

**TOWN OF BASS LAKE  
SAWYER COUNTY  
PLANNING COMMITTEE & BOARD OF SUPERVISORS  
Thursday, July 1, 2021**

**MINUTES**

Planning Committee Chairman Bond Sutton called the meeting to order at 6:30 pm. The meeting was held in person and virtually using Zoom. Members Present: Chairman Bond Sutton, Dick Theis, Dan Tyrolt, Tony Pfendt, Michael Friend, Thomas Whitt, Alternate Sig Wysocki and Clerk Erica Warshawsky. Members Absent: James Evans and Dave Aubart.

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

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

Motion by Pfendt seconded by Tyrolt to approve the minutes of the June 3, 2021 Regular Meeting. Motion carried.

Correspondence – None

Sutton presented the After the Fact (ATF) Variance Application for Dean and Heide Miller. Dean and Heide Miller were present along with their builder Jeremy Hill. Dean Miller presented the application. Miller reviewed the timeline contained in the application packet. Miller explained that he, along with his wife and Hill met with Pat Brown from the Sawyer County Zoning department at the site. According to Miller, Brown told them that they could build as long as they stayed within the eaves. Hill stated that the interpretation of their meeting with Brown appears in the drawings. Hill explained that they received a permit so naturally assumed they did everything correctly. Sutton asked if anyone would like to speak in favor or in opposition to the application. David Strong, representing his mother, who is the Millers immediate neighbor, spoke in favor of the application. Alf Sivertson former president and board member of COLA and current legal counsel spoke in strong opposition to the application. Sivertson explained that there are 44 boat houses on Lac Court Oreilles (LCO). 12 have been remodeled. The 32 remaining boat houses are in various states. If the variance is granted, the problem becomes that any one of the 32 owners could apply for a permit, go outside the footprint and apply for an ATF variance. Sivertson went on to point out that according to Miller and Hill, the basis for the variance is that Brown said it was okay. Sawyer County Zoning Administrator Jay Kozlowski cited violation without any mention of Brown and Brown is not present at tonight's meeting. Another problem is that the Millers signed the permit agreeing to comply with zoning rules. A variance must be in the public interest and this is not.

Edmond Packee spoke in opposition to the application. Packee expressed concern for the health of the lake.

Anne Harris spoke in strong opposition to the application. Harris has lived on LCO for 60 years and is one of the 12 that remodeled a boat house. Harris explained that her request to add a kitchen was denied because it would exceed their footprint. Harris would like to see a higher degree of consistency and accountability.

Kevin Horrocks, President of COLA spoke in strong opposition to the application. Horrocks stated that the purpose of COLA is protect the lake. The State, County, and Town have the ability to protect the lake. Horrocks explained that phosphorus is the biggest threat to the lake and a major contributor to phosphorus is impervious surfaces. Granting the variance sets a dangerous precedent and must be denied.

Dan Harris spoke in opposition to the application. Harris echoed what Horrocks and Anne Harris said adding that the Millers should have to move the entire structure to get to code.

Chirs Sivertson spoke in opposition. Granting the variance sets a precedent whereby an owner just has to pay the fine to do whatever they want. Discussion followed.

Sutton turned the discussion over to the committee with the following guidelines:

- The application cannot be viewed as after the fact
- The 3-step test must be applied
- Cost should not be considered

Discussion followed. Motion by Pfendt, seconded by Tyrolt to deny the application. Motion carried.

Findings of fact:

1. It does not meet the 3-step test
2. It would be for the convenience of the owner to widen the walkway to 5 feet
3. It would be a self-created hardship caused by the misinterpretation of Sawyer County Zoning regulations allowing a 4' walkway.
4. It would not be due to special conditions unique to the property since the walkway could be moved back.
5. It is not in the public interest.

Pfendt presented the Henks Park interpretive nature trail update. Pfendt met with Mike Heim and walked trail #1. Signs will have the common name, the scientific name, the Ojibwe name, and a brief description.

Discussion followed. Warshawsky will work on a spread sheet for Pfendt and Heim to use and will gather quotes for signs and posts using 150 as the estimated number of signs.

Town of Bass Lake Outdoor Recreation Plan Update – Introduction: Tabled

Sutton presented the request for a hydrology study. Sutton suggested drafting a letter to the Wisconsin Department of Natural Resources (WDNR) and submit it to the Town Board to review at their July Board meeting. Warshawsky asked Tyrolt about funding for a hydrology study. Tyrolt stated that the Town will not get the full amount, 25% is more common than 50%. A study was done 8 or 9 years ago and cost \$80,000.00. Tyrolt added that this is a County matter. The County should be doing this because it effects the entire water shed. Sutton will contact the County. Tyrolt suggested a dam failure analysis and added that there may already be information available. Phil Nies reported that in 2012 the Town went through this. Nies agreed with Tyrolt that the County is in charge. Discussion followed.

Sutton asked for any suggestions for the development of the property on Indian Road. Whitt expressed concern over creating an open area not visible from the street and suggested improving other areas. Sutton asked the committee to bring suggestions to the next meeting

Sutton asked for any other business. Packee suggested starting revisions to the comprehensive plan now. Discussion followed.

Motion by Pfendt, seconded by Theis to adjourn at 7:44 pm. Motion carried.