

Lincoln County Planning and Zoning Committee
Thursday, May 11, 2006 at 8:30 a.m.
Land Resource Center Meeting Room

1. Call Meeting to Order - Meeting was called to order by Chairman Saal at 8:30 a.m. in the Land Resource Center Meeting Room. Members present: Mittelsteadt, Saal, G. Rusch, and Short along with Dan Miller; Zoning Administrator and Dan Bowers; Zoning Specialist.
2. Tour site that will be the subject of the public hearing that will be held at 10:00 a.m.
3. 10:00 a.m. Public Hearing (See public hearing notice) A hearing was held on the item listed in the notice. Saal, G. Rusch, Mittelsteadt, and Short along with Dan Miller; Zoning Administrator, Dan Bowers; Zoning Specialist, June Winters; Administrative Secretary, Mary Heederik - Court Reporter and approximately 12 others were present. Meyer was absent. The meeting was reconvened after the tour at approximately 10:25 a.m.
4. Discussion by the Planning and Zoning Committee and Decision on the Conditional Use request, which was the subject of the Public Hearing
 1. The request of Jennifer and Allan Miner to construct a detached garage greater than 1,000 square feet in a Rural Residential 2 District. The property is described as part of Section 12, T35N, R06E, in the Town of Bradley; having a tax parcel number 04.123506.005.002.00.00 off of Loon Bay Road. The request is being heard under section 17.3.09 (1)(f) of the zoning ordinance.

Jennifer Miner was present to support their request. The Committee was given copies of the Town Approval Form and a fax from the Miners. Miner explained that they need a secured storage area for antique cars that they own. She described the building that they are proposing. She stated that they had concerns with a couple of the conditions on the staff report. Saal asked Miller to explain the conditions on staff report. He did and also stated that a legal alternative to one of the conditions would be to combine the parcels. G. Rusch asked the process for combining the parcels and Miller explained that they would have to record a deed that combines them into one parcel...

Saal read into record that on 5/6/06 the town of Bradley gave their approval of their request with no conditions.

Chairman Saal closed the public hearing for Jennifer and Allan Miner.

Motion by Mittelsteadt, seconded by Short to APPROVE ON CONDITIONS the request of Jennifer and Allan Miner. CONDITIONS: 1. A soil test must be conducted upon the parcel that establishes a suitable location for onsite waste treatment outside of the proposed building location. 2. A 50 foot vegetative buffer (existing trees & shrubs) be left between Loon Bay Road and the construction site with the exception of a 30 foot wide opening allowance for a driveway off of Loon Bay Road. The buffer requirement shall be from the south end of the wetland that is located north of the construction site to the south property line. The buffer shall be preserved and notification of the need to do so by future owners shall be ensured by the recording of a deed affidavit or as an alternative they may combine the parcels.

5. Public Comment. No Public comments. Saal honored a request to move to item #9 due to time constraints. (see #9 later in minutes)

11:25 Saal called for a 5 minute break. Reconvened at 11:30

6. Subdivision: Major Plat for Ralph Peterson (Prairie River Savannah) 33 Lots with 3 outlots County Plat (Preliminary Plat) – MSA Professional Services. Miller explained issues on the plat. Keith Rusch from Naterra Land was present to clarify changes that had already been made and issues that have come up with the public access locations. Jane Severt from the Forestry Department was present to answer questions because the responsibility would fall on their Department for the public accesses (parking, stairs, buildings, etc). She had submitted a letter of

recommendations. The committee also reviewed a letter from Michael O'Keefe (Army Corp). Miller discussed the site assessment checklist and covenants that would be stated on plat. Miller said that the stormwater plan is already being reviewed by Doug Denk in the Land Conservation Dept. Driveway access issues have been talked over with Audrey Cox, Rural Addressing Coordinator. Miller discussed soils information. Bowers asked about town road agreements and praised Mr. Rusch on his cooperation with the Zoning Department on this plat. He asked Mr. Rusch to work with Zoning to determine view and access corridors and Mr. Rusch agreed and stated that some of that may be covered in the covenants restricting removal of any trees in the shoreland buffer. Bowers asked if a trail would be cut down the slope between lots 14 & 15. Mr. Rusch said that they would likely do that. Bowers recommended that approval conditions be: Submitted stormwater plan be approved by Lincoln County, public access approval by Forestry and a report be done to the County Board at the next meeting regarding public access. Miller explained "Viewing Corridor" to new committee members. Severt stated that the banks are steep and highly erodible so that it is important that the vegetation be kept in place.

Motion by Mittelsteadt that the preliminary plat be approved on Condition that the stormwater plan be approved by Lincoln County, public access approval by Forestry and a report be done to the County Board at the next meeting regarding public access. , Seconded by G. Rusch. Motion carried all ayes.

