

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
April 22, 2022, 8:30 AM Sawyer County Courthouse**

Zoning Committee Members

Jesse Boettcher, Chairman
Ronald Buckholtz, Vice Chairman
Tweed Shuman
Stacey Hessel
Michael Maestri
John Righeimer, Alternate

Zoning Administration

Jay Kozlowski, Zoning Administrator
Pat Brown, Assistant Zoning Administrator
Kathy Marks, Deputy Zoning & Conservation Administrator
Andy Phillips, Corporation Council

PRELIMINARY MATTERS

a) Call to Order and Roll Call Kozlowski 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, Shuman, Boettcher, Hessel. Maestri and Righeimer. Attending from the Zoning Office Kozlowski and Brown. Marks is absent. Virtual is Andy Phillips, Corporation Council.

b) Election of Officers (Chairperson & Vice-Chairperson). Lynn Fitch, County Clerk starts the process. Nomination of Chairman for Buckholtz by Shuman. Nomination of Chairman for Boettcher by Hessel. No additional comments for addressing committee. Vote for Buckholtz for Chairman. 2 voice votes for Buckholtz as Chairman. Vote for Boettcher for Chairman. 3 voice votes for Boettcher as Chairman. Andy Phillips, Corporation Council speaks of voting procedure that it is not to be secret ballot. Voting for Vice Chairman is held. Shuman nominates Buckholtz for Vice Chairman. Boettcher nominate Hessel for Vice Chairman. Votes for Buckholtz finds 3 voice votes for Buckholtz and 2 voice votes for Hessel.

c) Kozlowski nominates Marks as Zoning Committee secretary. Motion by Buckholtz, second by Hessel. All in favor.

Kozlowski turns over the meeting to new Chairman, Boettcher.

d) Statement of Committee and Hearing Procedure and Statement of Hearing Notice. Boettcher reads the Statement of Committee and Statement of Hearing Notice.

e) Pledge of Allegiance.

f) Approval of March 18, 2022 minutes. Motion by o approve the March 18, 2022 minutes by Buckholtz and second by Shuman. No other discussion. All in favor.

e) Public comment. Linda Zillmer, Edgewater property owner speaks.

Boettcher speaks of his expectations as Chairman. Buckholtz congratulates Boettcher on his new position.

REZONE APPLICATIONS

a) A Public Hearing in the Town of Lenroot. RZN #22-006. Owner: Roger & Renee Sievers. Part of the NE ¼ of the SW ¼ ; S21, T42N, R09W; Parcel #014-942-21-3117; 8.7 total acres; Zoned Forestry One (F-1) including 0.25 acres of Shoreland-Wetland as an overlay district. Purpose of request is to rezone all F-1 underlying zone district to Residential/Recreational One (RR-1). The included 0.25 acres of Shoreland-Wetland (S-W) is not to be affected by the rezoning. Purpose of rezone is requested in order to subdivide into three Residential/Recreational One (RR-1) parcels. This will allow applicant to build three separate dwellings for family. Kozlowski reads the application, staff report, Town opinion, Committee acknowledges they have read the opinion letters. Andy Phillips, Corporation Council explains the 2 new members abstain from the cases today as new members to the committee without proper information to decide. Motion by Buckholtz to open the public hearing portion of the application, second by Hessel. All in favor. Roger Sievers, owner of the property speaks in favor of the application. Discussion by Committee, Owner and Kozlowski. Pat O'Brien, Town of Lenroot resident speaks in favor of the application. Linda Zillmer, Edgewater property owner speaks not in favor or against. No other comments. Boettcher asks if anyone wants to speak against. Pamela Mayer, Town of Lenroot resident, Ross Mayer, Town of Lenroot resident, speaks against the application, Mark Kaiser, Town of Lenroot resident speak against the application. No other comments. Motion by Shuman to come out of public hearing, second by Buckholtz. All in favor. Kozlowski reads the discussion/action portion of the application. Boettcher clarifies his opening statements. Discussion held. Motion by Hessel to approve the application, second by Boettcher. Discussion held with Committee and Kozlowski. Roll call finds: Boettcher – no, Shuman – no, Hessel – yes, Buckholtz – no. 1 to 3 for recommendation of approval- Motion fails. Motion by Shuman to deny, second by Buckholtz. Voice vote finds 3 to 1 to recommend denial. Findings of Fact. It would create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal. It would not be consistent with the Town and/or County Comprehensive Plan.

