

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
May 20, 2022**

Zoning Committee Members

Jesse Boettcher, Chairman
Ron Buckholtz, Vice Chairman
Tweed Shuman
Stacey Hessel
Michael Maestri
John Righeimer

Zoning Administration

Jay Kozlowski, Zoning Administrator
Kathy Marks, Deputy Zoning & Conservation Administrator
Andy Phillips, Legal Council

PRELIMINARY MATTERS

a) Call to Order and Roll Call

Boettcher calls the Public Hearing before the Sawyer County Zoning Committee order at 8:30 AM in the Sawyer County Courthouse, 10610 Main St., Hayward, Wisconsin. Roll call finds present: Jesse Boettcher, Ron Buckholtz, Tweed Shuman. Absent is Stacey Hessel and Michael Maestri. John Righeimer as alternate is present. From the Zoning Office: Kozlowski and Marks. Legal Council Andy Phillips.

b) Pledge of Allegiance.

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

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 in the Sawyer County Gazette.

d) Approval of April 22, 2022 minutes. Motion to approve by Buckholtz, second by Shuman. All in favor.

e) Public Comment. Linda Zillmer, Edgewater property owner speaks of procedures, minutes, By-Laws, Tie votes and opinion letters. Alan Gerber, Board of Appeals Chairman speaks of the Appeal on April 26, 2022 and change and modification needed in the Ordinance.

REZONE APPLICATIONS

a) A public Hearing in the Town of Couderay & Radisson. RZN#22-007. Owner: Riverside Golf & Recreation LLC. Part of the SE ¼ of the NE ¼; S18, T38N, R07W; Parcel #004-738-18-1401; approximately 2.24 acres of a 33.83 total acre parcel; Zoned Commercial One (C-1). And Part of the SW ¼ of the NW ¼ ;S17, T38N, R07W; Parcel #022-738-17-2304; approximately .52 acres of a 6.98 total acre parcel; Zoned Agricultural One (A-1). Purpose of request is to rezone approximately 2.24 acres of parcel #-1401 in the Town of Couderay from Commercial One (C-1) to Agricultural One (A-1) and combine with other parcel to make conforming zone district requirements. Also .52 acres of parcel #-2304 in the Town of Radisson from Agricultural One (A-1) to Commercial One (C-1) and combine back with other parcel to make conforming zone district requirements. The Shoreland-Wetland (S-W) District is not to be affected by the rezoning. Kozlowski reads application, staff report, Town (s) approval, Neighbor opinion(s) 8 opinion letters sent out, 1 returned with no objection. Motion to open the public hearing portion of RZN #22-007 Riverside Golf by Shuman, second by Righeimer. All in favor. Jeffrey Schroeder, owner speaks in favor of the application. No other comments. Motion to close the public hearing portion of the application by Buckholtz, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held.

Motion by Righeimer to approve the application, second by Shuman. Discussion held. All in favor. Findings: It would not be significantly damaging to the rights of other 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. It would be consistent with the Town and/or County Comprehensive Plan. It would not create an objectionable view.

CONDITIONAL USE APPLICATIONS

a) A Public Hearing in the Town of Round Lake. CUP #22-015. Owners: Andrew & Brittney Gradall. Part of the E ½ of the SW ¼, Lot 2 CSM 11/263 #2438; S06, T41N, R07W; Parcel #024-741-06-3103; 2.22 total acres; Zoned Residential/Recreational One (RR-1); Permit desired for Multi-dwelling development that meets dimensional requirements as per Sawyer County Zoning Ordinance Sec 17.2 (B) (15). Kozlowski reads the application, staff report, explains Alan Gerber, BOA Chairman's request comments, Town opinion, Neighbor opinions. Motion by Buckholtz to open the public hearing portion of the application by Buckholtz, second by Shuman. All in favor. Andrew Gradall, owner speaks in favor of the application. No other in favor comments. Ginny Chabek, Town of Round Lake Board member speaks against the application and gives history. Kay Wilson, Town of Round Lake Board member speaks against the application, Michael Danoto, Cindy Bijold, Jane Bidwell and Holly Danato, all residents of Hildreath Road speak against the application, Linda Zillmer, Edgewater property owner speaks of the process for this application. Motion by Shuman to close the public hearing portion of the application by Shuman, second by Buckholtz. All in favor. Kozlowski reads the Discussion/Action portion of the application. Andy Phillips, Legal Council speaks of the Zoning process, definitions of multi-dwelling, uses in the RR-1 zone district, definition #71, 2 units, 17.(B0(15) conditional use. Discussion continues. Andy Phillips, Legal Council speaks of the process with conditions listed in staff report. Discussion held with Kozlowski, Phillips and Committee regarding the Ordinance and interpretation. Motion by Buckholtz to deny the application. In favor of denial of the application 3 to 1 denied. Findings: It would be significantly damaging to the rights of others and property values. It would be detrimental to ecology, wild life, wetlands or shorelands. It would create an air quality, water supply, or pollution problem. It would create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal. It would create traffic or highway access problems. It would destroy prime agricultural lands. It would not be compatible with the surrounding uses and the area. It would not be consistent with the Town and/or County Comprehensive Plan. It would create an objectionable view.

