

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
February 17, 2023**

Zoning Committee Members

Jesse Boettcher, Chairman
Ronald Buckholtz
Tweed Shuman
Stacy Hessel
John Righeimer
Michael Maestri

Zoning Administration

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

PRELIMINARY MATTERS

a) Call to Order and Roll Call

Buckholtz called the Public Hearing before the Sawyer County Zoning Committee to order at 8:30am in the Sawyer County Courthouse, 10610 Main St. Hayward, Wisconsin. Roll was called finding present: Buckholtz, Shuman-absent, Hessel, Maestri and Righeimer. From the Zoning Office Kozlowski and Marks. Corporation Counsel, Andy Phillips.

b) Pledge of Allegiance.

c) Statement of Committee and Hearing Procedure and Statement of Hearing. 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 January 20, 2023 minutes. Motion to approve by Hessel, second by Righeimer. All in favor.

e) Public Comment. None

REZONE APPLICATIONS

None.

CONDITIONAL USE APPLICATION

a) A Public Hearing in the Town of Round Lake for CUP #23-002. 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; Tax ID's #26620 & #26596; 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 five (5) 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 21, 2020. Kozlowski reads the application, staff report, Town opinion w/conditions and opinion letter was forwarded to the Zoning Committee via email. Motion by Hessel to open the public hearing portion of the application, second by Righeimer. All in favor. Dan Thompson, owner speaks in favor of the application and accepts the Town conditions. Paul Gerczak, Charlotte Reder, Jean Purltel and Kay Wilson speak of concerns. No other comments. Motion to come out of the public hearing portion of the application by Hessel, second by Buckholtz. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held by Committee. Motion by Hessel to approve the application with conditions and to add Town Conditions 1. Normal business hours of 7am-7pm, 2. Crushing hours 8am-5pm Monday – Friday, 3. Maintain compliance with NR135. 4. Maintain compliance with Plan of Operation. 5. Maintain compliance with Department of Natural Resources Chapter 30. 6. All other Town, County, State, and Federal Laws followed. Second by Buckholtz. Discussion held. Andy Phillips, Corporation Counsel asks about Findings of Facts. Hessel adds 2. It would not be detrimental to ecology, wild life, wetlands or shorelands. 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. 9. It would be consistent with the Town and/or County Comprehensive Plan. Roll call finds: Hessel – yes, Buckholtz – yes, Maestri – yes, Righeimer – yes. All in favor.

b) A Public Hearing in the Town of Lenroot. CUP #23-003. Jim Miller Excavating. Part of the NW ¼ of the SW ¼ & the SW q/4 of the SW ¼, Lot 1 CSM 32/41 #7815; S11, T41N, R09W; Tax ID #41221; Parcel #014-941-11-3203; Zoned Commercial One (C-1) and Forestry One (F-1); 18.29 total acres; Known as the Olson Road Pit. Permit desired for the five (5) year renewal of CUP #20-004 for the location/operation of a non-metallic mineral extraction operation including rock crusher. Kozlowski reads the application staff report, Town tabled, no opinion letters. Motion to open the public hearing portion of the application by Hessel, second by Righeimer. All in favor. Jim Miller, owner speaks in favor of the renewal application. Linda Zillmer, Edgewater property owner speaks of the date of operation. Dennis Erickson, speaks against the application. Jim Miller, owner speaks to his concerns. Eric Dreczko speaks of the noise and operating on Saturdays. Jerry Eytcheson speaks of concerns. Jim Miller, owner speaks to their concerns. Motion to come out of the public hearing portion of the application by Hesse, second by Righeimer. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Kozlowski explains the dates, discussion continues. Andy Phillips, Corporation explains the Town tabled the application and the Committee does not need their approval to make a decision. Motion by Righeimer to approve the

application with conditions of 1. Maintain compliance with NR135. 2. Maintain compliance with Plan of Operation including normal hours of operation from 6am-7pm, Monday-Friday. 3. Maintain compliance with Department of Natural Resources Chapter 30. 4. All other Town, County, State, and Federal Laws followed. 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 Hessel. Shuman attends meeting virtual and requests to be able to vote. Shuman acknowledges hearing all of this public hearing. Roll call finds: Masteri – no, Hessel – no, Righeimer – yes, Buckholtz – no, Shuman – no. Motion fails. Motion by Hessel to approve the application with extending the previous permit CUP #20-004 until May 1, 2023 and contingent on Town approval. Conditions of: 1. Maintain compliance with NR135. 2. Maintain compliance with Plan of Operation including normal hours of operation from 6am-7pm, Monday-Friday. 3. Maintain compliance with Department of Natural Resources Chapter 30. 4. All other Town, County, State, and Federal Laws followed. 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 Buckholtz. Discussion held. Roll call finds: Shuman – yes, Hessel – yes, Buckholtz – yes, Maestri – yes, Righeimer – yes. All in favor.

NEW BUSINESS

a) Torgerson Trust for Certified Survey Map over existing County Plat. Requires Zoning Committee acceptance, conditional acceptance, or rejection. Kozlowski explains that the CSM needs Committee approve because of a CSM being done over a County Plat. Motion by Buckholtz to approve the CSM, second by Hessel. All in favor.

b) Ordinance Amendment for Multi-Dwelling development and definition of a resort. Kozlowski explains that he and Legal are still working on the changes and want to submit 3 different plans for the amendment changes. Andy Phillips, Corporation Counsel is hoping to produce 3 documents to the Committee next month. Discussion held.

c) Any other business that may come before the Committee for discussion. None

ADJOURNMENT

Buckholtz adjourns meeting at 9:34am.

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