

Lincoln County Planning and Zoning Committee
Thursday, December 15, 2011 at 8:30 a.m.
Lincoln County Service Center, Meeting Room 156

1. Call Meeting to Order - Meeting was called to order by Chairman Saal at 8:30 a.m. in meeting room #156 in the Lincoln County Service Center. Members present: Saal, Meyer, Mittelsteadt & Rusch, along with Diane Hanson; Land Services Administrator, Dan Bowers; Zoning Specialist, June Winters; Program Assistant and 6 others. Supervisor Nelson was excused.
2. Approve the November 10, 2011 meeting minutes – Motion by Rusch, seconded by Mittelsteadt to approve the November 10, 2011 meeting minutes. Motion carried all ayes.
3. Review 2012 Fee Schedule – Hanson explained to the Committee that there was one change on the Zoning Fee schedule for Rural Addressing. It will be increased by \$5 to cover increased costs of signs & posts. Motion by Saal, seconded by Rusch to approve the fee schedule as proposed. Motion carried all ayes.
4. Review & approve 2012 meeting schedule – Hanson & the Committee reviewed the proposed 2012 Zoning Committee meeting schedule. Motion by Meyer, seconded by Rusch to approve as proposed. Motion carried all ayes.
5. Public Comment Opportunity – Earl Welker, Town of Schley, thanked the Committee for putting the two items that he had brought up last month on the agenda to discuss this month. He also said that there has been a lot of talk about simplifying the ordinance and he is confused as to how that would save money.

Harry Gladwin spoke on behalf of the Bradley Plan Commission and thanked zoning staff for cooperation this past year and wanted to wish the Committee and staff a Merry Christmas. Saal thanked Mr. Gladwin for his cooperation also.

11. Staff Report - Committee reviewed the compliance report. They discussed compliance issues in the Towns of Tomahawk and Bradley. Committee reviewed the financial report. Hanson updated the Committee on the Shoreland Specialist Position. She said that they received about 40 applications and they are in the process of reviewing them. She hopes to interview next week. The Committee was given an informational document regarding “Land Use and Wetlands”
9. Discussion regarding permitting of metal storage containers – Hanson explained what was currently in the ordinance regarding accessory residential & non-residential structures. Accessory “structure” is not defined as far as type or material that the structure is made out of just size. Saal said the issue then is the building material that the structure is made out of. Mittelsteadt said that he had spoken to constituents and they use the metal containers because they seal better than some other types of storage buildings and are more secure. They may not be aesthetically pleasing but doesn’t see that as an issue. Meyer agreed. Saal agreed that we really don’t want to get into dictating aesthetics of a structure.

Earl Welker, from the Town of Schley, said he doesn’t have an issue with people using them he thinks it just needs to be clear that the metal pods or containers used for storage do require a permit to be placed on the property. Also it should be clear that semi-trailers used on a property for storage need to be permitted and that it is stated clearly in the code.

Harry Gladwin, Town of Bradley Plan Commission, had a question about the wording and that garbage containers could end up being included and didn’t know if they wanted to regulate items like that. It will be very important how it is worded and defined. He also questioned if the code is “simplified” is the county going to reduce what the townships pay for services. Saal said that he did agree that wording and definitions are crucial but common sense also has to play a part.

Mittelsteadt said that it would be difficult to list absolutely every material that a storage building could be made of. No action was taken on the issue at this time.

6. 9:00 a.m. Public Hearing - Saal called the Public Hearing to order at 9:14 a.m. Hearing was held on the item listed in the notice.
7. Discussion occurred and a decision was made by the Planning and Zoning Committee - Chairman Saal explained the rules of conduct for public hearings and introduced the Committee members. He called the hearing item.

CONDITIONAL USE REQUEST

1. A request by St. John School to allow for the use of the 80 acre parcel for outdoor educational instruction. The property is located in Section 17, T32N-R7E, in the Town of Merrill. It has an address of W4247 Spring Lake Road. The request is being heard under section 17.3.05(6) of Lincoln County Ordinances.

