

**PLANNING & ZONING COMMITTEE  
PUBLIC HEARING AND REGULAR MEETING  
Douglas County Board of Supervisors  
Wednesday, March 9, 2022, 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, Pat Ryan, Charlie Glazman, Nick Baker. Absent – Jim Borgeson (remote). Others present – Terri Luebbe, Zach DeVoe, Ashley Vande Voort, Jon Fiskness, Marissa Hanson, Carolyn Pierce, Shelley Nelson, Kim Culp, Steve Heimbach, Mike Boden, Jeff Brown, Robert Wasilowski, Livia Babcock (remote), Jan Jenson (remote), Candy Anderson (remote), Kaci Lundgren (Committee Clerk).

**APPROVAL OF MINUTES:** Motion by Baker, second Glazman, to approve minutes from the January 12, 2022, meeting. Motion carried.

**PUBLIC HEARING:**

**Amendment to Ordinance 8.0 Zoning Ordinance, Rescinding, Due to Clerical Error, the Adoption of the Amendment Approved by the County Board on January 20, 2022:** Previously presented ordinance amendment had multiple formatting errors, making changes difficult to distinguish. Ordinance revised to correct errors; no changes made in content. Campground information and other content changes will be addressed with next amendment.

**ACTION (RESOLUTION):** Motion by Ryan, second Glazman, to rescind amendments approved at January 20, 2022, County Board meeting, and approve ordinance amendments as presented and refer to County Board. Motion carried unanimously.

**Amendment to the Douglas County Zoning Ordinance 8.0:**

**Petition No. 22-01: Jason & Rachel Deatherage, Poplar, WI – Lot 1 CSM #1178 Vol 8 Pgs 253-5, Section 17, T47N-R11W, Located in NW NW, Also Non-Excl Ese for Ingr & Egr; (AM-002-00020-03, 5657 S County Road P), Town of Amnicon:** Request to rezone to RR-1 from the R-1 for purpose of one site campground. Town of Amnicon requested hold for more information.

**ACTION:** Motion by Glazman, second Baker, to refer to future meeting. Motion carried.

**Notice of Appeal of Subdivision Ordinance:**

**Petition No. 22-01: John & Linda Rindo: Solon Springs, WI – Remove Lot 5 of Block 1 of Renouf’s 2nd Addition to Lake St Croix from Lots 5, 6 & 7 of Block 2, and add it to Lot 4 of Block 1 of Renouf’s 2nd Addition to Lake St Croix – Lot 5 of Block 1 and Lots 5, 6 & 7 of Block 2 of Renouf’s 2nd Addition to Lake St Croix, Section 25, T45N-R12W; (SO-026-01420-00; 01404-00; 11035 S Brancel Rd), Town of Solon Springs:** Application withdrawn.

**Conditional-Use Permits:**

**Torvinen Rentals, LLC (seller) / Brown Knows Domains, LLC (buyer):** Change of use request from commercial salvage yard to light industrial construction. Applicant (Jeff Brown) present; town had no objections.

**ACTION:** Motion by Glazman, second Baker, to approve application with the following conditions: hours of operation are 9 a.m. to 6 p.m., sanitary subject to state approval, and any additional changes could require additional permitting. Motion carried.

**David and Livia Babcock:** Request for three site, private-use campground. Applicant present remotely; town had no objections.

**ACTION:** Motion by Baker, second Glazman, to approve application with the following conditions: limit to three campers; decks for campers subject to land-use permit; all structures must meet applicable setbacks; privy permit is pending; follow-up to be conducted in spring to verify ordinary high water mark. Motion carried.

**Camp Amnicon Foundation:** Request to expand with addition of three cabins. Application needs to be re-advertised with corrected wording on notice.

**ACTION:** Motion by Glazman, second Baker, to refer to future meeting. Motion carried.

**WP Heimbach Investments:** Request for commercial storage building. Applicant present; town had no objections.

Robert Wasilowski spoke on concerns of traffic and commercial use in a residential area.

