

**PLANNING & ZONING COMMITTEE  
PUBLIC HEARING AND REGULAR MEETING  
Douglas County Board of Supervisors  
Wednesday, May 11, 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, Nick Baker, Charlie Glazman, Jim Borgeson (left at 10:11 a.m.). Others present – Terri Luebbe, Zach DeVoe, Robin Schaffer, Marissa Hanson, Mark Liebaert, Jon Fiskness, Gerrit Van Doorn, Gary Meysman, Linda Meysman, Jenny Huesby, Candy Anderson, Katie Fisher, Dean Van Horn, Jan Jenson, Adam Staube, Gary Stocker, Dan Corbin, Knute Pedersen, Craig Hinzman, Brian Denston, Linda Denston, Bill Anderson, Erin Aldridgo, Danny Frank, Dorothy Johnson (remote), David Johnson (remote), Shelley Nelson (remote), Katy Metcalfe (remote), Carolyn Jones (remote), Peter Marquardt (remote), Eric Mack (remote), Hannah Wells (remote), Brian Johnson (remote), Kaci Lundgren (Committee Clerk).

**APPROVAL OF MINUTES:** Motion by Baker, second Borgeson, to approve minutes from the April 5, 2022, meeting. Motion carried.

**PUBLIC HEARING:**

**ACTION:** Motion by Glazman, second Borgeson, to take up agenda item 4e. Motion carried.

**Conditional-use Permit Revocation - Michael and Starrie Kane:** Applicant requests referral to future meeting to modify permit conditions to work towards compliance.

**ACTION:** Motion by Ryan, second Borgeson, to refer to future meeting for updated information. Motion carried.

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

**Petition No. 22-02: Leone Syring Irrevocable Trust, Superior, WI – from the April 5, 2022 hearing - NE NW, Section 36, T48N-R14W, Ex Pcl to Hwy 1.99Ac #779916; (TS-030-01859-00, 4586 E Kronberg Rd), Town of Superior:** Request to rezone to R-1 from the A-1 for residential purposes; no objections from town.

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

**Petition No. 22-03: Town of Gordon, Gordon, WI – from the April 5, 2022 hearing - NE NW & NW NW, Section 4, T44N-R10W; (GO-012-00095-00, 00096-00, 12070 S Connors Meadow Rd), Town of Gordon:** Request to rezone to F-1 from RR-1 to bring property into compliance for mining activities; no objection from town.

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

**Petition No. 22-04: Petrus Pienaar, Superior, WI – Lot 2 CSM #1153 Vol 8 Pgs 201-2, Pt SW SE, Section 29, T48N-R12W; Subj to US Hwy 2 & Pt SW SE, Lyg S of RR R/W, Section 29, T48N-R12W Desc 381/47; (AM-002-00681-00, 00682-00, 7811 E US Hwy 2), Town of Amnicon:** Request to rezone to RR-1 from R-1 to bring property into compliance for current use (motel and campground); no correspondence from town.

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

**Petition No. 22-06: Preferred Living LLC (Quinn Musch), Gordon, WI – Lot 1, Blk 2, Gordon Heights, Section 1, T43N-R12W & Lot 2, Blk 2, Gordon Heights, Section 1, T43N-R12W; (GO-012-02349-00, 02350-00, 9323 E Bass Lake Rd), Town of Gordon:** Request to rezone to C-1 from R-1 for the purpose of a mini storage building; no objections from town. Five letters of concern received from nearby property owners. Jenny Huesby, nearby property owner, spoke on concerns of public use.

**ACTION (RESOLUTION):** Motion by Baker, second Glazman, to deny request as it constitutes spot zoning of a commercial placement within a residential area. Motion carried unanimously.

**Conditional-Use Permits:**

**Camp Amnicon Foundation:** Request to expand youth camp with the addition of three dwellings; no objections from town.

**ACTION:** Motion by Baker, second Borgeson, to approve with the following conditions: Structures must have land use permits and meet all applicable setbacks; all structures must meet applicable UDC and Commercial Building Codes; facility shall meet all applicable local and state health requirements of a Recreational Educational Camp. Motion carried.

**Jane Aleckson / Michael Krause:** Request for home occupation (special event assembly for receptions/parties, concerts, flea markets, classes). All events outside with pavilion; town requested no Air B&B style camping.

