

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
March 18, 2022**

Zoning Committee Members

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

Zoning Administration

Jay Kozlowski, Zoning & Conservation Administrator
Kathy Marks, Deputy Zoning & Conservation Administrator
Steven Sorenson, Corporation Council

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 at the Sawyer County Courthouse, 10610 Main St. Hayward, Wisconsin. Roll call finds present: Ron Buckholtz, Bruce Paulsen, Dawn Petit (virtual), Tweed Shuman and Stacey Hessel. Boettcher is absent. From the Zoning Office: Jay Kozlowski and Kathy Marks. Steven Sorenson, Corporation Council.

2) Pledge of Allegiance.

3) 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 Gazette and posted.

4) Approval of February 18, 2022 minutes. Motion by Hessel to approve, 2nd by Shuman. All in favor.

5) Public Comment. Linda Zillmer, Edgewater property owner speaks of procedures. No other comments.

REZONE APPLICATION

a) **POSTPONED until April 22nd**. RZN #22-002. Owner: Hathaway Lodge LLC. Town of Edgewater. Motion by Shuman to except the postponement of RZN #22-002, Hathaway Lodge LLC. Second by Paulsen. All in favor. Motion carries.

b) A Public Hearing in the Town of Sand Lake. RZN #22-005. Owner: James & Rosemary Rhea. Part of Government Lot 6; S22, T39N, R09W; Parcel #026-939-22-5601; 22.86 total acres; Zoned Forestry One (F-1) AND Part NE ¼ NW ¼ S22, T39N. R09W; Parcel #026-939-22-2106; 5.4 total

acres; Zoned Forestry One (F-1). Purpose of request is to rezone 4.69 acres of parcel -5601 and the 5.4 acres of parcel -2016 for a total of 10.09 acres of F-1 zone district to Commercial One (C-1) for mini storage units. Kozlowski reads the withdraw letter for RZN #22-005, James & Rosemary Rhea. Motion by Paulsen to accept the withdraw of RZN#22-005, second by Shuman. All in favor. Motion carries.

CONDITIONAL USE APPLICATION

a) A Public Hearing in the Town of Winter. CUP #22-004. Owner: Shaun & Stephanie Melarvie. The SW ¼ of the NW ¼; S23, T39N, R05W; Parcel #032-539-23-2301; 40 total acres; Zoned Agricultural One (A-1). Purpose of request is to have a U-Haul dealership (under new & used car sales). Per section 17.4(B)(16). The maximum units would be 10 trucks & 10 trailers. Kozlowski reads the application, staff report, Town opinion and neighbor opinion letters. Motion by Petit to open the public hearing portion of the application, second by Hessel. All in favor. Shaun Melarvie, owner speaks in favor of the application. No other comments. Motion to come out of the public hearing portion by Petit, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held by Committee. Motion by Hessel to approve the application, second by Paulsen. No other discussion. Findings of Fact: It would not create an air quality, water supply, or pollution problem. It is consistent with the Town comprehensive plan. Roll call finds Shuman – yes, Hessel – yes, Buckholtz – yes, Paulsen – yes, Petit – no. 4 to 1 Motion carries.

b) A Public Hearing in the Town of Edgewater. CUP #22-005. Owner: Beverly Skar. Agent: Joshua O'Rourke. Part of Government Lot 1, S33, T38N, R09W; Parcel #008-938-33-5108; 44.84 total acres; Zoned Forestry One (F-1) and Residential/Recreational One (RR-1). Purpose of request is to have a 1000 square foot commercial building for recreational sales & marina, per section 17.2(B) (3). This request would be only for the land East of County Hwy F between the road and Lake Chetek; approximately 3.06 acres. Kozlowski reads the application, staff report, Town opinion and Neighbor opinion letters. Motion to open the public hearing portion of the application by Shuman, second by Petit. All in favor. Joshua O'Rourke, agent speaks in favor of the application. Linda Zillmer, Edgewater property owner speaks of concerns and that it is not consistent with the Town's Comprehensive Plan. Motion by Hessel to come out of the public comment portion of the application, second by Paulsen. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held by Committee, Steve Sorenson, Corporation Council and Kozlowski. Motion to adjourn case #22-005, Skar/O'Rourke by Paulsen with conditions of additional information for an engineered for the driveway, grading for building and driveway permit from the County. Second by Shuman. Roll call finds: Hessel – yes, Buckholtz – yes, Paulsen – yes, Petit – no, Shuman – yes. 4 to 1 in favor to adjourn case #22-005. Motion carries.