Rod Akey, was present to represent St. John's School. He explained the request. The land was donated by the late Fred Krugler to the school to be used for outdoor education. He said the existing house and some items on the property will be removed in the future and they plan to build an open sided structure, a privy and in the future some type of dormitory building. He said that he had taken the request to the Town of Merrill meeting Monday night and it was laid over as there was a concern of infringing on adjoining property owners discharging firearms within a certain distance of "school" property. He explained that in looking at the statutes he believed that it excluded "private property" so that it should not affect the adjoining properties.

Dan Bowers asked Akey how many students would be staying on the property and after the dormitory is built it would probably be a maximum of 40 at a time. Akey said for daytime use there may be significantly more than that as there are 180 students at the school at this time and it may be used by other groups.

Pat Zimmerman, an adjoining property owner, was present and wasn't really opposed to the request but had some questions. He asked if the zoning would be changed and how would that affect them. Bowers explained that it doesn't change the zoning of the property, but the Conditional Use permit would allow for this use of the property without changing the zoning designation. Saal explained that a lot of times conditions are placed on the permit to prevent a negative impact on the surrounding property. Zimmerman said that whatever is done there will probably improve the property. He was just concerned about how it may affect use of his property during a hunting season. Akey said that they would probably not have children out there during hunting season.

Stacy Pettit, Town of Merrill Supervisor, was present to represent the Town of Merrill. She said that they are working on clarifying the firearm issue and did not have anyone present at the town meeting in opposition. She said that they will address it at their January meeting and do their specific recommendations at that time.

Harry Gladwin spoke and said that he felt a condition should be made on the permit that there be no children on the property during gun deer season. Akey came back to the podium and stated that they are already planning on not allowing any children on the property during gun deer season and also not allowing anyone to hunt on the property at all. He said that they are working on how to delineate the property boundaries. Mittelsteadt asked about hours that people would be on property and said that is something that maybe should be addressed.

Dan Bowers reviewed the staff report and the conditions that zoning is recommending. Saal recommended that one of the conditions for operating the facility is that the school property be closed during the 9 day gun deer season. Mittelsteadt was opposed to Saal's suggestion. Chairman Saal closed the public hearing for the Conditional Use request.

Motion by Mittelsteadt, seconded by Meyer to LAYOVER the request until the January 12, 2012 meeting after they had input from the Town of Merrill. Motion carried all ayes.

Committee took a break at 9:40 a.m. the reconvened the meeting at 9:50 a.m.

8. Review draft of Comprehensive Plan Update to forward to public hearing in January – Art Lersch reviewed the process for the Committee and some details of this final draft. This is the document that will go to public hearing in January and then if approved ultimately with an ordinance to County Board. He reminded the Committee that this update has taken the better part of 2½ years.

There was more discussion by the Committee on the draft.

Motion by Rusch, seconded by Meyer to approve the draft of the Comprehensive Plan Update and forward it to public hearing in January. The public hearing will be January 12, 2012. Motion carried all ayes.

The Committee and attendees had further discussion on the process and the county's & town's roles in the process.

10. Discussion on private road issues in the Town of Schley – Hanson reviewed the comments by Earl Welker from last month's meeting regarding the private road issue. She explained to the Committee the permits that prompted this specific issue. She explained that there is nothing in Chapter 17 addressing private roads. Chapter 18 (subdivision ordinance) does define it as does the Rural Address Ordinance. There is a definition but very little clarification for standards of private roads. Saal questioned what regulation or control that we have on any private road on private property. Hanson said that the Rural Addressing ordinance does require that if there are more than two dwellings on a driveway it then needs to be named as a private road. Bowers explained that subdivision regulations would not be effective unless they subdivided the property.

Meyer questioned Welker as far as what problem the town had with this. Welker just was worried about a liability issue for the township for emergency vehicle access. Saal thought that each individual town could have more control that may be more restrictive than what the county requirements are if they so wish for private roads. Welker stated that he believe that there should be something in the code that addresses private road issues. There was lengthy discussion about regulating private road issues.

12. Adjourn - Motion by Meyers, seconded by Saal to adjourn at 10:45 a.m. Motion carried all ayes.

Minutes prepared by June Winters