

DOUGLAS COUNTY PLANNING & ZONING COMMITTEE
PUBLIC HEARING AND REGULAR MEETING
Tuesday, November 6, 2018
Public Hearing – 9:00 a.m.; Regular Meeting to Follow
Government Center Board Room, 1316 North 14th Street, Superior, Wisconsin

Meeting called to order by Chair Mary Lou Bergman.

ROLL CALL: Present – Patricia Ryan, Jim Borgeson, Charlie Glazman, Nick Baker, Mary Lou Bergman. Others present – Sue Radzak, Keith Wiley, Zach DeVoe, Matt Johnson, Christine Ostern, Randy Jones, Ray Hanson, Neal K. Hessen, Jay Petite, Scott Petite, Maxine Petite, Mary Brill, T.J. TePoel, Mike Ohara, Bob Albrigit, Pete Fornengo, David Beck, John Mattson, Cade Musch, Roger LeTourneau, Mark Liebaert, Ann Doucette, Dan Corbin, Al Horvath, Gerald Petite, Pam Tafelski (Committee Clerk).

APPROVAL OF MINUTES: Motion by Baker, second Ryan, to approve October 10, 2018, meeting minutes. Motion carried.

PUBLIC HEARING (APPLICATIONS ATTACHED):

Ordinance #8.17 – Moratorium on the Importation and Raising of Cervids in Douglas County. History and intent of moratorium reviewed. It allows Douglas County to establish a committee to research issues for one year and submit recommendation to Zoning Committee.

ACTION (ORDINANCE): Motion by Ryan, second Baker, to approve Ordinance #8.17. Jay Pettite, Pete Fornengo, Mary Brill, and Allan Horvath spoke in support of the moratorium. Cade Musch and Ray Hanson, deer farmers, spoke in opposition to the moratorium, submitting it will be detrimental to deer farms and preserves. Liebaert stated appointees will include individuals from both sides of the issue, County Board members, and professionals knowledgeable on CWD. Motion to approve ordinance and forward to County Board carried unanimously.

Amendments to the Douglas County Zoning Ordinance 8.0:

Petition No. 18-10: Neal & Kathleen Hessen, et al, Port Charlotte, FL – Pt N1/2-SW1/4-NE1/4 (lying west of the Brule River), Section 3, T46N-R10W; (7544S Castle Road; HI-016-00673-00), Town of Highland – from the F-1: Forestry zoning district to the RR-1: Residential-Recreation zoning district, (proposed use: residential), filed October 2, 2018 in the County Clerk's Office.

Applicant's son present; town approval received. Map indicated portion of the property to be donated to Brule River Conservancy.

ACTION (ORDINANCE): Motion by Ryan, second Baker, to approve application and forward to County Board. Motion carried unanimously.

Petition No. 18-11: Michael & Kathy Hughes, Gordon, WI – Lots 26, 27 & 28, Eagle Heights, Section 17, T43N-R12W; (7794E Eagle Heights Road; WA-032-02289-00; 02289-12), Town of Wascott – from the F-1: Forestry zoning district to the R-2: Residential zoning district, (proposed use: hobby farm), filed October 8, 2018 in the County Clerk's Office.

Applicant present; Town of Wascott meeting November 13th; town planning commission recommends denial due to spot zoning. Applicant encouraged to attend November 13th meeting.

ACTION (REFERRAL): Motion Baker, second Glazman, to refer application to December meeting after Town of Wascott makes a decision. Motion carried.

Petition No. 18-12: Michael Booker, South Range, WI – Pt SW1/4-SE1/4, Section 9, T47N-R12W; (8247E Middle River Road; AM-002-00308-01), Town of Amnicon – from the F-1: Forestry zoning district to the A-1: Agricultural zoning district, (proposed use: farm animals), filed October 8, 2018 in the County Clerk’s Office.

Applicant not present; Town of Amnicon approved; no zoning concerns.

ACTION (ORDINANCE): Motion by Baker, second Borgeson, to approve application and forward to County Board. Motion carried unanimously.

Petition No. 18-13: DL Skiing LLC / Lawrence Pulkrabek, Superior, WI – Pt Gov’t Lot 3 - Lot 1, CSM #1154, Vol 8, Pgs 203-4 & Gov’t Lot 9 in Sections 7 & 8 and Pt N1/2-W1/2-NW1/4-SW1/4 (N-295.16’ of W-295.16’) in Section 8, T48N-R15W; (Old Hwy 23 & Mont Du Lac Road; TS-030-01896-00; 01912-01), Town of Superior – from the R-2: Residential and RR-1: Residential-Recreation zoning districts to the C-1: Commercial zoning district, (proposed use: campground), filed October 10, 2018 in the County Clerk’s Office.

Applicant present; Town of Superior meets November 14th; approved by planning commission.

ACTION (ORDINANCE): Motion by Ryan, second Baker, to approve application pending Town of Superior approval and forward to County Board. Motion carried unanimously.

Conditional-Use Permits:

Michael & Kathy Hughes, Gordon, WI – hobby farm (goats (6), chickens (20), quail (50) & ducks (6)) – Lots 26, 27 & 28, Eagle Heights, Section 17, T43N-R12W; (7794E Eagle Heights Road; WA-032-02289-00; 02289-12), Town of Wascott.

Applicants present; Town of Wascott meeting November 13th.

ACTION: Motion by Glazman, second Baker, to hold for Town of Wascott decision. Motion carried.

