

**Lincoln County Planning and Zoning Committee
Wednesday, May 23, 2007 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 Lincoln County Zoning Office. Members present: Saal, Meyer, Rusch and Short along with Dan Bowers; Zoning Specialist. Mittelsteadt will join the committee for the 10:15 a.m. hearing.
2. Toured site that will be the subject of the public hearing that will be held at 10:15a.m
3. 10:15 a.m. Public Hearings (See public hearing notice) – Hearings were held on the item listed in the notice. Hearing called to order by Chairman Saal. Saal, Mittelsteadt, Meyer, Rusch and Short along with Dan Miller, Dan Bowers, June Winters; Program Assistant, Mary Heedrick; Court Reporter and 5 others were present.
4. Discussion by the Planning and Zoning Committee and Decision on the Conditional Use request which was the subjects of the Public Hearing.

CONDITIONAL USE

1. A request by River Valley State Bank to authorize the re-opening of the Tomahawk Speedway, a vehicle racetrack. The property is located in part of Section 14, T35N–R6E, in the town of Bradley; having a tax parcel number of 04.143506.010.002.00.00 and an address of N11046 County Road A. The request is being heard under section 17.3.04(10) of the Zoning Ordinance.

Ken Maule from River Valley State Bank was present to support their request. They are the current owners of the property and have a prospective buyer for the property. He stated that they have been before both the Bradley Plan Commission and Bradley Town Board and received approval for the Conditional Use request.

Ron VanDusen was present and he is the prospective buyer for the property. He would like to re-open the facility as a dirt track. He wants to run a nice, clean, good operation and he will work with the neighbors if there are any issues but there are none that he knows of.

Dan Miller spoke and originally felt that the neighbors to the west of the track would want a buffer of some type so that was a condition proposed in the staff report but it is his understanding that some of those neighbors were at the town meeting and did not want any type of barrier. Van Dusen said that in speaking to those neighbors that was correct. Saal asked VanDusen which of the close neighbors had responded with letters of opposition. The committee was shown a map of where those owners were located. VanDusen stated that the neighbors closest to the parking area were the ones that he had spoken to. Saal asked VanDusen about plans to resurface the track and turn it into a clay track and asked about dust control. VanDusen said that it is just standard procedure to water down the clay, run a few races, water down and race again (water down as necessary).

Saal had questions about the go cart track. Van Dusen stated that they are planning on the go cart track being open 4 p.m. to 9 p.m., 7 days a week. Saal questioned that one of the conditions from the plan commission restricts it to automobile racing only. It was clarified that this is regarding the “racetrack” only, not the “go cart track”. The go carts are a separate issue from the automobile racing as stated in the 6th condition from the Town of Bradley. There was discussion on what the procedure is for any expansion of the type of racing that occurs at the track. Van Dusen said that he had been contacted by an individual about possibly a motorcycle race on

Harley weekend but he understands that would be a special permit. His intention is to just get the racetrack going and then see how the go cart business goes.

Dan Bowers asked for clarification on the parking for the events. Van Dusen indicated to Bowers where the parking would be. Bowers asked if he was going to get the campground going and Van Dusen said that they would be opening the campground. He said that he will try to be a good neighbor and run a clean operation. Miller asked about schedule as far as the different "type" of race cars. Van Dusen said that they will have the "louder" cars race earlier first and run the "quieter" cars later in the evening. Miller questioned the proposed condition regarding the public address system. Van Dusen said that they have discussed several options but it will have to be fine tuned after the racing starts to see what issues there may be and he would do his best to minimize the noise to the surrounding property. Miller also asked about the lighting issues. Van Dusen said that he still has to look into the lighting issues and he will comply with whatever Zoning requires him to do. Miller clarified that the campground is not an issue on today's meeting.

Harry Gladwin was present from the Town of Bradley Plan Commission. He tried to clarify some of the conditions from the Town of Bradley. He stated that at the town meetings there was no one actually at the meeting who said that they were opposed to the racetrack. He received only one letter of opposition and that one asked only for conditions to control noise to be placed on any approval. He reviewed the conditions that the Town of Bradley had proposed with their approval. Saal questioned the line that read "Up to 5 additional special events between 9 am and 11 pm". Saal asked what would and would not be covered by those additional events. Gladwin explained that this is regarding special "auto" racing events that would be covered (i.e. Memorial Day, 4th of July, etc. – any race that wouldn't fall on a regular Friday night racing). Any special event other than the auto races were covered under the 2nd condition and would have to have special permits from the town and county. There was discussion on how those permits would be handled. Mittelsteadt stated that the process for special permits can be quite cumbersome. Gladwin went on to review the rest of the conditions. He explained that the town would like two conditions that had been proposed in the staff report to be removed. The berm or fence requirement as the neighbors affected did not want it. The other was the condition regarding the expansion of the track as it would not be expanded beyond an already defined area because it would impact wetlands.

Saal questioned the condition regarding requirement for Emergency services. He wondered if this committee has the right to impose this condition. Miller stated because of the health and safety issues he felt we had the right. Meyer stated that she was uncomfortable with this condition also. There was some discussion on this issue. Mittelsteadt stated that their insurance may require it anyway but he thought this condition should be left in. Gladwin stated that he believed under previous ownership that they always had emergency services present during racing events. Meyer asked why the races were limited to Friday nights. Van Dusen said that Friday night was the only night available within their racing association in order to not compete with other area racetracks in the association.

Chairman Saal read into record the Plan Commission approval letter and letters of opposition from Daniel & Helen Tyler, Everett Roberts, and Marion Powell.

Chairman Saal closed the public hearing for the Conditional Use request.

Motion by Mittelsteadt, seconded by Meyer to APPROVE ON CONDITION.
CONDITIONS:

- 1) Hours of operation of the racetrack facility shall be limited to Fridays from 5 p.m. to 11 p.m. during the months of May through September. Up to 5 additional special automobile race events between 9 a.m. and 11 p.m. may be scheduled any day of the week.
- 2) Racing will be limited to automobiles only unless special permits are applied for and approved by the Town of Bradley and Lincoln County. (This would be another Conditional Use Permit)

- 3) Dust control shall be used, such as spraying of the track with water, any time fugitive dust is a potential on racing days.
- 4) All lighting shall conform to section 17.5.04 of the zoning ordinance.
- 5) Emergency services shall be present at the facility whenever racing events are occurring per insurance requirements.
- 6) Hours of operation of the go cart track will be 4 p.m. to 9 p.m. any day of the week. All engines must be equipped with mufflers.
- 7) The public address system shall be constructed and controlled so as to be non-offensive to the surrounding community.

Mittelsteadt stated that he believes this is a nice family oriented facility and it brings a lot to the community. Short stated that businesses such as this don't necessarily decrease property value as are the concerns of some of the letters of opposition. Rusch was still unclear about the Emergency Services requirement and there was further discussion. Meyer stated that the speedway has been in Tomahawk for many years and thinks it's a good thing that it is reopening. Saal sympathizes with the neighbors who the noise may affect but overall thinks that the facility reopening is a good thing for the community. Miller has no problems with the condition amendments proposed by the Town of Bradley.

Motion carried all ayes.

5. Adjourn - Motion by Mittelsteadt, seconded by Short to adjourn at 11:00 a.m. Motion carried all ayes.