



COUNTY OF BURNETT  
**LAND USE AND INFORMATION COMMITTEE**  
Burnett County Government Center

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## MINUTES

Land Use and Information Committee  
March 3, 2020

**MEMBERS PRESENT** Norm Bickford, Brent Blomberg, Jim Paden, Ed Fisher, Duane Johnson, Craig Conroy and Chuck Anderson.

**CALL TO ORDER** Chairman Bickford called the meeting of the Land Use and Information Committee to order at 9:00 a.m. in Room 165 of the Burnett County Government Center.

**NOTICE POSTED IN ACCORDANCE TO WIS. STAT. 19.84 OPEN MEETING LAW**

**PUBLIC COMMENTS - THREE MINUTE TIME LIMIT PER PERSON**

**APPROVAL OF AGENDA ORDER** Motion to approve the agenda order to amend moving agenda item 6f. CUP-20-08: Baglio to 6a. was made by Supervisor Johnson, seconded by Chairman Bickford. Motion carried, voice vote.

**APPROVAL OF MINUTES OF THE FEBRUARY 4, 2020, MEETING** Motion to approve the minutes of the February 4, 2020, meeting was made by Supervisor Blomberg, seconded by Supervisor Anderson. Motion carried, voice vote.

**PUBLIC HEARING** County Surveyor/Land Information Director/Zoning Administrator Jason Towne read the Notice of Public Hearing as published in the Burnett County Sentinel on February 12 and 19, 2020.

### **BURNETT COUNTY LAND USE /SHORELAND PROTECTION ORDINANCES**

**CONDITIONAL USE PERMIT #CUP-20-08 – BAGLIO** Public notice is hereby given to all persons in the Town of Swiss, Burnett County, Wisconsin, that Diane Baglio has made application for a conditional use permit per the terms of the Burnett County Land Use and Shoreland Protection Code of Ordinances to allow a camper year-around for up to three years, located at 7116 Hill Dr., on Loon Creek, in the RR-3 zoning district, Lot 1 CSM V. 9 Pg. 263, in the SW ¼ of the NE ¼, Section 27, T41N R16W.

Diane Baglio has applied for a three year CUP to keep her camper on the property.

Public hearing opened.

Larry Hoyer approves the CUP.

Don Hamilton commends the applicant. He would like to know if there are plans to build a home. Mr. Hamilton approves the CUP.

Public hearing closed.

Supervisor Conroy asked Ms. Baglio what her plans are.

Ms. Baglio commented there are no plans for a cottage at this time.

Supervisor Conroy commented, it might not be approved again in three years.

Chairman Bickford stated, since he has been Chairman, they have only extended a CUP on three different occasions and then, not to be extended again in the approval.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. Only one camper allowed on the parcel.
2. Follow all local, county, state and federal requirements for this activity.

Motion to approve Conditional Use Permit #CUP-20-08 – Baglio subject to recommendations of the staff was made by Supervisor Conroy, seconded by Supervisor Fisher. Motion carried, voice vote.

**CONDITIONAL USE PERMIT #CUP-20-06 – NORTH CAMP PROPERTIES II** Public notice is hereby given to all persons in the Town of Oakland, Burnett County, Wisconsin, that Mike Hershberger and Steve Austin have made application for a conditional use permit per the terms of the Burnett County Land Use and Shoreland Protection Code of Ordinances to divide the existing parcels into four different parcels consisting of the following: the existing bar/lodge with one existing cabin on approximately 1.1 acres, the existing house on approximately 0.7 acres, the existing cabins on approximately 2.5 acres, and up to 109 camping units on approximately 18.6 acres. One storage shed up to 12 ft. x 14 ft. in size and one deck up to 12 ft. x 14 ft. in size, per cabin and camping unit. Also, adding up to 60 mini storage units. All changes to take place over the next three years, located at 29402 and 29460 CCC Rd., on Gull Lake, in the RR-2 zoning district, parcels in Government Lots 1 and 2, Section 2, T40N R16W.