c) **OWNER WITHDRAWN** - CUP #22-008. Owner: Delta23 Outfitters LLC. Town of Round Lake. Kozlowski reads withdraw letter. Motion by Shuman to approval the withdraw of the application, second by Paulsen. All in favor. Motion carries.

10 minutes break, Buckholtz calls the meeting back to order at 9:48am.

Motion by Hessel to hear both cases at the same time, second by Shuman all in favor. Motion carries.

REZONES WITH CONDITIONAL USES

a) A Public Hearing in the Town of Bass Lake. RZN #22-003. Owner: Pinewood Properties LLC. Part of the N ½ S4, Part Lot CSM 16/41 #4022; S04, T40N, R09W; Parcel #002-940-04-2108; 73.18 total acres. Purpose of request is to rezone all Agricultural One (A-1) upland area excepting the Commercial One (C-1) area of 5.5 acres and the Shoreland-Wetland (S-W) area of approximately 1.5 acres, leaving approximately 66.18 acres to be rezoned to Residential/Recreational Two (RR-2). Purpose of the rezone request to RR-2 is to then apply for a Condition Use Permit for a 197 site RV Park. All sites are Southeast of Spring Creek. Leaving a buffer of existing golf course holes around perimeter of property. The Commercial One (C-1) portions are excluded from this request and would including an existing lodge area. A Public Hearing in the Town of Hayward, RZN #22-004, Owner: Pinewood Properties LLC. Part of the NE ¼, the NW ¼, the SW ¼, and the SE ¼ all of the SE ¼, Part Lot 1 CSM 16/41 #4022; S33, T41N, R09W; Parcel #010-941-33-4107; 87.89 total acres; Zoned Agricultural One (A-1). Purpose of request is to rezone all Agricultural One (A-1) upland area excepting the Shoreland-Wetland (S-W) area of approximately 35.68 acres, leaving approximately 52.21 acres to be rezoned to Residential/Recreational Two (RR-2). Purpose of the rezone request to (RR-2) is to then apply for a Conditional Use Permit for a 197 site RV Park. All sites are Southeast of Spring Creek. Leaving a buffer of existing golf course holes around perimeter of property. Kozlowski reads the application, staff reports, Bass Lake & Hayward Town opinions. Neighbor letters were sent to the Committee to review. All Committee members acknowledge that they did read through all the correspondence that was emailed. Motion to open the public hearing portion of the cases by Hessel, second by Shuman. All in favor. Adam Bodenschatz, owner speaks in favor of the application and hands out his future plans. Opposed to the application is John Cox, Goodyear, AZ, Greg Waterhouse, Hayward, WI, Jake Godick, attorney speaks of the area neighbor concerns. Guy Houston, Hayward, WI, Ken Milander, Hayward, WI, Kathleen Knaff, Hayward, WI, Jean Paul, Hayward, WI, speaks of looking for different location options., Gene Roush, Stone Lake, WI., Carol Mittelsdorff, Hayward, WI, Joe LaBrec, Hayward, WI., Ellen Demask, Hayward, WI., Roger Demask, Hayward, WI. Motion by Shuman to come out of the public hearing portion of the application, second by Paulsen. All in favor. Kozlowski reads the discussion/action portion of the applications. Discussion by Committee held. Motion by Hessel to approve the application as presented, second by Paulsen. Discussion held. Roll call finds: Buckholtz – no, Paulsen – yes, Petit – yes, Shuman – no, Hessel – yes. 3 to 2. Motion carried. Finding of Fact: It would not destroy prime agricultural lands. It is consistent with the Town(s) Comprehensive Plan. Motion carries

