

October 3, 2013

Minutes of the **Planning and Zoning meeting with Public Hearing** conducted on October 2, 2013 in the courthouse, Florence County, WI.

Chairperson Bomberg called the meeting to order at 7:00 P.M. and took roll call.

Members present: Supervisors' Jeanette Bomberg, Sherry Johnson, Holly Stratton, Gary Steber, Ron Erickson

Members absent: None

Others present: Ellen J. Looker, Mark Looker, Ed McCoy, Bill & Jenny Behrmann, Rich Wolosyn, Trish Kelly

Chairperson Bomberg asked for a motion to approve the agenda, **motion by Supervisor Johnson to approve the agenda, second by Supervisor Stratton vote five (5) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg asked for a motion on the minutes of the meeting and public hearing conducted on September 4, 2013. **Motion by Supervisor Stratton to approve the minutes of the meeting and public hearing conducted on September 4, 2013, second by Supervisor Johnson, vote five (5) ayes, zero (0) nays, motion carried.**

There were no persons wishing to address the committee on other zoning related concerns.

The current bills were reviewed as presented and recommended to the Audit and Budget Committee for approval. **Motion by Supervisor Johnson to approve the bills and recommend to Audit and Budget for approval, second by Supervisor Steber, vote five (5) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg announced **Public Hearing 2013-CU-12**, request a Conditional Use Permit to conduct the manufacturing of non-explosive ammunition in a single family dwelling. Property is Part of Government Lot 2 & 3, Section 9, Township 39 North, Range 15 East, Town of Long Lake, Florence County, WI. Property address is 11075 Fay Lake Road. Request submitted by William Behrmann, Tecusa Industries, Inc.

Correspondence was read from Ron and Carol Albers who questioned how ammunition can be non-explosive. They hoped this activity would not cause any loud noise or danger to them. If so, they would not be in favor of the request. (Letter on file in zoning office.)

Bill Behrmann informed the committee that he currently is reloading ammunition and has purchased a larger press. He plans to put the new press in an existing accessory building. He has applied for his Federal Firearms License from the Bureau of Alcohol, Tobacco, Firearms and Explosives to manufacture ammunition. Behrmann went on to say, black powder is an explosive and is not used in his reloading process. He stocks smokeless gun powder. The smokeless powder is prepped and shipped in small plastic containers, there is no explosion. If there were to be a fire, the plastic would melt and the powder would burn like wood. A half gallon of gas has more explosive power than twenty pounds of smokeless powder. This is for reloading rifle and pistol ammunition. There is no concern for explosives.

Rich Wolosyn, Zoning Administrator, pointed out that the Bureau of Alcohol, Tobacco and Firearms was notified of the public hearing, however they did not comment. **Motion by Supervisor Johnson to approve Conditional Use Permit 2013-CU-12 to conduct the manufacturing of non-explosive ammunition, second by Supervisor Steber, vote five (5) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg announced **Public Hearing 2013-CU-13**, request a Conditional Use Permit to excavate approximately one-half acre wildlife scrape (shallow pond) in a non-wetland area. Property is part of NE ¼, NW ¼, Section 25, Township 40 North, Range 15 East, Town of Tipler, Florence, County, WI. Property address is 9811 STH 70 E. Request submitted by Jamie Lambert.

There was no correspondence received. The Department of Natural Resources and Army Corps of Engineers was notified. The area is not a wetland condition. Wolosyn informed the committee that this may end up being more of a runoff pond. Caution to the contractor that he may be creating a mosquito hatchery more than anything else. Wildlife scrapes are shallow ponds that tend to breed mosquitoes. Wildlife scrapes also provide a lot of wildlife habitat for ducks and animals. No stipulations applied. **Motion by Supervisor Steber to approve Conditional Use Permit 2013-CU-13, excavation for a wildlife scrape, second by Supervisor Johnson, vote five (5) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg announced **Public Hearing 2013-CU-14**, request a Conditional Use Permit to fill wetland during the installation of a culvert for a stream crossing. The road surface will be 10 feet wide and the bottom of the road will be 20 feet wide. Property is SW ¼, NE ¼, Section 17, Township 39 North, Range 18 East, Town of Commonwealth, Florence County, WI. Request submitted by Dan McCoy, Agent for Hutch's Gang.

