

**MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT**

Members present in person: Richard Lawson, Karen Piel, Carolyn Opitz, Tom Seubert, Mike Ritter and Kerry Brimmer

Members present via WebEx / phone: None

Member not present: Jim Servi

Also present remotely via phone / WEBEX or in person: Shad Harvey, Nicole Delonay, Laurie Miskimins, Garrett Pagel, Jeff Pritchard, Cody Milanowski, Jeremy Carolfi, Lynn Markham, Mike Puerner

Called to order at 9:00 a.m., 500 Forest St, Wausau by Chair Piel, who explained the **rules of the hearing** and the reason for the establishment of the Board of Adjustment.

1. **Approve July 28, 2022, minutes – Motion** / second by Seubert/ Ritter to approve the July 28, 2022, minutes as distributed. Motion **carried** by voice vote, no dissent.
2. **The application** of Cody Milanowski on behalf of Theresa Milanowski for a conditional use permit for the purpose of placing a shipping container within the C-V/R-C Conservancy and Recreation zoning district for the purpose of storing clay targets, part of the Southeast ¼ of the Northeast ¼, Section 3, Township 27 North, Range 10 East, Town of Elderon identified as parcel pin #022.2710.031.0989.

Harvey was sworn in and asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Harvey reviewed the staff report and discussed Ordinance Section 17.204.57 for the purpose of placing a shipping container within the C-V/R-C Conservancy and Recreation zoning district for the purpose of storing clay targets. Harvey reviewed the sections of Chapter 17 that apply to this request and the information shared by the applicant to address the questions that apply. Harvey stated the Town of Elderon gave their approval to the petition at their September 6, 2022, meeting.

Seubert questioned how long the container has been placed on the property.

Lawson questioned if the application is completed due to the application not being fully filled out and he questioned the future land use of the property. Lawson questioned if some type of screening would be recommended for these types of containers.

Cody Milanowski was sworn in and explained the purpose of the shipping container on the property and what the intent of the container is for. He also informed the board it was placed on the property in Summer of 2021 and the property was rezoned to allow the storage container to stay on the property. Milanowski explained the container cost was higher due to the container being painted a solid color.

Piel questioned who the board would be granting the application, whether it be with the applicant or the property.

Jeff Prichard was sworn in and informed the Board that the conditional use permit runs with the runner and not the land.

Seubert questioned if it is a public or private trap shoot area.

Milanowski indicated it is a public trap shoot area that is privately owned.

Discussion continued regarding the decision sheet – Inextricably associated with the parcel. (Unless altered by the BOA.)

Lawson questioned if we have put maintenance conditions on the previous storage container.

Milanowski suggested that as long as the Trap Club operates as a trap club, the storage container be allowed and he also stated the importance of the maintenance is highly important due to the clay targets be water sensitive.

There was no additional testimony in favor, opposed, or as interest may appear via in person, or virtually. Testimony portion of the hearing closed at 9:35am.

Motion/second by Lawson/ Opitz to **grant** the conditional use permit without conditions for Cody Milanowski on the behalf of Theresa Milanowski as requested.

The Board deliberated and completed the *Conclusion of Law and Decision Sheet*.

Motion **carried** 5 yes, 0 no, roll call vote.

3. **The application** Paul Hensch, (Administrator) on behalf of The Village of Spencer for a conditional use permit for the purpose of a gun range within the C-V/R-C Conservancy and Recreation zoning district. Conditional use permit shall be contingent upon Marathon County Board's approval of a rezone from R-R Rural Residential to C-V/R-C Conservancy and

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Recreation, as part of the Northwest ¼ of the Northwest ¼, Section 11, Township 26 North, Range 2 East, Town of Spencer, identified as parcel pin #074.2602.112.0996.

Harvey asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Harvey reviewed the staff report and discussed Ordinance Section 17.204.57 for the purpose of purpose of a gun range within the C-V/R-C Conservancy and Recreation zoning district. Conditional use permit shall be contingent upon Marathon County Board's approval of a rezone from R-R Rural Residential to C-V/R-C Conservancy and Recreation. There are no known violations on the property. Harvey reviewed the sections of Chapter 17 that apply to this request and the information shared by the applicant to address the questions that apply. Harvey stated the Town of Elderon gave their approval to the petition at their September 13, 2022, meeting.

Lawson questioned where the targets will be located within the range.

Jeremy Carolfi – Trustee Village of Spencer was sworn in and gave the history of this property. Gun range will open 30 minutes after sunrise and close 30 minutes after sunset and the range will be fully equipped with cameras and gates. Carolfi indicated there was overwhelming support for this gun range, with it being a safe area for gun sports.

There was no additional testimony in favor, opposed, or as interest may appear via in person, or virtually. Testimony portion of the hearing closed at 9:50 am.

Motion / second by Seubert/ Ritter to **grant with conditions previously stated in the staff report**, the conditional use permit for Paul Hensch on the behalf of the Village of Spencer as requested subject to the following conditions:

- Hours of Operation: 30 minutes after sunrise, 30 minutes before sunset
- Pending all approvals from state and local regulatory agencies (County, WDNR, Etc.)

The Board deliberated and completed the Conclusion of Law and Decision Sheet.

Motion **carried** 5 yes, 0 no, roll call vote.

4. Board education and training as needed

- a. Mike Puerner educational presentation – Ethics, Bias, & Conflicts of Interest

5. Announcements and Requests

- a. Karen Piel will be stepping away from the Board of Adjustment at the end of the calendar year. Chair Gibbs has been notified and will begin the solicitation for her replacement soon.
- b. Draft BOA Schedule for 2023 was reviewed. It will be circulated to public and Towns in November.

6. Next meeting date – November 17, 2022, at 9:00 am, 210 River Drive,

7. Meeting adjourned – By consensus, Piel adjourned the meeting at 10:20am Motion **carried** by voice vote, no dissent.

Respectfully submitted,
Carolyn Opitz, Secretary
Marathon County Board of Adjustment

KP/nd

cc: Board of Adjustment (6), County Clerk, Town Clerk

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