Steve Austin of North Camp Properties II is requesting to expand and add 45 additional campsites and to add six acres to the home and property for a total of approximately 24.5 acres. Mr. Austin will adhere to the state guidelines for shoreline development and will be environmentally conscientious. New septic systems would be approved and licensed by the State of Wisconsin. Mr. Austin stated they would exceed the state storm water management requirements. He will minimize impervious materials to mitigate runoff and intends to have professional management on site. These are large campsites; 40 feet wide by 80 feet deep and will accommodate seasonal campers and park models. There will be decks and sheds added for each camper but with a limited size. Mr. Austin is asking to divide the property and sell the bar and house separately. Mr. Austin encouraged everyone to read the letter from the Webb Lake

Lake Association talking about their stewardship. Mr. Austin stated he financially supports the emergency responders and is a low volume user. Campgrounds are a viable means for people to enjoy the natural resources of Wisconsin.

Mark Krause representing Wagner Surveying reviewed the site plans for North Camp Properties II and gave a brief history of the property.

Public hearing opened.

Larry Hoyer questioned if the property is actually owned by the applicant. Mr. Hoyer viewed the site plan and commented there are still some violations on the property and the site map is tight.

Land Services Director Jason Towne commented there is currently a legally binding interest in the property. There is an offer to purchase.

Aaron Hill is here to discuss the variances and what is being required. This is an RR-2 zoning district and there is 1.5 acres per structure for a total of 22.5 acres. The requests are for subdivision and variances and not for conditional use. This CUP is not supported by Burnett County ordinances and must consider the lot lines and setbacks. The applicants have failed to indicate all of the setback lines on the application. The shoreline protection ordinance imposes a number of requirements on the applicants that they have not met. All of these requirements are the burden of the applicants and not the burden or requirements of the public.

Steve Pearson from the Town of Oakland chaired the original Comprehensive Land Use Plan Committee. They solicited public input and at that time, 92% said it is important to preserve the rural character of the town. Mr. Pearson is also part of the committee that is currently updating the comprehensive land use plan. The top two issues identified in 2010 were the lakefront water issues and maintaining Burnett County northwood's character and quality of life. A few of the goals and objectives in 2010 included the preservation of the shoreline, natural and scenic quality of lakes and shorelines, Aquatic Invasive Species (AIS) and runoff. You are being asked to defend the indefensible by putting one man's interest ahead of all of these folks.

John Hamilton stated one of the pieces he is concerned about is just putting in some campground that is not like an old resort that used to exist here with 25 families. This has 109 units that could have a possibility of 400 people. He presented a couple of maps with yellow dots showing the residents on the lake and blue dots showing all campgrounds. There are more blue dots than yellow dots. The yellow dots pay more in property taxes than the blue dots. The applicant has the burden of proof to meet the basis of approval and the county land use shall consider the effect on the health, general welfare, safety and economic prosperity of the county and the immediate area. There are 1000 people on a petition and 100 people here saying their general welfare is in trouble. Mr. Hamilton talked with an appraiser that can give him facts on how much the property will be damaged, but would take them two and a half months to come up with all the facts.

Bob Bernu stated he spends money in Burnett County. Mr. Bernu is passionate about the beauty of the area and impact of the lake. There is a burden of proof with the applicant and it is short of requirements.

Karen Walker is a retired Air Force Sergeant and is concerned about the increase in crime. The numbers will continue to climb with increased people in a small area.

LaVonne Murphy is concerned regarding fires and fireworks. Other concerns are population density on the lake, safety, water quality and wells.

Wendy Eckman stated Gull Lake is not a recreational lake. There will be increased boat traffic on other lakes that adjoin the lake. The existing boats are not residents of Love Lake and they affect the shoreline. The application should comply with the regulations of Burnett County and require an impact study on the campground.

Barb Greig is concerned about safety with the increase in traffic and boats.

Larry Lundberg stated the boat traffic has increased on the Minerva chain. There are good stewards on the lakes, have added 30 crappie cribs, public islets at the landings for Aquatic Invasive Species (AIS) and investment in the local community. The campground will not benefit anyone.

John Michaels stated it is easy to lose sight of the change. With a 400 percent change in the number of sites at the resort, it is a massive increase for the campsite.

