

**PLANNING & ZONING COMMITTEE  
PUBLIC HEARING AND REGULAR MEETING  
Douglas County Board of Supervisors  
Wednesday, May 10, 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, Joseph Moen, Scott Luostari, Bill Fennessey, Jim Borgeson. Others present – Robin Schaffer, Terri Luebbe, Mark Liebaert, Marissa Hanson, Ashley Strabel, Zach DeVoe, Jack Curphy, Rebecca Gwinner, Alan Simonelli, Jeff Smith, Jake Williams, Kyle McMahan (remote), Jorge Raasch (remote), Matt Perkins (remote), Candy Anderson (remote), Adam DeMeyer (remote), Elizabeth Zappitello (remote), Emily Cahill (Committee Clerk).

## **2. APPROVAL OF MINUTES**

Motion by Fennessey, second Luostari, to approve minutes from the April 12, 2023, meeting. Motion carried.

## **3. SUSPEND REGULAR MEETING; ADJOURN TO PUBLIC HEARING**

## **4. PUBLIC HEARING**

### **a. Amendments to the Douglas County Zoning Ordinance 8.0**

- 1) Petition No. 23-06: Elizabeth & Paul Zappitello, Superior, WI – NW NW Section 20, T45N-R12W; (SO-026-00944-00, 10898 S Pierce Rd), Town of Solon Springs:** Request to rezone from F-1 Forestry to A-1 Agricultural for proposed hobby farm use; held from the April 12, 2023 hearing; no objections from town.

**ACTION (ORDINANCE):** Motion by Moen, second Fennessey, to approve and refer to County Board. Motion carried unanimously.

- 2) Petition No. 23-08: Jeffery & Susan Smith, Solon Springs, WI – SW SW, Section 10, T45N-R11W; Also Ease Desc #673057; (SO-026-00244-00; 10849 E Jersett Rd), Town of Solon Springs:** Request to rezone from F-1 Forestry to A-1 Agricultural for proposed hobby farm use; no objections from town.

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

### **b. Conditional-Use Permits**

- 1) Rebecca Gwinner & Alan Simonelli:** Application for conditional-use permit for

home occupation: gift shop selling rocks, minerals, and other gifts; no objections from town.

**ACTION:** Motion by Moen, second Fennessey, to approve. Luostari abstained. Motion carried.

- 2) Solon Springs Concrete LLC (operator) / Anthony Roffers (owner):** Application for conditional-use permit for new non-metallic mine; no correspondence received from town.

**ACTION:** Motion by Borgeson, second Luostari, to refer to future meeting pending town input. Motion carried.

- 3) Kyle McMahon, et al:** Application for conditional-use permit for campground (5 sites); no correspondence received from town.

*Jack Curphy spoke regarding concerns of having campground next to personal property.*

*Kyle McMahon spoke addressing public concerns.*

**ACTION:** Motion by Borgeson, second Fennessey, to refer application to future meeting for a more complete application. Motion carried.

- 4) Amnicon Entertainment LLC:** Application for conditional-use permit for farmers market; no correspondence received from town.

**ACTION:** Motion by Moen, second Luostari, to approve pending town approval with condition of set dates and times farmers market will be open. Motion carried.

### **c. Reclamation Plan Approvals**

- 1) Solon Springs Concrete LLC (operator) / Anthony Roffers (owner):** Plan attached to agenda; no correspondence received from town.

**ACTION:** Motion by Fennessey, second Borgeson, to refer to future meeting pending town input. Motion carried.

### **d. Recap of Zone Change Recommendations for County Board**

- 1) Two recommended to County Board for approval.

*Public hearing adjourned at 9:31 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 and Real Property Lister, Register of Deeds.

## 7. ACTION ITEMS

### a. 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 equivalent to the estimated expense to stabilize the highwall to meet a stability factor of 1.3.

**ACTION:** Motion by Moen, second Fennessey, to refer Professional Engineer Certification and Financial Assurance to future meeting to allow for continued discussion with Corporation Counsel and additional information. Motion carried.

## 8. INFORMATIONAL ITEMS

- a. **Nutrient Management Farmer Education Grant Application:** Funding to be used for farmers to assist in nutrient management education such as hosting field-days and education opportunities; also to be used to fund Agricultural Technician position; no match required for grant.
- b. **Great Lakes Landing Blitz Grant Application:** Funding to be used to conduct five (5) in-person outreach events targeting recreational boaters at launches within the Lake Superior basin to help with the spread of invasive species.
- c. **One-Year Review of Conditional-Use Permit #27492: Brian Johnson – Motocross Track:** No concerns with Conditional-Use Permit #27492; permit may remain as initially approved by committee.
- d. **One-Year Review of Conditional-Use Permit #27506: Jason & Rachel Deatherage – Private Campground (1 site):** Property has not been rented out; permit may remain as initially approved by committee.
- e. **Douglas County Zoning Ordinance 8.0 Update:** Public draft not available until full review of proposed draft is complete between Zoning and Corporation Counsel.

## 9. FUTURE AGENDA ITEMS

None.

## 10. ADJOURNMENT

Motion by Luostari, second Fennessey, to adjourn. Motion carried. Meeting adjourned at 10:15 a.m.

Submitted by,

Emily Cahill, Committee Clerk