**MINUTES**
**Bayfield County Planning / Zoning Committee Public Hearing / Meeting**
**December 15, 2005**
**Board Room, County Courthouse, Washburn, WI 54891**

**1. CALL TO ORDER OF PUBLIC HEARING:** *By Chairman Jardine at 1:03 PM*

**2. ROLL CALL:** *Beeksma, Compton, Jardine, Rondeau*, *all present; Maki, absent*

**3. AFFIDAVIT OF PUBLICATION:** *Read by ZA Kastrosky*

**4. PUBLIC HEARING:**

**A. VICKI LYNN HANSEN CONDITIONAL USE REQUEST - Create / Operate Campground** consisting pf 29 sites on a 20.06–acre parcel (ID# 042-1020-10) described as the N ½ of the SW ¼ of the NW ¼, Section 7, Township 49 N. Range 8 West, Town of Port Wing, Bayfield County, WI. *(Tabled 7/21/05).*

*Vicki Hansen stated the survey she was required to obtain is now complete and reminded the Committee her application was tabled in July, contingent upon this land survey. Ms. Hansen added that her plans for the campground, roads, and campsites are "OK with the survey", they are all on her property, and the road in question, perhaps partially on Nick Thill's property, is not.*

*Kastrosky reported that because of the property dispute, it was necessary to address this; a map AZA Casina prepared on "Map Viewer" was distributed. Ms. Hansen stated she will have 16 tent sites, with 13 for RVs which will be mainly on an overnight basis through Labor Day. Kastrosky said there is concern with the numbers of sites that are permanent (year 'round), and those which are transient. Ms. Hansen stated the facilities will not be operational all year as she will shut down both water and the dump station over winter.*

*AZA Furtak said one problem the County has with seasonal units (those left on site for several months or more) is they tend to build decks, screen porches, storage buildings, etc. without permits yet other property owners in the County are required to obtain permits for the same things. Director Kastrosky reminded Ms. Hansen that units may be stored at campgrounds all year, but not lived in year 'round.*

*Kastrosky reported he received a call of opposition just prior to this meeting from Tim McGuire, the person who drafted an opposition petition, which is on file as well as a letter. Kastrosky the concerns are addressed in the EIA; the County Health Dept. regulates sanitation issues, as well as the Zoning Dept. and the Town recommended approval.*

*Ms. Hansen asked if she could have copies of the opposition in the file. Kastrosky asked the purpose and Ms. Hansen stated she would like to consider the issues and make allowances for them if possible.*

***No one spoke in approval or in disapproval.***

**B. FLYING EAGLE RESORT, RONDA THALACKER AND DAVID SIMONSON, OWNERS CONDITIONAL USE REQUEST - expand existing campground** on a 77-plus-acre parcel (I.D.# 066-1098-04 and 016-1098-01) located in the N ½ of the NW1/4, Section 13, Township 46 North, Range 8 West, Town of Delta. Present campground has forty-four (44) seasonal sites, three (3) tent sites, one (1) overnight site & eleven (11) cabins. Applicants seek additional fifty-four (54) overnight sites and thirty-five (35) seasonal sites & zero (0) tent sites over the next ten (10) years.

*Ronda Thalacker & Dave Simonson, owners, were present. AZA Casina explained the request and said this issue was brought to the Zoning Committee last winter via complaint. The Dept. met with the owners, went over the issue, what was purchased originally, what was added, and proposed. The applicants presented photos of the campground and answered questions re layout, etc.*

*Director Kastrosky stated that he and Doug visited the site, that all permanent sites will have sanitary containment which will be pumped, other sites will use the dump site. He said the Town approved up to 50 overnight & 50 seasonal sites however, "something happened and the Town called a special meeting today to possibly rescind their approval"*

*but did actually uphold their decision. Kastrosky added that the EIA was approved by the Committee at the July, 2005 meeting, no opposing correspondence was received but there are letters of support.*

***No one spoke in support or opposition.***

**C. GARY PETERSON REZONE REQUEST (Forestry-1 to Residential-1)** on his 4.13-acre parcel (ID #022-1052-04) located in the SW1/4 of the NE1/4, Section 18, Township 47 North, Range 9 West, Town of Hughes.

*Gary Peterson addressed the Committee, stating he plans to build a new home behind the existing home enabling him to live there during construction and requests a rezone to R-1 so he does not have to meet the 75' setback. If zoned R-1, he can then be 30' from the east boundary and 80' from south. Casina recommended he apply for a rezone as the property was used residentially, is adjoined by some residential property and the Town approved the request.*

*Kastrosky said property is already a substandard parcel in a forestry zone, has some residential land around it, with no forestry practices on the land. Mr. Peterson stated he has no intention of dividing this lot in the future, plans to work on his new residence for two years and will then tear down, or move the other house.*

***No one spoke in support / opposition.***

**D. MOSINEE TIMBERLAND CO. LLC, OWNER AND WILLIAM STEIGERWALDT, AGENT, REZONE REQUEST (Forestry-2 to Residential 2)** on a 40-acre parcel (I.D. # 004-1233-0700), described as the SW 1/4 of the SW 1/4, Section 35, Township 46 North, Range 9 West, Town of Barnes.

*Earl Gregoire, representing the Agent, stated he has made an offer on this forty, contingent upon the rezone; the road comes off Hwy A, has been upgraded, and runs through part of the property; electric / phone has been on the property "for years"; intention is to divide the parcel.*

***No one spoke in approval / disapproval.***

*Kastrosky said the Town has not dealt with this yet (their meeting is next week). No other letters of support nor opposition are on file. AZA Furtak said the Town has discussed this, and will make a decision at their upcoming meeting. He said Mr. Gregoire will be gone for a month or two, so in order to facilitate things, he came before the Zoning Committee prior to the Town's decision.*

**5. ADJOURNMENT OF PUBLIC HEARING:** *Motion by Rondeau, seconded by Beeksma; adjourned at 2:05 PM; carried.*

**6. CALL TO ORDER OF ZONING COMMITTEE MEETING:** *By Chairman Jardine at 2:05 PM.*

**7. ROLL CALL:** *Beeksma, Compton, Jardine, Rondeau*, *all present. Maki absent.*

**8. MINUTES OF PREVIOUS MEETING(S): (October & November)** *Motion by Compton, second by Rondeau to* ***approve*** *the November 17, 2005 minutes; carried. Motion by Compton, second by Rondeau to* ***approve*** *the October 20, 2005 minutes; carried. Kastrosky asked if the County Board made a decision on the turnaround time expected for minutes and the reply was they would like them approved and in their boxes within 5 to 10 days.*

**9.BUSINESS:**

**A. VICKI LYNN HANSEN CONDITIONAL USE REQUEST - Create / Operate Campground** consisting pf 29 sites on a 20.06–acre parcel (ID# 042-1020-10) described as the N ½ of the SW ¼ of the NW ¼, Section 7, Township 49 N. Range 8 West, Town of Port Wing, Bayfield County, WI. *(Tabled 7/21/05).*

*Motion by Beeksma to* ***approve*** *as presented; seconded by Rondeau and carried.*

**B. FLYING EAGLE RESORT, RONDA THALACKER AND DAVID SIMONSON, OWNERS CONDITIONAL USE REQUEST - Expand Existing Campground** on a 77-plus-acre parcel (I.D.# 066-1098-04 and 016-1098-01) located in the N ½ of the NW1/4, Section 13, Township 46 North, Range 8 West, Town of Delta.

*Motion by Compton, second by Beeksma, to* ***approve w/ conditions as applied by the Town which is 50 overnight***

***and 50 seasonal sites****; motion carried.*

**C. GARY PETERSON REZONE REQUEST (Forestry-1 to Residential-1)** on his 4.13-acre parcel (ID #022-1052-04) located in the SW1/4 of the NE1/4, Section 18, Township 47 North, Range 9 West, Town of Hughes.

*Motion by Rondeau, second by Beeksma to **approve**. Discussion followed: Compton is concerned that zoning gets changed "to allow someone to do what they want to do" and added that even when the situations make sense, he is afraid we are continuing the practice of the past when zoning was originally established, and wishes there was some other way. Compton added that he feels "we almost contribute to the problems by doing this." Motion was then carried.*

**D. MOSINEE TIMBERLAND CO. LLC, OWNER AND WILLIAM STEIGERWALDT, AGENT, REZONE REQUEST (Forestry-2 to Residential 2)** on a 40-acre parcel (I.D. # 004-1233-0700), described as the SW 1/4 of the SW 1/4, Section 35, Township 46 North, Range 9 West, Town of Barnes

*Motion by Compton, second by Beeksma, to **table** this rezone request until the TBA is received, and to waive further public hearing, just bringing it back for board action in the future; carried.*

**Agenda Review and Alteration**

**E. BIRCH GROVE CAMPGROUND – WAIVER OF E.I.A. REQUEST** (Hughes)

*Jean Humes, one of the owners was present. It was reported this is an existing campground, they will make some additions, deletions, and changes. AZA Casina said this existing, grandfathered campground goes back many years. Ms. Humes stated there are 31 sites, and for the amount of land, they can only go up eleven. She also said three sites by the lake are closer than 75' and will be moved back'.*

*Kastrosky stated the Town supports waiving the EIA. Motion by Beeksma to **approve waiving EIA**. There was discussion re threshold for campgrounds with and without lake access. Kastrosky said there is not a threshold at this time. Casina said there are going to be 42 sites, four transient, 38 seasonal (May 1 – Oct. 1 -- if another time, then they will pay overnight rates.) Rondeau then seconded the motion; motion carried.*

**F. DELTA LAKE CAMPGROUND – WAIVER OF E.I.A. REQUEST** (Delta)

*Kastrosky said Bayfield County wants to expand the Delta Lake County Campground with a 12' x 16' shed which requires a conditional use permit to expand the facility also requiring an EIA which they are asking the Committee to waive. Motion Compton, second by Rondeau to **waive**; carried.*

**G. RICHARD NORTHRUP SPECIAL USE REQUEST – WINERY** – located on a 4.51-acre parcel (#006-1023-03-000) in the S ½ of the S ½, of the E ½ of the SW ¼ of the SW ¼, Section 11, Township 50 N, Range 4 W, Town of Bayfield.