Betty Christine Winberg is concerned the tranquility will be disrupted with loud diesel trucks and partying. The rustic roads are not for a lot of traffic and will be noisy.

John Boehm commented on the property tax RV sites pay compared to the homeowners. He has concerns regarding property value and erosion of the lake. Deny the CUP and protect the water quality and property values.

Robbie Heelen lives next to the property and has concerns about the road usage and water quality. Her other concerns are safety, security, pets and crime.

Roger Noe stated the Burnett County Lakes and Rivers Association is concerned about the water quality.

Bob Baker commented the Burnett County Lakes and Rivers Association is opposed to the CUP. There is missing information and it conflicts with the comprehensive plan and shoreline ordinance. Mr. Baker has concerns regarding surface water runoff and ground water concerns. There is some missing information on the application and he would like to see a study on nitrates. Deny or table until the appropriate information is provided.

Sue Menter is concerned about the environmental issues and runoff. Is it bad for the lake and water quality? She would like to see an environmental impact study done.

John Caswell states, over the past several years the shoreline has had increased boater traffic. Ms. Caswell has concerns about water quality, AIS and property values.

Linda Hoyer has concerns about safety. She enjoys walking, biking and riding her ATV and has a concern about road traffic. She also has concerns about theft and vandalism.

Susan Saunders Otis has concerns for water quality and the economic value.

Lindsey Ketchel from Landmark Conservancy is concerned about the water quality for drinking water and lake water. There is a need for research and analysis to protect the water and the county. The Conservancy could help assist Burnett County.

Suzanne Vitale stated the proposed campground is not camping. This is a high-density, seasonal residency and will not pay one penny in property tax. This would add more people to the chain of lakes that will have to use the public boat landing.

Carol Downhour would like the elected officials to protect the quality of life and preserve the rural character of the county we call home.

Tyler Otis stated Gull Lake is not boatable. There is also evidence of trespassing and littering. The expanded traffic will compound the problems and AIS.

Wally Davis is concerned about the CUP and commented there will be many more septic systems and runoff to the lakes. Vote down the CUP.

Tom Steinhorst stated the purpose of petition is to show the opposition and to make more diligent in zoning ordinances. Figure out what is the best for the county, Steve Austin and everyone involved.

Carol Rosendahl stated the police department, emergency responders and fire departments are already stretched thin to take care of people that live here.

Scott Menter has a study from the University of Wisconsin showing a direct relationship between water quality and property values and is willing to share it. He does not want Mr. Austin to screw up the Minerva chain.

Evalee Miller read correspondence from Gary Tushie in regards to the CUP. Consider denying this CUP.

Don Hamilton encouraged the committee to table or deny the CUP. There should be communication and cooperation to work together to resolve conflict; support the Town of Oakland. There needs to be more information. Mr. Hamilton stated campers provide nothing for the infrastructure and will need to increase the levy to fix the infrastructure. No mini storage should be a part of the plan because the property is zoned residential.

Karin Kane collects clarity readings for the lake. We need to keep the lakes clean. She has concerns about AIS, septic problems and noise. Table this CUP and conduct an Environmental Impact study.

Paul Vahle recommended taking time to consider this and make the right decision for the long term.

Caroyl Long stated to table this application.

Public hearing closed.

Chairman Bickford recessed the meeting at 10:49 a.m.

Chairman Bickford reconvened the meeting at 10:54 a.m.

Supervisor Conroy clarified the applicant is requesting to add 46 sites to the previous 77 that were approved under the CUP-Houman request and not 109 additional sites. There would be 13 cabins, 29 RVs and 35 manufactured homes. Mr. Conroy stated the total wastewater flow for the previous request would be 11,805 gallons. If it were just a campground, it would be less than half of that. Mr. Conroy asked the applicant several questions on the concept plan, easement, Private Onsite Wastewater Treatment System (POWTS), erosion control, density and run off. Some of the issues Mr. Conroy would like resolved are shoreline buffer, compliance of the non-conforming structures, map of where the POWTS will be located and an overall plan for erosion control. Mr. Conroy stated he would like to see no more than 100 sites including the cabins and would like to continue with the public hearing later, after these issues are resolved.

