

**PLANNING & ZONING COMMITTEE
PUBLIC HEARING AND REGULAR MEETING
Douglas County Board of Supervisors
Wednesday, November 11, 2020, 9:00 a.m., Government Center, Boardroom 201
1316 North 14th Street, Superior, Wisconsin**

Meeting called to order by Chair Mary Lou Bergman.

ROLL CALL: Present – Mary Lou Bergman (remote), Patricia Ryan (remote), Jim Borgeson (remote), Nick Baker (remote), Charlie Glazman (remote). Others present – Sue Radzak, Tessah Behlings, Marissa Hanson, Ashley Vande Voort, Kim Gondek (remote), Nathan TePoel (remote), Les Chandler, Kaci Lundgren (Committee Clerk).

APPROVAL OF MINUTES: Motion by Ryan, second Glazman, to approve minutes from the October 6, 2020, meeting. Motion carried.

PUBLIC HEARING:

Amendments to Douglas County Zoning Ordinance 8.0:

Petition No. 20-03: Jeffrey & Kim Gondek, Superior, WI – from the October 6, 2020 hearing - Pt Lot 4, Lyg S of State Road 105, Pokegama Diagram Lots, Section 8, T48N-R14W; (State Road 105; TS-030-02567-01), Town of Superior – from the F-1: Forestry zoning district to the C-1: Commercial zoning district, (proposed use: storage units), filed 08-27-2020 in the County Clerk's Office.

Applicant present remotely; no correspondence received from Town of Superior. Applicant requested hold to discuss.

ACTION: Motion by Ryan, second Glazman, to hold application and refer to future hearing. Motion carried.

Petition No. 20-06: Nathan TePoel, Iron River, WI – from the October 6, 2020 hearing - Pt N1/2-E1/2-NE1/4-SW1/4 (133.5 ft x 134.7 ft parcel), Section 14, T48N-R10W; (13766E Koski Rd; BR-006-00602-00), Town of Brule – from the A-1: Agricultural zoning district to the R-1: Residential zoning district, (proposed use: create parcel/construct dwelling), filed in the County Clerk's Office 09-14-2020.

Applicant present remotely; no objections from Town of Brule.

ACTION (REFERRAL): Motion by Baker, second Borgeson, to approve zone change as presented and refer to County Board. Motion carried.

Conditional-Use Permits:

Duane & Vallarie Myers, Lake Nebagamon, WI – home occupation (light auto/small engine shop) – Pt NE1/4-NW1/4, Section 18, T46N-R10W; (8053S Khalar Rd; HI-016-00841-00), Town of Highland.

Applicant not present; no objections from Town of Highland.

ACTION: Motion by Baker, second Glazman, to approve conditional-use permit with the condition of no more than three unlicensed and/or inoperable vehicles on the parcel at one time. Motion carried.

Jerald Lagro, Bloomington, MN – windmill (40 ft) – Pt SW1/4-NE1/4, Section 19, T46N-R14W; (8552S State Highway 35; SU-028-00677-01), Town of Summit.

Applicant not present; no objections from Town of Summit.

ACTION: Motion by Baker, second Glazman, to approve conditional-use permit as presented. Motion carried.

Security State Bank, Iron River, WI (owner/seller – Superior Fuel Company, Duluth, MN (buyer) – propane storage tank – Lot 3, CSM #1051, Vol 7, Pgs 243-244, Pt SE1/4-SE1/4, Section 30, T48N-R12W; (7599E County Road E; AM-002-00730-02), Town of Amnicon.

Applicant not present; no correspondence from Town of Amnicon. Age of tank in question for safety concerns.

ACTION: Motion by Ryan, second Borgeson, to refer application to future hearing. Motion carried.

Conditional-Use Permit Modifications/Revisions:

Virginia Metzdorf, Hazelhurst, WI (owner) / Les Chandler, Wascott, WI (agent) – modification to permit #25237 approved December 13, 2017 for a home occupation (boat livery/storage, firewood sales & used dock sales) – reduce the setback distance of docks and other items for sale from 125 feet to 63 feet from the town road (the minimum setback for structures) – SW1/4-NE1/4, Section 2, T43N-R11W; (14538S Lidberg Bridge Road; WA-032-00330-00), Town of Wascott.

Applicant present; no correspondence from Town of Wascott.

ACTION: Motion by Glazman, second Ryan, to deny request and leave conditional-use permit as it was originally approved, to include original conditions. Motion carried.

Peter Waletzko, et al, Superior, WI (owner/operator) – revise non-metallic mine permit #22869 approved January 8, 2020 to include parcel #TS-030-00666-00, NE1/4-SW1/4, Section 26, T47N-R14W; (4152E Leggate Road), Town of Superior.

Applicant not present; no correspondence from Town of Superior.

ACTION: Motion by Glazman, second Ryan, to approve conditional-use permit as presented, pending town approval. Motion carried.

City of Superior, c/o Public Works, Superior, WI (owner/operator) – revise conditions of non-metallic mine permit #23106 to include town agreement/town conditions – Pt E1/2-SW1/4-SE1/4; Pt SE1/4-SE1/4 & SE1/4-SE1/4-SE1/4, Section 27, T48N-R12W; (Spaulding Rd; AM-002-00619-00; 00622-00; 00622-01), Town of Amnicon.

