

**PLANNING & ZONING COMMITTEE
PUBLIC HEARING AND REGULAR MEETING
Douglas County Board of Supervisors
Tuesday, June 6, 2023, 9:00 a.m., Government Center, Boardroom 201
1316 North 14th Street, Superior, Wisconsin**

Meeting called to order by Chair Mary Lou Bergman.

1. ROLL CALL

Present – Mary Lou Bergman, Scott Luostari, Bill Fennessey, Jim Borgeson. Absent – Joseph Moen. Others present – Robin Schaffer, Terri Luebbe, Marissa Hanson, Ashley Strabel, Zach DeVoe, Jon Fiskness, Jane Sigfrids, Jim Sigfrids Jr., Shelley Nelson, Lexi Klasen, Ann Doucette, Candy Anderson (remote), Zach Stewart (remote), Emily Cahill (Committee Clerk).

2. APPROVAL OF MINUTES

Motion by Fennessey, second Borgeson, to approve minutes from the May 10, 2023, meeting. Motion carried.

3. SUSPEND REGULAR MEETING; ADJOURN TO PUBLIC HEARING

4. PUBLIC HEARING

a. Conditional-Use Permit Revision

- 1) Douglas County Highway Department (operator) / Douglas County Forestry (owner):** Application for conditional-use permit for addition of parcel #SU-028-00206-00 to Non-Metallic Mining Permit #16663 for access purposes only; no correspondence received from town.

ACTION: Motion by Borgeson, second Luostari, to approve pending town approval. Motion carried.

b. Conditional-Use Permit

- 1) Solon Springs Concrete LLC (operator) / Anthony Roffers (owner):** Referred from May 10, 2023 hearing; application for conditional-use permit for new non-metallic mine; no objections from town.

Jim Sigfrids Jr. and Jane Sigfrids spoke regarding concerns of having non-metallic mine within 1,500 ft. from a well on their property; questioned whether the mine would be blasted. Town has not yet heard concerns from Sigfrids'. Strabel confirmed blasting at mine site. Schaffer to review with DNR and follow up.

ACTION: Motion by Fennessey, second by Borgeson, to refer application to future meeting pending town input regarding public concerns and information from Schaffer and DNR. Motion carried.

c. Conditional-Use Permit Renewals

- 1) Douglas County Highway Department (operator) / Douglas County Forestry (owner):** Non-metallic mine permit #16663 renewal request; current mine does not meet wetland setback of 75 feet; no correspondence received from town.

ACTION: Motion by Luostari, second Borgeson, to approve pending town approval with conditions as presented, and added conditions: 1) To cease mining along southwest wall while working with Zoning Staff to correct Conditional-Use violation; 2) Permit will be brought back to Committee in August for an update. Motion carried.

- 2) Douglas County Highway Department (operator) / Douglas County Forestry (owner):** Non-metallic mine permit #16782 renewal request; town approved with conditions.

ACTION: Motion by Fennessey, second Luostari, to approve with conditions as presented. Motion carried.

- 3) Douglas Count Highway Department (operator) / Douglas County Forestry (owner):** Non-metallic mine permit #24032 renewal request; town approved with conditions.

ACTION: Motion by Borgeson, second Luostari, to approve with conditions as presented. Motion carried.

- 4) Lake Effect Construction LLC (operator) / Lake Effect Enterprise LLC (owner):** Non-metallic mine permit #25985 renewal request; town approved with conditions.

ACTION: Motion by Fennessey, second Borgeson, to approve with conditions as presented. Motion carried.

d. Reclamation Plan Approval

- 1) Solon Springs Concrete LLC (operator) / Anthony Roffers (owner):** Referred from May 10, 2023 hearing; plan attached to agenda; town approved with conditions.

ACTION: Motion by Borgeson, second Fennessey, to refer application to future meeting due to referral of conditional-use permit. Motion carried.

Public hearing adjourned at 9:15 a.m.

5. RESUME AGENDA

6. DEPARTMENT REPORTS

The following departments reported on departmental activities: Planning and Zoning/Board of Adjustment, Rural Housing Authority, Land Conservation, Surveyor, Land Records, Real Property Lister, Register of Deeds.

7. ACTION ITEMS

- a. **Budgetary Transfer for Zoning Vehicle:** Funding for zoning vehicle has been approved; requires budgetary transfer.

ACTION (REFERRAL): Motion by Luostari, second Fennessey, to approve budgetary transfer for zoning vehicle and refer to Administration Committee and County Board. Motion carried.

b. **Non-Metallic Highwalls**

- 1) **Professional Engineer Certification:** Reclamation plans for non-metallic mines specify that rock highwalls must be certified by a professional engineer to meet a stability factor of 1.3, or have safety fencing installed before considered complete.

- 2) **Financial Assurance:** Nonmetallic mines with rock highwalls must have financial assurance established with the County which is equivalent to the estimated expense to stabilize the highwall to meet a stability factor of 1.3.

ACTION: Motion by Luostari, second Fennessey, to approve inclusion of professional engineer certification and financial assurance requirements for non-metallic highwalls in internal procedures. Motion carried.

- c. **Resolution Regarding Foreign Ownership of Farmland:** Resolution to support revision of law regarding foreign ownership of land; Douglas County currently has 79,624 acres held by foreign countries; all but 40 acres is forestland; resolution recommended by Land Conservation committee.

ACTION (RESOLUTION): Motion by Fennessey, second Borgeson, to approve recommendation of resolution regarding foreign ownership of land and refer to County Board. Motion carried unanimously.

- d. **Approval of “An Aquatic Invasive Species Focused Aquatic Plant Management Plan Bois Brule River Douglas County, Wisconsin”:** Plan to guide work in managing waters; plan included in agenda; recommended by Land Conservation committee.

ACTION (RESOLUTION): Motion by Borgeson, second Luostari, to approve plan and refer to County Board. Motion carried unanimously.

8. INFORMATIONAL ITEMS

- a. **One-Year Review of Conditional-Use Permit #27506 – Michael & Starrie Kane – Home Occupation (Upholstery):** No concerns with Conditional-Use Permit #27506; permit may remain as initially approved by committee.
- b. **Douglas County Zoning Ordinance 8.0 Update:** Zoning and Corporation Counsel have been meeting extensively to continue draft; draft will not be presented to public until approved by Corporation Counsel.

9. FUTURE AGENDA ITEMS

Comprehensive plan updates for Douglas County Zoning Ordinance 8.0; financial assurance escalation clause; well concerns from public regarding conditional-use permit: Solon Springs Concrete LLC (operator) / Anthony Roffers (owner).

10. ADJOURNMENT

Motion by Luostari, second Fennessey, to adjourn. Motion carried. Meeting adjourned at 9:44 a.m.

Submitted by,

Emily Cahill, Committee Clerk