**ACTION:** Motion by Glazman, second Baker, to approve application with the following conditions: meet all setbacks; meet all state regulations and obtain necessary permits for a commercial building. Motion carried.

**Conditional-Use Revisions:**

**Douglas and Cheryl McCuskey (seller) / Sean McCuskey (buyer):** Request to transfer property owner of non-metallic mine permit #21616. Applicants not present; no objections from town.

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

**Michael Michalski:** Request to transfer mine operations for non-metallic mine permit #13308. Applicant not present; no objections from town.

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

**Conditional-Use Renewal:**

**Trusty Trucking, Inc.:** Request for non-metallic mining permit renewal. Applicant not

present; town had no objections.

**ACTION:** Motion by Ryan, second Glazman, to approve application with the following conditions: Permit approved for five-year period, expiring February 9, 2027; 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; no excavation in wetlands without a DNR permit; must obtain DNR stormwater permit if operations infringe on 500 foot setback from any stream. Motion carried.

**Reclamation Plan Approvals:**

**Dairyland Township (operator) / Douglas County Forestry (owner):** Applicant not present; no objections from town.

**ACTION:** Motion by Ryan, second Glazman, to approve with the following conditions: At the time mining ceases, site must be restored as defined in the reclamation plan; financial assurance instrument is not required for municipalities in accordance with Ordinance 8.9 and NR 135; Notification must be provided to Douglas County for the following reasons: bankruptcy (reported within 10 days of filing); prior to a change in mine operators or land ownership; and when reclamation activities are completed. Reclamation plan must be revised prior to expanding mine acreage or depth outside the parameters of what is specified in the reclamation plan; material changes to the mine operation that may affect the submitted reclamation plan or its conditions should be authorized by Douglas County prior to their implementation; other departments or agencies that may have authority over the proposed changes should also be consulted and any changes approved by them as well; must comply with Ordinance 8.9 to include NR 135 annual reporting requirements. Motion carried.

**Milestone Materials (operator) / Mathy Construction (owner):** Applicant present remotely; no objections from town.

**ACTION:** Motion by Ryan, second Glazman, to approve with the following conditions: At the time mining ceases, site must be restored as defined in the reclamation plan; financial assurance instrument required based on cost for Douglas County to reclaim this site in accordance with Ordinance 8.9 and NR 135; no mining activities can occur until financial assurance is accepted by Douglas County. Notification must be provided to Douglas County for the following reasons: Any changes to the financial instrument (reported within one month); bankruptcy (reported within 10 days of filing); prior to a change in mine operators or land ownership; and when reclamation activities are completed. Reclamation plan and financial assurance must be revised prior to expanding mine acreage or depth outside the parameters of what is specified in the reclamation plan; material changes to the mine operation that may affect the submitted reclamation plan or its conditions should be authorized by Douglas County prior to their implementation; other departments or agencies that may have authority over the proposed changes should also be consulted and any changes approved by them as well; must comply with Ordinance 8.9 to include NR 135 annual reporting requirements. Motion carried.

**Trusty Trucking (owner/operator):** Applicant not present; no objections from town.

**ACTION:** Motion by Ryan, second Glazman, to approve with the following conditions: At the time mining ceases, site must be restored as defined in the reclamation plan; financial assurance instrument required based on cost for Douglas County to reclaim this site in accordance with Ordinance 8.9 and NR 135; no mining activities can occur until financial assurance is accepted by Douglas County. Notification must be provided to Douglas County for the following reasons: Any changes to the financial instrument (reported within one month); bankruptcy (reported within 10 days of filing); prior to a change in mine operators or land ownership; and when reclamation activities are completed. Reclamation plan and financial assurance must be revised prior to expanding mine acreage or depth outside the parameters of what is specified in the reclamation plan; material changes to the mine operation that may affect the submitted reclamation plan or its conditions should be authorized by Douglas County prior to their implementation; other departments or agencies that may have authority over the proposed changes should also be consulted and any changes approved by them as well; must comply with Ordinance 8.9 to include NR 135 annual reporting requirements. Motion carried.