*Agent Renate Hauser addressed the Committee. She said the Town meets next Monday, therefore have not acted on her request yet; she has had discussions with the Town but hasn't heard any Land Use Committee recommendations. Kastrosky referred to a November 29, 2005 letter from Bayfield Township requesting the Committee table this matter until January after they have had their meeting Dec. 19, 2005.*

*It was explained that this request is to take an existing business facility (winery production) from it's current location at Hauser's Superior View Farm to the above location. Ms. Hauser stated the building will be attractive and explained that the present winery does not have problems with odors and noise, as some concern has been expressed. She added the time frame is to possibly start with the structure, well & septic this year, however, their contract is contingent upon approval of this permit.*

*Compton said "we need to wait for Town recommendation" and made a motion **to table for Town input**. Jardine asked Compton if he feels it is always cut and dried that the Committee has to wait for Town input. Compton said the Committee must be in this area and wait for Town plans and input and in this case, the Town purposely requested it be tabled. Second by Rondeau; carried.*

**H. LARRY / JODY MUNSON SPECIAL USE REQUEST - Animal Sanctuary** located on a 10-acre parcel (#050-1049-09-990), described as the NE ¼, of the NE ¼ of the NE ¼, Section 29, Township 49 N, Range 5 W, Town of Washburn.

*Travis Tulowitzky presented the history of this case (caring for sick, starving animals). He stated that he went to a Town meeting in October where citizen's concerns were addressed; a letter was then sent to the Munsons requiring them to apply for a special use. (Ms. Munson was not able to attend this meeting due to work, however, was at the Town meeting.)*

*Town Chair Mark Morey stated there have been complaints that the horses get out often and concern that the animals aren't cared for properly; the Town tabled the issue until next month.*

*Travis said Animal Control has inspected the operation; Ms. Munson may decide it is not feasible to continue and said she may withdraw the special use request. He said this venture is non-profit, paid for all out-of-pocket, and the applicants are not sure they can continue; they are concerned that neighbors are opposed.*

*Travis said he noted 12 horses, 12-20 cats, a couple ducks, and some goats (which are scheduled to leave this week); the 10-acre property is zoned Ag; and Ms. Munson understood the neighbors' complaints and has tried to address them, mainly the issue with the horses getting out. He said he noted five- strand fencing all around the property and that Ms. Munson is willing to compromise with the number of animals.*

*Motion by Rondeau to **table**, second by Beeksma; carried.*

**I. REPORT ON NR-135 AUDIT:**

*Karl handed out copies of the audit which recently took place and short discussion followed. Kastrosky said he believes the Land Conservation Dept. should have this job and that there is a resource person on staff, but he has never even met "our Dept."*

**J. CITIZEN'S CONCERNS / INPUT:** *None*

**K. DISCUSSION / POSSIBLE ACTION – NR-115 RE-WRITE UPDATE:**

*Kastrosky said this is "stagnant right now"; there will possibly be amendments in January.*

**L. OTHER ITEMS THAT MAY COME BEFORE THE COMMITTEE** (discussion only)

- ***Bony Lake Appeal** was upheld by the BOA (vote: five to zero). Karl reported that Tuesday he received notice the appellants filed an action on "open meeting violation" because the Board went into closed session, however, they have the authority to do so and it was noticed properly. Kastrosky added there was a unique situation with one County Board Supervisor who spoke on behalf of the appellants, which was "unfortunate because the person who did this was at none of the meetings". Mike Furtak took exception to the fact it was stated in the process of the appeal that he had given too much assistance to the applicant in filling out the paperwork. Jim Beeksma informed the Dept. that they are to "continue to listen to your Committee, no one else, and you are doing things exactly right".*
- *Karl reported that **Jason Fischbach**, of Land Conservation, and funded by them, is working on mitigation and working out very well.*
- ***Enforcement** : Steve Hanes was fined approximately $6000 by Judge Anderson.*
  *Rick Meyers has a court date on Mon. and will probably be resolved by February, 2006.*
- ***Ray Langhammer**: Compton said most of the cars are gone; Ray hasn't talked to the Town Committees even though he's been invited.*
- ***Travis Tulowitzky** reached his six months of employment now.*
- ***Neil Schultz**: appeal is in January.*
- ***Campground Criteria:** Compton stated the Committee should possibly consider some criteria beyond what exists for the number of seasonal units permitted versus transient units or criteria for lakeshore versus woodlots.*
- ***Signs:** ordinance changes will be presented at upcoming meetings.*

**10. MONTHLY REPORT:** *None*

**11. ADJOURNMENT:** *Motion by Rondeau, seconded by Beeksma at 3:16 PM.*

**Karl L. Kastrosky, Planning / Zoning Director**
**Bayfield County Planning / Zoning Dept.**

Prepared by MJJ on 12/21/05
Approved by KLK on 12/22/05

*cc: Administrator; Clerk; Corp.Counsel; DNR; Committee; Supervisors*

*K/ZC/Draft Minutes in Progress/2005/Dec*