

**Lincoln County Land Services Committee
Minutes of Thursday May 8, 2014 11:30 am
Lincoln County Service Center, Room 255**

Members Present: John Bailey, Loretta Baughan, Hans Breitenmoser Jr., Jeff Hetfeld & R. Wayne Plant. Julie Allen arrived at 11:40.
Visitors: Diane Wessel; Land Services Administrator, Dan Bowers; Zoning Program Manager, June Winters; Zoning Program Assistant, Terri Pankow; LICD Program Assistant, Sarah Koss; Register of Deeds, and 48 others. Supervisor Rusch was excused.

1. Call Meeting to Order - Meeting was called to order by Diane Wessel at 11:30 a.m.
2. Election of Officers - (Motion/Second)
 - a. **Chair** – Diane Wessel called for nominations for Chair. (N/S) Nomination for John Bailey by Plant/Hetfeld. No other nominations. Nominations closed. (M/S) Unanimous vote for **Bailey** by Plant/Baughan. Motion carried 5-0.
 - b. **Vice-Chair** – Chair Bailey called for nominations for Vice-Chair. (N/S) Nomination for Wayne Plant by Breitenmoser/Bailey. No other nominations. Nominations closed. (M/S) Unanimous vote for **Plant** by Bailey/Baughan. Motion carried 5-0.
 - c. **Secretary** – Chair Bailey called for nominations for Secretary. (N/S) Nomination for Loretta Baughan by Bailey/Plant. No other nominations. Nominations closed. (M/S) Unanimous vote for **Baughan** by Bailey/Breitenmoser. Motion carried 5-0.
3. Appoint representatives to:
 - a. (1 + Alternate) North Central Land and Water Conservation Association (NCLWCA) –
 - b. (1 + Alternate) Lumberjack Resource Conservation and Development Council (RC&D) -

Baughan nominated Breitenmoser for NCLWCA and he declined. After a bit of background on the groups by Plant who had previously served on them, the Committee decided to vote on both positions at the same time. (N/S) Nomination by Hetfeld/Bailey for Plant to be the representative from Lincoln County & Baughan to be the alternate to both NCLWCA & Lumberjack RC&D. Vote was unanimous.

4. Review memo regarding Public Hearing process – Wessel reviewed the memo that had been distributed to the new Committee members regarding the public hearing process.

Supervisor Allen arrived at 11:40 a.m.

Committee agreed to move to item #7 on the agenda – Public Comment

5. Tour a site that will be the subject of one of the public hearings – at 12:11 p.m. the Committee Members, Wessel and Bowers left to tour the Conditional Use request site listed as #4 on the public hearing notice (Beyer/Northeast Asphalt)

Committee, Wessel & Bowers returned from the tour at 1:08 p.m. & they moved to item #8 on the agenda – Public Hearing

6. Approval of the March 13, 2014 Zoning Committee Minutes & April 9, 2014 LICD committee meeting minutes – M/S Hetfeld/Breitenmoser to approve both the March 13, 2014 ZC minutes and the April 9, 2014 LICD minutes. Motion carried all ayes.

Committee moved to item # 11 – Department Report

7. Public Comment – Earl Welker was present from the Town of Schley Plan Commission. He had 2 items to bring up to the new Committee. He is asking the Committee to have a place for testimony at the hearings specifically for the Town's recommendation. After the proponents & opponents he would like to have a spot for the Town to talk neither as a proponent or opponent. He also wanted to comment that the meeting is usually held in Room #156 downstairs and that it is hard to hear in the audience what all is being said at the table & podium. He was hoping for a way to improve that.

Committee moved to item #6 – Approval of previous meeting minutes.

LAND SERVICES DEPARTMENT

8. 1:00 p.m. Public Hearing – Public Hearing was called to order at 1:10 p.m. Hearings were held on the items listed in the notice. Chairman Bailey explained the rules of conduct for public hearings and introduced the Committee members & staff. He called the first hearing.

