

Lincoln County Planning and Zoning Committee
Thursday, April 8, 2010 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, Mittelsteadt, Meyer, Rusch and Eisenman along with Dan Miller, Zoning Administrator.
2. Tour site that will be the subject of the public hearings that will be held at 9:30 a.m. – Committee Members & Miller left to tour the sites listed on the public hearing notice.
3. 9:30 a.m. Public Hearing – Hearing was held on the item listed in the notice. Hearing called to order at 9:30 a.m. by Chairman Saal. Saal, Mittelsteadt, Meyer, Rusch and Eisenman along with Dan Miller; Zoning Administrator, and 4 other persons were present.
4. Discussion by the Planning and Zoning Committee and Decision on the Rezone request which was the subject of the Public Hearing -

PETITION FOR REZONING

1. A request by Arnold Wyland to rezone tax parcels 14.123206.007.001.01.00, 14.123206.006.001.01.00, and 14.123206.007.002.00.00 from a Rural Residential 2 zoning district to a Rural Residential 5 zoning district to accommodate the potential for farm animals and outdoor wood burners. The request includes approximately 63 acres east of Pier Street and south of Schulz Spur Dr in the Town of Merrill.

Arnold Wyland was present and explained his request. He has a potential buyer for 10 acres of his property and they wish to have horses and install an outdoor wood boiler. The RR-2 district disallows both uses so he would like to rezone the remaining 63 acres to RR-5 to allow these uses for the buyer as well as for potential future buyers of the remaining land.

Miller explained that he contacted the 3 owners of the smaller parcels that used to be part of the original 80 to see if they too wanted to join the rezone petition. None of them responded.

Bill Burgener, Town of Merrill Chairman, explained that he and Stacy Pettit from the Town Board met with Miller and Wyland preliminarily and all agreed on the request. He believes the Board will approve it next week.

Saal closed the public hearing for the Rezone request.

Motion by Mittelsteadt, seconded by Saal to APPROVE the Petition for Rezoning request, contingent upon the Town of Merrill approving it, and forward to County Board for the April 20, 2010 meeting. Motion carried all ayes.

5. “Old Business” - A Conditional Use request by the Town of Merrill to allow for the construction of a town hall and garage in a Planned Industrial zoning district. The property is located in part of the NW ¼ of the SE ¼ of Section 30, T32N–R7E, in the Town of Merrill.-

Rod Akey from Akey Engineering, the project manager for the Town Hall was present and explained the handouts that he had prepared for the Committee in answer to their questions from last month.

Mittelsteadt explained why he asked for a layover last month and expressed his satisfaction with the response to his questions.

Motion by Mittelsteadt, seconded by Rusch to APPROVE ON CONDITION the Conditional Use request.
CONDITIONS: 1) Direct the stormwater from the parking areas and buildings to the stormwater detention facilities in compliance with the approved stormwater plan and permit. 2) Comply with Section 17.5.04 of the Zoning Ordinance with regard to exterior lighting in the parking lots and around the buildings. 3) Provide adequate parking per the requirements enumerated in 17.3.05(5)(b).

(The committee also expects the plans to be followed with regard to screening and storage as depicted on the modified site plan and as explained in the handout.)

Motion carried all ayes.

6. Discuss and approve to send to County board a resolution applying for a Lake Protection Grant to amend the Shoreland ordinance to comply with recently adopted NR115 – Miller explained that the DNR is allocating \$1,000,000 over two grant cycles to counties to adopt amendments to their ordinances to bring them into compliance with the newly adopted NR115. Lincoln County should apply in the 2010 grant cycle as it leaves little time to get the work done if the grant is applied for in 2011 as the award is not given until September. Each county has 2 years from February of 2010 to amend their ordinances. He will use the money to cover public outreach efforts, publication of amendments and advertising as well as to republish the companion guide to the shoreland ordinance.

Motion by Eisenman, seconded by Rusch to approve and forward the resolution to the County Board for the April 20, 2010 meeting. Motion carried all ayes.

7. Approval to list an “after-the-fact” fee on the fee schedule that was accidentally omitted on a previous revision – Miller explained that when a revision was done to the fee schedule in December of 2008 the “after-the-fact” fee that had previously been listed was accidentally omitted from the schedule they adopted and it went unnoticed until recently. This fee is assessed as an alternative to writing a citation if efforts are made to come into compliance by applying for permits after something has already been done.

Motion by Mittelsteadt, seconded by Rusch to APPROVE re-listing the “after-the-fact” fee on the fee schedule. Motion carried all ayes.

8. Public Comment Opportunity – None
9. Approve the March 11, 2010 meeting minutes – Meyer stated that she would like the minutes to reflect that she announced in December that she would be absent from the February meeting because she was on vacation. Motion by Mittelsteadt, seconded by Rusch to approve the March 11, 2010 meeting minutes as corrected. Motion carried all ayes.
10. Administrator’s Report - Miller reviewed with the Committee the activities since their last meeting. Saal gave a report on the Wisconsin Association of Lakes conference that he attended in Green Bay and supplied the Department with some related information he had gathered.

The Committee briefly reviewed the Compliance Report, the Financial Report and the Department Annual Report.

11. Adjourn - Motion by Meyer, seconded by Mittelsteadt to adjourn at 10:24 a.m. Motion carried all ayes.