**ACTION:** Motion by Glazman, second Baker, to approve with following conditions: No Air B&B style camping; adequate off-street parking must be provided per Douglas County Zoning Ordinance 8.0 Section IV (4.13)(2)(d); any events exceeding 1000 persons subject to Douglas County Public Assemblage Ordinance 4.3; obtain land use permits for any structures in conjunction with this permit and adhere to any applicable state and local building requirements; one satellite toilet for every fifty attendees. Motion carried.

**Douglas and Colleen Schneider:** Request for private campground; land-use permits needed in addition; no objections from town.

**ACTION:** Motion by Baker, second Borgeson, to approve with the following conditions: Limited to three campers; campers/campsites cannot be rented out; all campers to have working onboard sanitary systems and waste to be disposed of properly according to state and local regulations; campers to only be approved for proposed staked locations; any additional

structures onsite require land use permits as applicable; all applicable setbacks to be met. Motion carried.

**Gary Stocker:** Request for private campground; electricity being installed within a few weeks on property; no objections from town.

**ACTION:** Motion by Baker, second Borgeson, to approve with the following conditions: Limited to three campers; campers/campsites cannot be rented out; all campers to have working onboard sanitary systems and waste to be disposed of properly according to state and local regulations; campers to only be approved for proposed staked locations; any additional structures onsite require land use permits as applicable; all applicable setbacks to be met. Motion carried.

**Mark and Daniela Subialka:** Request for private campground; no objections from town.

**ACTION:** Motion by Baker, second Glazman, to approve with the following conditions: Limited to two campers; campers/campsites cannot be rented out; all campers to have working onboard sanitary systems and waste to be disposed of properly according to state and local regulations; campers to only be approved for proposed staked locations; any additional structures onsite require land use permits as applicable; all applicable setbacks to be met. Motion carried.

**Adam Staube:** Request for special event; music festival/temporary campground; no objections from town.

**ACTION:** Motion by Glazman, second Borgeson, to approve with the following conditions: Reasonable fencing (snow fence or similar) around campground area or property lines to delineate areas where camping is allowed and to prevent trespass on neighboring properties; temporary campsites to not exceed 150 sites; campground to be operational from September 12, 2022 to September 19th, 2022; adequate off-street parking must be provided per Douglas County Zoning Ordinance 8.0 Section IV (4.3)(2)(d); obtain proper permitting/licensure for a temporary campground through Douglas County Health Department. Motion carried.

**Crafty Rooster Pub and Eatery, LLC:** Request to construct living quarters within a commercial building; no objections from town.

**ACTION:** Motion by Borgeson, second Bergman, to approve with the following conditions: All Douglas County Health Department regulations to be followed; structure to meet UDC requirements; structure to meet state commercial building requirements. Motion carried.

**Dean Van Horn:** Request for public and semi-public use for seasonal/fall corn maze and pumpking patch; town requested there be enough off-street parking.

**ACTION:** Motion by Glazman, second Ryan to approve with the following conditions: Adequate off-street parking must be provided per Douglas County Zoning Ordinance 8.0 section IV (4.3)(2)(d); if food is to be served, all applicable Douglas County Health Department regulations must be met; one satellite toilet for every fifty expected attendees to be provided. Motion carried.

**Brian Johnson:** Request for motorsports park and racetrack; town requested the following conditions: Racetrack operational two times a month from 8 AM to 8 PM, April 1<sup>st</sup> through November 1<sup>st</sup>; use of track on Wednesdays from 8 AM to 8 PM, April 1<sup>st</sup> through November 1<sup>st</sup>; must have one satellite per 100 people; rentals other than racing are permitted observing the current town ordinances; time limit of conditional-use permit to one year, then review. Gary Meysman, nearby property owner, spoke on concerns of noise and safety.

**ACTION:** Motion by Ryan, second Glazman, to approve with the following conditions: Racetrack operational two times a month from 8 AM to 8 PM, April 1<sup>st</sup> through November 1<sup>st</sup>; use of track on Wednesdays from 8 AM to 8 PM, April 1<sup>st</sup> through November 1<sup>st</sup>; must have one satellite per fifty people; rentals other than racing are permitted observing the current town ordinances; permit to be reviewed in one year; if food is served, all applicable Douglas County Health Department regulations must be met. Motion carried.

**Mathy Construction Company:** Request for temporary asphalt plant; representative stated Town of Amnicon approved at April meeting; no correspondence received by Zoning Department.

**ACTION:** Motion by Ryan, second Glazman, to approve pending confirmation of town approval, with conditions as outlined in the application. Motion carried.

**Rachel Deatherage:** Request for one-site public campground; no correspondence received from town.

**ACTION:** Motion by Ryan, second Borgeson, to approve, pending town approval, with the following conditions: Campground limited to one site; campsite must meet all applicable setbacks; campground to meet all applicable Douglas County Health Department Requirements; permit to be reviewed in one year.

**TDi 365, LLC:** Request to expand campground from 35 to 88 sites; no objections from town. Application submitted prior to general Zoning Ordinance 8.0 changes of early 2022.

**ACTION:** Motion by Glazman, second Baker, to approve with the following conditions: A sanitary permit with an adequately sized and designed system must be issued before conditional use permit will be issued; all campsites to meet applicable setbacks of zone district; must follow all applicable Douglas County Health Department campground regulations; all structures within campground must be permitted; limited to 88 sites; permit to be reviewed in one year.

*Five-minute break taken at 10:11 a.m.; Borgeson left.*

**Conditional-Use Permit Renewals:**

**Milestone Materials (operator) / Mathy Construction (owner):** Request for nonmetallic mine renewal; no objections from town.

**ACTION:** Motion by Baker, second Glazman, to approve application with the following conditions: Permit approved for three-year period, expiring May 10, 2025; 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; days and hours of operation, Monday through Friday, 6 AM to 9 PM; Saturday, 7 AM to 3 PM; Sunday and holiday operation not allowed; no mining allowed within 500 feet of the Amnicon River; mapped wetlands are not to be disturbed; blasting notification will be provided to Douglas County Zoning Office, Town of Parkland and adjoining property owners; no trespassing signs to be posted and anchored with concrete blocks. Motion carried.

**David and Debra Hansen (operator / owner):** Request for nonmetallic mine renewal; no objections from town.

**ACTION:** Motion by Ryan, second Baker, to approve application with the following conditions: Permit approved for three-year period, expiring June 6, 2025; 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; must comply with all provisions of DNR stormwater permit regulations; and must comply with all conditions of Town of Oakland Non-Metallic Mining Ordinance. Motion carried.

**Reclamation Plan Approvals:**

**Milestone Materials (operator) / Mathy Construction (owner):** Included with agenda; no objections from town.

**ACTION:** Motion by Ryan, second Baker, 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.

**David and Debra Hansen (operator / owner):** Included with agenda; no objections from town.

**ACTION:** Motion by Baker, 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.

**Recap of Zone Change Recommendations for County Board:** Two zone changes; one denial; one referred.

**DEPARTMENT REPORTS:**

**Planning and Zoning/Board of Adjustment:** Two applications for May Board of Adjustment meeting.

**Land Conservation:** Teaching lake ecology to students; doing a site tour after the Land Conservation Committee meeting on May 17<sup>th</sup>.

**Surveyor:** To submit report with agenda if unable to attend.

**Land Records:** Working on 2022 plat book; spring pictometry flight began May 5; should receive final data by July 1.

**Real Property Lister:** 141 documents processed in April; seventeen assessment rolls in; District meeting will be held Friday.

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

**ACTION ITEMS:**

**Capital Project Requests:**

**Land Conservation - \$10,000 for Groundwater Program:** Included with agenda; request includes \$750 use for additional testing in specific areas.

**Land Services - \$71,082.17 for Pictometry (Eagleview) Contract:** Included with agenda; request for second payment for pictometry flight.

**\$30,000 for Remonumentation Contracts:** Request allows surveyor to collect additional corners by contracting private surveyors.

**ACTION (REFERRAL):** Motion by Baker, second Glazman, to approve Land Conservation capital project request and prioritize it #1 for Land Conservation Department; approve Land Services pictometry contract and prioritize it #1 for Land Services Department; and approve Surveyor remonumentation contracts and prioritize it #1 for the Surveying Department, and refer to Administrator and Joint Administration Committee / Executive Committee capital projects

meeting. Motion carried unanimously.

**FUTURE AGENDA ITEMS:** Zoning Conference; Zoning Ordinance amendments.

**ADJOURNMENT:** Motion by Ryan, second Baker, to adjourn. Motion carried. Meeting adjourned at 10:40 a.m.

Submitted by,  
Kaci Lundgren, Committee Clerk