Mr. Austin stated that if the property were divided out, the parking lot would be larger. He is also willing to change the septic and make it larger if need be. He will need an easement to get into the parking lot.

Supervisor Anderson questioned how Mr. Austin plans to resolve the issue of the manufactured homes that are taking up more than one lot.

Mr. Austin explained he would work with the people to move them onto one lot.

Mark Krause stated adjustments would have to be made concerning the manufactured homes. There would have to be an erosion control plan in place with one suggestion such as a rain garden.

Supervisor Fisher questioned if there is a storm shelter.

Mr. Austin stated there is a big basement on the property and there will be a shower house.

Chairman Bickford questioned if he had the current map and questioned two RVs, which were not 50 feet from the lot line. He also commented on the snowmobile trail, boat landing, screening, storage units, noise and lighting.

Mr. Austin commented the snowmobile trail would stay open. He is open to screening if it is required. He is considering having a boat landing on the property with approval from the Department of Natural Resources. He will have a full-time manager at the campground. There will be no fireworks at the campground and a quiet time of 10:00 p.m. to 10:00 a.m.

Mark Krause commented there are two different size storage units; 12' x 26' and 10' x 12' with a possibility of up to 60 storage units.

Supervisor Conroy has requested a more precise plan.

Mr. Austin would like to sell the bar and divide the property.

Mark Krause commented he would conduct the survey and divide the property for the bar and house.

Supervisor Conroy would need a certified survey map submitted and stated the boat landing on the property would need a permit from the Department of Natural Resources.

Chairman Bickford asked about the pet policy and stated if the shower house can be a shelter house, it should be submitted to the emergency management director.

Steve Austin commented there is a leash policy.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. All sanitary systems to be serviced and reported to the county by 6/1/2020.
2. Sanitary systems for cabins 7-13 need to be evaluated by a Wisconsin licensed plumber and appropriate reports filed with the county 6/1/2020 or the cabins will need new sanitary systems by 6/1/2020.
3. All land use permits to be obtained for all violations by 12/1/2020.
4. A complete campground/manufactured home park (including all existing structures and camping units) map needs to be completed for the entire parcel and filed with the Land Services Department (signed by a licensed architect, engineer or surveyor) which shows the entire layout, location of all sites, roads, property lines, setbacks, structures, water supplies, private waste disposal system(s), recreation areas and any other information the Land Use and Information Committee shall deem necessary within three years of this approval. Any proposed changes in the approved campground/manufactured home park shall be presented to the Land Services Department for approval. No implementation of the proposed changes shall take place until written approval is received from the Land Services Department.
5. Land use permits to be obtained for all items before construction/placement of new items. This includes all decks/patios/sheds/etc.
6. No recreational vehicle transfer tanks shall be used. All camping units shall be attached to a POWTS (Private Onsite Wastewater Treatment Systems).
7. If screening is required then the committee should specify the location, type, height as \_\_\_\_\_.
8. A copy of the state campground license must be provided to the county Land Services Department within nine months of this approval.
9. Camping units shall meet Wisconsin camping unit requirements.
10. All mobiles homes/manufactured homes need to be removed from the site by 6/1/2022.
11. Follow all local, county, state and federal requirements for this activity.

Motion to continue Conditional Use Permit #CUP-20-06 – North Camp Properties II at the May 2020 Land Use and Information Committee meeting requesting the applicant have more precise plans regarding erosion control, runoff management, grading scale, septic systems existing locations, new replacement areas to accommodate the new ones shown by soil work and

reducing number of campsites by 23 and subject to recommendations of the staff except #7 was made by Supervisor Conroy, seconded by Supervisor Fisher. Motion carried, voice vote.

Chairman Bickford recessed the meeting at 11:25 a.m.

Chairman Bickford reconvened the meeting at 11:30 a.m.

**CONDITIONAL USE PERMIT #CUP-20-07 – NORTH CAMP PROPERTIES III** Public notice is hereby given to all persons in the Town of Webb Lake, Burnett County, Wisconsin, that Mike Hershberger and Steve Austin have made application for a conditional use permit per the terms of the Burnett County Land Use and Shoreland Protection Code of Ordinances to build up to 130 storage units and allow outdoor storage of up to 75 watercraft over the next three years, located at State Rd. 77 and Deer Lake Rd., on Jones Creek, in the RR-1 zoning district (see next item for proposed rezone of this parcel from RR-1 to C-1), parcel in the S ½ of the S ½ of the NW ¼ of the SE ¼, Section 18, T41N R14W.

