

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
May 16, 2025**

Zoning Committee Members

Ron Buckholtz, Chairman
Tweed Shuman, Vice Chairman
Kay Wilson
Marshall Savitski
Steve Kariainen
Dale Magnuson

Zoning Administration

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

PRELIMINARY MATTERS

a) Call to Order and Roll Call

Buckholtz, calls 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 call finds present: Buckholtz, Shuman - absent, Kay Wilson, Magnuson- absent, Savitski – virtual, Kariainen. Kozlowski and Marks. Rebecca Roeker, legal counsel.

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 on April 30 & May 7, 2025.

e) Approval of March 21, 2025 minutes. Motion to approve by Wilson, second by Kariainen. All in favor. *(A copy of the audio recording of this meeting and video may be found at sawyercountygov.org website).*

f) Public Comment: Linda Zillmer, Edgewater property owner.

REZONE APPLICATIONS

None

CONDITIONAL USE APPLICATIONS

a) A Public Hearing in the Town of Hayward, CUP #25-019, Renred, LLC. Owner: Stacy Derner. Part of the SW ¼ of the SW ¼, Lot 1 CSM 12/50 #2866; S28, T41N, R09W; Tax ID#12960; Parcel #010-941-28-3306; 2.83 total acres; Zoned (C-1) Commercial One. Permit desired for 26 like new - 8'x20' storage containers around the existing buildings for commercial storage. Per the Sawyer County Code of Ordinances – Appendix D, Section 2(93) as commercial storage buildings will be as shipping containers. Kozlowski reads the application staff report, Town recommendation, no opinions returned and City of Hayward recommendation. Motion by Kariainen to open the public hearing portion of the application, second by Wilson. All in favor. Owners: Tom & Stacy Derner speaks in favor of the application. Discussion held. No

other comments. Motion to close the public hearing portion of the application by Wilson, second by Kariainen. All in favor. Kozlowski reads the discussion/action portion of the application. Rebecca Roeker, legal counsel advises the Committee. Magnuson attends meeting at 8:50am as non-voting member on first case. Motion by Savitski to approve the application with conditions of: 1) Container are to be painted to blend with the natural features and show no signs of rust. 2) No more than 26 containers are allowed on parcel. Any change to this operation will require a new CUP. 3) CUP is to go with the property and not just the current owner(s). 4) A Land Use Permit is required within 30 days of potential CUP approval. The Land Use Permit fee will be based on "commercial building rates". \$250 base cost plus \$5 per \$1000 cost of each shipping container X 26 containers. Applicant to provide information for cost per each container. 5) All other setback requirements for shipping container location must be met. This includes 20' rear lot line setback, and 5' side lot line setbacks for each container. If containers do not meet required setbacks they will need to be relocated or removed from the property. Applicant must provide setback information from property lines with submittal of Land Use Permit. 6) All other Town, County, State, Federal Laws are followed. 7) No more than 26 containers without Town approval. Second by Kariainen. 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 and 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. Roll Call finds: Buckholtz – yes, Wilson – yes, Savitski –yes. Kariainen – yes. All in favor.

Dale Magnuson, member attends meeting.

b) A Public Hearing in the Town of Ojibwa. CUP #25-036. Owner: Christopher & Jane Clark Trust. Part of Government Lot 1, Lot 2, CSM 17/153 #5272 & S1/2 of Government Lot 1, Lot 3 CSM 17-153 #5272; Both in S26, T39N, R06W; Parcel #'s 020-639-26-5102 & 020-63926-5103; Tax ID #'s 21496 & 21497; Both Zoned (A-1) Agricultural One; 11.08 acres & 27.82 acres for a total of 38.90 acres. Permit desired for: an accessory building on vacant property. Building will be 70'x30' with a height of 20'. As per the Sawyer County Code of Ordinances-Appendix D-Section 4.26 (1) with automatic conditions. Kozlowski reads the application, staff report, Town recommendation to table application, no opinions returned. Motion by Kariainen to open the public hearing portion of the application, second by Wilson. All in favor. Owner: Christopher Clark speaks in favor of the application. No other comments. Motion to close the public hearing portion of the application by Kariainen, second by Wilson. All in favor. Kozlowski reads the discussion/action portion of the application. Motion by Kariainen to approve the application with conditions of: 1) Land Use Permit is required within 12 months of CUP approval for accessory structure (pole shed). 2) 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. 3) Proposed accessory structure must meet all other Sawyer County Zoning & Conservation requirements including setbacks and also

