

**Lincoln County Land Services Committee
Minutes of Monday, December 28, 2015, 3:00 p.m.
Lincoln County Service Center, Room #156**

Members Present: Loretta Baughan, Hans Breitenmoser, R. Wayne Plant & Greta Rusch. Visitors: Matthew Bremer; Land Services Administrator, Mike Huth; Zoning Program Manager, Laura Boquist; Shoreland Specialist, June Winters; Zoning Program Assistant and Harry Gladwin. Supervisors Powell, Hetfeld & Allen were excused from today's meeting.

1. Call Meeting order - Meeting was called to order by Vice-Chairman Plant at 3:00 p.m.
2. Approval of the December 28, 2015 Land Services Committee Minutes – M/S Baughan/Breitenmoser to approve the minutes. Motion carried all ayes. Vice-Chair Plant introduced Mike Huth, Lincoln County's new Zoning Program Manager, to the Committee.

LAND SERVICES DEPARTMENT

3. Public Comment – There was no public comment.
4. Approval of updated organizational chart – Land Services Department – Bremer explained the update for the Committee. It would be a change in the GIS Surveying Specialist position that is currently vacant. Specifically that it will be downgraded from a Grade 8 to a Grade 6, with the possibility of having an intern to help during busy times. Baughan clarified that the intern position would just be a part-time position during the summer. There was discussion. Consensus was that it was a good idea.
5. Review & discussion of proposed Chapter 21 (Shoreland Zoning Ordinance) changes – Bremer said that they would discuss the issues that were left undecided after last meeting. He said that the Mitigation Guidebook that Committee received a copy of would be working document that does not need to be reviewed with the ordinance but will be discussed at a later time.

Baughan brought up several terms/wording for clarification and Bremer addressed those individually. Bremer then reviewed with the Committee the following sections:

21.07 – Requirements for shoreland development (7) – Structure Height outside of the 75' setback, (b), (9) Boathouses (a)(4)- required roof pitch, (9)(b)(11) & (12). Baughan questioned & was opposed to regulating use of a structure & aesthetics but consensus was to leave it addressed and worded this simply. (10) Exempt Open Sided and Screened Structures – Baughan had questions regarding the open sided structure within the setback and the affidavit that is required. There was discussion and the issue was clarified. (11) – Development of Islands, (a)(4) – Changed wording from “frontage” to “minimum average lot width”.

21.09 – Preservation and Removal of Shoreland Vegetative cover – (2) – Shoreland Buffer Standards wording is intended to clarify what is required. There was some discussion. (4) – Baughan & Breitenmoser suggested that there be a reference or source to explain where the information for “accepted practices” may be found. (5)(original proposed-b) – Boquist explained the reasoning as explained by the DNR. Lincoln County cannot make it a condition of a permit so it has been removed from our draft. The remaining list was renumbered. (5)(d) – added wording as discussed at last meeting regarding lot splits.

21.10 – Shoreland Buffer Restoration Standards - (2)(c) - Bremer explained the clarification.

21.15 – Mitigation – Boquist explained that she inadvertently left out one ordinance section in the references. 21.14(4) should be included in this sentence. (1) – Mitigation Schedule – Committee briefly reviewed the opportunities that staff is proposing on the schedule. Baughan said that there should be clarification by “greater than” or “less than”. Baughan also had questions regarding previous restrictions. Bremer said that Corporation Counsel has advised that any existing affidavits stand as recorded. (2) – Boquist explained that she had developed a “Mitigation Guidebook” to explain the opportunities. Winters noted that in the draft that was sent out it was listed as “Mitigation Handbook” and it should be “Guidebook”.

Baughan asked for clarification on several points before moving on to the definitions including on 21.18 – Enforcement & Penalties – Baughan had questions on (2) about burden of proof in violation situations. There was discussion.

21.19 – Definitions – Bremer reviewed the definitions that needed clarification from last meeting, including definitions for: “Construction”, “Fire pit”, “Previously undeveloped”, “Retaining Wall”, “Shoreland Buffer”, and “View and Access Corridor”.

Baughan had questions on how “Structural Repair” percentage is calculated. Bremer explained that this was an existing definition to clarify the difference between maintaining, repairing or replacing structures.

Plant had questions about how this affected property under WVIC authority. Bremer shared discussions that have taken place regarding how staff will be reviewing situations involving WVIC property. Bremer said that Boquist will make the changes as discussed today. He said that we have a public informational meeting scheduled for January 5, 2016 and, if approved today, we will hold a public hearing on January 14, 2016.

M/S Rusch/Breitenmoser to approve the draft with changes discussed today and proceed with a public hearing on January 14, 2016.

Winters shared that the informational meeting for the public held on January 5, 2016 is for anyone who wants to listen to a short staff presentation on the changes and ask any questions. Ads have been placed in the Tomahawk Leader, Merrill Foto News & Merrill Courier this week regarding that informational meeting. The January 5, 2016 meeting will NOT be a Committee meeting and no action will be taken at that time but an agenda will be posted.

6. Confirm next meeting/public hearing date – January 14, 2016 – Confirmed. Tours at 1:00 p.m. Public hearing at 3:00 p.m.
7. Land Services Department report – Financial report was put on file.
8. Adjourn – M/S Baughan/Rusch to adjourn at 4:06 p.m. Motion carried all ayes.

Minutes prepared by June Winters