

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
February 19, 2021**

Zoning Committee Members

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

Zoning Administration

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

PRELIMINARY MATTERS

1) Call to Order and Roll Call

Buckholtz 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 was called finding present: Buckholtz, Boettcher, Shuman, Paulsen and Hessel. From the Zoning Office Kozlowski and Marks. Rebecca Roeker from von Briesen & Roper, s.c. as legal counsel for Sawyer County is virtual. Stacey Hessel, new member sits in.

2) Pledge of Allegiance.

3) 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.

4) Dawn Petit online as acting Committee member. Hessel as alternate to listen.

5) Approval of January 15, 2021 minutes. Motion to approve by Paulsen, second by Petit. All in favor.

6) Public Comment. Linda Zillmer, Edgewater property owner speaks of the roll call to use full name. Hessel will be a non-acting member with five full Committee members.

REZONE APPLICATIONS

1) A Public Hearing in the Town of Lenroot for RZN #21-001. Owner: Fred Scheer III. Part of the NW ¼ of the NW ¼ and the NE ¼ of the NW 1/4 , Lot 46 of CSM 27/135 #7056; S07, T41N, R08W; Parcel #014-841-07-2208; Tax ID #16350; Zoned Agricultural One; 5 Total Acres. Purpose of request is to change the zone district from Agricultural One (A-1) to Residential/Recreational One (RR-1) to make smaller residential lots. Kozlowski reads the application, Town opinion, Neighbor opinions and Staff report. Motion to open the public hearing portion of the rezone by Shuman, second by Paulsen.

All in favor. Fred Scheer, owner speaks in favor of the application. Discussion with Committee held. Linda Zillmer, Edgewater property owner speaks regarding the division of the lots. No other comments. Motion to come out of the public hearing portion by Petit, second by Boettcher. All in favor. Kozlowski reads the Discussion /Action portion. Motion by Paulsen to approve the application, second by Shuman. No discussion held. Roll call finds Petit - yes, Shuman -yes, Paulsen - yes, Buckholtz - yes, Boettcher -yes. Five to 0. Motion carried. Findings of Fact: 1) It would not destroy prime agricultural lands. 2) It would be compatible with the surrounding uses and the area.

2) A Public Hearing in the Town of Lenroot for RZN #21-002. Owner: Fred Scheer III. Part of the SE ¼ of the SW ¼ and Part of the SW ¼ of the SE ¼, Lot 76 of CSM 34/128 #8124 and Lot 77 of CSM 34/128 #8124; all in S06, T41N, R08W; Parcel #014-841-06-3410 and Parcel #014-841-06-3411; Tax ID's #42374 and #42375; Both Zoned Agricultural One (A-1); 9.72 Total Acres and 5.02 Total Acres. Purpose of request is to change the zone district from Agricultural One (A-1) to Residential/Recreational One (RR-1) to make smaller residential lots. Kozlowski reads the application, Town Opinion, Neighbor opinions and Staff report. Motion to open the Public Hearing by Boettcher, second by Petit. All in favor. Fred Scheer, owner speaks in favor of the application. Discussion with Committee held. Linda Zillmer, Edgewater property owner speaks of the zone districts surrounding the areas. Kozlowski explains that the majority are RR-1 Residential/Recreational One, Some A-1 Agricultural One and F-1 Forestry One. Zillmer said Scheer should have had a map available to look the lots. Rebecca Roeker, legal counsel says Mr. Scheer is not required to submit a proposed plan with the application. Nor are the certain Deed Restrictions. Those are separate issues. Discussion continues. Motion to come out of Public Hearing by Boettcher, second by Paulsen. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion by Boettcher to approve the application as written, second by Paulsen. Roll call finds Buckholtz - yes, Shuman - yes, Petit - yes, Boettcher - yes, Paulsen -yes. Five to 0. Motion carried. Findings of fact: 1) It would not be damaging to the rights of others or property values. 2) It would be compatible with the surrounding uses and the areas. 3) It would not create an objectionable view.

3) Discussion/Action in the Town of Lenroot RZN #20-011. (Public Hearing previously heard on January 15, 2021). Owners: Todd's Redimix Concrete LLC. The SE ¼ of the NE ¼; S10, T41N, R09W; Parcel #014-941-10-1401; 40 Total Acres; Zoned Residential/Recreational One (RR-1). Purpose of request is to change zone district from Residential/Recreational One (RR-1) to Forestry One (F-1) so a Conditional Use permit can be authorized for a non-metallic mineral extraction operation including rock crusher for Todd's Redi-mix Concrete LLC. Kozlowski reads application and Town opinion. Jerry Thompson, Todd's Redi-mix has discussion with Committee. Paulsen addresses a question to Randy Eytcheson neighbor property owner, regarding the impact of the gravel pit. Discussion by Committee held. Motion by Petit to deny the application, second by Paulsen. Discussion held by Committee, Kozlowski and Roeker. Roll call finds Shuman - yes, Paulsen- yes, Petit - yes, Buckholtz - yes, Boettcher- No. Four to One.

Motion carried. Findings of Fact: 1) It would be damaging to the rights of others and property values. 2) It would be detrimental to ecology, wild life, wetlands and shorelands. 3) It would not be compatible with the surrounding uses and area. 4) It would create an objectionable view.

