

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
October 20, 2023, 8:30 am**

Zoning Committee Members

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

Zoning Administration

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

PRELIMINARY MATTERS

a) Call to Order and Roll Call

Hessel 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 called finding present: Buckholtz – absent, Hessel, Shuman, Wilson, Maestri –virtual and Righeimer. From the Zoning Office Kozlowski and Marks. Rebecca Roeker legal counsel for Sawyer County.

b) Pledge of Allegiance

c) Statement of Committee and Hearing Procedure and Statement of Hearing Notice.

Those persons wishing to speak will be afforded the opportunity provided they identify themselves. 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 and Sawyer County Gazette.

d) Approval of September 15, 2023 Minutes. Motion by Righeimer to approve the September 15, 2023 minutes as presented. Second by Wilson. All in favor.

e) Public Comment. Linda Zillmer, Edgewater property owner and Douglas Kurtzweil Town of Hunter resident.

Kozlowski recommends that #5 the Ordinance Amendment Process be heard first. Motion by Hessel to have the Ordinance Amendment Process be heard first, second by Wilson. All in favor.

ORDINANCE AMENEMENT PROCESS

a) Public and Town input requested for Zoning Ordinance Amendment Draft(s) related to “Multi-Dwelling Development” and “Resort Definition”. Discussion is held with Committee, Kozlowski, Town officials and public comment. Kozlowski explains why this needs to be done. Jerry Sutton, Town of Bass Lake speaks against the changes, Don Stover, Town of Round Lake speaks against, Steve Klein, Town of Draper speaks against. Linda Zillmer, Previously on the Planning & Town of Edgewater Committees and Edgewater property owner speaks of the process. Rebecca Roeker, legal counsel advised. Ben Kurtzweil, Town of Hayward resident

speaks of bad policy. Discussion held by Committee. Chris Klein, Town of Draper planning commission & resident and speaks in favor of having shoreland and non-shoreland draft. Joan Cervenka, resident Town of Hayward speaks of multi-dwelling off shore apartments, Ben Kurtzweil, Town of Hayward resident agrees with the apartment issue and grandfathering. Discussion held with Kozlowski and Committee. Doug Kurtzweil, Town of Hunter resident speaks of motel, acreage and zone districts. Discussion continues. Frank Zufall, Sawyer County Record speaks of grandfathering and non-compliance. Rebecca Roeker, legal counsel advises. Discussion held.

Break at 9:25am.

REZONE APPLICATION

a) Withdraw requested via applicant. A Public Hearing in the Town of Ojibwa. RZN #23-009. Owner: Alexander & Annie Wirth. Assessor's Plat No 1, Lot 31; S09, T38N, R06W; Parcel #020-103-00-3100; Tax ID #20206; 9.6 total acres; Zoned Commercial One (C-1). Purpose of request is to rezone entire 9.6 acres of Commercial One (C-1) to Agricultural Two (A-2) to establishing a small-scale homestead farm for personal and family use. Kozlowski reads the application and withdraw letter, and Town opinion. Motion by Wilson to withdraw the application, second by Righeimer. All in favor.

b) Withdraw requested via applicant. A Public Hearing in the Town of Draper. RZN #23-010. Owner: Lawrence Pawlak. Part of Government Lot 5; S20, T40N, R04W; Parcel #006-440-20-5501; Tax ID #7375; 46.42 total acres; Zoned Forestry One (F-1) and Residential/Recreational One (RR-1). Purpose of request is to rezone approximately 2.4 acres of Forestry One (F-1) to Residential/Recreational One (RR-1), specifically the land north of Blaisdell Lake Road to create 5 waterfront single family parcels. A County Subdivision plat will be proposed with approval of the rezone. Kozlowski reads the application, and withdraw letter, Town opinion. Motion by Shuman to withdraw the application, second by Wilson. All in favor.

CONDITIONAL USE APPLICATION

a) A Public Hearing in the Town of Radisson. CUP #23-023. Owner: Joseph & Colette Bauer. The NW ¼ of the SW ¼; S01, T38N, R07W; Parcel #022-738-01-3201; Tax ID #22130; 40 total acres; Zoned Forestry One (F-1). Permit requested for construction of a 30' x 50' pole shed on vacant land subject to provisions of the Sawyer County Zoning Ordinance Section 4.26(1). Kozlowski reads the application, staff report and Town opinion. No notification opinions received. Motion to open the public hearing portion of the application by Shuman, second by Righeimer. All in favor. Joseph & Colette Bauer, owners speak in favor of the application. Discussion with Committee held. No audience comments. Motion to close the public hearing portion of the application by Righeimer, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Motion by Shuman to approve the application with conditions of: 1) Land Use permit is required & applied for the accessory structure(s) within 1 year from the date of Zoning Committee decision & built within permit timeframes. 2) Land Use permit is required & applied for principal structure within 3 years from date of Zoning Committee decision & built within permit timeframe. Failure to apply & 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 & compliant with all other State & Federal Laws. 4) Size of proposed structure not to exceed 30' x 50'. Second by Righeimer. 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: Wilson – yes, Maestri – yes, Shuman – yes, Hessel – yes, Righeimer – yes. All in favor.