Applicant not present; correspondence received from Town of Amnicon requesting conditions and signed agreement. Applicant requested hold to finalize agreement.

ACTION: Motion by Ryan, second Baker, to refer application to future hearing. Motion carried.

Conditional-Use Permit Renewals/Reclamation Plan Renewals:

Glacier Hill Sand LLC, Superior, WI (owner/operator) – non-metallic mine permit #6962 renewal and approval of reclamation plan – SE1/4-NW1/4, Section 28, T47N-R14W; (3383E Dump Road; TS-030-00715-00), Town of Superior.

Applicant not present; no correspondence from Town of Superior.

ACTION: Motion by Baker, second Glazman, to approve conditional-use permit renewal with the following conditions: Permit approved for three-year period, expiring November 11, 2023; must comply with Ordinance 8.0, Section VI, Sub. 6.2; operator is to discontinue all stockpiling activity on top of the former town dump by July 11, 2021. When stockpiles are removed, no additional disturbance to landfill cap is permitted. After stockpiles are removed, all mining activity, including stockpiling, excavation, and driveway access, shall cease. The landfill must be in compliance with the WDNR closure plan. This includes, but is not limited to, not altering the landfill cap. Mining activities may not occur within 50 feet of the southern boundary of the former town dump, and no closer to the western boundary of the former town dump than the current 2020 mining extent; financial assurance instrument required based on cost for Douglas County to reclaim this site in accordance with Ordinance 8.9 and NR 135; subject to conditions from the Town of Superior dated March 31, 2010. If additional or revised conditions are requested by the town, the application will be brought back to committee; must comply with Ordinance 8.9 to include NR-135 reporting requirements. Motion carried.

ACTION: Motion by Baker, second Borgeson, to approve reclamation plan with the condition if additional or revised conditions are requested by the town, the reclamation plan will be brought back to committee. Motion carried.

Town of Superior, Superior, WI (owner/operator) – non-metallic mine permit #6963 renewal and approval of reclamation plan – S1/2-NE1/4-NW1/4 & Pt SE1/4-NW1/4 (N-15A), Section 14, T47N-R14W; (5651S Darrow Road; TS-030-00310-00; 00317-00), Town of Superior.

Applicant not present; no correspondence from Town of Superior.

ACTION: Motion by Ryan, second Glazman, to approve conditional-use permit renewal with the following conditions: Permit approved for three-year period, expiring November 11, 2023; must comply with Ordinance 8.0, Section VI, Sub. 6.2; subject to conditions from the Town of Superior

dated March 31, 2010. If additional or revised conditions are requested by the town, the application will be brought back to committee; must comply with Ordinance 8.9 to include NR-135 reporting requirements. Motion carried.

ACTION: Motion by Ryan, second Borgeson, to refer reclamation plan to a future hearing, as revisions are required. Motion carried.

Town of Oakland, South Range, WI (owner/operator) – non-metallic mine permit #13184 renewal and approval of reclamation plan – SW1/4-SE1/4 & SE1/4-SE1/4, Section 9, T46N-R13W; (5857E Tri Lakes Road; OA-022-00145-00; 00146-00), Town of Oakland.

Applicant not present; no objections from Town of Oakland.

ACTION: Motion by Ryan, second Borgeson, to approve conditional-use permit renewal with the following conditions: Permit approved for three-year period, expiring December 8, 2023; must comply with Ordinance 8.0, Section VI, Sub. 6.2; if additional or revised conditions are requested by the town, the application will be brought back to committee; must comply with Ordinance 8.9 to include NR-135 reporting requirements. Motion carried.

ACTION: Motion by Ryan, second Glazman, to approve reclamation plan subject to town approval. Motion carried.

Peter Waletzko, et al, Superior, WI (owner/operator) – reclamation plan approval for non-metallic mine permit #22816 – S1/2-NW1/4-SE1/4, Section 26, T47N-R14W; (TS-030-00674-00), Town of Superior.

Applicant not present; no correspondence from Town of Superior.

ACTION: Motion by Ryan, second Glazman, to approve pending town approval, with the condition if additional or revised conditions are requested by the town, the reclamation plan will be brought back to committee. Motion carried.

Peter Waletzko, et al, Superior, WI (owner/operator) – reclamation plan approval for non-metallic mine permit #22869 - E-10 acres of NW1/4-SW1/4; W1/2-E1/2-NW1/4-SW1/4; W1/2-NW1/4-SW1/4 and NE1/4-SW1/4, Section 26, T47N-R14W; (TS-030-00667-00; 00667-01; 00666-00), Town of Superior.

Applicant not present; no correspondence from Town of Superior.

ACTION: Motion by Baker, second Borgeson, to approve pending town approval, with the condition if additional or revised conditions are requested by the town, the reclamation plan will be brought back to committee. Motion carried.

DEPARTMENT REPORTS:

Planning and Zoning/Board of Adjustment: Permit revenue up. Dairyland Outdoor Veterans Retreat intends to install a handicapped accessible cabin and additional camping sites.

Land Conservation: Fifty groundwater samples will be taken this month for promotional testing with remaining 2019 funds; bio solids discussion will be held at next Land Conservation Committee meeting.

Real Property Lister: Working on taxes.

FUTURE AGENDA ITEMS: A-2 zoning designation; short term rentals.

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

Submitted by,

Kaci Lundgren, Committee Clerk