PETITION FOR REZONING

- 1) A request by Ginger Belgram and Geiss Inc. to rezone approximately 4.8 acres from Mobile Home Park to a Rural Residential 2 zoning district to allow for a single family home on a larger combined lot. The property is located in the SE¼SE¼ of Section 31,T32N-R7E, in the Town of Merrill, between Wood Duck Lane and Pope Road. It is a portion of tax parcel number 14.313207.016.001.01.00.

The applicant was not present so Dan Bowers explained the request. They would like to enlarge an existing lot in a subdivision to the north of the subject parcel in order to build a home on the larger parcel. They have had a certified survey map done indicating the exact area that needs to be rezoned and added to the existing subdivision lot. Because the parcel they are taking the land from is zoned for Mobile Home Park this rezone was necessary.

Dan Bowers reviewed the staff report for the request.

Wessel said that the Town of Merrill had approved the rezone request and submitted a resolution to the Committee indicating their approval. Plant asked what issues the gas line easement creates for the owner. Bowers said that it did limit the building area on the existing lot so that may have been the reasoning for the additional area needed.

Bailey closed the public hearing for the Belgram/Geiss rezone request.

M/S Hetfeld/Plant to APPROVE ON CONDITION the Petition for Rezoning as proposed and forward to the May 20, 2014 County Board meeting.

Condition:

1. An easement be maintained across Lot 9 of Prairie Woods Estate which is a minimum of 66 feet wide for purposes of future road extension of Wood Duck Lane. (The current easement is 100 feet wide and is sufficient.)

Motion carried on a 6-0 vote.

CONDITIONAL USE REQUESTS

- 2) A request by Sean DeBels to operate a golf driving range in a Recreation zoning district. The property is located in the SE¼NW¼ of Section 25,T35N-R6E, in the Town of Bradley, access is provided off of Echo Valley Road. The tax parcel number is 04.253506.008.002.00.00 and comprises approximately 10 acres. The request is being heard under section 17.3.04(10) of Lincoln County Ordinances.

Sean DeBels was present to explain his request. He is proposing the new driving range with access through Edgewater Golf Course and the driving range would be operated by Edgewater through their pro shop. He explained that they will leave a buffer of trees between the driving range and adjoining properties. There would be no lighting. The hours of operation would be the same as the golf course itself. Bowers clarified 2-3 rows of trees for a buffer (2 being the minimum). He also asked about the condition of netting being placed if the buffer of trees is not enough. DeBels didn't think it would be an issue but they would deal with it if it was. Baughan asked about a formal easement for the driving range through the golf course and DeBels stated that the golf course is owned by his parents and he currently lives there so he didn't believe the easement would ever be an issue. Plant asked Bowers if he needed to amend his recommendation about the buffer of trees and Bowers stated he just listed the minimum required by the standards.

Harry Gladwin, from the Town of Bradley Plan Commission, was present and said that the request had been approved at the Plan Commission on 3/24/14 by a 7-0 vote with no conditions as they weren't aware of any staff recommended conditions at that time. The request had then been approved at the 4/15/14 Town Board meeting with no conditions.

Bailey closed the public hearing for the DeBels Conditional Use request.

M/S Plant/Allen to APPROVE ON CONDITION the Conditional Use request per recommendations as listed in the staff report.
Conditions:

1. The use of netting, a buffer of trees or a combination of both must be used to prevent golf balls from intruding onto neighboring property.
2. A minimum of 2 rows of coniferous trees shall be maintained along the northern and western lot lines.
3. Lighting shall not be used to illuminate the driving range unless modification of the conditional use permit is granted by the approving authority.
4. All other applicable regulations shall be adhered to.

Motion carried all ayes.

- 3) A request by Mark Jensen to construct a detached storage building larger than 1,500 square feet in a Rural Residential 3 zoning district. The property is located in the SW¼NW¼ of Section 6, T35N-R5E, in the Town of Wilson, and has an address of N11935 Honey Road. The tax parcel number is 32.063505.007.002.00.00 and comprises approximately 18.9 acres. The request is being heard under section 17.3.09(1) of Lincoln County Ordinances.

