoning Office Kozlowski and Marks. Rebecca Roeker Corporation Counsel is virtual.
- b) Pledge of Allegiance
- c) Statement of Committee and Hearing Procedure and Statement of hearing Notice.
- d) Approval of March 19, 2021 minutes. Motion by Paulsen to approve the March 19, 2021 minutes, second by Hessel.
- e) Public comment. No Public Comment.

**3) REZONE APPLICATIONS**

- a) A Public Hearing in the Town of Meteor. RZN #21-004. Owner: Zachary & Kelly White. The NW ¼ of the SW ¼; S23, T37N, R08W; Parcel #018-837-23-3201; 40 Total Acres; Zoned Forestry One (F-1). Purpose of request is to change zone district Forestry One (F-1) to Agricultural Two (A-2) to allow hobby farm activities including beekeeping, raising less than 15 animal units of livestock for personal consumption and vegetation/soil management (pigs, chickens, goats), construction of a small barn and necessary coops and pens, and development of a garden and small fruit orchard. Kozlowski reads the application, Staff report, Town opinion and Neighbor opinion letters. Motion by Paulsen to open the public hearing portion of the application, second by Hessel. All in favor. Zachary White, property owner speaks in favor of the application. No audience comments. Motion to come out of the public hearing portion

by Petit, second by Paulsen. All in favor. Jay reads the discussion/action portion of the application. Motion by Paulsen to approve the application, second by Hessel. No discussion. Roll call finds Paulsen – yes, Petit – yes, Boettcher – yes, Hessel – yes, Buckholtz – yes. All in favor. Findings of Fact: it would not be damaging to the rights of others or property values. It is a good use for Agricultural land.

#### **4) CONDITIONAL USE APPLICATIONS**

a) A Public Hearing in the Town of Bass Lake. CUP #21-004. Owner: Darlene & Michael Friend. Rockford Beach, Lots 4-9 Block 6, Lots 35-37 Block 6; S30, T40N, R08W; Parcel #002-169-06-0700; .621 Total Acres; Zoned Residential/Recreational Tow (RR-2). Permit desired for an Accessory building 16' x 30' in size across a Town road from the dwelling. Sawyer County Ordinance section 4.26 (2) The construction of a single accessory structure on an adjacent parcel divided by a Public Roadway that does not contain the principal structure may be allowed under this subsection by Conditional Use. Kozlowski reads the application, Staff report, explains that the Town will not be hearing this until April 20, 2021. Kozlowski reads the neighbor opinions. Motion to open the public hearing portion of the application by Petit, second by Paulsen. All in favor. Michael Friend, owner speaks in favor of the application. Discussion with Committee. Phil Nies, Town of Bass Lake adds that the application was approved at the Planning Commission meeting, but needs to be heard at the Town Board meeting. No other comments. Motion to come out of public hearing by Paulsen, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Committee discussion with Kozlowski held. Motion to approve by Paulsen with condition of the Town Board approval. Second by Hessel. No other discussion. Roll call finds: Petit – yes, Boettcher – yes, Hessel – yes, Buckholtz – yes, Paulsen – yes. All in favor. Findings of Fact: it would not be damaging to the rights of others or property values. It abides by the Sawyer County Ordinance 4.26 (2).

b) A Public Hearing in the Town of Edgewater. CUP #21-005 for the Reclamation Plan. Owner: DDS Real Estate LLC. The SE ¼ of the SE ¼; S30, T37N, R09W; Parcel #008-937-30-4401; 40 Total Acres; Zoned Agricultural One (A-1). Permit desired for an expansion of a non-metallic mining operation, mineral extraction including rock crusher and hot mix plant. This is a new application including the 40 total acres from previous owner Darrick Smith that is now doing business as DDS Real Estate LLC. The original CUP #88-017 approved on 7/15/1988 and most recently renewed on 9/20/2019. For a 5 year approval. Kozlowski reads the application, Staff report, town opinion and neighbor opinions. Motion to open the public hearing portion of the application by Petit, second by Paulsen. All in favor. Derrick Smith, owner speaks in favor of the application. Discussion held with Committee. Linda Zillmer, Edgewater property owner speaks of the reclamation plan. Motion to come out of the public hearing portion of the application by Paulsen, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held by Committee. Pat Brown, Assistant Zoning Administrator speaks of the annual seeding and grasses. Motion by Paulsen to approve the reclamation plan, second by Buckholtz. Roeker clarifies the zone

district and reclamation of the agricultural land. Paulsen adds conditions of NR 135 requirements and all regulatory compliances. No other comments. All in favor. Roll finds Boettcher – yes, Hessel – yes, Buckholtz – yes, Paulsen yes, Petit – yes. All in favor. Findings of Facts: it would not be damaging to the rights of others or property values.

