

**MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT**

Members present in person: Richard Lawson, Karen Piel and Kerry Brimmer (alternate #2 attended and was not called upon to vote, since a quorum was present)

Members present remotely: Arnold Schlei, Carolyn Opitz and Roger Zimmerman

Members not present: Jim Servi

Also present remotely via phone / WEBEX or in person: Diane Hanson, Dominique Swangstu, Lane Loveland, Cindy Kraeger, Jean Kopplin, Mike Vaughn, Anna Vamnostrand, Tony Peterson and Colleen Sniezewski

Called to order at 9:00 a.m., 210 River Drive, Wausau by Chair Piel, who explained the **rules of the hearing** and the reason for the establishment of the Board of Adjustment.

1. Approve April 22, 2021 minutes – **Motion** / second by Lawson / Opitz to approve the April 22, 2021 minutes as distributed. Motion **carried** by voice vote, no dissent.

2. The application of Michael Vaughn on behalf of Tony Peterson (Dynamite Properties LLC) for a conditional use permit per Section 17.404.44 of the General Zoning Code of Ordinances for Marathon County Chapter 17 Zoning Code for an Outdoor Recreational Use in the G-A General Agricultural zoning district, described as part of the SW ¼ of the NE ¼ Section 29, Township 30N, R09E, Town of Hewitt, described as PIN# 040-3009-291-0997.

Dominique Swangstu was sworn in and asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Swangstu explained the staff report Exhibit 1 which was included in the meeting packet. Swangstu discussed Ordinance Section 17.404.44 related the privately owned and/or operated outdoor recreational facilities. The proposed development is not located within a mapped floodplain. The parcel does have some DNR mapped wetlands on the Northwest and Southwest corners of the lot. The parcel and proposed parcel is not located within shoreland zoning. There are no active or past zoning violations on the property. The request to provide privately guided pheasant hunts and dog training grounds by appointment; 2 hunting fields with a maximum of 4 hunters per field; 6 hunts per day (3 hunts per field per day). The hunts would be available to clients 7 days a week from September through May. Legal hunting hours as set forth in WI DNR hunting regulations. Dog training will be available for clients 7 days a week from June through August from 6am to dark (daylight hours vary by month). Parking will occur off Star Rd on the west end of the property.

The applicant will meet any other required regulations.

Michael Vaughn was sworn in and is currently operating a privately guided pheasant hunt on property owned by Dana Dahm in the Town of Hewitt since 2018 and would like to propose pheasant hunting on this parcel. Vaughn reviewed the proposal with the Committee keeping the safety of the landowners and neighbors a priority.

Colleen Sniezewski was sworn in and is in opposition of the Conditional Use Permit. Sniezewski is concerned about the wildlife leaving the area due to the noise of the guns and dogs getting loose and entering her property. Lawson questioned the location of the parcel is not immediately adjacent to the parcel where the hunting will occur parcel. Sniezewski stated there are 20 acres of land in between. Schlei questioned if the 20 acre parcel is wooded and Sniezewski responded it is wooded. Brimmer asked if any fencing is around the proposed hunting parcel. Vaughn replied there is no fencing.

Chair Piel asked for any additional testimony.

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 9:25 a.m.

Motion / second by Zimmerman / Lawson to **grant** the conditional use as proposed.

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

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

3. The application of Michael Vaughn on behalf of Tony Peterson (Dynamite Properties LLC) for a conditional use permit per Section 17.404.44 of the General Zoning Code of Ordinances for Marathon County Chapter 17 Zoning Code for an Outdoor Recreational Use in the G-A General Agricultural zoning district, described as part of the NW ¼ of the NE ¼ Section 28, Township 30N, R09E, described as PIN# 040-3009-281-0998; and part of the SW ¼ of the NE ¼ of Section 28, Township 30N, R09E, described as PIN# 040-3009-281-0996; and part of the NW ¼ of the SE ¼ of Section 28, Township 30N, R09E, described as PIN# 040-3009-284-0998, Address 240791 Howling Pines Lane, Wausau WI 54403; and part of the SW ¼ of the SE ¼ of Section 28, Township 30N, R09E Town of Hewitt, described as PIN# 040-3009-284-0997.

Dominique Swangstu was sworn in and asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Swangstu explained the staff report Exhibit 1 which was included in the meeting packet. Swangstu discussed Ordinance Section 17.404.44 related the privately owned and/or operated outdoor recreational

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facilities. The applicant submitted the same proposal with this Conditional Use Permit application as the previous Conditional Use Permit application request, yet at a different location within the Town of Hewitt. The applicant will meet any other required regulations set forth by the zoning ordinance as well as any additional conditions placed by the board. Michael Vaughn was sworn in and stated the parcels are within one mile of the previous Conditional Use Permit and the approved Conditional Use Permit in July 2018. Vaughn stated the field boundaries will remain 50 yards (150 feet) off each property line in which hunting should not affect the property owners.

Chair Piel asked for any additional testimony.

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 9:42 a.m.

Motion / second by Lawson / Zimmerman to **grant** the conditional use request as presented.

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** – None.

5. **Board Appointments** – Hanson discussed the Board appointments will be going to the Environmental Resources Committee Meeting on June 1, 2021 as informational purposes only and to County Board for action in June.

6. **Announcements and Requests**

- Discussion occurred regarding future meetings in Room 5 with Board, staff and public in person and still offering WEBEX and call in as options. Future meetings will be held in Room 5.

Next meeting date – June 24, 2021 at 9:00 am, 212 River Drive, Wausau Room 5 / remotely

7. **Meeting adjourned** – **Motion** / second by Lawson / Opitz to adjourn at 9:50 am. Motion **carried** by voice vote, no dissent.

Respectfully submitted,
Arnold Schlei, Secretary
Marathon County Board of Adjustment

KP/cek