b) A Public Hearing in the Town of Bass Lake. CUP #22-006. Owner: Pinewood Properties LLC. Part of the N ½ S4, Part Lot CSM 16/41 #4022; S04, T40N, R09W; Parcel #002-940-04-2108; 73.18 total acres excepting the Commercial One (C-1) area of 5.5 acres and the Shoreland-Wetland (S-W) area of 1.5 acres leaving approximately 66.18 subject to the request. Permit requested for a 197 site RV Park. All sites to be Southeast of Spring Creek. A buffer of existing golf course holes would remain around the perimeter of the property. All Commercial One (C-1) zoned portions to remain Commercial One (C-1). This CUP is contingent upon zone district change to RR-2. A Public Hearing in the Town of Hayward, RZN #22-004, Owner: Pinewood Properties LLC. Part of the NE ¼, the NW ¼, the SW ¼, and the SE ¼ all of the SE ¼, Part Lot 1 CSM 16/41 #4022; S33, T41N, R09W; Parcel #010-941-33-4107; 87.89 total acres; Zoned Agricultural One (A-1). Purpose of request is to rezone all Agricultural One (A-1) upland area excepting the Shoreland-Wetland (S-W) area of approximately 35.68 acres, leaving

approximately 52.21 acres to be rezoned to Residential/Recreational Two (RR-2). Purpose of the rezone request to (RR-2) is to then apply for a Conditional Use Permit for a 197 site RV Park. All sites are Southeast of Spring Creek. Leaving a buffer of existing golf course holes around perimeter of property. Kozlowski reads the applications, staff reports, Town(s) opinions. Neighbor letters were sent to the Committee to review. All Committee members acknowledge that they did read through all the correspondence that were emailed. Motion to open the public hearing portion of the application by Hessel, second by Petit. All in favor. Adam Bodenschatz, owner speaks in favor of the application. Gene Rousch, Stone Lake, WI, asks if applicant has agreed to all of the conditions? Bodenschatz – yes. Jake Godick, attorney has more suggestions for conditions. Linda Zillmer, Edgewater property owner speaks of substantial evidence. Ken Milander, Hayward, WI speaks of the Town of Bass Lake having no notice, environmental impacts and that he cares about the wild life and environment. Guy Houston, Hayward, WI, speaks against the application and wants to know if J. Hall, chairman signed the Town opinion? Kozlowski says yes. Attorney Chris Nelson, for property owners speaks of their concerns. Carol Middlesdorf, Hayward, WI asks what can they do to change minds? Ken Milander, Hayward, WI speaks against. Motion 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. Discussion by Committee, Sorenson, and Kozlowski. Motion to approve the application with Town of Hayward conditions which includes all of the Town of Bass Lake conditions and possible conditions outlines in staff report. Second by Petit. Findings of fact: It would not be damaging to the others rights 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, with the comprehensive plans. It would not create an objectionable view. Paulsen amends the CUP's #22-006 & #22-007 to include that the Conditional Use permit stay with the applicant, Hessel agrees to the amendment, Second by Petit. Roll call finds: Paulsen – yes, Petit – yes, Shuman – no, Hessel – yes, Buckholtz – no. Motion carries.

NEW BUSINESS

- a) Bernard & Gerri Bara Certified Survey Map over existing County Plat. Requires Zoning Committee acceptance, conditional acceptance, or rejection. Kozlowski explains the map. Motion to approve by Paulsen, second by Shuman. All in favor. Motion carries.
- b) Brodie Lane Estates - County Subdivision Plat. Preliminary Plat Review. Requires Zoning Committee acceptance, conditional acceptance, or rejection. Hessel abstains from vote on the Brodie Lane Plat. Motion by Shuman to approve the preliminary map to the final map, second by Paulsen. All in favor. Motion carries.
- c) Brodie Lane Estates – County Subdivision Plat. Final Plat. Hessel abstains from vote on the Brodie Lane Plat. Motion by Buckholtz, to approve the final plat, second by Paulsen. All in favor. Motion carries.

ADJOURNMENT

Buckholtz adjourns the meeting at 12:35pm. Chairman Buckholtz Thanks Paulsen for his service on the Committee.

Minutes prepared by Kathy Marks Deputy Sawyer County Zoning & Conservation Administrator