b) A Public Hearing in the Town of Winter. CUP #23-024. Owner: Jean Roedl ETAL. Part of the NE ¼ of the NE ¼; S03, T39N, R05W; Parcel #032-539-03-1101; Tax ID #34673; 39.47 total acres; Zoned Residential/Recreational One (RR-1). Permit desired for a 100' x 100' lease area for a 225' telecommunication tower and its ground equipment that is to provide better cell phone and data coverage to the surrounding area. Along with a gravel driveway coming off of County Highway B to the lease area, per Sawyer County Telecommunication Ordinance. Kozlowski reads the application, staff report and Town opinion. No notification opinion letters returned. Motion by Shuman to open the public hearing portion of the application, second by Righeimer. All in favor. Karl Gerber, agent speaks in favor of the application. Kozlowski asks agent, Karl Gerber if they agree to the conditions, bond and fall zone letter. No other questions. No audience comments. Motion to close the public hearing portion of the application by Wilson, second Righeimer. All in favor. Kozlowski reads the discussion/action portion of the application. No discussion held. Motion by Righeimer to approve the application with conditions of: 1) Land Use Permit for telecommunication facility is required. 2) A separate site address/fire # is required for the tower location. 3) A fall-zone letter is required for a lesser setback distance to the right-of-way line to County Hwy B. 4) Prior to issuing the Land Use Permit 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 and restoration back to pre-construction state in the amount of \$20,000. 5) All other town, County, State, Federal Laws are followed including: Town approval of the CUP case -County Hwy approval for additional driveway access onto County Hwy B.6) -40' wetland setback compliance for all fencing requirements. 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. Second by Shuman. Roll call finds: Shuman – yes, Hessel – yes, Maestri yes, Righeimer – yes, Wilson – yes. All in favor.

c) A Public Hearing in the Town of Bass Lake. CUP #23-025. Owner: John & Mary Jo Bross. Abendpost Beach 1st Addition, Lots 25 & 26, Block 12; S31 T40N, R08W; Parcel #002-106-12-2500; Tax ID #301; 0.171 total acres; Zoned Residential/Recreational One (RR-1). Permit desired for construction of a garage across the Town Road from where the primary dwelling is located. Not to exceed 600' square feet and 18' in height. As per section 4.26 (2) Sawyer County Zoning Ordinance. Kozlowski reads the application, staff report and Town opinion. No notification letters returned. Motion to open the public hearing portion of the application by Shuman, second by Righeimer. All in favor. Joe Highland, builder/agent speaks in favor of the application. No audience comments. Motion to close the public hearing portion of the application by Wilson, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Applicant (John Bross) agrees to all conditions in staff report. Motion by Wilson to approve the application 1) No habitable area is allowed in this

structure. 2) No commercial use or operation allowed in structure. 3) Size of proposed accessory structure not to exceed 600 square feet in total footprint and less than 18' high. 4) A deed restriction or restrictive covenants must be recorded with the Register of Deeds Office so that parcels may not be sold separately. 5) Must follow all other Town, County, State, Federal regulations/laws/conditions including an additional Town Driveway Permit. 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. Second by Shuman. Roll call finds: Hessel – yes, Wilson – yes, Maestri – yes, Shuman – yes, Righeimer – yes. All in favor.

FINAL PLAT REVIEW

a) Public hearing for Final County Subdivision Plat, Larson Family Trust. Town of Lenroot. Jay reads. This is the final plat review. Motion to open public hearing portion by Shuman, second by Righeimer. No audience comments. Motion to close the public hearing portion by Wilson, second by Shuman. All in favor. Kozlowski reads discussion/action. Motion to approve by Shuman, second by Righeimer. Roll call finds Wilson- yes, Maestri –yes, Shuman – yes, Righeimer – yes, Hessel –yes. All in favor.

b) Public hearing for Final County Subdivision Plat, Hardwood Hills West, Owner-Paul Thompson. Town of Hayward. This is the final plat review. Motion to open the public hearing portion by Shuman, second by Righeimer. All in favor. Kozlowski reads. Jesse Suzan, surveyor, Paul Thompson owner, speak in favor of the final plat. Kozlowski asks owner if they have any objection to the Town taking over the road. Paul Thompson, owner agrees to the Town Road. Joan Cevenka of Hayward Planning Commission apologizes for the Town missing the Resolution for the Town Road. Randy Becker speaks in favor. Motion to close the public portion by Shuman, second by Righeimer. All in favor. Motion to conditionally approve the Hardwood Hills plat by Wilson with the Town resolution for the road. Second by Shuman. Roll call finds: Maestri – yes, Wilson – yes, Righeimer – yes, Hessel – yes, Shuman – yes. All in favor.

NEW BUSINESS

a) 2024 Meeting Dates. Jay reads. Motion to approve as presented by Shuman, second by Righeimer. All in favor.

b) Wilson requests that she would like us to send out the Town opinions before the Zoning Committee meeting(s).

c) Jay will have a draft version for multi-dwelling development and also a TRH license document by November or by December.

d) Regional training meeting dates and sign-up. Wilson asks for information regarding Training. Kozlowski informs that the tentative date is Wednesday November 29th, 2023 from 3 to 6pm at the Hayward Vets Center. Joan Cervenka, Town of Hayward Planning Commission asks if Towns will be invited also. Jay will double check with Lynn Markam. Wilson asks about the

Town being able to attend the Board of Adjustment training meeting. Kozlowski thinks that should be possible but it is more for the Board of Appeals. Hessel suggests Wilson contact The County Administrator for that information.

d) Any other business that may come before the Committee. None.

ADJOURNMENT

Hessel adjourns meeting at 10:15 AM.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator.

***For more information please contact our office or see our website at sawyercountygov.org