

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
January 19, 2024**

Zoning Committee Members

Ronald Buckholtz, Chairman
Stacey Hessel
Tweed Shuman
Kay Wilson
John Righeimer

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 Call finds: Buckholtz, Hessel – virtual, Tweed Shuman, and Kay Wilson. John Righeimer – absent. From the Zoning Office: Kozlowski and Marks. Legal counsel, Rebecca Roeker for Sawyer County – virtual.

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 December 15, 2023 minutes. Motion by Hessel to approve the December 15, 2023 Zoning Committee minutes. Second by Shuman. All in favor.

e) Public Comment. None.

REZONE APPLICATIONS

a) A Public Hearing in the Town of Round Lake. RZN #24-001. Timberdoodle Land Co. LLC. Part of the SW ¼ of the NE ¼, Part Lots 1-2 CSM 13/158 #3175; S13, T41N, R06W; Parcel #024-641-13-1304; Tax ID #44891; 8.09 total acres; Zoned Forestry One (F-1) & Residential/Recreational One (RR-1). Purpose of request of this rezone is to combine the zoning with the parcel South of River Road. This will give better building options without impacting the lakeside. Kozlowski reads the application, staff report, Town opinion, No neighbor opinions returned. Motion by Shuman to open the public hearing portion of the application, second by Hessel. All in favor. No owner or agent present. 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 by Committee and Kozlowski. Motion

by Wilson to approve the application, second by Hessel. Wilson speaks of the Town meeting and deed restrictions by the Town. Rebecca Roeker, counsel advises. Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. Roll call finds: Buckholtz – yes, Hessel – yes, Wilson – yes, Shuman – yes. All in favor.

CONDITIONAL USE APPLICATIONS

a) A Public Hearing in the Town of Sand Lake. CUP #24-001. Kevin Kramer Trust. The NE ¼ of the NE ¼, S23, T39N, R09W; Parcel #026-939-23-1101; Tax ID #28896; 40 total acres; Zoned Residential/Recreational One (RR-1). Permit desired for construction of a 245' telecommunication tower. The tower will be owned by Vertical Bridge/The Towers LLC. The tenant on the tower will be Verizon Wireless. Per section 17.8 (B) (10) of the Sawyer County Zoning Ordinance and Sawyer County Zoning Telecommunication Ordinance. Kozlowski reads the application, staff report, Town opinion and Neighbor opinion letters. Motion by Shuman to open the application, second by Wilson. All in favor. Scott Steeno, agent speaks in favor of the application. Discussion with Committee and Kozlowski held. Agent states they are not opposed to the conditions in staff report. Comment by Bob Deeg, questions if Tower can be made to look like a tree. No other comments. Motion to come out of the public hearing by Wilson, second by Shuman. All in favor. Kozlowski reads the discussion/action of the application. Motion by Shuman 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) 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. 4) All other town, County, State, Federal Laws are followed including: Town approval of the CUP case. DOT approval for Highway Access onto State HWY 70 or alternative Town Driveway Approval from Breezy Point Lane. Setback distance from property lines at a minimum of 130' as indicated as part of the "fall zone letter". Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar

collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Hessel. Roll call finds: Hessel – yes, Wilson – yes, Shuman – yes, Buckholtz –yes. All in favor.

b) A Public Hearing in the Town of Hayward, CUP #24-002. Bob Thompson & Sons Inc. & Robert & Elaine Thompson Trust. Part of the SE ¼ of the SE ¼. Lots 1-4 CSM 6-149 #1195; S31, T41N, R09W; Tax ID #13079; 6.97 total; acres; Zoned Commercial One (C-1). Part of the SW ¼ of the SW ¼ & the NW ¼ of the SW ¼, Lot A CSM 6/151 #1196; S12, T41N, R09W; Parcel #010-941-32-3304; Tax ID# 13123; 3.26 total acres; Zoned Industrial One (I-1). Part of the NW ¼ of the SW ¼, Lot 1-4 CSM 6/77 #1154; S32m T41N, R09W; Parcel #010-941-32-3204; Tax ID #13118; 19.20 total acres; Zoned Forestry One (F-1) & Industrial One (I-1). The NW ¼ of the NW ¼; S32, T41N, R09W' Parcel #010-941-32-2201; Tax ID#13105; 40 total acres; Zoned Forestry One (F-1). Part of the NE ¼ of the NW ¼, Lot 1 CSM 31-30 #7660; S32, T41N, R09W; Parcel #010-941-32-2103; Tax ID #40450; 13.74 total acres; Zoned Agricultural One (A-1). Permit is desired for the five (5) year renewal of conditional use permit #01-010 for the location of a non-metallic mineral extraction operation, including rock crusher and hot mix plant. The CUP was originally approved at public hearing on May 18, 2001. Kozlowski reads the application, staff report, and Town opinion. No neighbor opinions returned. Motion to open the public hearing portion of the application by Shuman, second by Hessel. All in favor. Douglas Kurtzweil comments regarding staff report. No other comments. Motion by Shuman to close the public hearing portion of the application, second by Wilson. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held by Committee and Kozlowski. Motion by Shuman to approve the application with conditions of: 1) Maintain compliance with NR 135 (reclamation plan). 2) Maintain compliance with a Plan of Operation including normal hours of operation from 6AM-7PM, Monday through Friday. 3) Crushing to occur Monday – Saturday, 6AM-7PM between the months of April-November. 4) Maintain compliance with Department of Natural Resources Chapter 30. 5) All other town, County, State, Federal Laws are followed. Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Hessel. No

other discussion held. Roll call finds: Wilson – yes, Shuman – yes, Hessel – yes, Buckholtz – yes. All in favor.