b) A Public Hearing in the Town of Meadowbrook. CUP #22-016. Owners: Janet K Thompson Trust. Agent: Milestone Materials. Part of the NE ¼ of the NE ¼ and Part of the NW ¼ of the NE ¼; All in S04, T37N, R06W; Parcels 016-637-04-1101 & -1201; 71.86 total acres; Zoned Agricultural One (A-1). Known as the Thompson Plant #386. Permit is desired for the five (5) year renewal of conditional use permit #19-023 for the location/operation of a non-metallic mineral extraction, including rock crusher, and temporary asphalt plant. The CUP was originally approved at public hearing on March 29, 2008 and renewed most recently May 17, 2019. Kozlowski reads the application, staff report, Town opinion, and Neighbor opinions. Motion to open the public hearing portion of the application by Shuman, second by Righeimer. All in favor. Kaitlyn Peper, Agent for Milestone Materials speaks in favor of the renewal of the application and there is no changes to the plan. Brandon Lindner speaks in favor and explains the reclamation plan. No other comments. Motion to close the public hearing portion of the application by Shuman, second by Righeimer. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion by Shuman to approve the application with conditions of Maintain compliance with NR 135 (reclamation plan). Maintain compliance with Plan of Operation including current hours of operation from daylight hours and crushing plant and hot mix asphalt plant from 5 AM – 10 PM Monday-Saturday. Maintain compliance with Plan of Operation. Maintain compliance with Department of Natural Resources Chapter 30. It would not be significantly damaging to the rights of others 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. It would be consistent with the Town & County Comprehensive Plan. It would not create an objectionable view. Second by Boettcher. All in favor. 3 to 0.

c) A Public Hearing in the Town of Radisson. CUP #22-017. Owners: Leonard Yeadon Jr. The E ½ of the NE ¼ of the NW ¼; S32, T38N, R06W; Parcel #022-638-32-2102; 20 total acres; Zoned Agricultural One (A-1). Permit desired for a post frame accessory building 36'x52' (w/eaves 39'x55'). Per section 4.26(1), construction of a single accessory structure on vacant property subject to conditions. Kozlowski reads application, staff report Town opinion. Neighbor opinions were read previously. Motion by Shuman to open the public hearing portion of the application, second by Righeimer. Righeimer leaves meeting. Leonard Yeadon, owner speaks in favor of the application. Discussion held with Yeadon, Kozlowski and Committee. No other comments. Motion to close the public hearing portion of the application by Shuman, second by Buckholtz. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion by Buckholtz to approve the application with conditions of Land Use Permit is required and applied for accessory structure(s) within 1 year from the date of Zoning Committee decision. Land Use Permit is required and 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. Proposed accessory structure must meet all other Sawyer County Zoning & Conservation requirements including setbacks and also compliant with all other State & Federal Laws. Size of proposed structure not to exceed 39' x 55' with eave and with no habitable area. Findings of Fact It would not be significantly damaging to the rights of others 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. It would be consistent with the Town and/or County Comprehensive Plan. It would not create an objectionable view. Second by Shuman. All in favor.

d) A Public Hearing in the Town of Bass Lake. CUP #22-018. Owner: Rodney Olson. Abendpost Beach Lots 24-30, Lots 11-15, Lots 9-10, Block 18; S30, T40N R08W; Parcel #'s 002-103-18-2400, -1100, -0900; 1.03 total acres; Zoned Residential/Recreational Two (RR-1); -1100 & -090 zoned Residential/Recreational One (RR-1) & Residential/Recreational Two (RR-2).

Break at 10:03am

Permit desired for construction of a 1400 square foot private woodworking shop as allowed in Sawyer County Ordinance Sec 17.3, (B) (6), for construction business trim work. The building would be entered between Post & Fox avenues on Lot 16 and would be located in the RR-2 Zone District. Kozlowski reads the application, staff report, Town opinion, Neighbor opinions. Motion to open the public hearing portion of the application by Boettcher, second by Buckholtz. All in favor. Rodney Olson, owner speaks in favor of the application. Discussion held with Owner, Kozlowski and Committee. No other comments. Motion to close the public hearing portion of the application by Shuman, second by Buckholtz. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion by Shuman to deny the application based on the Town decision and Findings of fact: It would be damaging to the rights of others and property values. It would be detrimental to ecology, wild life, wetlands or shorelands. It would create an air quality, water supply, or pollution problem. It would create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal. It would create traffic or highway access problems. It would destroy prime agricultural lands. It would not be compatible with the surrounding uses and the area. It would create an objectionable view. Second by Buckholtz. Discussion held. 2 to 1 to deny the application.

NEW BUSINESS

a) Draft version of the Storage Sheds/Shipping Container Ordinance Amendment. Kozlowski explains the changes that were added and this being the last draft. Discussion held. Motion by Buckholtz to send to the Towns and have legal-council review the proposed amendment, second by Shuman. Discussion held. Linda Zillmer, Edgewater property owner speaks out with questions of language, and zone districts. Kozlowski Tells her it will be going to public hearing. All in favor. Andy Phillips legal council wants to look over the amendment for substance.

b) Mini warehouse storage. Kozlowski brings up concerns of size and commercial. Need of definitions. Discussion held.

c) Neighbor opinion letters. Kozlowski explains changes to the neighbor notification letters. Any Phillips, legal council agrees with the changes. Discussion held. Have samples at next meeting.

b) Any other business that may come before the Committee. Discussion held regarding new time and/or dates of meetings.

ADJOURNMENT

Boettcher adjourns meeting at 10:57am

Note: The Minutes of the May 20, 2022 Zoning Committee meeting incorporate the video recording of this meeting and any documents referenced in the meeting, submitted by the applicant, and/or considered by the Zoning Committee in rendering its decision.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator