

LAND INFORMATION / ZONING COMMITTEE MINUTES

September 11, 2018

Chairman Willingham called the meeting of the Rusk County Zoning/Land Information Committee to order at 1:30 P.M. in the Law Enforcement Center in the Rusk County Government Center. Members present were David Willingham, Bill McBain, Kathy Vacho, Mark Schmitt, and Phil Schneider. Staff present: CeCe Tesky, John Fitzl, Carol Johnson, and Yvonne Johnson.

Motion by Schmitt/Schneider to approve the committee and public hearing minutes from the August 21, 2018 meeting. Motion carried.

Motion by Schneider/Schmitt to approve the payment approval reports for August. No payments were listed. Motion carried.

CSM review: No maps.

Reports:

Land Info: Fitzl reported he worked with Tom Hall on the Table Top exercise. The report from the V4 submission has been received. Positive report with only minor corrections needed. Fitzl has been working on a map of the fairgrounds electric layout.

Register of Deeds: Johnson she met with the project manager for the Fidler program. Reviewed the time frame expectations. They should be ready for training the second week of October and hope to go live in November.

Treasurer: No report.

Zoning report: Tesky said permits have been steady. The non-metallic mining audit was done on September 6. There was a new person performing the audit and the Land Conservation staff was included in the process. The financial guarantee amount needs to be looked at. Need to develop a minimum cost per acre. Enforcement continues to be a problem. Would be helpful to have a staff person that could focus on the enforcement issues.

LCDD report: Tesky said she is working on the budgets for the three departments. The non-metallic funds will be going to the Land Conservation budget for 2019. The Land Information Council had a meeting and the plan needs to be updated by the end of 2018. The grant money we get covers many areas. The department budgets will be going to Finance on the 19th or 20th.

Out of county travel: WCCA conference October 9-12 in Superior for Johnson and Tesky. Motion by Schmit/Vacho to approve the requested travel. Motion carried.

The next regular meeting will be October 8, 2018 at 3:00 P.M.

Chairman Willingham recessed the zoning meeting at 2:00 P.M. to open a public hearing for Greg Mitchell in the Town of Willard. The request was to allow a tourist rooming house. Chairman Willingham closed the public hearing at 2:02 P.M. to reopen the zoning meeting. Reviewed staff recommendations. Motion by Schmitt/Vacho to approve the request for a tourist rooming house with the staff recommendations as conditions. Motion carried.

Reviewed ordinance language: Discussed the definition of “local contact person”. Suggested language was “a person available to respond to the facility within 15 minutes.”

Chairman Willingham recessed the zoning meeting at 2:15 P.M. to open a public hearing for Tina Bursaw in the Town of Washington. The request was to allow a tourist rooming house. Chairman Willingham closed the public hearing at 2:26 P.M. to reopen the zoning meeting. Reviewed staff recommendations. Motion by McBain/Schneider to approve the request for the tourist rooming house with the staff recommendations as conditions. Motion carried.

Chairman Willingham recessed the zoning meeting at 2:30 P.M. to open a public hearing for Frank and Wendy Struble in the Town of Rusk. The request was to allow a nonmetallic mine. Chairman Willingham closed the public hearing at 2:49 P.M. to reopen the zoning meeting. Reviewed the staff recommendations, findings of fact, and standards on conditional use permits. Discussed the hours of operations, how many yards would be crushed and the timing of crushing. Motion by Schmitt/McBain to approve the nonmetallic mine with the staff recommendations as the conditions with additions of “approve up to 25 days of crushing per year Monday-Friday from 6:00 A.M. to 9:00 P.M. No well to be installed on the property.” Motion carried.

Chairman Willingham adjourned the meeting at 3:56 P.M.

Yvonne Johnson
Assistant Zoning Administrator

NOT COMMITTEE APPROVED

ZONING COMMITTEE
PUBLIC HEARING
GREGORY MITCHELL
SEPTEMBER 11, 2018
TOURIST ROOMING HOUSE

Members Present: David Willingham, Mark Schmitt, Phil Schneider, Kathy Vacho and Bill McBain.

Staff Present: CeCe Tesky and Yvonne Johnson.

Chairman Willingham called the public hearing to order at 2:00 P.M. The purpose of the public hearing was a conditional use request to allow a tourist rooming house on the following described real estate:

Lot 1 CSM 1120 in the W ½ - SW ¼, Section 35, T33N, R6W.

Property owner: Greg Mitchell
N191 Whispering Pines Dr
Conrath, WI 54731

Tesky read the notice of public hearing which was posted per the requirements of a Class (2) notice. The town clerk and owner were notified by Certified Mail and neighboring property owners within 500' were notified by First Class Mail. Reviewed the application. Tesky explained that this is an existing building and there will be no new construction. It is on the other side of the road from the lake.

Chairman Willingham asked for anyone to speak in favor of the request. No one present.
Chairman Willingham asked for anyone to speak in opposition to the request. No one present.

Chairman Willingham asked 3 times for anyone else present in favor or against the request to speak. There being no one present, Willingham closed the public hearing at 2:02 P.M.

ZONING MEETING

Reviewed staff recommendations. Motion by Schmitt/Vacho to approve the request for a tourist rooming house with the staff recommendations as conditions. Motion carried.

Yvonne Johnson
Assistant Zoning Administrator

NOT COMMITTEE APPROVED

ZONING COMMITTEE
PUBLIC HEARING
TINA BURSAW
SEPTEMBER 11, 2018
TOURIST ROOMING HOUSE

Members Present: David Willingham, Mark Schmitt, Phil Schneider, Kathy Vacho and Bill McBain.