Mark Jensen was present to explain his request. He feels that it would have no negative impact on the area. He plans to leave a lot of the area around the building in its natural state.

Dan Bowers shared that the Zoning office had 2 inquiries in the office by adjoining landowners asking if it would be storage rental space and Jensen stated that he wouldn't have space for any items except his own. Bowers also asked about the buffer of trees. Jensen said that for safety he would cut an area around the building of approximately 20' but he would then leave trees between that and the road so there would be at least 97' from the buffer to the center line of the road. Hetfeld asked for clarification of the location on a photo.

Phil Rausch was present. He is an adjoining land owner and a Supervisor for the Town of Wilson. The Town has approved the request. He personally has no problems with the request.

Chairman Bailey read into the record the Town of Wilson recommendation approving the request 3-0 at their 4/15/14 Town Board meeting.

Bowers reviewed the staff report with just the condition of all other applicable ordinance regulation shall be met.

Chairman Bailey closed the public hearing for the Jensen Conditional Use request.

M/S Breitenmoser/Baughan to APPROVE ON CONDITION the Conditional Use request per recommendations as listed in the staff report.

Conditions:

1. All other applicable regulations shall be met.

Motion carried all ayes.

- 4) A request by Ron and Darlene Beyer and Northeast Asphalt Inc. to modify the conditions of an existing conditional use permit to allow an asphalt plant in association with a gravel pit. The property is located in the NW¼SE¼ of Section 33, T32N-R8E, in the Town of Schley, on Trout Road. The tax parcel number is 22.333208.014.000.00.00 and comprises approximately 40 acres. The request is being heard under section 17.8.30 (13) of Lincoln County Ordinances

John Leach, with Northeast Asphalt, was present to explain the request. He gave the Committee printed information on Northeast Asphalt and a couple of handouts that he would reference in his testimony. He explained the process of an asphalt plant. He explained the importance of the location of a temporary plant for specific job applications and the savings because of the proximity of the plant to the job. He said it benefits the county, municipalities & tax payers. He

stated that due to the fact that the deposit of material is in certain areas you want to maximize that resource. He said that they want to work with the town & neighbors to make this work as it benefits all involved. He gave history of a previous project in Door County which had benefited everyone involved. He said that because of how conscientious the company is, he has to handle very few complaints. He said that he knows that the neighbors have issues and the company has methods of handling all of the issues.

Plant asked what the legitimate complaints that they had previously received were. Leach said that they have dealt with hours of operations issues that they have corrected. Bailey asked about recycling materials for the asphalt. Leach said that they would be using asphalt removed (milled) at the project, transported to the plant then returned as the asphalt mix. Bailey asked if they use shingles. Leach said that they would possibly recycle shingles as part of the mix. Bowers asked if he had a number of trucks that will be required for hauling. Leach said typically 10-15% of their overall mix quantity. He could not give an exact number. Bowers asked more about the process of recycling or using raw material instead. Leach explained. Baughan asked about the timeframe for the removal of the equipment. It takes a couple of days to erect the equipment, time for project, and a couple of days for removal of the equipment. Baughan asked about delay for weather. Leach said that weather could delay the project but their schedule is pretty tight and they give their best estimation. Bailey asked the time frame for the project. Leach said a week to 10 days. Bowers asked which projects this would be. Leach said the County Rd C project for the County and possibly for a project for the Town of Pine River. They would coordinate projects as best possible. Hetfeld/Bowers wanted to know what "temporary" means. Leach explained the bid/scheduling process. Leach is asking 4-6 weeks for the 2014 construction season. Bailey asked approximately when during 2014? Leach estimated July-August. Leach stated that it takes approximately 20-25 semi loads when moving equipment so there is significant cost involved. Plant asked about the staff recommendation of removing within 30 days of completion. Bowers asked about the fuel sources. Leach said that they used recycled burner fuel which is highly regulated. Bowers asked how much aggregate would be used for the County Rd C project and Leach said approximately 10,000 – 20,000 ton of raw aggregate + the recycled material. Bowers was trying to get a feeling of how much this would deplete the pit (What % used & what % left) Leach said that someone else would need to answer that. Baughan asked hours of operation. Leach said he was hoping Monday-Friday, reasonable hours and Saturday until noon in order to finish the project earlier. They could live with Monday-Friday.

Jay Rosemeyer, also with Northeast Asphalt was present. He said that the bid was 25,000 ton for 3 projects. That's not to say they would get all 3 projects. Bowers asked if he could translate that to yards. Rosemeyer estimated 6000 cubic yards for County Rd C, 1800 cubic yards for Pine River project. Originally the pit was projected that there would be 176,000 cubic yards available and so far, approximately 33,200 cubic yards have been used from the site. Approximately 19% of pit used and approximately 81% left. They would use about 10% of this pit for the projects in 2014.

Jim Mertes, Environmental Manager for Northeast Asphalt was present. Bowers asked the fuel sources at the plant & spill prevention. Mertes said they use recycled burner oil that is refreshed & tested by their supplier and used to dry out the aggregate. They do have a spill prevention plan as required by the EPA. He explained the prevention & recovery steps. He reviewed the process again for hot mix. He knows that the opponents will cite health risks. He stated the emission is comparable to exhaust from a car or fireplace.

Paul Budzynski, Asphalt Plant Manager for Northeast Asphalt was present. He explained that they are very low on their emissions and most of what people see disburshed into the air is steam. Breitenmoser asked who does the inspections and Budzynski replied that it was done by an outside service and then reported to the DNR. Bowers clarified that emissions are at <10% of the allowable level and Budzynski said that was accurate. Allen asked if emissions were different if recycled material is used. Budzynski said not in the process they have. Baughan asked for clarification that when the raw materials are added they are indirectly heated.

Earl Welker, Town of Schley Plan Commission, was present and said that the Plan Commission recommended approval but that was reversed by the Town Board when they recommended denial of the request. He asked that if this Committee does vote in favor of this request that they understand that the recommendations that the Schley Plan Commission had listed on their form, were what the affected neighbors were requesting. Bowers asked about #6 on the Plan Commission recommendation. Welker said the Plan Commission felt that the use of recycled material would be more dangerous than if raw materials were to be used.

Ron Beyer was present. He and his wife, Darlene, own the land that the pit is located. He passed out to the Committee a letter of support from them and then spoke about it at the podium. He spoke of Northeast Asphalt's good reputation.

He doesn't agree with a lot of the comments that people in opposition have shared at the Town meetings. He cited several issues that have been blown out of proportion. He talked about the convenience and cost savings of this location as a source for the highway projects. He stated that the pollution from the pit is no worse than significant logging in the area and no one complained about the logging trucks. He said that Northeast Asphalt would post a bond were there to be damage to the roads from the truck traffic. He added that if this request is denied it would put the future of paving in one company's hands for this type of work in Lincoln County and possibly make future costs higher.

Mike VanDeWeerd, Interim Lincoln County Highway Commissioner, was present and he said that the facts about the process have been covered. He is just here to answer any questions from the Committee about the county projects would entail. Bowers asked about the cost savings due to the close proximity of the material source. He explained how they determine the best option in the process. They try to keep the paver constantly moving so mileage to and from the source for the supply trucks to drive is a large part of the cost (less trucks needed because they make faster roundtrips). Breitenmoser asked if the \$40-50K cost savings figure is accurate. VanDeWeerd said it was the best estimate & weather dependent. Baughan asked about the other option and VanDeWeerd said that would be running more over recently paved roads. He said the more use on those newer roads the faster it deteriorates. Bowers asked him to translate what the savings would mean. VanDeWeerd just said that the more money they can save the more projects they can do. The \$40-50K in savings would be approximately another ½ mile of roadway. \$554,373 is what the County Hwy C projected cost would be. Bowers asked how many loads and VanDeWeerd said 464 loads over 6 days is planned.

