

**TOWN OF BASS LAKE
SAWYER COUNTY
PLANNING COMMITTEE & BOARD OF SUPERVISORS
Thursday, April 5, 2018**

MINUTES

Chairman Mark Olson called the meeting to order at 6:30 pm. Members Present: Chairman Mark Olson, Phil Nies, Dorothy “Doc” Brueggen, Dick Theis, Mark Lastrup, Dan Tyrolt, Dave Aubart and Clerk Warshawsky.

Clerk Warshawsky affirmed agenda was posted in compliance with open meetings law.

Motion by Brueggen, seconded by Theis to approve the agenda. Motion carried.

Motion by Brueggen, seconded by Lastrup to approve the minutes of the March 1, 2018 regular meeting. Motion carried.

Olson reported that correspondence was received from Sawyer County Zoning approving the variance application for Steven Friendshuh with the conditions that the height not exceed 18 feet and a rain garden be added.

Olson presented the Variance Application for Steven and Julie Pyle. The application is for the construction of a 16’ x 24’ (20’ x 26’) with eaves accessory structure (garage). The proposed structure would be located 27’ from the centerline of Poplar Lane. Variances is requested as Section 4.21 (3) Sawyer County Zoning Ordinance in conjunction with the Town of Bass Lake Ordinance #09-11-06 would require the prior granting of a variance for any structure closer than 46’ from the centerline of a 33’ wide road. Steven Pyle was present. Olson reported that the County sent 35 letters. 14 letters were returned: 2 with objection, 10 with no objection and 2 returned as undeliverable. Olson read the letters that were returned. Pyle presented his application. Pyle explained that he is looking for variance to build a single stall garage. The house was built in 2005 and has been for sale for 3 years. Pyle would like to create a year round home and a garage is a necessity. Pyle explained that the property is maxed out on imperious surface and stated that he willing to do what it takes. Nies asked Pyle if the Planning Committee were to ask him to keep the height under 16 ft. would that be ok, making it a single story garage. Nies explained that the way the law reads, Pyle is over on impervious surface. Jay at Sawyer County Zoning stated that if the shed is removed, less of a rain garden will be required. Pyle stated that he is willing to remove the shed. Olson reported that he will be abstaining from voting since he will be voting at the Board of Appeals. Motion by Nies, seconded by Brueggen with the conditions that the maximum height of the garage is 16 ft., the existing shed is removed and a rain garden is added to comply with Sawyer County Zoning Ordinance Section 9.0. Pyle agreed to the conditions. Motion carried.

Findings of Fact:

1. It would not be for the convenience of the owner.
2. It would not be a self-created hardship.
3. There would be no change in the use in the zone district.

Olson presented the Conditional Use Application for Benjamin Hershey, Owner and Jesse and Leanne Wagler, Agents. The permit is desired for a kennel for domestic dogs. Benjamin Hershey and Jesse Wagler were present. Olson explained that the property is across the road from the Highway Shop. Olson reported that the County sent 3 letters: 1 was returned with objection. Olson read the letter. Wagler presented his application. Wagler moved to Hayward from Pennsylvania and had no idea a kennel was a special use. Wagler explained that he received a letter from Jay at Sawyer County Zoning in October and couldn’t do anything in the fall. In the spring, he will create a buffer and plant on top of a berm. Wagler reported that he has 10 dogs and each dog will have a 20’ x 100’ run. Olson asked how many rooms. Wagler replied that there will be 8 rooms. The kennel is 25’ x 33’ and heated. Wagler described the facilities and drew a diagram of the property. A berm will be created to create a buffer. Wagler explained that there is currently a knoll between Wager’s property and Dave Mathis’ property. Olson asked what the maximum number of dogs would be. Wagler answered 8, adding that he tries to get 1 litter per year. Wagler went on to explain that he applied for a license of 50 – 100 dogs. Wagler reported that so far he has had a litter of 7 and litter of 12 and a license is not needed license until the fourth litter. Sawyer County Animal Control Officer Sherry Shelton was present. Shelton stated that her primary concern is that the

animals are properly cared for. Shelton wants to head off any problems and does not want a puppy mill. Shelton reported that she has not been to the property. Nies explained that this whole process has been backwards. Nies reported that zoning mistakenly treated the application as a special use, costing Wagler time. Laustrup asked about plantings. Discussion followed. Shelton stated that there is a public nuisance aspect to this; barking could be a problem. Nies stated that he wants to make sure we don't have a puppy mill. Olson stated that there is really only have 1 neighbor and the potential for another neighbor is low. Wagler said that he would rather put up a 6 – 8 ft. solid white vinyl fence at the north end of the dog run. Aubart replied that it would look nice and slow the barking. Olson asked if there would a problem with restricting the conditional use to the current owners so the Conditional Use Permit has to be reapplied for. Hershey is the owner and would be named as well. Nies reported that he had a local veterinarian review the statutes and express any concerns. The owner must comply with 174, Section 6.8, Sawyer County Ordinance 1- 2002 Animal control and ATCP 16. Discussion followed. Shelton reported that she can inspect the facilities and any violations can cause the state license to be revoked. Shelton added that the County and State are on the same age. Discussion followed. Motion by Laustrup, seconded by Theis to approve with the following conditions:

1. Owner and agents must maintain compliance with requirements of Wisconsin State Statute, Chapter 174 Dogs.
2. Owner and agents must maintain compliance with Sawyer County Zoning Ordinance Section 6.8.
3. Owner and agents must maintain compliance with Sawyer County Ordinance No. 1-2002 Animal Control Ordinance.
4. Owner and agents must maintain compliance with Wisconsin Legislature Chapter ATCP 16.
5. Owner and agents must install and maintain a 6ft. – 8 ft. solid fence within 15 feet of the end of the north run.
6. Conditional Use Permit is only valid for current owner and agents.

Hershey and Wagler agreed to the conditions. Motion carried.

Findings of Fact:

1. It would not create topographical problems such as run off, drainage, erosion, flooding or vegetative cover removal.
2. It would not create traffic or highway access problems.
3. It would not destroy prime agricultural lands.

Old Business: None

New Business: None

Motion by Brueggen, seconded by Theis to adjourn at 7:17 pm. Motion carried.