

**Lincoln County Planning and Zoning Committee**  
**Thursday, July 11, 2013 at 1:00 p.m.**  
**Lincoln County Service Center, Meeting Room 156**

1. Call Meeting to Order - Meeting was called to order by Chairman Saal at 1:00 p.m. in meeting room 156 in the Lincoln County Service Center. Members present: Saal, Nelson, Bailey & Rusch, along with Diane Hanson, Land Services Administrator; Dan Bowers, Zoning Specialist & June Winters, Program Assistant. Supervisor Pike was excused.
2. Tour the sites that will be the subject of the public hearing – Committee Members and Bowers left to tour the Conditional Use request sites listed on the public hearing notice.
3. Approval of the June 13, 2013 meeting minutes – Motion by Rusch, seconded by Saal to approve the June 13, 2013 minutes. Motion carried all ayes.
4. Public Comment – There was no public comment.
5. 2:30 p.m. Public Hearing – At 2:30 p.m. the Public Hearing was called to order. Hearing was held on the items listed in the notice. Saal, Rusch, Bailey & Nelson along with Diane Hanson, Land Services Administrator; Dan Bowers, Zoning Specialist; June Winters, Program Assistant and 8 others were present. Supervisor Pike was excused.

Chairman Saal explained the rules of conduct for public hearings and introduced the Committee members.

**CONDITIONAL USE REQUEST**

1. A request by Paul Nelson to construct a storage building greater than 1,500 sq. ft. in a Rural Residential 1 zoning district. The property is described as Lot 1, CSM 2374, in Section 13, T34N-R6E, in the Town of Bradley, and has road frontage on Lake View Drive and Crass Road. The request is being heard under section 17.3.09(1)(f) of Lincoln County Ordinances.

Eugene Winter, Tomahawk Post Frame (builder), was present to represent the owner, Paul Nelson, and explained the request for the Committee. The owner needs additional storage for himself and wishes to build a 40' x 64' building. Winter explained the erosion control measures that would be implemented as to not impact the wetland. Saal asked if the building would have a drain in it. Winter said that it would and it will drain out underneath the concrete towards the lower area. Bailey asked Winter to clarify what the drain would be used for. Winter said that the drain would be for water, no fuel, oil etc.

Saal called for anyone else in favor of the request. Harry Gladwin, Town of Bradley Plan Commission, was present and said the request had unanimous approval at both the Plan Commission (6/24/13) & Town Board (7/8/13) meetings. They had one recommendation and that was short & long term erosion control be implemented and the wetlands not be impacted. Saal clarified with Gladwin their concerns.

Saal called for anyone else in favor of the request. There were none. Saal called for anyone in opposition to the request. There were none. Saal closed the public hearing for the Conditional Use request. Supervisor Nelson recused himself from voting because he had a direct family connection to the applicant.

Motion by Bailey, seconded by Rusch to APPROVE ON CONDITION the Nelson request.

CONDITIONS:

- 1) Short & long term erosion control measures be implemented so that the wetlands are not impacted.

Motion carried on a 3-0 vote.

2. A request by Scott and Teresa Taylor to have a camping unit on a 4.5 acre lot for more than 60 days in a Rural Residential 3 zoning district. The property is described as part of the SW1/4, NE1/4, in Section 32, T35-R7E, in the Town of King, and has road frontage on North Twin Lake Road. The request is being heard under section 17.3.03(9) of Lincoln County Ordinances

Teresa Taylor, the property owner, was present and explained the request for the Committee. They would like to have a camper or a 5<sup>th</sup> wheel trailer on the property for use in the summer & fall months so that they may utilize the property more until they build a permanent structure on the property. It would sit off the road on their very wooded lot so it will not be visible to the public from either the road or the water. They have already applied for a permit for the septic & are looking into putting in a well. Bowers asked about tree removal and Taylor said that there will be minimal tree removal. Bowers asked what the timeframe was before building and Taylor said they were looking at about 5-7 years if possible in preparation for when they retire. Bailey asked if they were going to leave the camping unit on the parcel year round and Taylor said that they would like to. They are planning on having a nice looking camper or a 5<sup>th</sup> wheel.

Elaine Larson, an adjoining landowner to the south and sister of the applicant, was present and hopes that the request may be granted and does not see any issues with the request. Saal called for anyone else in favor of the request. There were no others. Saal called for anyone in opposition to the request.