Steve Austin of North Camp Properties III is looking to buy a property on the corner of Deer Lake Road and State Highway 77. The property had already been logged and the Town of Webb Lake would like the property to be zoned commercial. He would like to have storage units and a small retail store on the nine-acre parcel.

Mark Krause of Wagner Surveying commented he has the setbacks on the map and the acreage. The map will also show where the showroom, storage units and shrink-wrap area are. The map does not have the topography of the site but it all slopes down 60 feet to the wetland and creek down below which they would need to have storm water erosion control factors. The site is flat and sandy and he will need to have fencing and screening on the sides and add retention ponds.

Public hearing opened.

Kristi Patterson stated this should be reconsidered because the size of the facility is huge. She has concerns about the 60-foot slope that will run into Jones Creek and will jeopardize the health and safety of Webb Lake. Ms. Patterson would like this tabled until further studies have been made.

Scott Nelson is concerned about run off into Jones Creek, the watershed and the water quality of the lake.

Mike McGowan has concerns about water quality, runoff into Jones Creek and traffic. There should be screening for the outdoor storage.

Don Hamilton has concerns about the conflict with the comprehensive plan and how and where we create new commercial districts. He also stated there is over development of the shoreline districts; place the condition on the applicant of no outdoor storage.

Charles Schlatter has concerns about the visual impact of an outdoor storage facility. Mr. Schlatter is also concerned about Jones Creek, which is a trout stream and a county asset.

Public hearing closed.



Supervisor Paden would like to hear a little bit more about the holding pond for drainage.

Mark Krause stated he would have retention ponds for the drainage and some step ponds. There will also be fencing along the highway and trees. The buildings would block the view of the blue wrapping. The lighting on the property will be downward lighting.

Mr. Austin stated the site was originally going to have a cell tower on it. He does not intend to change oil for the boats.

Supervisor Anderson questioned the retail business.

Mr. Austin stated the property is between two bike trails and they would be able to stop and fix a tire, rent a fat tire bike, get a drink of water, etc. and have small campers inside to look at for retail.

Chairman Bickford questioned if the storage units would be for rental.

Mr. Austin stated they would be.

Supervisor Johnson asked if the storage facility and showroom would potentially add any employment to the county.

Mr. Austin will be employing people to shrink-wrap the boats, fix things and build the storage units.

Supervisor Conroy stated we have not approved open storage units except in commercial. To make a decision on the conditional use permit they would have to have a caveat to not include open storage unless they approved the rezoning. Mr. Conroy is troubled by the rezoning for two reasons; that the Town of Webb Lake did not respond and might be in conflict with the plan that the Town of Webb Lake approved. Storage units and recreational sales of products are a permissible use in RR-1.

Mr. Austin stated the Town of Webb Lake did approve the request.

Chairman Bickford commented they could make it a condition of the Conditional Use Permit that it be approved by the county board for the zoning change.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. If the committee wants to require additional screening besides what the applicant has proposed, then it should be specific with type, height, width, location, etc.
2. Follow all local, county, state and federal requirements for this activity.

Motion to approve Conditional Use Permit #CUP-20-07 – North Camp Properties III with the condition of no further runoff and to add screening fence and/or trees including on the north side and subject to recommendations of the staff was made by Supervisor Paden, seconded by

Supervisor Johnson. Motion to amend to add outdoor storage can only be provided if the property is rezoned commercial and to be approved by the full county board was made by Supervisor Conroy, seconded by Supervisor Johnson. Amendment to the original motion carried, voice vote. Original motion with amendment carried, voice vote.

**MAP AMENDMENT #MAP-20-01 – NORTH CAMP PROPERTIES III** To rezone the S ½ of the S ½ of the NW ¼ of the SE ¼, in Section 18, T41N R14W, Town of Webb Lake, from RR-1 (Residential-Recreation) to C-1 (Commercial) zoning district. Zoning change requested by Mike Hershberger and Steve Austin. (See prior item for proposed conditional use of this parcel).