c) A Public Hearing in the Town of Winter. CUP #24-003. Town of Winter – Winter Shop Pit. Part of the SW ¼ of the NE ¼; S28, T39N R05W; Parcel #032-539-28-1301; Tax ID #35443; 39.50 total acres; Zoned Agricultural One (A-1). Part of the NW ¼ of the SE ¼; S28, T39N, R05W; Parcel #032-539-28-4201; Tax ID #35463; 39.86 total acres; Zoned Agricultural One (A-1); Part of the SW ¼ of the SE ¼ North of Hwy 70 & Part of Lot 2 CSM 23/69 #6327; Parcel #032-539-28-4305; Tax ID #35469; 11.07 total acres; Zoned Agricultural One (A-1). Permit is desired for the five (5) year renewal of conditional use permit #96-002 for the location of a non-metallic mineral extraction operation, including rock crusher and bituminous plant. The CUP was originally approved at public hearing on November 15, 1996. Kozlowski reads the application, staff report, and Town opinion. No neighbor opinions returned. Motion to open the public hearing portion of the application by Wilson, second by Shuman. All in favor. No representative present. No 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. Motion by Hessel to approve the application with conditions of: 1) Maintain compliance with NR 135 (reclamation plan). 2) Maintain compliance with Plan of Operation including normal hours of operation from 7AM-3:30PM, Monday – Friday, from May – August. 3) Crushing to occur 7AM-7PM periodically Monday-Friday, from May-August. 4) Maintain compliance with Department of Natural Resources Chapter 30. 5) All other town, County, State, Federal Laws are followed. Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Wilson. Roll call finds: Shuman – yes, Hessel – yes, Buckholtz – yes, Wilson – yes. All in favor.

d) A Public Hearing in the Town of Hayward. CUP #24-004. Town of Hayward – County Hill Road Pit. The NE ¼ of the NE ¼; S30, T41N, R09W; Parcel #010-941-30-1101; Tax ID #13023; 40 total acres; Zoned Forestry One (F-1). Permit desired for the five (5) year renewal of conditional use permit #04-003 for the location of a non-metallic mineral extraction operation, including rock crusher and hot mix plant. The CUP was originally approved at public hearing on October 17, 2004. Kozlowski reads the application, staff report, and Town opinion. No neighbor opinions returned. Motion to open the public

hearing portion of the application by Shuman, second by Buckholtz. All in favor. Rob Lang, agent for the Town of Hayward spoke in favor of the application. Discussion with Committee held. No other comments. Motion by Wilson to close the public hearing portion of the application, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Motion to approve the application by Shuman with conditions of: 1) Maintain compliance with NR 135 (reclamation plan). 2) Maintain compliance with Plan of Operation including normal hours of operation from 6AM-6PM, Monday through Friday. 3) Crushing to occur Monday – Sunday, 6AM-7PM when crushing is needed. 4) Maintain compliance with Department of Natural Resources Chapter 30. 5) All other town, County, State, Federal Laws are followed. Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetland. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Hessel. No discussion. Roll call finds: Hessel – yes, Buckholtz – yes, Wilson – yes, Shuman – yes. All in favor.

e) A Public Hearing in the Town of Draper. CUP #24-005. Great Lakes Rural NMTC Forestlands LLC. Property Description: The SE ¼ of the NW ¼ and the NE ¼ of the SW ¼, S26, T39N, R04W; Parcel #'s 006-439-26-2401 and 006-439-26-3101; Tax ID's #6879 and #6880; each 40 acres for a total of 80 acres all zoned Forestry One (F-1). Permit desired for the five (5) year renewal of conditional use permit #01-009 for the location of a non-metallic mineral extraction operation, including rock crusher and bituminous plant. The CUP was originally approved at public hearing on May 18, 2001 and most recently on January 18, 2019. Kozlowski reads the application, staff report, Town opinion and Opinion letter. Motion by Shuman to open the public hearing portion of the application, second by Wilson. All in favor. Sean Hagen, agent speaks in favor of the application. Discussion with Committee and Kozlowski held. Steve Beining, Supervisor of Town of Draper speaks in favor. John Borgen, neighbor has concerns of the application. Discussion continues. Motion to close the public hearing portion of the application by Shuman, second by Wilson. All in favor. Kozlowski reads the discussion/action of the application. Motion by Hessel to approve the application with conditions of: 1) Maintain compliance with NR 135 (reclamation plan). 2) Maintain compliance with Plan of Operation including normal hours of operation from 6AM-9PM, Monday through Sunday. 3) Crushing to occur during normal hours of operation. 4) Maintain compliance with Department of Natural Resources Chapter 30. 5) All other

town, County, State, Federal Laws are followed. Findings of fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Buckholtz. No other discussion. Roll call finds: Buckholtz – yes, Wilson – yes, Shuman - yes, Hessel yes. All in favor.

Buckholtz calls for recess for 5 minutes at 9:45am

Buckholtz calls meeting back to order at 9:50am

NEW BUSINESS

a) Ordinance Amendment for “multi-dwelling development” (Discussion/Possible Action to send to Towns). Kozlowski explains and reads changes for this version of the multi-dwelling development ordinance amendment. Rebecca Roeker, legal counsel advises. Public Comments by: Steve Beining, Town of Draper supervisor, Ben Kurtzweil Town of Hayward resident, Rachel Toczek, Hunter property owner, Linda Zillmer, Edgewater property owner, Douglas Kurtzweil, resident of Town of Hunter. Discussion continues. Motion by Buckholtz to postpone decision until Zoning Administrator & Counsel go over the proposed amendment. Second by Shuman. All in favor.

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

Buckholtz adjourned meeting at 10:25am

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