Robert DeMesy was present. He had property about a 40 acre parcel away from the pit location. He is a tax payer and worked in the paving industry most of his life and is in favor of the request because of the savings that would result from using this location. He said that Northeast Asphalt is a good company and he is also afraid of the loss of competitiveness for bids on jobs. Bailey asked DeMesy if he has any health issues resulting in working in this field. He said that he did not.

Art Pond was present in favor of the request. He also works in the industry & stated that Northeast Asphalt has a very good reputation in the paving business. He doesn't believe that the Town Board should dictate what the Land Services Committee allows because they don't agree with the request.

Some of the letters/e-mail of opposition that had been received in the Zoning Office asked to be read aloud at the hearing however because of the length of the letters and that the concerns in each were all relatively the same, Chairman Bailey asked Wessel to give a summary of the letters of opposition to the request. She summarized letters received by e-mail; from Tom Walley hoping that the Committee honors the Town's recommendation & denies the requests citing air pollution/odor and spill risk, decreased property values & health and environmental issues. If request is granted, hoping that asphalt plant is closed by September 2014 & are not allowed extended hrs. From Drew Walley, citing same issues as above and same restrictions if granted. From Joe Ruelle citing that area will be made less desirable, long term economic impact on Lincoln County & its citizens listing all of the potential health & environmental issues. From Bradd Price & Linda Noreika citing dollar savings for County Rd C questionable, no local jobs added, no additional tax base, premature damage to roads & bridges from truck traffic, dust, noise & traffic safety issues, environmental concerns, effect on nearby wetlands, property values, zoning laws in place to segregate incompatible land uses, trying to preserve their lifestyle as well as the environments. From Jean & John Greenwood asking for denial of the request citing dust, wear & tear on road, safety issues exposure to harmful compounds, noxious odor, possible respiratory problems, decreased property values, long term health impacts, environmental effect & financial burden placed on households in the immediate area.

At 2:42 p.m. Bailey called for a break before starting with actual testimony from opponents. Meeting resumed at 2:55 p.m. After asking for a show of hands for opponents that wished to speak, Chairman Bailey suggested there be a time limit placed on testimony so that the meeting would not go all evening. Ann Herda-Rapp spoke from the audience stating that would be extremely unfair. She felt that all speakers in opposition should be heard as long as those in favor were allowed testimony. Hetfeld agreed as did Breitenmoser but asking that the testimony not be completely redundant from each & every opponent.

Veronica Spahn, who lives about a mile from the pit, came to the podium. She is worried about the immediate effects of something like this. They are a family of 7 & they home school and would be exposed to the pollution more than other residents may. Due to health issues she may be forced to stay inside for the duration of the asphalt plant being in place and that duration seems to keep expanding. The original CUP had a condition of "no asphalt plant" and she is hoping that the committee will uphold that.

Bradd Price was present and he said that the Committee has a tough decision, but he feels that the rules are in place for a reason. The neighbors are very involved in the future of their neighborhood and he doesn't want to see their opinion disregarded either at the town or county level. He said that the projects are multiplying and he is not sure of the accuracy of the proposed savings. He said there will not be a significant savings to each taxpayer & will create no additional local jobs. It does not benefit the Town monetarily but will have negative effects on the roads & property values. People live there because of the rural atmosphere and hope to preserve this lifestyle. Bailey asked an opinion of County Rd C that is to be redone. Price commented that it has taken a beating from mostly logging trucks over the years. He said other plant locations with routes on other county roads shouldn't be a problem if they were built to specifications. Price is also a real estate appraiser and said that this could definitely have an effect on property values.

