Plan & Review Commission Public Hearing Minutes
Wednesday, January 3, 2024 at 6:00 PM
Spider Lake Town Hall, 10896W Town Hall Rd, Hayward Wisconsin

PUBLIC HEARING MINUTES

PRC Chair Delaney called the public hearing to order at 6 pm.

Delaney indicated that all Town meetings are public and may be recorded so long as they do not disturb the meeting process. Delaney also said because this is a quasi-judicial meeting that procedures articulated by the Wisconsin Towns Association would be followed.

NOTICE IS HEREBY GIVEN that the Town of Spider Lake Plan & Review Commission will hold a Public Hearing on Wednesday, January 3, 2024 at 6:00 P.M. at the Town Hall, 10896W Town Hall Rd, Hayward Wisconsin, to consider the following:

1. Administrative
    a. Chair Delaney took Roll and Confirmed Quorum present:

        Present: Chair Sarah Delany, Tim Sheldon, Don Becker, Fred Haueter (Zoom), Steve Smith (Zoom), Zoning Administrator Mike Gardner

    b. Chair Delaney confirmed compliance with Open Meetings Law and Public Notice Requirements:

        Public Hearing was published by the Sawyer County Record on 12/20/2023 and 12/27/2023 and also posted on the Town's website and the main announcement Board at Town Hall in compliance with Open Meetings Laws in the State of Wisconsin.

2. Sheldon moved to approve the agenda, seconded by Becker. Motion carried.
3. Delaney informed the public of the hearing procedures before commencing the hearing.
    a. Delaney read the application:

        Petition for Rezone: Land owner: Lee & Lori Seibert. Located in the NW¼ of the NE¼, Sec 32, T42N, R06W. Description: PRT NENE, PRT NWNE, PRT SWNE, LOT 2, CSM 34/241, #8169. Legacy PIN: 028642321205. Site address: 12858N Neumaier Rd, 14.36 Acres, Zoned F-1 Forest One District and RR-1 Residential Recreational One. Purpose of the request is to rezone the entire parcel to RR-1 in order to subdivide.

    b. Applicant statement

        Lee Seibert spoke on behalf of his family. Intent is to subdivide and sell the southwestern most high ground portion of his ~14 ac property to friends / family so a dwelling/residence can be built (proposed 3.5 ac parcel). He is willing to work with the Town and add written statements to his property deed indicating he plans no further development on the remainder of his land.

    c. Response Letters from adjacent property owners

        Eighteen letters were sent out; nine returned. Of the nine, eight were opposed and one was in support. Letters providing comments were summarized or read aloud. Primary concerns centered on preserving Northwoods character and protecting the environment. As a large portion of the existing parcel is wetland, concern was expressed about negative impacts of development.

    d. Public Statements (Town Hall and Zoom comments combined)

        i. Town Hall participants:

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Jeff Hansen provided comments in opposition, including concern for precedent and 'permanence' of a rezone. He expressed concern about the owner's plans for any future development of the remaining parcel. He would like the Town to verify that the parcel could be developed (via perc tests, buildable site delineation, etc) prior to proceeding with or adopting any zoning amendment.

ii. Zoom participants:

- Peter Rusch and Patrice Nolan provided comments in opposition:

  Turning land zoned F-1 to RR-1 results in lost forest land, more development and loss of the "Northwoods character". Concern about the impact of development. Don't need more residences. There is an impact on the wetlands, the watershed, and the floodplain. The house would be within 100 yds of Lost Land Lake and very visible. What stops the owner from developing another portion of the land?

- Bobbi Huot comments in support: F-1 zoning classification enables a lower tax rate but doesn't necessarily mean protecting/preserving the forest from harvest; RR-1 protects owners from this outcome.

4. Response by Applicant

   Seibert confirmed he plans no more development than selling this SW 3.5 ac portion. He has no intention of doing more development in the northern portion by my house. I am willing to write this into a deed.

   - Comment from audience – The Land Use ordinance should make it unnecessary to write something into the deed.

5. Questions/Comments from the Commission:

   - The rezone process is separate and distinct from any future LUP application coming before the Commission.
   - Due diligence prior to selling would reduce risks of 'do-ability' of future desired development (eg, perc tests, staking out buildable space, getting easements for driveways in writing ahead of time).
   - A rezone has to be recommended by the Town Board and approved by Sawyer County. (P&RC advises the Board).
   - Any future building will have to be a residence, NOT A STORAGE FACILITY.

6. With no more questions or comments, Delaney closed the Record/Hearing for Applicant.

   Deliberation and Decision/Recommendation took place in PRC Meeting immediately following.

Respectfully submitted,
Tim Sheldon Vice Chair PRC
1/14/2024

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