

Lincoln County Planning and Zoning Committee
Thursday, June 8, 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: Saal, Mittelsteadt, Meyer, G. Rusch, and Short along with Dan Miller; Zoning Administrator and Dan Bowers; Zoning Specialist.
2. Tour Schade property, Forster Plat site & Spirit Point Development site.
3. 10:00 a.m. Public Hearing (See public hearing notice) A hearing was held on the item listed in the notice. Saal, Mittelsteadt, Meyer, G. Rusch and Short along with Dan Miller; Zoning Administrator, June Winters; Program Assistant, Patricia Higgins - Court Reporter and approximately 8 others were present. The meeting was reconvened after the tour at approximately 11:00 a.m.
4. Discussion by the Planning and Zoning Committee and Decision on the Zoning Ordinance Text Amendment, which was the subject of the Public Hearing

ORDINANCE AMENDMENT

1. A hearing on amendments to the text of Chapter 17 of the Lincoln County Ordinances otherwise known as the Zoning Ordinance, following the procedure outlined under section 17.8.20 of the Zoning Ordinance.

Dan Miller explained that at the adoption of the new code the Committee had agreed to have the towns revisit issues in the new ordinance after approximately one year. Since the last meeting of the recode committee two items were added. Accessory land uses proposed requiring a Conditional Use Permit in CMU zoning district (Crossroads Mixed Use) for buildings larger than 25,000 cubic ft, and Stormwater erosion control based on comments from Lincoln County Land Conservation office wanted to see both the 2 year & 10 year designs. These are the 2 changes that were not discussed with the towns. Meyer asked how the off street parking would affect the Town of Russell (Gleason). Miller clarified the change. Miller stated that they provided setback averaging with these changes in the village of Gleason again too.

Diana Smith was present and spoke to the committee about the changes. She submitted and read her comments & concerns. Her concerns included the visual clearance triangle issues regarding street-railroad intersections and the changes being made to the Crossroad Mixed Use zoning district. Miller asked if she had a suggestion on a cap for size of accessory structures. Smith stated that maybe they should make some modifications or another district instead of having a "one size fits all district".

Saal asked for clarification on the "visual triangle" questions. Miller stated what the intent was with the change but said that it does need to be clarified in the amendment and that he would make that clarification.

Meyer asked what changes needed to be made for the 2 issues to make it practical. Miller explained that by the Conditional Use requirement for the larger accessory structures there is still some control and input on a request. Saal agreed that it does allow for regulatory control but still allows for flexibility. Mittelsteadt agreed.

Saal thanked Diana for her time in bringing this to the committee's attention.

Chairman Saal closed the public hearing for the Zoning Ordinance Text Amendment.

Motion by Mittelsteadt, seconded by Rusch to APPROVE the changes as proposed to Chapter 17 with the clarification on the visual triangle issue and present an ordinance amendment to the Lincoln County Board for the June 20, 2006 meeting. Motion carried all ayes.

5. Public Comment. Cornelius Van Ryen from Pete's Pump was present. He stated that the Zoning Office printed and sent out pumping cards and he was upset that the cards indicated that the service providers were not doing their job. He gave several examples. Earl Schmidt from Schmidt's Septic was present and stated that they have received over 250 calls asking why they weren't filing the information. He disagrees with the county's requirement that it has to be reported within 10 days online with Carmody. They have trouble finding where to put the information in the system when they file. One of the service providers he is aware of just sent their list to Carmody and they entered the information for them. Schmidt stated that he came down and spoke to Miller this past Monday with Dave from Dave's Septic and expressed concerns about the Carmody System. He stated that the system is cumbersome for their business and not easy to use. He stated that the county has not done their job with the information that was previously submitted to the county by the service providers. Meyer asked for a clarification of what was mailed in to Carmody that was then entered by them. Van Ryen stated that he doesn't know what is going to come of this but he spoke to the DNR and they do not have anything favorable to say about Carmody. Mittelsteadt said it would be worthwhile for the committee to sit down with the service providers, Zoning staff and Carmody to work out the "bugs". Schmidt brought up a problem with Holding Tanks that were permitted but never installed that were being sent pumping cards. Saal asked Miller if he thought it would be possible to get Carmody here to discuss the issues. Schmidt stated that there are a lot of questions on the Carmody System that is unnecessary information that is required because Mr. Carmody wants to sell his program state wide and that it would be compatible for anybody. Committee agreed that they should set up a special meeting to discuss this. Miller stated that he could not respond to these items because this was not an agenda item but that he would set up a meeting as requested so that all parties involved could discuss the problems.