c) A Public Hearing in the Town of Edgewater. CUP #21-005 for the Operation/Location. Owner: DDS Real Estate LLC. The SE ¼ of the SE ¼; S30, T37N, R09W; Parcel #008-937-30-4401; 40 Total Acres; Zoned Agricultural One (A-1). Permit desired for an expansion of a non-metallic mining operation, mineral extraction including rock crusher and hot mix plant. This is a new application including the 40 total acres from previous owner Darrick Smith that is now doing business as DDS Real Estate LLC. The original CUP #88-017 approved on 7/15/1988 and most recently renewed on 9/20/2019. For a 5 year approval. Kozlowski reads the application, staff report, Town opinion and neighbor opinion letters. Motion to open the public hearing portion of the application by Petit, second by Paulsen. All in favor. Darrick Smith, owner speaks in favor of the application. Pat Brown speaks of no complaints for the property. Linda Zillmer, Edgewater property owner speaks of clarification of the rebar on the property and the Town of Edgewater public notice. No other comments. Motion to come out of public hearing by Paulsen, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held with Committee and Kozlowski. Motion to approve by Paulsen with conditions of: obtain approval or conditional approval of reclamation plan. Abide by elements included in plan of operation. Maintain compliance with DNR Chapter 30. Comply with all other federal, state, and local regulations. Second by Boettcher. Roll call finds: Hessel – yes, Buckholtz – yes, Paulsen – yes, Petit – yes, Boettcher – yes. All in favor. Findings of Fact: It would not be damaging to the rights of others or property values. It is consistent with the existing use on a portion of the property.

d) A Public Hearing in the Town of Winter. CUP #20-006. Owner: The First Temple of Universal Law. The SW ¼ of the NE ¼; S25, T40N, R05W; Parcel #032-540-25-1301; Total of 40 acres; Zoned Residential/Recreational One (RR-1). Permit is desired for Multi-Dwelling Development. As per Section 17.2 (B) (15) of the Sawyer County Zoning Ordinance, with Conditional Use approval. Kozlowski reads the application, makes note that the Town tabled the application as applicants were not at meeting and they needed more information. Motion to open the public hearing portion of the application by Petit, second by Paulsen. All in favor. No representation for the application present. No comments. Motion to come out of public hearing by Paulsen, second by Petit. All in favor. Kozlowski reads the discussion/action portion of the application. Paulsen request Kozlowski to give back round on the property. Motion by Paulsen to postpone the application until the Town has a decision on the case. Second by Buckholtz. Committee discussion held with Roeker input. Roll call finds: Hessel – yes, Buckholtz – yes, Paulsen – yes, Petit – yes, Boettcher – yes. All in favor.

Break at 9:45am.

Buckholtz calls the meeting back to order at 9:55am. Notifies the audience that there is a three minute speaking time.

e) A Public Hearing in the Town of Round Lake. CUP #21-007 for the Reclamation Plan. Owner: Groeschel Trust. Agent: Select Materials LLC (Darryl Mast). The SE ¼ of the NW ¼; S12, T41N, R08; Parcel #024-841-12-2401; 5 Total acres of a 40 Acre parcel; Zoned Forestry One (F-1). Permit desired for a non-metallic mining extraction operation including rock crusher. Kozlowski reads the application, Staff report. Motion by Paulsen to postpone the Reclamation Plan decision until after the Conditional Use application is heard. Second by Buckholtz. All in favor.

f) A Public Hearing in the Town of Round Lake. CUP #21-007 for the Location/Operation Plan. Owner: Groeschel Trust. Agent: Select Materials LLC (Darryl Mast). The SE ¼ of the NW ¼; S12, T41N, R08; Parcel #024-841-12-2401; 5 Total acres of a 40 Acre parcel; Zoned Forestry One (F-1). Permit desired for the location/operation of a non-metallic mining extraction operation including rock crusher. Kozlowski reads the application, Staff report, Town opinion and Neighbor opinion letters. Motion to open the application by Petit, second by Paulsen. All in favor. Jeff Groeschl, owner speaks in favor of the application. Discussion with Committee held. Kozlowski calls audience members up for their comments against the case. Barbara Howe, Anna Marchand, Ginny Chabek, Jean Purtell, Denise Johnson, Katherine Marson, Cindy Conger, Michael Donato, Cindy Bijold, Karen Melasecca, Jane Bidwell, Steve Boe, Charles Evenson, Mark Lenss, Scott Johnson, Edward Haugen, Rolfe Hanson, Analisa Mueller and Mark Evenson all Town of Round Lake property owners.

