

**PLANNING & ZONING COMMITTEE
PUBLIC HEARING AND REGULAR MEETING
Douglas County Board of Supervisors
Wednesday, July 14, 2021, 9:00 a.m., Government Center, Boardroom 201
1316 North 14th Street, Superior, Wisconsin**

Meeting called to order by Mark Liebaert. (Liebaert asked to chair meeting due to chair and vice chair inability to serve in that capacity.)

ROLL CALL: Present – Mark Liebaert, Patricia Ryan, Jim Borgeson, Nick Baker, Mary Lou Bergman (remote). Absent – Charlie Glazman. Others present – Terri Luebbe, Tessah Behlings, Zach DeVoe, Ashley Vande Voort, Jon Fiskness, Marissa Hanson, Carolyn Pierce, Kris Herubin, Kristy Herubin, Jennifer Kirkpatrick, Theresa Cokley, Jan Jenson, Rachel Hernandez, Deanna Hernandez, John Peterson, Scott Luostari, Josh Avery, Janice Newsome, Kim Sorensen, Kelly Peterson, Kaci Lundgren (Committee Clerk).

APPROVAL OF MINUTES: Motion by Baker, second Ryan, to approve minutes from the June 9, 2021, meeting. Motion carried.

PUBLIC HEARING:

Amendments to the Douglas County Zoning Ordinance 8.0:

Petition No. 21-08: Tyler Kauther, Poplar, WI – Lot 3 CSM #1186 Vol 9 Pages 1-2, Section 10, T47N-R12W, Located in S-1/2 SE SE; Subject to 50 Driveway Easement; Subject to Lackson Rd; (5591 S Lackson Rd, AM-002-00332-03), Town of Amnicon: Town denied application; committee must follow town's recommendation.

ACTION: Motion by Baker, second Borgeson, to deny. Motion carried.

Conditional-Use Permits:

Kristy Herubin, Duluth, MN – UTV / ATV Race Track – Pt SE SE, Section 5, T47N-R12W, Lying W of Hwy R/W Desc 416 RP 865, Ex 356 RP 968; (7925 E Rockmont Rd, AM-002-00213-00), Town of Amnicon: Town approved with conditions. Letters of concern read aloud.

ACTION: Motion by Borgeson, second Ryan, to approve with the following conditions: four events per year; 100 racers maximum; 100 spectators maximum; hours are 8 a.m. – 7 p.m., Saturdays only; satellite toilets must be provided; no lighting; fencing must be provided; ensure berm is present to help with noise reduction on freeway; spectator area is fenced; onsite trash service provided; EMS must be on site; liability waivers required; if food service is provided, must be by a licensed vendor; permit renewal required. Motion by Baker, second Bergman, to amend and review permit in one year (November 1, 2022). Motion carried. Liebaert abstained. Motion to approve as amended, carried.

Michael and Theresa Cokley, Cottage Grove, MN – Private Campground with Three Campers – W-1/2 SE SW, Section 7, T43N-R14W; (2573 E Town Road TT, DA-010-00084-00), Town of Dairyland: Town approved.

ACTION: Motion by Borgeson, second Bergman, to approve application, requiring addition of privy/sanitary system and/or holding tank. Motion carried.

Deanna and Rachel Hernandez, South Range, WI – Hobby Farm – Pt W-1/2 NE NE, Section 36, T48N-R13W, Bgn N Line 490' E NW Cnr NE NE, Th S To N Line of RR R/W, Th E'ly & SE'ly Alg N Line of R/W of E Line of W-1/2 NE NE, Th N to N Line of NE NE, Th W-170' to POB. (Palpable Legal Desc Error 1st Page of #857683, Corrected on Last Page); (7156 E County Road E, PA-024-00706-00), Town of Parkland: Town referred to Zoning to make decision. Lot is substandard but hobby farm meets all setbacks. Property owners intend to butcher several pigs November 8, 2021. Male and female mating pigs are separated until bred; need additional pigs for socialization or may die of depression. Letter of support from veterinarian read aloud.

