

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
April 28, 2023, 8:30 AM Sawyer County Courthouse**

Zoning Committee Members

Ronald Buckholtz, Chairman
Stacey Hessel, Vice Chairperson
Tweed Shuman
Michael Maestri
Kay Wilson
John Righeimer, Alternate

Zoning Administration

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

PRELIMINARY MATTERS

a) Call to Order and Roll Call Buckholtz (acting Vice-Chair) 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, Hessel, Maestri, Righeimer and Wilson. John Righeimer is present. Attending from the Zoning Office Kozlowski and Brown. Marks is absent. Virtual is Rebecca Roeker, Corporation Council.

b) Election of Officers (Chairperson and Vice-Chairperson). Lynn Fitch, County Clerk starts the process. Nomination of Chairman for Buckholtz by Shuman. 5 to 0 in favor. Nomination for Vice Chairman for Hessel by Shuman. 5 to 0 in favor. Motions carry.

c) Statement of Committee and Hearing Procedure and Statement of Hearing Notice. Buckholtz reads the Statement of Committee and Statement of Hearing Notice.

e) Pledge of Allegiance.

f) Approval of March 17, 2023 minutes. Motion by Hessel to approve the March 17, 2023 minutes. Second by Shuman. All in favor. Motion carries.

e) Public comment. Linda Zillmer Edgewater Property owner and Douglas Kurtzweil give public comment.

REZONE APPLICATIONS

a) A Public Hearing in the Town of Lenroot. RZN #23-001. Owner: Fred Scheer III. Part of the SE ¼ of the NE ¼, Lot 3 CSM 24-92 #6522; S07, T41N, R08W; Tax ID #16329; Zoned Forestry One (F-1); 5.06 total acres. Purpose of request is to rezone from Forestry One (F-1) to Residential/Recreational One (RR-1) to allow portions of lot to be merged into the adjacent lots, cleaning up lot lines and roads. No new additional lots are being created. The surrounding lots are zoned Residential/Recreational One (RR-1). Kozlowski reads application, staff report and town opinion. No opinion letters returned. Motion by Buckholtz to open the public hearing portion of the application by Buckholtz, second by Hessel. All in favor. Wilson recues herself from this case. Michelle Smith, representative for owner Fred Scheer speaks in favor of the

application. No questions. No other comments for case. Motion by Buckholtz to close the public portion of the application, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Motion by Hessel, second by Shuman to approve the application with Findings of Fact: 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 be consistent with the Town and/or County Comprehensive Plan. 9. It would not create an objectionable view. Roll call finds: Hessel – yes, Shuman – yes, Buckholtz – yes, Maestri – yes, Righeimer – yes. All in favor. Motion passes.

CONDITIONAL USE APPLICATIONS

a) A Public Hearing in the Town of Round Lake. CUP #23-005. Owners: Michael Anderson & Laura Bredemus. Agent: Verizon Central LLC. Part of the SW ¼ of the NW ¼; S05, T41N, R06W; Parcel #024-641-05-2301; Tax ID# 24024; 34.89 total acres; Zoned Agricultural One (A-1). Permit desired for construction of a 275 foot wireless communication tower with 5 foot lightning rod. This will allow Verizon to improve customer experience. Kozlowski reads the application, staff report, and Town opinion. No opinion letters. Motion by Shuman to open the public hearing portion of the application, second by Hessel. All in favor. Laura Bredemus, Owner speaks in favor of the application. Discussion with Committee and Kozlowski held. Barbara Herot, Spider Lake Township resident speaks in favor of the application. Vance Haesemeyer, Spider Lake Township resident speaks in favor. Lee Seibert, Town of Round Lake resident speaks in favor of the application, Linda Zillmer, Edgewater property owner speaks in favor. Martin Hanson speaks in opposition of the application. No other comments. Motion to close the public hearing portion of the application by Wilson, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. All in favor. Discussion held with Kozlowski and Committee. Motion to approve the application by Hessel with Findings of Facts: 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 be consistent with the Town and/or County Comprehensive Plan. 9. It would not create an objectionable view. Conditions of the staff report: 1. Land Use Permit for telecommunication facility is required. 2. Prior to issuing the LUP the applicant or owner of the telecommunication facility shall provide a bond, irrevocable letter of credit, of their suitable financial guarantee as to insure the removal of facility if it falls into disuse & restoration back to preconstruction state in the amount of \$20,000. 3. All other town, county, state federal laws are followed. Town conditions of: 1. Condition that a buffer of at least 4 foot high evergreens be planted along the perimeter of the area as per Sawyer County telecommunications Ordinance. Second by Wilson. Discussion held. Roll call finds: Wilson – yes, Maestri – yes, Shuman – yes, Hessel – yes, Buckholtz – yes. All in favor. Motion carries.

b) A Public Hearing in the Town of Draper. CUP #23-006. Owners: Lynn Phol & Diane Wasieleski. Agent: Verizon Central LLC. Part of the SE ¼ of the NW ¼; S24, T39N, R03W; Parcel #006-339-24-2401; Tax ID #6012; 39.93 total acres; Zoned Forestry One (F-1). Permit desired for construction of a 275 foot wireless communication tower with 5 foot lightning rod.

This will allow Verizon to improve customer experience. Kozlowski reads the application, staff report, town board did not vote because of resignations. Motion to open the public comment portion of the application by Shuman, second by Hessel. All in favor. Applicant not present. No comments in favor. Doug Kurtzweil, Town of Hunter resident speaks in favor. No opinions of opposition of the application. Motion to close the public hearing portion of the application by Wilson, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Committee holds discussion. Motion by Shuman to approve the application with conditions of: 1. Land Use Permit for telecommunication facility is required. 2. Prior to issuing the LUP the applicant or owner of the telecommunication facility shall provide a bond, irrevocable letter of credit, of their suitable financial guarantee as to ensure the removal of facility if it falls into disuse & restoration back to preconstruction state in the amount of \$20,000. 3. All other town, county, state federal laws are followed. Findings of Facts: 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 be consistent with the Town and/or County Comprehensive Plan. 9. It would not create an objectionable view. Town approval will be needed. Roll Call Finds: Shuman – yes, Hessel – yes, Buckholtz – yes, Maestri – yes, Wilson – yes. All in favor. Motion carries.

c) A Public Hearing in the Town of Lenroot. CUP #23-007. Owners: Jeffery & Cynthia Schmid. Part of the SW ¼ of the SE ¼, Lot 1 CSM 30/92 #7534; S15, T42N, R08W; Tax ID #39913; 5.67 total acres; Zoned Residential/Recreational One (RR-1). Permit desired for the assembly of dairy wash controls. Per Section 17.2 (B) (7) for professional office. No manufacturing will be done on the site, assembly only. Kozlowski reads the application, staff report and Town opinion. Motion to open the public hearing portion of the application by Hessel, second by Wilson. All in favor. Jeffrey & Cynthia Schmid, owner speaks in favor. Discussion held. No other audience comments. Motion to close the public hearing portion of the application by Shuman, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Motion by Hessel to approve the application with conditions of: 1. CUP #23-007 is limited to the property owner and use as described with the request. 2. No fabrication or manufacturing of product is allowed. Assembly Only. 3. If/when a new building is constructed it will require its own fire number/address sign. 4. Only 1 additional building is allowed for requested use. If additional buildings are needed it will require an additional CUP. 5. A Land Use Permit is required for the construction of the new building and is to meet all setback requirements. 6. A deed restriction or restrictive covenants document is needed to combine the adjacent lot containing the primary/habitable dwelling with lot proposed for the new accessory structure and CUP request. 7. All signage must meet Sawyer County Zoning Ordinance Requirements. 8. All other Town, County, State, Federal Laws are followed. Findings of Facts: 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 be consistent with the Town

and/or County Comprehensive Plan. 9. It would not create an objectionable view. Second by Shuman. Rebecca Roeker speaks of the CUP and uses and commends the Committee on a job well done. Roll call Finds: Hessel – yes, Buckholtz – yes, Wilson – yes, Maestri – yes, Shuman – yes. All in favor. Motion carries. 1)

d) A public Hearing in the Town of Hayward. CUP #23-008. Owners: Reginald & Kimberly Pontillo. Part of the NW ¼ of the SE ¼, Lot 1 CSM 36-243 #8461; S15, T41N, R08W; Parcel #010-841-15-4204; Tax ID #43868. 7.39 total acres; Zoned Forestry One (F-1). Permit desired for an accessory building 32' x 40' and 20' in height. Section 4.26 (1) of the Sawyer County Ordinance to build an accessory structure on vacant property w/conditions to build a dwelling within 3 years. Kozlowski reads the application, staff report, Town opinion. No opinion letters returned. Motion to open the public hearing portion of the application by Shuman, second by Wilson. All in favor. No representation for the application present. No audience comments. Discussion with Kozlowski and Committee. Motion by Hessel to close the public hearing portion of the application, second by Buckholtz. All in favor. Kozlowski reads the discussion/action of the application. Discussion held with Kozlowski and Committee. Motion by Shuman to approve the application with Conditions of: 1. Land Use Permit is required and applied for the accessory structure(s) within 1 year from the date of Zoning Committee decision and built within permit timeframes. 2. Land Use Permit is required and applied for principal structure within 3 years from date of Zoning Committee decision and built within permit timeframe. Failure to apply and build will result in citation with potential order for removal of accessory building. 3. Proposed accessory structure must meet all other Sawyer County Zoning & Conservation requirements and compliant with all other State & Federal Laws. 4. Size of proposed structure not to exceed 32' x 40'. Findings of Fact: 1. It would not be significantly 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 be consistent with the Town and/or County Comprehensive Plan. 9. It would not create an objectionable view. Second by Buckholtz. Roll call Finds: Buckholtz – yes, Wilson – yes, Maestri – yes, Shuman – yes, Hessel – yes. All in favor. Motion carries.

E) A Public Hearing in the Town of Radisson. CUP #23-009, Owner: Brandon & Natalie Heath. Agent: Nick Petit. The NE ¼ of the SW ¼; S12, T38N, R07W; Parcel #022-738-12-3101; Tax ID 22306; 40 total acres; Zoned Forestry One (F-1). Permit desired for location/operation of non-metallic mining site to include rock crusher. Actual mine site to be limited to 5 acres within the NW corner of the 40-acre parcel. Per section 17.8 (B) (8) of the Sawyer County Zoning Ordinance. Kozlowski reads the application, staff report, Town opinion. No opinion letters returned. Motion to open the public hearing portion of the application by Hessel, second by Wilson. All in favor. Brandon Heath, owner is present. Jeremy Petit to speak on behalf of owner in favor of the application. Discussion with Petit, Committee and Kozlowski. Paul Cigen, WDNR speaks of Oak Wilt. Petit and Committee have discussion. Linda Zillmer, Edgewater property owner speaks for informational purposes only. Patrick Delaney Spider Lake property

owner speaks information only. Motion by Shuman to close the public hearing portion of the application. Second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Motion by Hessel to approve the application with conditions of: 1. Obtain approval or conditional approval of reclamation plan. 2. Hours of normal operations: 6AM-7PM, Monday-Friday; 7AM-4PM, Saturday and Sunday (excluding holidays). 3. Crushing hours & asphalt plant operation: 6AM-7PM, Monday-Friday; 7AM-4PM, Saturday-Sunday excluding holidays, not to exceed 21 days per calendar year. 4. A Fire # or Site Address is required for the property. 5. Maintain compliance with Department of Natural Resources Chapter 30. 6. Comply with all other federal, state, and local regulations including approval of the "Reclamation Plan". Findings of Fact: 1. It would not be significantly 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 be consistent with the Town and/or County Comprehensive Plan. 9. It would not create an objectionable view. Second by Buckholtz. Hessel amends motion to include recommendation from DNR regarding Oak Wilt. Second by Shuman. Roll call finds: Maestri – yes, Wilson – yes, Buckholtz – yes, Hessel – yes, Shuman – yes. All in favor. Motion carries.

Break 10:03am

Meeting called back to order at 10:08 am

f) A Public Hearing in the Town of Radisson. Reclamation Plan for CUP #23-009, Owner: Brandon & Natalie Heath. Agent: Nick Petit. The NE ¼ of the SW ¼; S12, T38N, R07W; Parcel #022-738-12-3101; Tax ID 22306; 40 total acres; Zoned Forestry One (F-1). Permit desired for the Sawyer County NR 135 Reclamation Issuance for location/operation of a non-metallic mineral open pit limited to 5-acre actual mine site. Kozlowski reads the application, staff report and Town opinion. No opinion letters returned. Motion by Wilson, second by Shuman. All in favor. Nick Petit speaks in favor of the application. No other public comments. Motion to close the public hearing portion of the application by Hessel, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Motion to approve the application by Hessel based on the information given in the CUP. Second by Buckholtz. Roll call finds: Maestri – yes, Wilson – yes, Buckholtz – yes, Righeimer – yes, Hessel – yes, Shuman – yes. All in favor. Motion carries.

NEW BUSINESS

a) Minor corrections to proposed multi-dwelling ordinance amendment needed to send to Towns for review. Kozlowski discusses the information regarding sending to the Town(s). Rebecca Roeker explains that Andy Phillips was the one that was working on this more than her. But she can answer questions even though she was not in on the 3 versions. Motion by Shuman to send option 3 version 4.3 to the Towns. Second by Hessel. Discussion held with Kozlowski & Committee with changes but the language is fine how it is drafted. Roll call finds: Buckholtz – yes, Hessel – yes, Wilson – yes, Shuman – yes, Maestri – yes. All in favor. Motion carries.

Shuman leaves meeting 10:30am

b) Kozlowski asks for request to have an Ad-Hoc Committee for Tourist Rooming Housing. Discussion held with Committee, Sawyer County Administrator, Andy Albardo and Kozlowski. Rebecca Roeker, Council speaks of this being a State wide issue, other Counties, and it is a collaborate effort with WCCA. Motion to have Ad-Hoc Committee sent to County Board by Hessel, second by Wilson. 4 to 0 to approve. Motion carries

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

ADJOURNMENT

Buckholtz adjourns meeting at 10:40am

Minutes prepared by Pat Brown Assistant Zoning & Conservation Administrator & Kathy Marks, Deputy Zoning & Conservation Administrator

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

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