

**Lincoln County Planning and Zoning Committee
Thursday, September 12, 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, Bailey, Rusch & Pike, along with Diane Hanson, Land Services Administrator; Dan Bowers, Zoning Program Manager & June Winters, Program Assistant. Nelson is excused from the tour and will join the Committee as soon as possible at the hearing.
2. Tour a site that will be the subject of one of the public hearings – Committee Members that were present and Bowers left to tour the Conditional Use request site listed on the public hearing notice.
3. Approval of the August 8, 2013 meeting minutes – Motion by Bailey, seconded by Saal to approve the August 8, 2013 minutes. Motion carried 4-0.
4. Public Comment – There was no public comment.
5. 2:30 p.m. Public Hearing – At 2:40 p.m. the Public Hearing was called to order. Hearings were held on the items listed in the notice. Saal, Rusch, Bailey & Pike along with Diane Hanson, Land Services Administrator; Dan Bowers, Zoning Program Manager; June Winters, Program Assistant and 7 others were present. Chairman Saal explained the rules of conduct for public hearings and introduced the Committee members. He called the first hearing.

FLOODPLAIN ORDINANCE AMENDMENT

1. An amendment to Section Section 20.1.5 to the Lincoln County Floodplain Ordinance (General provisions – Official Maps Based on other Studies). A hearing is being held to solicit comments on a proposed amendment to the Lincoln County Floodplain Ordinance and official floodplain maps to include the Doering Dam Failure Analysis Study, dated November, 2012. A copy of the Doering Dam Failure Analysis Study will be on file and open for public inspection in the Lincoln County Zoning office and may also be viewed at the Lincoln County website at: www.co.lincoln.wi.us.

Hanson explained the need for the amendment. Doering Dam was required by the DNR to have a Dam Failure analysis & hazard rating analysis done. The dam is on property owned by Doering Enterprises, LLC. This study needs to be added to the ordinance to regulate any structures that may be proposed within the flood area should the dam fail. Hanson noted that the majority of the area that would be affected is considered wetland which would limit development also. By incorporating this into our ordinance the dam would receive a “low” hazard rating. Saal called for proponents & opponents that wished to testify.

Leroy Doering was present and is a member of Doering Enterprises LLC. He explained that the structure is more of a dike than a dam but under the new DNR rules it required this study be done. Tom Doering was present and stated that the dam/dike has been in place for excess of 50 years.

Norm Hodgson, Town of Russell Chairman, said that the town reviewed the request and they are in favor of the amendment to the flood plain ordinance regarding the Doering Dam. Saal closed the public hearing for the Floodplain Ordinance Amendment.

Motion by Pike, seconded by Rusch to APPROVE the Floodplain Ordinance amendment as proposed and forward to the September 17, 2013 County Board meeting for adoption. Motion carried on a 4-0 vote.

CONDITIONAL USE REQUEST

2. A request by Bit-o-the North Condominium owners to restore portions of the shoreline but allow for the majority of existing view corridor and fire pit locations to remain. The property is located in Section 31, T35N-R6E, in the Town of Bradley, having property addresses of W7170 to W7208 Yukon Trail. The tax parcel number is 04.313506.024.000.01.00. The request is being heard under section 21.09(3)(h) of Lincoln County Ordinances.

Doug Novak was present to represent the Bit-o-the North. He is the Secretary/Treasurer of the Condominium Association. Bowers clarified the 2 maps in the packet with the options available under the ordinance & with the Conditional Use Request. He feels that the condominium has currently done well with preserving the shoreland buffer considering the number of dwelling units that are involved. What zoning is recommending would satisfy the zoning requirements for the buffer. Saal clarified that Novak is speaking for all of the condo owners and Novak said that he was. Saal asked if the association is agreeable to the required restoration. Bailey was concerned that some owners may be losing more than others. Bowers reviewed what each unit owner is allowed. Bailey asked about a small boathouse as the end of the property. There was discussion regarding that small boathouse. It was determined that the boathouse may be under DNR jurisdiction and not Zoning's. Saal complimented Novak on the proactive job that has been done to date for maintaining a natural state on the property.

Nelson arrived and joined the meeting at 2:57 p.m.

Bowers noted that a letter had been included in the Committee's packet, that he had written on 8/28/08, had 3 recommendations in it but that he had only one recommended condition in his current staff report.

Saal read into the record the town of Bradley recommendation from the 8/26/13 Plan Commission meeting with a 6-0 vote in favor of the request and the 9/9/13 Town of Bradley Board meeting with a 4-0 vote in favor of the request with no conditions listed from either meeting.

Harry Gladwin, Town of Bradley Plan Commission, was present and confirmed the discussion at the town meetings. He complimented the Condo Association on their efforts to maintain the natural state and rural aspect of the property.

Saal closed the public hearing for the Bit-o-the North Condominium Conditional Use request.

Motion by Bailey, seconded by Rusch to APPROVE ON CONDITION the Conditional Use request per recommendations as listed in the staff report.

Conditions:

- 1) The existing fire pit and view corridor locations may remain with exception for the restoration areas outlined in the restoration plan. All other areas are to be maintained naturally to a depth of 35 feet from the ordinary high water mark.

Motion carried 5-0 vote.

6. Department Report - The Compliance report was discussed. Bailey asked for clarification on a "boat ramp" issue in the town of Bradley. Bowers said it actually turned out to be a walkway and not a boat ramp, but the width of the walkway did have to be decreased to 4' and the issue is resolved. Hanson gave a brief update on the status of the issues in the Town of Merrill with Rock Island Resort.

Hanson reviewed the financial report and it was put on file.

Hanson shared that there had been the 2 informational meetings regarding revisions to the shoreland zoning ordinance. Hanson & Bowers reviewed several key points in the proposed ordinance and lengthy discussion followed. Hanson would like to have the Committee consensus to move forward with a public hearing & adoption of the ordinance. The draft is at the DNR for review. There was more discussion. Staff will proceed with a public hearing & approval process upon receiving a response from the DNR on the draft.

Hanson shared that there was a legislative change dealing with telecommunications towers and the ordinance will need to be modified to reflect those changes.

7. Confirm next meeting/public hearing date – Tentatively October 10, 2013 - There are no new public hearing applications for October but the Committee meeting remains tentatively scheduled for October 10th.
8. Adjourn - Motion by Nelson, seconded by Pike to adjourn at 3:49 p.m. Motion carried all ayes.

Minutes prepared by June Winters