DL Skiing LLC / Lawrence Pulkrabek, Superior, WI – campground - Pt Gov’t Lot 3 - Lot 1, CSM #1154, Vol 8, Pgs 203-4 & Gov’t Lot 9 in Sections 7 & 8 and Pt N1/2-W1/2-NW1/4-SW1/4, (N-295.16’ of W-295.16’) in Section 8, T48N-R15W; (Old Hwy 23 & Mont Du Lac Road; TS-030-01896-00; 01912-01), Town of Superior.

Michael Ohara, general manager, explained area for camping is part of expanded business plan; Barr Engineering plan provided. Hours and noise level discussed; 10 p.m. quiet time agreed upon with Town of Superior. Applicant advised to contact Douglas County Health Department and incorporate any requirements into plan.

ACTION: Motion by Ryan, second Baker, to approve application pending Town of Superior approval, and incorporating any conditions from the town into the plan. Motion carried.

Eric Pensky, Gordon, WI – change use of dwelling from seasonal to year-round – Pt NW1/4-NW1/4 & Pt SW1/4-NW1/4, Lot 2 of Douglas County Plat of Cranberry Cove, Section 30, T43N-R12W; (16187S Secluded Ln; WA-032-02538-00), Town of Wascott.

Applicant not present; no zoning concerns.

ACTION: Motion by Glazman, second Borgeson, to approve application. Motion carried.

Ryan James, et al, Superior, WI – accessory building – NW1/4-SE1/4, Section 24, T48N-R12W; (Moonshine Road; AM-002-00561-00), Town of Amnicon.

Applicant Ryan James present; town approval received. Zoning indicated driveway not accessible for emergency vehicles. Liebaert opined it is unlikely Town of Amnicon fire department will sign-off on driveway issue. DNR has no concerns with wetlands unless driveway improvements made. Committee concerned with county liability if emergency vehicles needed and driveway inaccessible. Zoning has no concerns as long as it remains accessory building; county should have no liability. Asked to define “hunting shack”, applicant assured committee it is not for habitation, but warming / hunting stand primarily during hunting season.

ACTION: Motion by Baker, second Ryan, to approve application with condition the permit include stipulation that if driveway improvements made affecting subject wetlands, applicant must get DNR permits. Motion carried.

John Mattson, Lake Nebagamon, WI – year-round dwelling – Pt Gov’t Lot 3, Section 33, T45N-R10W; (11726S Sunset Blvd; HI-016-00591-00), Town of Highland.

Applicant is present; Town of Highland meets November 13; no zoning concerns.

ACTION: Motion by Baker, second Glazman, to approve application pending Town of Highland approval. Motion carried.

Katherine Bates, et al, Superior, WI – change use of dwelling from seasonal to year-round – Lot 1, Pt Lot 2 and vac’d 20 ft of lane, Sunnyside 2nd Addition to Dowling Lake, Section 7, T46N-R13W; (4968E Tri Lakes Road; OA-022-01054-00), Town of Oakland.

Applicant not present; no zoning concerns.

ACTION: Motion by Ryan, second Baker, to approve application. Motion carried.

Recap of Zone Change Recommendations to the County Board: 3 zone changes;1 referred to next meeting.

DEPARTMENT REPORTS:

Planning and Zoning/Board of Adjustment: Permits for the year up YTD 2017. Board of Adjustment meeting November 28. **Rural Housing Authority;** Nothing to report. **Land**

Conservation: Ostern announced she has taken position with Minnesota DNR. Water testing program had 64 well testings; public meeting with state groundwater specialist to report on county's groundwater conditions is November 14. NW Wisconsin Land and Water tour reviewed; Lake Minnesuing project near completion. Land Conservation meets next week. Committee thanked Ostern for her contributions over the years. **Surveyor:** Working on remonumentations project. **Land Records:** 2019 grant application in progress; Ostern's position to be posted. 2018 Plat Book completed. **Real Property Lister:** State is processing reports. **Register of Deeds – retained fees account.** No report submitted.

ACTION ITEM/REFERRAL:

Street Vacation Resolution: Private Drive Running North and South Giving Access to Lots 4 and 5 of Long's Addition to Solon Spring. Plat review recommends approval.

ACTION (RESOLUTION): Motion by Baker, second Ryan, to approve street vacation as presented and forward to County Board. Motion carried unanimously.

INFORMATIONAL ITEMS:

Review of Conditional-Use Permit #25228 Approved November 8, 2017 for Eric Urness – Car Sales Establishment – 7597S Cty Rd A, Town of Summit. Condition of approval included one year review to verify dealer license obtained; no license yet. Urness present; explained why license not done; just doing auto repair now; would like extension to get license.

ACTION: Motion by Ryan, second Baker, to extend the permit for one year and if condition not met, permit will expire and not come back to committee. Motion carried.

Review of Conditional-Use Permit #25257 Approved November 8, 2017 for Antoine & Tonia Dalbec – Hobby Farm – 11997E Cemetery Rd, Town of Maple: Originally approved for horses but no indication of horses. Citation issued to remove mobile home; not done yet. Permit automatically expires. Zoning will notify in writing.

Annual Review of Conditional-Use Permit #23968 Approved November 9, 2011 for Dairyland Outdoor Veterans Retreat – 1465E Town Road TT, Town of Dairyland: Resort/campground moving forward; septic installed. All necessary permits have been granted. Zoning has observed no concerns and will apprise committee if any issues arise.

FUTURE AGENDA ITEMS: Review zoning agriculture categories for potential of A1 and A2 and what each allows. Review potential state regulations regarding local control.

ADJOURNMENT: Motion by Glazman, second Borgeson, to adjourn. Motion carried. Adjourned 10:38 a.m.

Submitted by,

Pamela A. Tafelski
Committee Clerk