c) A Public Hearing in the Town of Edgewater. RZN #22-002. Owner: Hathaway Lodge LLC. Part of Government Lot 4; S20, T38N, R09W; Parcel #008-938-20-5402; 18.9 total acres; Zoned Forestry One (F-1) including 3.47 of Shoreland-Wetland as an overlay district. Purpose of request is to rezone all F-1 under-laying zone district to

Residential/Recreational One (RR-1). The included 3.47 acres of Shoreland-Wetland (S-W) is not to be affected by the rezoning. The proposed rezone to Residential/Recreational One (RR-1) is requested in order to divide lot and build lakeshore cottages. Kozlowski reads application, staff report, Town opinion and opinion letters. Committee acknowledges emailed opinion letters were read. Motion by Shuman to go into Public Hearing, second by Hessel. All in favor. Steve Friendshuh, owner speaks in favor of the application and hands out a map. Discussion held with applicant, Committee and Kozlowski. No other comments. Speaking in opposition is Jean Accola, Town of Sand Lake, Julie Parroni, representing Lake Shore owners, Linda Zillmer, Edgewater property owner, Chuck Abrams, Little Sissabagama Shore Owners Assoc. Steve Peinovich is unavailable.

Chairman Boettcher calls for recess.

Motion by Boettcher to come out of public hearing by Buckholtz, second by Hessel. All in favor. Kozlowski rereads the application discussion/action portion of the application. Discussion held. Motion by Hessel to approve the application, second by Boettcher. Discussion held. Roll call finds: Shuman – no, Hessel – yes, Buckholtz – no, Boettcher – yes. Motion fails 2 to 2. Discussion held with Council regarding failed motion. No recommendation determined by Zoning Committee.

CONDITIONAL USE APPLICATIONS

a) A Public Hearing in the Town of Couderay. CUP #22-009. Owner: Cynthia Pulver & Deborah Linc. Lake A-SHE-GON Heights, Lots 47 & 48 Block 2, Lot 1 CSM 16/84 #4045; S24, T39N, R08W; Parcel #004-146-02-4400; .710 total acres; Zoned Residential/Recreational Two (RR-2). Permit desired for a 12' x 16' accessory building for tools & materials to aid in prepping the property for future dwelling. As per section 4.26 (1) of the Sawyer County Zoning Ordinance. Kozlowski reads the withdrawn for this application. Motion by Hessel to approve the withdraw, second by Shuman. No discussion held. All in favor.

c) A Public Hearing in the Town of Bass Lake. CUP #22-010. Owner: Charles & Elizabeth Bauer; Agent: Alex Kerkman/Olson Solar Energy. Malar Beach, Lots 14-19 Block 1 & Lots 13-19 Block 2; S30, T40N, R08W; Parcel #002-157-01-1400; .413 total acres; Zoned Residential/Recreational One (RR-1). Permit desired for a solar array installation ground mount system, located across Poplar Lane a Town Road. Array will be bored under the Town road for powering the dwelling. Size will be 70'x12'. As per Section 4.26 (2) accessory structure across a Town Road in the Sawyer County Zoning Ordinance. Kozlowski reads the application, staff report, Town opinion, and Neighbor opinions. Motion by Shuman to open the public hearing portion of the application, second by Buckholtz. All in favor. Charles Bauer, owner speaks in favor of the application. Alex Kerkman, project manager answers questions. Discussion with Committee held. No other comments. Motion by Shuman to close the public hearing portion of the

application. All in favor. Kozlowski reads the discussion/action portion of the application. Committee discussion held.