compliant with all other State & Federal Laws. 4) Size of accessory structure not to exceed 70' x 30' x 20' in height. 5) Approval of application by Town of Ojibwa. Second by Magnuson. 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. 15) Pending Town approval. Second by Wilson. All in favor. Roll call finds: Magnuson – yes, Wilson – yes, Savitski – yes, Buckholtz – yes, Kariainen -yes. All in favor.

c) A Public Hearing in the Town of Sand Lake. CUP #25-037. Owner: Tory Quiggle. Victory Heights 2nd Addition, Lots 12-17, Block 1; S02, T39N, R09W; Parcel #026-182-01-1200; Tax ID #27029; 1.978 acres; Zoned (RR-1) Residential/Recreational One AND Victory Heights 2nd Addition, Part Lot 10 & Lots 11-16, Block 2; S02, T39N, R09W; Parcel #026-182-01-1100; Tax ID #44487; 1.68 acres; Zoned (RR-1) Residential/Recreational One. Permit desired for an accessory structure (pavilion) across a Town Road (Victory Heights Circle) from Primary Dwelling. Per Sawyer County Code of Ordinances-Appendix D-Section 4.26 (2) with conditions. Kozlowski reads the application, staff report, Town recommendations, no opinion letters returned. Motion by Wilson to open the public hearing portion of the application, second by Magnuson. All in favor. Owners: Fred & Tory Quiggle speaks in favor of the application. Discussion held. No other comments. Motion to close the public hearing portion of the application by Kariainen, second by Savitski. All in favor. Kozlowski reads the discussion/action portion of the application. Motion by Wilson to approve the application with conditions of: 1) No habitable area is allowed in this structure including beds, bedrooms, or kitchen facilities or plumbing. 2) No commercial use or operation allowed in structure. 3) Size of proposed accessory structure not to exceed 320 sq ft and less than 18' in height. 4) Must follow all other Town, County, State, Federal regulations/laws/conditions including an additional Town Driveway Permit. 5) A Sawyer County Land Use Permit is required prior to construction or placement of the accessory structure which will also require a lot binding agreement, deed restriction, or restrictive covenants which combines the 2 parcels so that they may not be sold separately. 6) CUP goes with the properties Second by Magnuson. 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 and 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. 15) Placement of accessory structure across Town Road would

lessen impervious surface impacts. Roll call finds: Wilson – yes, Savitski – yes, Magnuson – yes, Kariainen – yes, Buckholtz – yes. All in favor.

d) A Public Hearing in the Town of Weirgor. CUP #25-031. H & S Excavating LLC. Part of the NE ¼ of the SW ¼ & the NW ¼ of the SW ¼; both in S23, T37N, R07W; Parcel #'s 030-737-23-3101 & 030-737-23-3201; Tax ID's #32070 & 32072; 17.1 & 14.34 acres for a total of 31.44 acres; Both zoned Agricultural One (A-1); Known as the Blomberg Pit. Permit desired for the 5-year renewal of CUP #19-046. Last renewed November 15, 2019 for the location/operation of a non-metallic mineral extraction including rock crusher. The CUP was originally approved at public hearing on December 20, 2003. Kozlowski reads the application, staff report, Town recommendation, no opinions returned. Motion to open the public hearing portion of the application by Kariainen, second by Magnuson. All in favor. Owner Mike Hawkins speaks in favor of the application. Discussion held. No other comments. Motion to close the public hearing portion of the application by Kariainen with conditions of: 1) Maintain compliance with NR 135 (reclamation plan). 2) Maintain compliance with Plan of Operation including current hours of operation from 6am to 8pm, Monday – Sunday with crushing to be from 6am-8pm, excluding Sundays & Holidays, not to exceed 12 days per calendar year. 3) Maintain compliance with Department of Natural Resources Chapter 30. 4) All other town, County, State, Federal Laws are followed. 5) CUP goes with the property. If property changes hand before next renewal the new owner must complete a “Non-Metallic Mine Transfer Form” with Sawyer County to acknowledge compliance of current plan of operation, conditions, and reclamation plan. 6) The 5-year renewal will be backdated to March 15, 2024. 7) Site Address / Fire # is required for emergency services. Second by Kariainen. 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. Roll call finds: Magnuson – yes, Buckholtz – yes, Kariainen – yes, Savitski – yes, Wilson – yes. All in favor.