John Peterson, neighbor, spoke on concerns of property size, neighboring property value, attraction of rodents, and odors.

ACTION: Motion by Ryan, second Bergman, to approve. Motion by Borgeson, second Ryan, to amend and limit number of pigs to six and review in one year. Motion carried. Motion to approve as amended, carried.

Scott Garvey, Solon Springs, WI (owner) / Solon Springs Concrete LLC, Solon Springs, WI (operator) – Non-Metallic Mine – NW NE, Section 27, T45N-R11W, Ex 1.54ac for CTH A R/W; (11040 E County Road A, SO-026-00588-00), Town of Solon Springs: Town approved with conditions.

ACTION: Motion by Baker, second Borgeson, to approve with the following conditions: permit approved for five-year period, expiring July 14, 2026; must comply with Ordinance 8.0, Section VI, Sub 6.2; financial assurance instrument required based on cost for Douglas County to reclaim this site in accordance with Ordinance 8.9 and NR 135; must comply with Ordinance 8.9 to include NR 135 annual reporting requirements. Motion carried.

ACTION: Motion by Baker, second Borgeson, to approve reclamation plan as presented. Motion carried.

Joshua Avery, Columbia Heights, MN – Private Campground w/3 Campers – Pt SW NE, Section 20, T47N-R12W, Ex Com SE Corner, Th W-580' POB, Th W-691.63', Th N-630', Th E-691.54', Th S-630' to POB; (HA-014-00595-00), Town of Hawthorne: Town approved. The camper without a sanitation device has had its toilet installed since application filed.

ACTION: Motion by Bergman, second Ryan, to approve as presented. Motion carried.

Recap of Zone Change Recommendations for County Board: One denial.

DEPARTMENT REPORTS:

Planning and Zoning/Board of Adjustment: Working on land use permits and ordinance revisions; revenue up 25% from 2020, which had previously been the highest year.

Rural Housing Authority: Two loans paid back in full due to sale of property.

Land Conservation: Working on agriculture enterprise area and manure spread workshop through the nutrient management grant. Rain barrel workshop already full.

Land Records: Working on Forestry GIS server migration, mobile app development and the modernization plan.

Real Property Lister: Fifteen state assessments left; working on transfers.

Register of Deeds – Retained Fees Account: Included with agenda.

ACTION ITEMS/REFERRALS:

Land Conservation Budgetary Transfers:

\$4,995 Annually Through December 1, 2021 (*should correctly read 2023*), for the Clough Island, St. Louis River, Superior, Wisconsin: Grant awarded through WI DNR.

ACTION (REFERRAL): Motion by Baker, second Ryan to approve and refer to Administration Committee. Motion carried.

\$886.29 Through December 31, 2022, for the Douglas County AIS Cleaning Station Project: Grant awarded through WI Land + Water Conservation Association.

ACTION (REFERRAL): Motion by Ryan, second Baker, to approve and refer to Administration Committee. Motion carried.

\$600 for the 2021 Rain Barrel Project: Class already full; to be held in conjunction with City of Superior.

ACTION (REFERRAL): Motion by Baker, second Borgeson, to approve and refer to Administration Committee. Motion carried.

INFORMATIONAL ITEMS:

General Ordinance Revision:

Campgrounds: Town of Wascott suggested moratorium to allow town review and input on changes; moratorium to be presented at next Zoning meeting.

Signs: Signs cannot be regulated based on content; ordinance wording amended.

Definitions: Amendments include inclusion of ‘outlot’ and clarification of other words.

FUTURE AGENDA ITEMS: Campground moratorium; hobby farm restrictions.

ADJOURNMENT: Motion by Ryan, second Baker, to adjourn. Motion carried. Meeting adjourned at 10:01 a.m.

Submitted by,

Kaci Lundgren
Committee Clerk