Debbie Miller was present and is an adjoining landowner to the north and has lived in the area 2 years. She and other neighbors have done a lot of upgrades to their properties and she has concerns about having a camper in the area. It may have a negative impact on the neighborhood. She does not want to look at a trailer long term and would prefer this to be short term. Saal discussed at length the time limits commonly recommended for length of time granted in these types of requests.

Saal read into the record the recommendation from the Town of King at their 6/10/13 Town Board meeting where they recommended approval of the request on a 3-0 vote with no conditions listed.

Bowers reviewed the staff report and its recommendations. The lot is thickly wooded and he believes that there will be adequate screening and the Taylors have applied for a sanitary permit. Saal closed the public hearing for the Conditional Use request.

Motion by Nelson, seconded by Rusch to APPROVE ON CONDITION the Taylor request as per the staff recommendation.

CONDITIONS:

1. All applicable regulations including those within 17.3.03(9) shall apply.
2. This conditional use request shall expire 7 years from the date of approval.

Saal discussed the proposed conditions. There was discussion with Committee & staff on the length of time that may be granted.

Motion carried all 3-1 with Saal voting nay.

6. Discuss Town of Merrill Concerns – Hanson said that the Town of Merrill had asked to be on the agenda with concerns in their township. Stacy Pettit, Town of Merrill Supervisor, came to the podium and talked about an ongoing issue with the Rock Island Bar in the Town of Merrill. There are safety, camping & noise issues. It has been a compliance issue with Zoning for quite some time and the Town of Merrill is concerned that no action is being taken. Pettit has been copied on correspondence but nothing seems to be proceeding. Hanson explained the compliance issues, the timeline so far & how complicated the compliance process has been with this property. They have been working with Corp Counsel to resolve the issues but there have been more complications that are taking time to resolve.

Nelson had questions about how campgrounds are regulated. Hanson said that there are multiple issues as far as Zoning is concerned that will need to be resolved. This compliance issue has been ongoing since the late 1990s and has yet to be resolved. Hanson discussed “grandfathering” and how it may apply to this situation. Pettit is concerned that now that attorneys are involved nothing will proceed and will just be delayed indefinitely.

Mike Matushak, Town of Merrill Chairman, came to the podium and said that as township officials they have had numerous complaints and are concerned that they not serving their residents well and doing what they were elected for if they do not ask for action in this situation. The township is expecting the Sheriff’s Dept. & Zoning to resolve the issues and make the owner’s come into compliance. The township is frustrated because this is not happening and is worried that problems may escalate if not resolved soon. He said that they are hoping to not to be dealing with the same problem on this property a year from now.

There was lengthy discussion by Committee & Staff on the issues.

Harry Tubbin, a property owner in the immediate area of the subject property, came to the podium and discussed his understanding of “grandfathering”. He has been in that area since 1994 & doesn’t believe that the property has been used as a campground as long as the operator states that it has been. He is afraid that if the county compromises with this land owner it may set a precedent that would not be a good thing.

Hanson suggested that it may be helpful if any long term residents in the area consider submitting something in writing to substantiate Zoning’s stand on this compliance issue. She also said that something in writing from the Township may also be helpful. Saal said that the appropriate agencies should be contacted to deal with the separate issues regulated by the different agencies. Pettit hopes each agency (Zoning, Sheriff’s Department, State Patrol & Health Department) follows through to resolve the different issues. Matushak hopes for closure on this problem as early as possible.

7. Department Report - The Committee reviewed & discussed some of the items on the Compliance report.

The Committee reviewed the financial report and put it on file.

Hanson said that they are meeting with Corp Counsel on the draft of the Shoreland Ordinance Rewrite & stated that she will be attending a Towns Association meeting (7/18/13 in Schley), a Lake Association meeting (7/27/13 in Tomahawk) and that there are “informational meetings” scheduled in Merrill (7/31/13) & in Tomahawk. (8/7/13). She is hoping to be ready to go to public hearing in September or October for the proposed Shoreland Ordinance update.

Hanson said at the last ZC meeting, Bailey had brought up “coordination”. Hanson did some checking with Oneida County & she shared with the Committee some information that she had received. She said that it was up to the Committee as to if they want to pursue information on this issue at a future meeting. Saal & the Committee discussed if they wish to pursue more information. Consensus of the Committee was to listen to a presentation

regarding “coordination”. John Bailey will contact someone to see if they can give a presentation at a future Zoning Committee meeting.

8. Confirm next meeting/public hearing date – Tentatively August 8, 2013 – Date confirmed. Time to be determined.
9. Adjourn - Motion by Bailey, seconded by Nelson to adjourn at 4:24 p.m. Motion carried all ayes.

Minutes prepared by June Winters