CONDITIONAL USE APPLICATION

1) A Public Hearing in the Town of Couderay for CUP #21-002. Owner: Donald & Faith Tholkes. Part of Government Lots 2 & 3, Lot 2 of CSM 36/218 #8450; S08, T39N, R08W; Parcel #004-839-08-5313; Tax ID#43842; Zoned Residential/Recreational Two (RR-2); 1.49 Total Acres. Permit desired for an accessory building on vacant property, 20'x10' in size. Sawyer County Zoning Ordinance 4.26 (1) the construction of a single accessory structure on vacant property maybe allowed under this subsection by Conditional Use with mandatory conditions required for approval. (a) That within 3- years a LUP for a principal dwelling be applied for. (b) The principal dwelling to be built within the permit time-frame on the same parcel. (c) That failure to build principal structure will result in citation and order for removal of accessory structure. (d) Approval by Town Board and Zoning Committee. Kozlowski reads the application, Town Opinion, Neighbor opinions and Staff report. Motion by Petit to open the Public Hearing portion of the application, second by Paulsen. All in favor. Donald Tholkes, owner speaks in favor of the application, for a 20' x 10' accessory building. Shuman abstains from voting on the application, as he is a LCO Tribal Board member. Discussion with Committee held. No other comments. Motion to close the public hearing portion of the case by Boettcher, second by Paulsen. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion by Paulsen to approve the application with conditions of 1) Land Use Permit is applied for accessory structure(s) within 1 year from the date of Zoning Committee decision. 2) Land Use Permit is 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. 3) Proposed accessory structure must me all other Sawyer County Zoning & Conservation requirements and compliant with all other State, Federal Laws & Sanitation. 4) Size of proposed (shed) not to exceed 10' x 20'. Second by Petit. No discussion held. Roll call finds: Paulsen - yes, Buckholtz - yes, Boettcher - yes, Petit— yes. All in favor. Motion carried. Findings of Fact 1) It would not be damaging to the rights of others or property values. 2) It is consistent with the rules of the Ordinance.

2) A Public Hearing in the Town of Lenroot for CUP #20-023 for the Reclamation Plan of Todd's Redimix Concrete LLC, the Inerchan Pit. Owner: Todd's Redimix Concrete LLC. The SE ¼ of the NE ¼; S10, T41N, R09W; Parcel #014-941-10-1401; 40 Total Acres; Zoned Residential/Recreational One (RR-1), contingent on approval of RZN #20-011 to Forestry One (F-1). Permit is desired for the Sawyer County NR 135 Reclamation Issuance for

location/operation of a non-metallic mineral open pit. Kozlowski reads the application, recommends that the rezone is denied, and that it should be postponed until after the County Board hears the Rezone. Motion by Boettcher to postpone the application until April 16, 2021, second by Paulsen. All in favor.

3) A Public Hearing in the Town of Lenroot for CUP #20-023. Owner: Todd's Redimix Concrete LLC. The SE ¼ of the NE ¼; S10, T41N, R09W; Parcel #014-941-10-1401; 40 Total Acres; Zoned Residential/Recreational One (RR-1), contingent on approval of RZN #20-011 to Forestry One (F-1). Permit requested for a (5) year term of a conditional use permit for the location of a non-metallic mineral extraction operation including rock crusher for Todd's Redimix Concrete LLC. Kozlowski reads the application, recommends that the rezone is denied and that it should be postponed until after the County Board hears the Rezone. Motion by Shuman to postpone the application until April 16, 2021, second by Boettcher. All in favor.

NEW BUSINESS

1) Fred Scheer III. Easement abandonment for Nordic Ridge North County Plat. Kozlowski explains the easement and vacating the easement. Motion by Paulsen to approve the abandonment of the easement for Lot #13 as presented, second by Shuman. All in favor.

2) Sawyer County Subdivision control/Condominium Ordinance Amendment. Kozlowski explains some of the changes that need to be made to the Subdivision Ordinance. Dan Pleoger Sawyer County Surveyor gives some history on the ordinance. Suggests that there be more time to go over the Ordinance for the changes recommended. Wants all definitions and wording cleaned up before proceeding with the whole ordinance. Discussion continues with Committee, Pleoger, Kozlowski and Roeker. Phil Nies, Bass Lake property owner gives opinion on needing a plat and that any development needs to have a plat. Discussion continues. Paulsen would like more information to be able to make a decision and to bring that back next month, Committee agrees.

3) Camping Ordinance Amendment. Kozlowski explains more changes for the Camping Ordinance Amendment. Kozlowski explains the changes from last month and new changes. Discussion with Committee held. Phil Nies, Bass Lake Township gives history on the Campground Ordinance. Cheryl Treland, Owner Treland Resorts & Campgrounds, Will Wallus, owner Bear Paw Campground, Linda Zillmer, Edgewater property owner, Harold Treland, Owner Treland Resorts & Campground. Steve & Adam Bodenschatz, owners Sisko's Resort & Campground give their opinions, concerns and suggestions with Committee. Committee discussion continues. Kozlowski will do a redline version and clean version next month. Roeker suggests bring back to the Committee next month.

4) Any other Business that may come before the Committee for discussion. None

ADJOURNMENT

Buckholtz adjourns at 12:22pm

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