Kozlowski clarifies Town conditions. No other comments. Motion by Shuman to approve with conditions of No commercial use or operation allowed with the solar array. A deed restriction, recorded in the Register of Deeds, be placed on the 2 properties that they cannot be sold separately unless the array is removed. A Land Use Permit is required for the construction of the array as part of an accessory structure. 3. Size of proposed accessory structure (solar panel array) not to exceed 70' x 12'. Must follow all other County, State, Federal regulations/laws including also binding by Town of Bass Lake Conditions as specified from Town Board Meeting. Second by Buckholtz. Committee discussion held. Boettcher requests amendment to remove fence, shrubs and 6' depth under the road, no less than 36" bury depth and 3" in diameter. Second by Buckholtz. No other comments, Brown rereads the Motion and the amendments. 3 to 1 in favor of the amendment. The initial motion vote finds all in favor. Findings of Fact: It would not be significantly 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. 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 be consistent with the Town and/or County Comprehensive Plan. It would not create an objectionable view. Boettcher agrees with the Findings of Fact in the Staff Report. All in favor. Only conditions of fence, shrubs, and max bury depth removed. All other conditions remain.

e) A Public Hearing in the Town of Sand Lake. CUP #22-011. Owner: Darryl & Ruth Mast. Part of the SW ¼ of the SW ¼; S09, T39N, R09W; Parcel #026-939-09-3301; 40 total acres; Zoned Agricultural One (A-1). Permit desired to build a 48 unit self-storage facility approximately 150' North of the South property line, on the East end of the front 40. Our plan is to erect a 50' x 290' building. 48 individual units with the possibility of adding a second building in the future. As per Section 17.4 (B) (13) of the Sawyer County zoning Ordinance. Kozlowski reads the application, staff report, Town opinion and opinion letters. Motion by to open the public hearing portion of the application by Shuman, second by Buckholtz. All in favor. Darryl Mast, owner speaks in favor of the application. No other comments either for or against. Motion to come out of the public hearing portion of the application by Buckholtz, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application with the conditions and findings of fact. Discussion held with Committee, Corporation Council and Kozlowski regarding findings of facts. Motion to approve the application by Buckholtz with conditions of: Size of building not to exceed 50' x 290'. All setbacks are to be met. All other town, County, State and Federal Laws are followed. All signage to meet requirements of Sawyer County Zoning Ordinance. All lighting to be downed lighting. Land Use Permit required for the first and second proposed building within a 5-year time-frame. Second by

Shuman. 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. 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: Boettcher – yes, Shuman – yes, Hessel – yes, Buckholtz – yes. All in favor.

f) A Public Hearing in the Town of Winter. CUP #22-012. Owner: William & Allison Larson. Part of the NE ¼ of the NE ¼, Lot 1 CSM 14/372 #3615; S09, T39N, R05W; Parcel #032-538-09-1121; 1.52 total acres; Zoned Residential One (R-1). Permit desired for a 30' x 30' garage on a concrete slab on vacant property. Contains no habitable space. Per section 4.26 (1) of the Sawyer County Ordinance. Kozlowski reads the application, staff report, Town opinion and Opinion letters. Motion to go into the public hearing portion of the application by Shuman, second by Hessel. All in favor. William Larson, owner speaks in favor of the application. No other comments either for or against. Motion to come out of the public hearing portion of the meeting by Shuman, second Buckholtz. All in favor. Kozlowski reads the discussion/action portion of the application. No Discussion held. Motion to approve the application by Buckholtz, with conditions of: Land Use Permit Land Use Permit is required and applied for accessory structure(s) within 1 year from the date of Zoning Committee decision. Land Use Permit is required and applied for principal structure within 3 years from date of Zoning Committee decision. Failure to apply will result in citation with potential order for removal of accessory building. Proposed accessory structure must me all other Sawyer County Zoning & Conservation requirements including setbacks and also compliant with all other State & Federal Laws. Size of proposed structure not to exceed 30' x 30' with no habitable area. Second by Shuman. 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. 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. Voice vote finds all in favor.

i) A Public Hearing in the Town of Meteor - #22-013; Royce and Audrey Zesiger Trust. Agent: Town of Meteor. Part of the NE1/4 of the SE1/4; S04, T37N, R08W; Parcel #018-837-04-4101. 11.15 Acres of the 40 Total Acres; Zoned Agricultural One (A-1). Permit desired for the five (5) year renewal of conditional use permit #19-018 for the location of a non-metallic mineral extraction operation, including rock crusher, and hot-mix plant. The CUP was originally approved at public hearing on April 15, 2011 and renewed on April 16, 2019. Kozlowski reads the application, staff report, Town opinion and Opinion letters. Motion to go into the public hearing portion of the application by