Details of the proposed revision are available at the Burnett County Land Services Department, the Burnett County Clerk's Office, and on the Burnett County website at <http://www.burnettcounty.com/index.aspx?NID=1108>.

Public hearing opened.

Charles Schlatter commented on the storage units being built here is not in the public's best interest.

Don Hamilton asked the question if this is a commercial district in a shoreline district.

Mark Krause commented this is not a shoreline district.

Public hearing closed.

Supervisor Conroy would like the Town of Webb Lake to respond to this map amendment.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. Follow all local, county, state and federal requirements for this activity.

Motion to approve Map Amendment #MAP-20-01 – North Camp Properties III to the full County Board subject to recommendations of the staff was made by Supervisor Johnson, seconded by Supervisor Paden. Motion carried, voice vote.

**MAP AMENDMENT #MAP-20-02 – AMRHIE**N To rezone the N ½ of the E ½ of the SW ¼ of the SE ¼, in Section 33, T39N R16W, Town of Meenon, from RR-1 (Residential-Recreation) to C-1 (Commercial) zoning district. Zoning change requested by Charles Amrhien. (See next item for proposed conditional use of this parcel).

Details of the proposed revision are available at the Burnett County Land Services Department, the Burnett County Clerk's Office, and on the Burnett County website at <http://www.burnettcounty.com/index.aspx?NID=1108>.

Charles Amrhien has made the request for a CUP to have storage for RVs, boats and semi-trailers. The request is to have the storage facility on the north side to be zoned commercial. He will leave a fifty-foot foliage buffer around the northern 600 feet x 600 feet.

Public hearing opened.

Don Hamilton applauded the applicant. Consider approving the rezone and the CUP. Mr. Hamilton asked if there was a fix for the amount of outdoor pieces of equipment.

Mr. Amrhien stated the upper limit would be 70 boats/RVs and 20 semi-trailers.

Public hearing closed.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. Follow all local, county, state and federal requirements for this activity.

Motion to approve Map Amendment #MAP-20-02 – Amrhien to the full County Board subject to recommendations of the staff was made by Supervisor Conroy, seconded by Supervisor Fisher. Motion carried, voice vote.

**CONDITIONAL USE PERMIT #CUP-20-02 – AMRHIEN** Public notice is hereby given to all persons in the Town of Meenon, Burnett County, Wisconsin, that Charles Amrhien has made application for a conditional use permit per the terms of the Burnett County Land Use and Shoreland Protection Code of Ordinances to allow outside storage of recreational equipment and outside storage of semi-trailers, located at 7096 State Rd. 70, in the RR-1 zoning district (see prior item for proposed rezone of this parcel from RR-1 to C-1), in the E ½ of the SW ¼ of the SE ¼, Section 33, T39N R16W.

Public hearing opened.

Don Hamilton supports Mr. Amrhien's CUP.

Public hearing closed.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. If the committee wants to require additional screening besides what the applicant has proposed, then it should be specific with the type, height, width, location, etc.
2. Follow all local, county, state and federal requirements for this activity.

Motion to approve Conditional Use Permit #CUP-20-02 – Amrhien with a 50 foot buffer, the additional planting as proposed of trees on 15 foot setters inside the edge of the 50 foot buffer and a limit of no more than 70 boats and/or RVs and not to exceed 20 semitrailers and subject to recommendations of the staff was made by Supervisor Conroy, seconded by Supervisor Johnson. Motion carried, voice vote.

**LAND SERVICES – ZONING AND PROPERTY INFORMATION DIVISION REPORTS**

Land Services Director Jason Towne reviewed submitted department reports and answered committee questions.

**FUTURE AGENDA ITEMS** There are six at this time, however, Friday is the deadline for CUPs.

**NEXT MEETING** April 7, 2020.

**ADJOURNMENT** Motion to adjourn was made by Supervisor Johnson, seconded by Supervisor Fisher. Motion carried, voice vote. Chairman Bickford adjourned the meeting at 12:24 p.m.