At 11:40 Saal requested a 5 minute break. Keith Rusch from Naterra Land requested that they allow #8 & #9 to go before his issues due to time constraints of those appearing for those items. Meeting was reconvened at 11:47 and proceeded with item #8 on the agenda.

8. Discuss rezoning of County owned 40 acre parcel on County Rd R. Randy Scholz, Lincoln County Highway Commissioner, was present to explain the reason why the county should consider rezoning of the parcel. Miller explained that if the county does want to put it on the land sale it should be rezoned to RL4 to be split into two 20 acre parcels for sale. It is surrounded by the RL4 zoning district now and the current zoning designation (Forestry) does not allow for it to be used as a building site for a year round dwelling. It was stated that they would like to sell the parcels on the August land sale.

Motion by Mittelsteadt, seconded by Meyer that Scholz proceed with the application for the rezone request. Scholz stated that he has already spoken to his committee. Miller also requested that the application be submitted fee exempt. Motion carried all ayes

9. A request from Spirit Point Development for a waiver from the subdivision ordinance to create two lots that won't have frontage on a Public road. Dan Miller reviewed and clarified the request. Harley & Donna Cohen were present to speak about their request. Mr. Cohen discussed the possibility of another road for access of emergency vehicles. Miller asked why the existing road couldn't just be widened. Discussion by the committee regarding the request. Cohen stated that the recent change in the code (requiring 50,000 sq.ft. lots) has hindered their original plans for the condominium.

Motion by Mittelsteadt, seconded by Meyer to APPROVE the waiver with the CONDITIONS: 1. Widen the road from the edge of the driveway of Lot 2 out to Millie Rd. to a 16 foot width. 2. That a road maintenance and easement agreement like the one provided by the applicant be recorded. Motion carried all ayes.

Committee broke for lunch at 12:05 p.m. Meeting reconvened after lunch break at 1:10 p.m. Proceeded with item #6.

6. Subdivision: Major Plat for Ralph Peterson (Prairie River Savannah) 32 Lots with 2 outlots County Plat (Final Plat) – MSA Professional Services & Naterra Land, Inc. Miller explained issues on the plat. Keith Rusch was present for

Naterra Land, Inc. Committee received an update on the project. K. Rusch understood that he needs to finalize the stormwater plan with the county, speak to Jane Severt regarding the stairway standards and finalize the pond plans with the DNR before it comes back to the committee for final plat approval.

7. Subdivision: Major Plat for Donald Forster (Wisconsin River Heights) 11 lots – County Plat (Preliminary Plat) – MSA Professional Services & Naterra Land, Inc. Keith Rusch was present from Naterra Land to discuss plat. He discussed the road issues that they have modified since the last meeting. Committee discussed questions that they had regarding the issues. Miller questioned the stormwater plan and they still have some issues that are to be taken care of. Miller clarified some of the deed restrictions and the soils information. Suggestion was made to present information to the County Board to discuss the public land dedication on the June 20, 2006 county board meeting.

Motion by Mittelsteadt, Seconded by G. Rusch to APPROVE Forster preliminary plat with CONDITIONS.

CONDITIONS : 1. Town of Scott approval on the plat. 2. Agreement for public access using existing access road with Borchardt. Motion carried all ayes.

10. Approve the May 11, and May 15, 2006 meeting minutes- Motion by Saal, seconded by G. Rusch, to approve the May 11, and May 15, 2006 meeting minutes. Motion Carried all ayes.
11. Approval to Re-Fill the Administrative Secretary Position – Miller explained the reason. Discussion by committee. Motion by Meyer, seconded by Mittelsteadt to re-fill the Administrative Secretary position. Motion carried all ayes.
12. Administrator's Report - Committee reviewed and discussed issues on the compliance report and Administrator's meetings and activities report. Miller discussed his Administrator's report and financial report. Miller discussed legislation that has been passed affecting subdivisions that may require amending our subdivision ordinance. Data Conversion update given. Miller gave an update on the density allotment project.
13. Adjourn – Motion by G. Rusch, seconded by Saal to adjourn at 2:00 p.m. Motion carried all ayes.