Wolosyn informed the committee that the zoning office reviewed a request for a culvert replacement back in June. At that time, the applicant was notified that a permit would not be required from the zoning office. In August, the contractor's contact person brought in the plan and letter of permit conditions from the Department of Natural Resources. After further review, the original proposal had been modified and it was determined that there was some wetland involved. Also, special permit conditions from the Department of Natural Resources that need be followed. The contact person was informed to notify the contractor that a permit would be required from the zoning office. Supervisor Steber stated the Town of Commonwealth has no concerns with the project. **Motion by Supervisor Steber to approve Conditional Use Permit 2013-CU-14, request for installation of a culvert replacement, second by Supervisor Stratton, vote five (5) ayes, zero (0) nays, motion carried.**

Discussion/action regarding letter submitted by Dean & Cheryl Miller requesting review of the conditional use decision 2013-CU-11, made by the Planning & Zoning committee at the August 7, 2013 Planning & Zoning meeting.

The zoning office received a letter from the Millers after the public hearing decision was made and sent to the committee members for their review. Wolosyn reported that Dean Miller was in the office and interested in applying for an appeal to the Board of Adjustment. After going through criteria for an appeal with Mr. Miller, the Millers followed up with this letter. What they are asking for in this letter, and again reiterated over the telephone with a couple of phone calls, is that they would like to trade off the little houseboat for a larger one so they have more room.

Chairperson Bomberg said if she had to vote again on the decision, she would vote against it because of the stipulations we have on travel trailers. She felt a precedent was set by allowing the one houseboat. She stays with the decision that was made at the public hearing. Supervisor Steber agreed, in hind sight we should have denied the request. **Motion by Supervisor Schomer to reaffirm the prior decision that was made at the August 7, 2013 public hearing stands, with regard to Conditional Use Permit 2013-CU-11, second by Supervisor Steber, vote five (5) ayes, zero (0) nays, motion carried.**

Discussion/action regarding updates to the Florence County Emergency Services Atlas. Wolosyn reported the program is moving along and should be done by the end of the year, hopefully, with all the edits and changes completed. Once everything is ironed out, it will be a good project.

Discussion/action regarding Road Naming and Addressing in Florence County. Wolosyn is holding five address changes, where the road name changed to Red Maple Lane in the Town of Commonwealth. He will send them out once the new road sign goes up so the whole system flows together. The new data will also be provided to Sheriff Rickaby for update.

Under administrator reports. Wolosyn reported he is working on identifying town roads verses private roads throughout the county for the new plat book. Donna Trudell, County Clerk has demanded proof of each page prior to print. She will also have Pat Smith, Forestry & Parks Administrator review the forestry portion.

Wolosyn informed the committee that Bay Lakes Regional Planning Commission sent out an e-mail stating they are doing an update to their Regional Plan and are asking for attendance. A date was not specified on the e-mail, however, Wolosyn feels he should attend. The committee granted permission for Wolosyn to attend.

Another item coming up in December is a one day surveying conference in Minocqua. The process through Florence County is for the Zoning Administrator to review the Certified Survey Map (CSM) and sign off on them. Wolosyn would like to attend this conference. The committee granted permission for Wolosyn to attend.

Wolosyn reported on a dispute between a property owner and the Uniform Dwelling Code Inspector which is being worked out. He is working on another conflict in the Town of Aurora between two property owners over a fence. The only portion of the conflict the zoning office is involved with is the 75 feet from the river under the Shoreland Zoning Ordinance.

Wolosyn informed the committee he received a request from Wendy Gehlhoff, Economic Development Director to look at a piece of property owned by Florence Utilities, as to what type of activity is permitted in the zone. There may be an interest by Florence Hardwoods to purchase the property. He brings this forward as information only, as he believes this property was purchased as part of a buffer agreement. There was discussion amongst the committee.

Motion made by Supervisor Johnson to adjourn, second by Supervisor Stratton, vote five (5) ayes, zero (0) nays, motion carried.

Respectfully submitted,

Rich Wolosyn
Zoning Administrator

RW/tk