Buckholtz calls for break at 10:50am. Buckholtz calls meeting back to order at 11:10am.

Public continues with opposing comments from Larry Menders, Kay Wilson, Town of Round Lake Supervisor speaks of the Town denial, Martin Hanson, Round Lake property Owners Association, Steve Swanson, Ann Harless, Lynn Fredrickson, Cindy Storm, Mark & Pam Rosenow, Ann Rienhart and Dan Stoner. All Town of Round Lake property owners. Buckholtz calls for any other public comments on this case. Motion to come out of the public hearing portion of the application by Paulsen, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Motion to deny the application by Paulsen, second by Petit. Discussion by Committee held. Paulsen state substantial evidence would be damaging to property values, it is contrary to the Round Lake comprehensive plan objectives, a gravel pit would be damaging to wildlife. Second by Petit. Paulsen amends his motion to include all information presented today from this case as substantial evidence. Second by Petit. Roll call finds: Paulsen – yes, Petit – yes, Boettcher - yes, Hessel – yes, Buckholtz – yes. All in favor. Findings of Fact: it would be damaging to property values as referenced in the study. Impact of Operational on gravel pits on house values included in the information provided that we

received. It would be contrary to objective of the Town of Round Lake Comprehensive Plan.

#### Re-call of the Reclamation Plan #21-007 Groeschl Trust

e) A Public Hearing in the Town of Round Lake. CUP #21-007 for the Reclamation Plan. Owner: Groeschel Trust. Agent: Select Materials LLC (Darryl Mast). The SE ¼ of the NW ¼; S12, T41N, R08; Parcel #024-841-12-2401; 5 Total acres of a 40 Acre parcel; Zoned Forestry One (F-1). Permit desired for the Sawyer County NR 135 Reclamation Issuance for location/operation of a non-metallic open pit. Kozlowski reads the application, Staff report. Motion to open the Public Hearing portion of the application by Paulsen, second by Hessel. All in favor. No representation for the application in attendance. Barbara Howe, Town of Round Lake property owner speaks of returning the land to its original state. Motion to come out of the public hearing portion of the application by Hessel, second by Paulsen. All in favor. Kozlowski reads discussion/action portion of the application. Motion to deny the Reclamation Plan as the denial of the previous conditional use permit #21-007 by Paulsen, second by Boettcher. Roll call finds: Buckholtz – yes, Paulsen – yes, Petit – yes, Boettcher –yes, Hessel – yes. All in favor.

#### **5) PROPOSED ORDINANCE AMMENDMENTS**

a) A Public Hearing Sawyer County Zoning Ordinance Amendment to Section 6.6 Trailer Camps and Campgrounds. A full red line version and clean working version of the proposed amendments can be viewed under the Zoning & Conservation Department tab on the official Sawyer County Website. Kozlowski reads and explains that he recommends to postpone the decision for the 6.6 Camps and Campgrounds. Motion by Buckholtz to postpone until the May 21, 2021 Zoning Committee meeting. Second by Boettcher. Roll call finds: Petit – yes, Boettcher – yes, Hessel – yes, Buckholtz – yes, Paulsen – yes. All in favor.

#### **6) NEW BUSINESS**

- a) Contract extension with Northwest Regional Planning Commission. Kozlowski explains the reason for the extension. Motion by Paulsen to approve the extension and send to the County Board for approval, second by Hessel. All in favor.
- b) Policy discussion for Rezones that need a Conditional Use also. Discussion held. Bring back to the May Zoning Committee meeting on May 21, 2021.
- c) Buckholtz explains the public hearing of listening to the public. Boettcher is wondering about changing dates/times of meeting. Discussion held. Kozlowski states that dates and times are approved at the October meeting for the following year.
- d) Any other business that may become before the Committee.

Phil Nies, Town of Bass Lake compliments a job well done.

#### **7) ADJOURNMENT**

Buckholtz adjourns meeting at 12:02pm  
Minutes prepared by Kathy Marks, Deputy Zoning Administrator

For more information and audio please see our website at [sawycountygov.org](http://sawycountygov.org)

DRAFT