Staff Present: CeCe Tesky and Yvonne Johnson.

Chairman Willingham called the public hearing to order at 2:15 P.M. The purpose of the public hearing was a conditional use request to allow a tourist rooming house on the following described real estate:

Lot 23 CSM 399 in Gov't lot 4, Section 15, T33N, R7W.

Property owner: Tina Bursaw
W3464 County Road T
Durand, WI 54736

Tesky read the notice of public hearing which was posted per the requirements of a Class (2) notice. The town clerk and owner were notified by Certified Mail and neighboring property owners within 500' were notified by First Class Mail. Reviewed the application.

Chairman Willingham asked for anyone to speak in favor of the request. Tesky read a letter submitted by Tina Bursaw as she was unable to attend the meeting.

Chairman Willingham asked for anyone to speak in opposition to the request. Steve Martin questioned what the current regulations are for bed & breakfast and tourist rooming establishments in Rusk County. Tesky gave an overview of requirements. Martin expressed concern regarding potential noise issues and having a commercial use within a residential area. This lot is across the river from his property.

Chairman Willingham asked 3 times for anyone else present in favor or against the request to speak. There being no one present, Willingham closed the public hearing at 2:26 P.M.

ZONING MEETING

Reviewed staff recommendations. Motion by McBain/Schneider to approve the request for the tourist rooming house with the staff recommendations as conditions. Motion carried.

Yvonne Johnson
Assistant Zoning Administrator

NOT COMMITTEE APPROVED

ZONING COMMITTEE
PUBLIC HEARING
FRANK & WENDY STRUBLE
SEPTEMBER 11, 2018
NONMETALLIC MINE

Members Present: David Willingham, Mark Schmitt, Phil Schneider, Kathy Vacho and Bill McBain. Staff Present: CeCe Tesky and Yvonne Johnson.

Chairman Willingham called the public hearing to order at 2:30 P.M. The purpose of the public hearing was a conditional use request to allow a nonmetallic mine on the following described real estate:

The S. 10 rods in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$, and the S. 10 rods in the NE $\frac{1}{4}$ - NW $\frac{1}{4}$, the SW $\frac{1}{4}$ - NW $\frac{1}{4}$ ex. the W 1198' and the SE $\frac{1}{4}$ - NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ - NE $\frac{1}{4}$ all located in Section 19, T33N, R9W. Parcel numbers: 030-00381-0000; 030-00379-0000; 030-00382-0001; 030-00383-0000; and 030-00376-0000.

Property owner: Frank & Wendy Struble
N488 Morningside Lane
Chetek, WI 54728

Tesky read the notice of public hearing which was posted per the requirements of a Class (2) notice. The town clerk and owner were notified by Certified Mail and neighboring property owners within 500' were notified by First Class Mail. Reviewed the application. A packet of information was provided by the applicant. This would be to mine sand and gravel. This requires a conditional use permit due to being in shoreland zoning.

Chairman Willingham asked for anyone to speak in favor of the request. Ron Olynick was present and stated they plan to serve Rusk and Barron Counties with the mine. He showed an overview of the driveway, berm, and pond locations. He is suggesting operational hours of 6:00 A.M. to 9:00 P.M. Monday – Saturday. They plan to operate for approximately 20 years and would crush about 4 weeks each year. It could be as low as 2 weeks a year depending on demand.

Chairman Willingham asked for anyone to speak in opposition to the request. Renee Bowers is an adjacent property owner. She stated there are 5 pits within 5 miles of her house. She can hear them running all night long. There is constant truck traffic and the taxpayers are paying for it. She is opposed to having 2 gravel pits right next door. Bowers listed the gravel pits in the area.

Ed Burak is another adjacent land owner. He said the crusher is so loud you can't open your windows. This affects the soil and water quality and the land values. He is strongly opposed.

NOT COMMITTEE APPROVED

Candy Anderson is with Mathy Construction. She stated they would provide dust control when crushing. This pit would stay above the groundwater table. She stated Olynicks would be willing to abide by hours of operation conditions.

Ron Olynick said they will have a berm that will help with noise suppression. They won't use the current well on the property. They may use water from an onsite stormwater pond for dust control.

Lisa Dobrowolski from Canoe Bay Resort expressed concern regarding peace and quiet. Their resort caters to clients who are seeking a quiet, relaxing setting. The noise on Saturdays would be her major concern.

Ann Zimmerman asked why there is a need for a new pit when there are so many in the area already.

Olynick responded that the resource is available at this location. They would be willing to adjust the hours on Saturday and work with Canoe Bay.

Frank Struble said he is the owner of the farm. They are interested in selling their property and there has been no interest from the neighbors. They want to sell the property and move on.

Chairman Willingham explained that this issue is only before the committee because it falls under shoreland zoning. The other gravel pits in the area may not have hour restrictions because the Town of Rusk is unzoned.

Chairman Willingham asked 3 times for anyone else present in favor or against the request to speak. There being no one present, Willingham closed the public hearing at 2:49 P.M.

ZONING MEETING

Reviewed the staff recommendations, findings of fact, and standards on conditional use permits. Discussed the hours of operations, how many yards would be crushed and the timing of crushing. Motion by Schmitt/McBain to approve the nonmetallic mine with the staff recommendations as the conditions with additions of "approve up to 25 days of crushing per year Monday-Friday from 6:00 A.M. to 9:00 P.M. No well to be installed on the property." Motion carried.

Yvonne Johnson
Assistant Zoning Administrator