7. Subdivision: Major Plat for Donald Forster (Wisconsin River Heights) 11 lots – County Plat (Preliminary Plat) – MSA Professional Services Keith Rusch was present from Naterra Land to discuss plat. Don Forster, Owner, was present as there was some question about the agreement for the land to be developed. Mr. Rusch stated that there was a previous agreement with another developer. There had been some changes and the agreement with the town has to be revised to reflect that the town road would be completed within one year. Mr. Rusch is in contact with the town regarding the agreement. Mr. Rusch stated that they have preliminary approval for the plat from the town. Miller discussed the fact that the Zoning is Suburban Residential and what that means. Discussed the location of septic to accommodate future possibility of municipal sewer. Miller discussed the soil information submitted and the proposed public access. Miller asked that 2 areas be stabilized as they are eroding currently in the areas of Outlot 1 and Lot 3. Mr. Rusch Agreed. Discussion by committee and Bowers on public access issues. If preliminary is approved today they would then have engineers work on the stormwater plan. Questions by Mittelsteadt of owner and Mr. Rusch of problems with the road issues. Miller discussed other checklist issues. Bowers asked who is taking over the public access and Mr. Rusch stated again that it would be Lincoln County Forestry. Saal stated that there are too many unresolved issues at this time. Questions as far as the City of Merrill giving extra-territorial approval for the plat because of the road issues. Mr. Rusch stated that some of the issues are out of his control because they involve land under separate ownership. Bowers asked the committee to give Mr. Rusch direction on the extension of Outlot 1 to the south line of Lot 3.

Motion by Saal to layover preliminary to next Zoning Committee Meeting contingent upon Forestry Department reviewing and agreeing on public access issues, erosion control with restrictions of cutting on slopes > 20%, extend outlot #1 so that more area is available to lot owners (not public access), and the road issues be resolved. Second by Mittelsteadt. Motion carried all ayes.

Agreed to do an on-site on June 8th at 8:30 a.m. with K. Rusch & the Committee to discuss & clarify the issues.

12:50 p.m. Saal recessed the meeting for lunch. Reconvened at 2:05 p.m.

8. Approve the April 13, and 26, 2006 meeting minutes- Motion by Mittelsteadt, seconded by Rusch, to approve the April 13, and 26, 2006 meeting minutes. Motion Carried all ayes.
9. Discuss and Approve a Resolution Instructing the Zoning Committee Chairman to Prepare a Letter of Reprimand or accept letter of apology Miller gave new committee members the background on the issue. Committee reviewed resolution and letter of apology. Saal presented the letter of complaint from the Lynds to the committee. Committee

agreed that County Board members should be held to a higher standard and Mittelsteadt explained why he thought it was important that other County Board members be aware of issue.

Statements by Rose Lynd that Weaver's letter of apology isn't sufficient and he didn't mention everything. Miller explained the septic aspect of the complaint as far as maintenance. Les Lynd stated that he wants the septic issues and that the two accessory structures were not in fact storage buildings but cottages added to the letter. He stated that Weaver got permits for 5 different things under one permit. Miller explained that staff followed protocol for After-the-fact permitting.

Motion by Mittelsteadt that they not approve the resolution but instead copy the county board members with Lynd letter & Weaver apology just for their information, seconded by Short. Motion carried all ayes.

10. Approval to Re-Fill the Program Assistant Position – Miller explained the reason and the procedure for the replacement. Discussion by committee. Committee advised Miller to speak to Chairman Powell about having a special meeting prior to this May county board meeting. Motion by Saal, seconded by G. Rusch to re-fill the program assistant position. Motion carried all ayes.
11. Discuss and Approve the Hire of Temporary Support Staff – Necessity explained by Miller. Motion by G. Rusch to hire temporary support staff as long as budget allows for it, seconded by Short. Motion carried all ayes.
12. Appoint a Zoning Committee member to the Land Services Group – Land Services Group explained by Miller. Ron Mittelsteadt stated that he would be willing to serve on group. Motion by Saal, seconded by Short to appoint Mittelsteadt to the Land Services Group. Motion carried all ayes.
13. Administrator's Report - Committee reviewed compliance report, Administrator's meetings and activities report, Miller discussed legislation that has been proposed and passed. Explained the Cases/Violations to the new committee members. At this time Judy Weaver came in to meeting room and Saal explained what had been discussed regarding item # 9 and the outcome. Miller discussed his Administrator's report, financial report, correspondence and gave an update on the recode committee meetings and explained that they have the proposed changes in their packets. Miller went through the list and discussed the proposed changes. Motion by Mittelsteadt, seconded by Short to hold a public hearing on Chapter 17 code amendments with the goal to bring them to County Board at the June meeting. Motion carried all ayes. Data Conversion update given. Miller explained the project to new committee members. Bowers gave an update on Density Allotment.
14. Adjourn – Motion by Mittelsteadt, seconded by Saal to adjourn at 3:04 p.m. Motion carried all ayes.