Rick Dorn, Chairman of Town of Schley, was present and explained the reasons that the Town Board voted the request down at the Town level. When the CUP was originally granted they had reasons for putting the conditions on the request that they did at the time (no blasting, no asphalt plants, no concrete plants). There was a lot of opposition to the pit back then and this was the compromise. He was also unsure of the project savings estimate would actually be realized by putting the plant in this location. He said that there are other pits in the area that could be utilized for these projects. Dorn has concerns that this much truck traffic would definitely have a negative effect on the Town of Schley roads. The State Rd 64 project would definitely be hard on the roads. Breitenmoser asked if just the County C project would have a detrimental effect. He said that the bond that would be required should cover the cost of damages to the road. Bailey questioned the vote approved by the Plan Commission then voted down by the Board. He said that the Town Board felt that the original condition, of no asphalt should be adhered to. Bowers asked if the town currently has a bond. Dorn said that there is a \$50K note just for the pit itself. There was discussion on the French Ridge Rd project and the different bids for the jobs. Bowers asked Dorn how many complaints he has received from neighbors and Dorn did not have an exact number but there have been enough. Hetfeld had questions on the original CUP. Bowers said that the current pit is permitted through September of 2016 (the original CUP was granted 9/2004 for 7 years and since extended for 5 more years). Dorn said that the volume of trucks using the roads would definitely do damage. Bowers asked what conditions were most important if the request were to be granted. Dorn said that spreading the Calcium Chloride for dust, a \$100K bond for the roads and repair roads as needed, were what he felt were the most important.

Larry Ormosen an adjoining land owner was present. His wife had a number of health issues and they have concerns about the dust control & hours of operation. The calcium chloride has previously been just spot treatment & there are health issues with that chemical he would rather just see the road watered.

John Rapp, an adjoining land owner was present. He thanked the Committee, Town Plan Commission & Town Board for their time and accepting public input. He said that there were discrepancies in what the cost savings would be. He said everyone likes driving on new roads and infrastructure is the key to economic success but unfortunately at the cost of the local town residents. He showed the Committee a picture of road damage that had been done to the road because they are not built to handle this type of truck traffic. Rapp appreciates the rural atmosphere and agrees that people have rights to do what they wish on their property but not at the cost of being hazardous or costly to the adjoining neighbors & the Town of Schley. Bailey asked when the photo was taken and Rapp answered March 14, 2011.

Dr. Jim McCluskey was present & shared that his doctorate is in environmental hazards and that he has done a lot of work in that field for numerous agencies & companies. He explained the externalization of cost ends up being burdened by the neighbors & town. He doesn't think that any dollar cost savings would offset the health hazard issues, property values and the environment. He has concerns about impact & liability if there are long term issues.

Anne Herda-Rapp was present & thanked the Committee for a chance to talk. She lives ¼ mile to the north of the gravel pit in a home they built in 1999. They have a sustainable rural lifestyle as many in the area do. She feels that these activities will be compromised if the asphalt plant is allowed. This summer, if the asphalt plant is granted, they will not have a garden, raise chickens or pigs. She has done extensive research into the negative aspect of being in close proximity to an asphalt plant and the trucks hauling. She has concerns about the polycyclic aromatic hydrocarbons (PAHs) emitted from the plant and trucks. Probable carcinogens will be emitted that bind with dust and can be airborne for extended lengths of time. The PAHs are absorbed in the water & soils and can last for more than a year. These are ingested by animals and can affect humans as the end user. She cited a report from David Liebl on the health hazards that could be created. She said that people would always need to keep their windows closed because the PAHs are airborne for extended lengths of time. She gave the Committee a map indicating how many neighbors would be impacted in the area (approximately 20 households). She said that several of the household have people that are at home all day. She has a