PRELIMINARY PLAT REVIEW

a) A Public Hearing in the Town of Round Lake for the Preliminary County Subdivision Plat of “The Preserve – Phase 4”. Owner: The Preserve at MBF, LLC c/o Jeremy Hill. Phase 4 is for a Seven (7) lot proposal including 3 out-lots. The main 7 lots will all be larger than 5 acres. This requires Zoning Committee acceptance, conditional acceptance or rejection. Motion to open the public hearing portion of the application by Magnuson, second by Kariainen. All in favor. Kozlowski reads the application, Town recommendation with conditions, and One opinion letter returned. Owner Jeremy Hill speaks in favor of the application. Discussion held. No other comments. Motion by Magnuson to close the public hearing portion of the application, second by Kariainen. All in favor. Kozlowski reads the discussion/action portion of the application.

Motion by Wilson to approve the application with conditions of: 1) Storm water management plan to the WI. DNR. 2) Contingent on the same covenants from Phase #1 & #2 previous heard plats. 3) Written notices to purchaser regarding nearby gravel pits. Second by Magnuson. Roll call finds: Savitski – yes, Buckholtz – yes, Wilson – yes, Magnuson – yes, Kariainen – yes. All in favor.

b) A Public Hearing in the Town of Hayward for the Preliminary County Subdivision Plat of “The Preserve – Phase 5”. Owner: The Preserve at MBF, LLC c/o Jeremy Hill. Phase 5 is for a Twenty-One (21) lot proposal including 4 out-lots. The main lots will all be larger than 5 acres. This requires Zoning Committee acceptance, conditional acceptance or rejection. Kozlowski reads the application, staff report, Town opinion, and one opinion letters. Motion by Kariainen to open the public hearing portion of the application, second by Magnuson. All in favor. Owner Jeremy Hills speaks in favor. Discussion held. No other comments. Motion to close the public hearing portion of the application by Magnuson, second by Kariainen. All in favor. Kozlowski reads the discussion/action portion of the application. Motion by Wilson to approve the application with conditions of: 1) Wetland delineation. 2) Storm water management plan to the WI. DNR. 3) Contingent of the same covenants from Phase #1 & #2 previous approved plats. Second by Kariainen. All in favor. No other discussion. Roll call finds: Buckholtz – yes, Wilson – yes, Magnuson – yes, Savitski – yes, Kariainen – yes. All in favor.

NEW BUSINESS

a) Kozlowski speaks of Option “F”. Part of the 30% Rule. Rebecca Roeker, legal counsel advises. Nothing for Committee. Discussion held.

b) Any new business that may come before the board. None.

ADJOURNMENT

Buckholtz adjourns meeting at 9:50am

A Quorum of the County Board of Supervisors or any of its committees may be present at this meeting to listen and observe. Neither the Board nor any of the committees have established attendance at this meeting as an official function of the Board or committee(s) or otherwise made-a-determination that attendance at the meeting is necessary to carry out the Board or committee’s function. The only purpose for other supervisors attending the meeting is to listen to the information presented. Neither the Board nor any committee (other than the committee providing this notice and agenda) will take any official action with respect to this noticed.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator