

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
May 17, 2024**

Zoning Committee Members

Ron Buckholtz, Chairman
Tweed Shuman, Vice Chairman
Kay Wilson
John Suralski
Marshall Savitski
Steve Kariainen, Alternate

Zoning Administration

Jay Kozlowski, Zoning Administrator
Kathy Marks, Deputy Zoning & Conservation Administrator
Kylie Owens, Legal Counsel

PRELIMINARY MATTERS

a) Call to Order and Roll Call

Lynn Fitch, County Clerk 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: Ron Buckholtz, Steve Kariainen, Tweed Shuman, Kay Wilson, John Suralski and Marshall Savitski, virtual.: Jay Kozlowski and Kathy Marks. Kylie Owens, legal counsel. Lynn Fitch, County Clerk.

b) Pledge of Allegiance.

c) Voting of Chairman and Vice Chairman. Fitch opens the floor for nominations of Chairman of the Zoning Committee. Shuman makes motion to nominate Ron Buckholtz as Chairman. Voice vote finds all in favor. Fitch opens the floor for nomination of Vice Chairman. Buckholtz nominated Shuman for Vice Chairman. Voice vote finds all in favor. Buckholtz thanks everyone for their votes.

d) 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.

e) Approval of April 19, 2024 minutes. Motion to approve by Wilson, second by Shuman. All in favor.

f) Public Comment: Linda Zillmer, Village of Birchwood resident – Edgewater property owner.

REZONE APPLICATIONS

a) A Public Hearing in the Town of Hayward. RZN #24-007. Owner: Medical Services Inc. The N ½ of the SW & the N ½ of Sec15, S15, T41N, R09W; Parcel #010-941-15-1101; Tax ID #12099; 389.02 total Acres, Zoned Agricultural One (A-1) & Forestry One (F-1). Purpose of request is to rezone the entire (A-1) zone portion of the property of approximately 67.6 acres from Agricultural One (A-1) to Industrial-One (I-1). Purpose of the request is to have the hospital

located in the correct zone district for the current use. This would be as a permitted use within the I-1 district as an “emergency service facility”. This would then allow Essentia Health to place additional signage at the property entrance, which is problematic under the current zoning. Kozlowski reads the application, staff report, Town opinion and City Opinion. No other opinions returned. Motion by Wilson to open the public hearing portion of the application, second by Shuman. All in favor. Heather Sheehan, Medical Services Inc. speaks in favor of the application. Discussion held. Linda Zillmer, Edgewater property owner and Benjamin Kurtzweil, Town of Hayward Chairman speak of concerns. Motion by Shuman to come out of the public hearing portion of the application, second by Wilson. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Kylie Owens, Legal Counsel advised. Discussion held. Motion by Shuman to approve the application with 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 held. Roll call finds: Buckholtz – yes, Suralski – yes, Wilson – no, Shuman – yes, Savitski – yes, four to one in favor of the application.

CONDITIONAL USE APPLICATIONS

a) A Public Hearing in the Town of Radisson. CUP #24-010. Owner: Mark & Linda Heath. The NW ¼ of the SE ¼ & the SW ¼ of the SE ¼; All in S16, T38N, R07W; Parcel #'s 022-738-16-4201 & 022-738-16-4302; Tax ID's 22513 & 22515; 46.68 total acres; Zoned Agricultural One (A-1). Permit desired for the location & operation of a new non-metallic mining site including rock crusher. Per Sawyer County Ordinance section 17.4(B)(6). To be named as “Whiskey Ridge Pit”. Kozlowski reads the application, staff report, Town opinion. No other opinions returned. Motion by Shuman to open the public hearing portion of the application, second by Suralski. All in favor. Mark Heath, owner speaks in favor of the application. Pat Brown, Assistant Zoning Administrator speaks of the NR135 and that it is naturally covered. Heath agrees to all the conditions. Linda Zillmer, Village of Birchwood resident and Edgewater property owner speaks. Discussion held. Motion to close the public hearing portion of the application by Shuman, second by Wilson. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Motion by Shuman to approve the application with conditions of 1) Obtain approval or conditional approval of reclamation plan. 2) Hours of normal operations: 7AM-7PM, Monday-Saturday. 3) Crushing hours 7AM-7PM, Monday-Saturday (no holidays) 2 crushing events per year not to exceed 5 days per event. 4) A Fire # or Site Address is required for the property. 5) Maintain compliance with Department of Natural Resources Chapter 30. 6) Comply with all other federal, state, and local regulations including approval of the “Reclamation Plan”. Finding of Facts: 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 Suralski. No other discussion held. Roll call finds: Suralski –yes, Wilson – yes, Shuman – yes, Buckholtz – yes, Savitski –yes. All in favor.

b) A Public Hearing in the Town of Radisson. Reclamation Plan for CUP #24-010. Owner: Mark & Linda Heath. The NW ¼ of the SE ¼ & the SW ¼ of the SE ¼; All in S16, T38N, R07W; Parcel #'s 022-738-16-4201 & 022-738-16-4302; Tax ID's 22513 & 22515; 46.68 total acres; Zoned Agricultural One (A-1). Permit desired for the Sawyer County NR 135 Reclamation Issuance for location/operation of a non-metallic mineral open pit limited to 5 acres of actual mine site. Kozlowski reads the application, staff report, Town opinion, with no other opinions received. Motion to open the public hearing portion of the application by Shuman, second by Suralski. All in favor. Mark Heath, owner speaks in favor of the application. No comments. Motion to close the application by Wilson, second by Suralski. All in favor. Kozlowski reads the discussion/action portion of the application. Motion by Shuman to approve the application, second by Wilson. No other discussion. Roll call finds: Wilson – yes, Shuman – yes, Suralski – yes, Savitski – yes, Buckholtz – yes. All in favor.

PRELIMINARY PLAT REVIEW

a) A Public Hearing for “Aspen Grove” Final County Subdivision Plat for 7 lot proposal. Owner: Gorud Capital, LLC. Located in the Town of Hayward. Located in the Town of Hayward. This requires Zoning Committee acceptance, conditional acceptance or rejection. This requires Zoning Committee acceptance, conditional acceptance or rejection. Please call or stop in at the Zoning Office for more information. Kozlowski reads the application, staff report & Town opinion. No other opinions received. Jesse Suzan, Surveyor speaks in favor of the application. Linda Zillmer, Village of Birchwood resident, Town of Edgewater property owner speaks. 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. Motion to approve by Shuman, second by Buckholtz. Wilson asks that residential build be added to the motion. Shuman agrees. No other discussion held. Roll call finds: Shuman – yes, Savitski – yes, Buckholtz – yes, Suralski – yes, Wilson – yes. All in favor.

Five-minute recess. Buckholtz calls the meeting back to order at 9:51am.

b) A Public Hearing for “The Preserve – Phase 1” Final County Subdivision Plat for 22 lot proposal including 3 outlots. Owner: The Preserve at MBF, LLC c/o Jeremy Hill. Located in the Town of Hayward. This requires Zoning Committee acceptance, conditional acceptance or rejection. Please call or stop in at the Zoning Office for more information. Kozlowski reads the application, staff report & Town opinion. No other opinions received. Motion to open the public hearing portion of the application by Shuman, second by Wilson. All in favor. Benjamin Kurtzweil, Town of Hayward Chairman speaks of the Town Ordinance, and that the roads be

private. Jeremy Hill, owner speaks in favor of the application. Discussion with Committee held. Phil Nies, former member of Planning Commission speaks of the roads. Discussion continues. Linda Zillmer, Village of Birchwood resident & Town of Edgewater property owner speaks. Tom Jenkins, neighboring property owner speaks of concerns. Carmen Jenkins, speaks of the Butternut trees. Discussion continues. Motion to close the public hearing portion of application by Wilson, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held by Committee and Kozlowski. Kylie Owens, legal counsel, advises. Discussion continues. Motion to approve the preliminary plat #1 by Shuman, with conditions of wetland delineation, and storm water management plan. Second by Buckholtz. Wilson suggests adding property covenants 1-25. (See attached). Shuman adds the covenants to his motion, second by Buckholtz. Roll call finds: Savitski – yes, Buckholtz – yes, Wilson – yes, Shuman – yes, Suralski – yes. All in favor.

c) A Public Hearing for “The Preserve – Phase 2” Final County Subdivision Plat for 30 lot proposal including 12 outlots. Owner, The Preserve at MBF, LLC c/o Jeremy Hill. Located in the Town of Round Lake. This requires Zoning Committee acceptance, conditional acceptance or rejection. Please call or stop in at the Zoning Office for more information. Kozlowski reads the application, staff report & Town opinion. No other opinions received. Motion to open the public hearing by Shuman, second by Suralski. All in favor. Jeremy Hill, owner speaks in favor of the application. Discussion with committee held. Linda Zillmer, Village of Birchwood resident, Edgewater property owner speaks. Carmen Jenkins neighboring property owner speaks. 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. Discussion held. Motion to approve the preliminary plat #2 by Shuman with conditions of wetland delineation, and storm water management plan and property covenants 1-25. (See attached). Second by Suralski. Discussion held. Roll call finds: Buckholtz – yes, Wilson – yes, Shuman – yes, Suralski – yes, Savitski – yes. All in favor.

d) A Public Hearing for “The Preserve – Phase 3” Final County Subdivision Plat for 19 lot proposal including 5 outlots. Owner, The Preserve at MBF, LLC c/o Jeremy Hill. Located in the Town of Round Lake. This requires Zoning Committee acceptance, conditional acceptance or rejection. Please call or stop in at the Zoning Office for more information. Kozlowski reads the application, Staff report, and Town opinion. No other opinions received. Motion by Shuman to open the public hearing portion of the application, second by Wilson. All in favor. No comments. Motion to close the public hearing portion of the application by Wilson, second by Shuman. All in favor. Motion by Wilson to approve the preliminary plat #3 with conditions of wetland delineation, and storm water management plan and property covenants 1-25. (See attached). Second by Shuman. Roll call finds: Wilson – yes, Buckholtz – yes, Savitski – yes, Suralski – yes, Shuman – yes. All in favor.

PROPOSED ORDINANCE AMENDMENT

a) A Public Hearing for the Sawyer County Zoning Ordinance Amendment to Section 4.25 #2. Storage Shed/Storage Structure Exemption. Language to be changed to read: This exemption is not allowed in platted subdivision (unless Town approval is granted). Kozlowski reads and explains the amendment. Motion to open the public hearing portion of the application by Suralski, second by Shuman. All in favor. Steve Bening, Town of Draper, Phil Nies, Linda Zillmer, Village of Birchwood resident & Town of Edgewater property owner, Martin Hanson, Benjamin Kurtzweil, Town of Hayward Chairman all speak. Motion to close the public hearing portion of the application by Wilson, second by Shuman. All in favor. Discussion continues. Motion by Wilson to deny the change to the Ordinance, second by Shuman. No other

comments. Roll call finds: Wilson – yes, Buckholtz – yes, Shuman – yes, Suralski – no, Savitski –no. 3 to 2 to deny. Kylie Ownes, legal counsel advises.

NEW BUSINESS

a) Ordinance Amendment for “multi-dwelling development” (Discussion/Possible Action to send new draft version to the Towns) Proposed Draft Ordinance Amendment can be found on the Sawyer County Zoning Website. Kozlowski explains the amendment. Discussion held by Committee and Kozlowski. Motion to see new survey list by Committee in June by Wilson. Second by Shuman. All in favor.

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

ADJOURNMENT

Buckholtz adjourns meeting at 11:49am

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator

See our website for more information.