concern about the number of trucks hauling (600x2) just for the County Rd C project coming & going. She asked that the Committee consider the other pit locations instead of this one and deny the request for this asphalt plant. Bailey asked how long Herda-Rapp had lived there and she said 15 years which predates the pit all together as do most of the residences in the immediate area. Allen & Hetfeld had questions regarding the PAHs and there was discussion. Baughan commented on the frequency of the trucks coming & going and said that one truck each 5 minutes would be comparable to people living on State Roads. Herda-Rapp said that a paved road is different than the gravel road because of how the PAHs are disbursed. She was not overly worried initially but became more so after consulting experts. Regarding property value issues, Herda-Rapp said even if the permit expires they have been told by realtors that they need to disclose, when selling their property, that there has previously been a gravel pit & asphalt plant near their home. Bowers asked how much traffic there was prior to the pit. She said it was very minimal. He asked what her cost would be not being able to be so self-sustainable and she said that she could not put an exact dollar value on it but they would have to then buy all of their produce & some meat that they would normally be raising themselves so it would be significant. There was discussion on previous complaints with the pit being in existence.

Barb Helser, an adjoining land owner was present and said that she is an organic gardener and moved to this area because of the rural pristine quality. She feels that the asphalt plant would negatively impact her lifestyle. No gardening, running along the road & probable health issues. There will definitely be an expense to the families that are used to a self-sustainable lifestyle. She would not have chosen this property if she had known of the possibility of an asphalt plant in the area. She urges the Committee to say no to the request. She also has concerns that the estimate has gone from 1 week originally and is now more like 6 weeks.

Linda Noreika was present as an adjoining landowner. She is concerned about the carcinogen emissions because she has small grandchildren that visit her and doesn't want to endanger their health.

Jane Severt was present and appreciated the opportunity to speak. She appreciates the difficulty of the decisions that the Committee will have to make while serving on the Committee. She doesn't feel that this is the best option & place for an asphalt plant and trucks hauling on 4 miles of gravel roads. She feels that even the paved roads will suffer. As a resident of a town that is under county zoning she expects that proper care should be taken in the Committee to protect those residents. She said it is ironic that the owners of the pit previously had a problem with farmer's spreading sludge on nearby lands yet they wish their request be approved that may affect so many others.

Lea Ratajczak was present. She serves as Secretary on the Town of Schley Plan Commission. She opposed the motion at the Plan Commission and there was a lot of debate at the Plan Commission level. She was happy that the Town Board recommended denial. Right after her family moved to the area the initial gravel pit was permitted. It was supposed to have a sunset of 2011 and ultimately supposed to be a pond for their family to enjoy. In 2010 the owner's requested a 10 year extension and were granted a 5 year extension even though residents had complaints. More conditions were imposed and added #4 (No blasting, asphalt plants for concrete plants will be allowed in the pit under the terms of this permit). She said that they are forced once again to try to defend their community from this request. How long can one landowner continue to impose negative impacts on the town tax payers living near this property? She asked that the request be denied for this asphalt plant and asks that the closure of the pit not be extended again and that the pit be reclaimed at that time.

Dee De Grund was present and said hers was more of an emotional statement citing that if she were the owner of the pit she would regret putting all of their neighbors through this knowing how opposed most all of them are to the pit & this request.

Katie Kalish was present. In answer to the question of the cost of not being able to grow your own produce over a season would be over \$2,000 as a conservative estimate annually.

Harry Gladwin came to the podium. He is a Town of Bradley resident and has concerns that when the towns went through the smart growth process, one of the key issues of input at that time was that the area retained the rural atmosphere. He cited a previous proposal of a gravel pit in the Town of Bradley and that one of the biggest concerns was that there were no concrete or asphalt plants. With this compromise the request for the gravel pit was approved. He doesn't feel it fair that there may be a request approved with this much opposition to the request by the people it may affect. He doesn't understand why there was even a land use planning process when it gets overridden in the end.

Marland Gennrich was present. He wasn't planning on testifying but he wants the Committee to understand that the few residents should not be able to get the Committee deny this request because the Beyer's should be allowed to have their request and the rest of the town's people want this request granted. He is in favor of the request. (Hetfeld's comment 2 speakers later that this testimony was out of order and he should have spoken when the chair called for proponents)

Tony Dallman was present and he is here speaking as a resident of the Town of Schley and not as a County employee or a member of the Plan Commission. He views the only savings as being the cost of the asphalt itself.