Buckholtz, second by Hessel. All in favor. Dale Olson, agent speaks in favor of the application. No other comments either for or against. Motion to come out of the public hearing portion of the application by Shuman, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Kozlowski reads possible Conditions into record. Discussion held. Motion to approve the application by Buckholtz with conditions of: Maintain compliance with NR 135 (reclamation plan). Maintain compliance with Plan of Operation including current hours of operation from daylight hours and crushing plant and hot mix asphalt plant from 5 AM – 10 PM Monday-Saturday, March-November. Maintain compliance with Plan of Operation. Department of Natural Resources Chapter 30. Second by Shuman. Findings of Fact: It would not be significantly 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. 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 be consistent with the Town & County Comprehensive Plan. It would not create an objectionable view. Voice vote finds all in favor. Voice vote finds all in favor.

k) A Public Hearing in the Town of Winter. CUP #22-014. Owner: Donald & Marcella Thompson. Part of the NW ¼ of the SW ¼ and the NE ¼ of the SW ¼; S01, T39N, R05W; Parcel #032-539-01-3201 and -3101; 75 total acres Zoned Agricultural Two (A-2). Permit desired for a five (5) year renewal of conditional use permit CUP #19-019 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on April 15, 2002 and most recently renewed on April 16, 2019. Kozlowski reads the application, staff report, Town opinion and Neighbor opinions. Motion by Hessel, second by Shuman. All in favor. Craig Thompson, agent speaks in favor of the application. Discussion held. No other comments for or against the application. Motion by Hessel to come out of the public hearing portion of the application, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application and the possible conditions. Discussion held. Motion to approve by Shuman with conditions of: Maintain compliance with NR 135 (reclamation plan). Hours of operation 7 AM – 9 PM Monday-Saturday. Gravel crusher and asphalt plant periodically from 6 AM to 7 PM Monday-Saturday. Maintain compliance with Department of Natural Resources Chapter 30. Second by Buckholtz. Findings of Fact: It would not be significantly 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. 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 be consistent with the Town & County Comprehensive Plan. It would not create an objectionable view. No further discussion. Voice vote finds all in favor.

SPECIAL EVENT APPLICATIONS

a) A Public Hearing in the Town of Bass Lake. SUP #22-001. Owner: Scott Poppe. The East ½ part of the Northwest ¼; S03, T40N, R09W; Parcel #002-940-03-2101; Tax ID# 49.50 Total Acres; Zoned Agricultural One (A-1). Purpose of request is to have a 3year Tri-Annual Special Events (Customer Appreciation Days) May 20-22, July 22-24 and September 23-25, 2022. Anticipated attendance would be 50 to 100 participants per each event. Kozlowski reads the application, staff report, Town opinion and neighbor opinions. Motion by Shuman, second by Hessel. All in favor. Laura Poppe, agent speaks in favor of the application. No other comments either for or against. Discussion held. Motion to come out of the public hearing portion of the application by Shuman, second by Hessel. All in favor. Kozlowski reads the application and possible conditions. Motion by Buckholtz to approve the application with conditions of: No Firearm discharging. No Fireworks. Quiet hours to be from 11pm-7AM. No vehicle parking on Town Road. Number of RV campers or sites not to exceed 12 per event. All lighting must be down lighting. A manager or designee must be on-site during approved dates at all times. The Special Use Permit approval is valid for 3 years with dates specified for the year of 2022. Applicant will need to submit new days of the events to the Sawyer County Zoning Department and Town of Bass Lake for the years of 2023 and 2024 prior to the events being held. Applicant will need to renew the SUP with the Sawyer County Zoning Committee if events are to occur in the year 2025. All other town, County, State, Federal Laws are followed. Violation of conditions specified or valid complaints received per said events may result in revocation of SUP 22-001. Second by Findings of Fact: 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. Second by Hessel. No further discussion. Voice vote. All in favor.

NEW BUSINESS

a) Accessory Structures Vacant Land. Kozlowski reads information regarding the accessory buildings. Explains the Town decision(s) regarding the accessory building/shipping containers. Discussion held. Kozlowski will have a final draft version for members.

b) Any other business that may become before the Committee. Boettcher requests that all the opinion letters be sent by email to the Committee members to read before Public Hearings.

ADJOURNMENT

Boettcher adjourns meeting at 12:06pm

Minutes prepared by Kathy Marks, Deputy Zoning Administrator

For more information and audio please see our website at sawyercountygov.org