**Solon Springs Concrete, LLC (operator) / Michael Michalski (owner):** Applicant not present; no objections from town.

**ACTION:** Motion by Ryan, second Glazman, to approve with the following conditions: At the time mining ceases, site must be restored as defined in the reclamation plan; financial assurance instrument required based on cost for Douglas County to reclaim this site in accordance with Ordinance 8.9 and NR 135; no mining activities can occur until financial assurance is accepted by Douglas County. Notification must be provided to Douglas County for the following reasons: Any changes to the financial instrument (reported within one month); bankruptcy (reported within 10 days of filing); prior to a change in mine operators or land ownership; and when reclamation activities are completed. Reclamation plan and financial assurance must be revised prior to expanding mine acreage or depth outside the parameters of what is specified in the reclamation plan; material changes to the mine operation that may affect the submitted reclamation plan or its conditions should be authorized by Douglas County prior to their implementation; other departments or agencies that may have authority over the proposed changes should also be consulted and any changes approved by them as well; must comply with Ordinance 8.9 to include NR 135 annual reporting requirements. Motion carried.

**Solon Springs Concrete, LLC (operator) / Sean McCuskey (owner):** Applicant not present; no objections from town.

**ACTION:** Motion by Ryan, second Glazman, to approve with the following conditions: At the time mining ceases, site must be restored as defined in the reclamation plan; financial assurance instrument required based on cost for Douglas County to reclaim this site in accordance with Ordinance 8.9 and NR 135; no mining activities can occur until financial assurance is accepted by Douglas County. Notification must be provided to Douglas County for the following reasons: Any changes to the financial instrument (reported within

one month); bankruptcy (reported within 10 days of filing); prior to a change in mine operators or land ownership; and when reclamation activities are completed. Reclamation plan and financial assurance must be revised prior to expanding mine acreage or depth outside the parameters of what is specified in the reclamation plan; material changes to the mine operation that may affect the submitted reclamation plan or its conditions should be authorized by Douglas County prior to their implementation; other departments or agencies that may have authority over the proposed changes should also be consulted and any changes approved by them as well; must comply with Ordinance 8.9 to include NR 135 annual reporting requirements. Motion carried.

*Five minute break taken at 9:39 a.m.*

**DEPARTMENT REPORTS:**

**Planning and Zoning/Board of Adjustment:** Short staffed since November; interviews held for open positions. No Board of Adjustment meeting in March.

**Land Conservation:** Several grants awarded to assist Aquatic Invasive Species Coordinator; will present on Agriculture Enterprise Area at Town of Amnicon.

**Surveyor:** Working in-office drafting corner sheets.

**Land Records:** Pictometry flight will occur this spring; NextGen 911 training will be held in Spooner. State data submitted for approval; several server upgrades to occur in 2022.

**Real Property Lister:** Rolls sent to assessors; approximately 1900 documents processed in 2021.

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

**ACTION ITEMS:**

**After-the-Fact Fee Waiver Request:** Letter included with agenda requesting waiver of fee as property owner thought contractor obtained permit.

**ACTION:** Motion by Baker, second Ryan, to deny request. Motion carried.

**INFORMATIONAL ITEM:**

**Charging Permit Fees for Solar Arrays:** Any structure erected on a property requires a permit. Future ordinance revision should outline solar arrays and the requirements for permitting.

**FUTURE AGENDA ITEMS:** Capital project request; contractor conference; solar arrays.

**ADJOURNMENT:** Motion by Ryan, second Baker, to adjourn. Motion carried. Meeting adjourned at 10:09 a.m.

Submitted by,

Kaci Lundgren  
Committee Clerk