Lea Usinger was present. She lives in Marathon County & is an environmental science student and she is hoping that the voice of the little person is heard and believes that the negatives outweigh the positives in this request. She is not trying to make the business the bad guys but doesn't feel that they should impact the neighbors and the environment.

Chairman Bailey closed the public hearing for the Beyer/Northeast Asphalt Conditional Use request. Hetfeld wished to have it noted that record show that the testimony of Marland Gennrich was as a proponent and not an opponent. It was so noted.

There was comments and discussion by the Committee. Plant said even though he is a member of the Highway Committee, with the opposition that he has heard, he wouldn't want it in his backyard either. Hetfeld said that his job is to represent & listen to the people in the county. Breitenmoser said he believes in efficiency & cost savings to the county but sympathizes with the residents as most of them were residents prior to the gravel pit. He's not sure the impact would be as negative as the opponents portrayed but believes that the original conditions should be honored. Baughan is hoping that there could be a compromise. She thinks the duration could be limited but believes that the health hazards may be blown out of proportion. Allen said that she appreciates the democracy of this process at the local level. She agrees that the original condition on the CUP were put in place for a reason and that this much opposition reinforces that. Her vote would be in opposition to the request. Bailey believes in property rights but he said that the Town Board's opinion should carry a lot of weight in this issue. He's not sure that the health impacts are a negative as portrayed and is more concerned about other sources of pollution causing health issues.

M/S Breitenmoser/Hetfeld to DENY the request for the asphalt plant.

Motion carried 5-1 with Baughan voting nay. Conditional Use Permit is denied.

Committee proceed with item #10 on the agenda –Friends of Lake Mohawksin Lumberjack RC& D project proposal

9. Farmland Preservation Grant Application – Wessel explained the background for the Farmland Preservation Planning Grants. All counties in the state are required to have a Farmland Preservation Plan in place if they have residents in their county that wish to participate in Farmland Preservation programs. Lincoln County's current plan (from 1982) expires in 2016. Wessel has put together a grant application for a \$30,000 grant. She explained the match process would consist of expenses and or staff resources. Bailey asked if the county needs to match and Wessel said it would be "in-kind" match. The deadline is May 15, 2014. Baughan asked what the term of the contracts for the property owners are. Wessel explained it is a 15 year contract with penalty for early withdrawal. Zoning is another way landowners can participate in a Farmland Preservation Program without a time commitment or withdrawal penalty and that would involve the Zoning designation actually being changed to a Farmland Preservation Zoning District. Baughan asked if there is a minimum parcel size. Wessel said that it is based on a gross dollar amount of production. Plant asked how many landowners in Lincoln County are taking advantage of this currently. Wessel said that there are currently 2. Plant asked for some history on the Farmland Preservation and Wessel explained. Hetfeld asked if this was what was previously talked about in conjunction with Marathon County and Wessel responded that this is a "phase" of what was discussed then.

M/S Baughan/Breitenmoser to approve the grant application and forward it to the state.

Committee moved to item #5 on the agenda – Tour the site in the Town of Schley

10. Friends of Lake Mohawksin Lumberjack RC&D project proposal – Plant explained that Lumberjack is the sponsor of an ongoing DNR project. A portion of that is this proposal for the AIS Coordinator from Rhinelander to train people to deal with invasive species on Lake Mohawksin this summer. There is no expense to the county for this. M/S Breitenmoser/Hetfeld to give this Committee’s approval and forward to Lumberjack to pursue this portion of the grant. Motion carried all ayes.

Committee proceeded with item #12 - Register of Deeds background information

11. Department Report - The Zoning Compliance report was discussed. Bowers reviewed the compliance process & citations. He reviewed specifically a compliance issue (junkyard violation) in the Town of Bradley for which a citation has been issued and the unique problems that zoning has encountered with this situation. He also discussed an ongoing shoreland violation in the Town of Bradley to give the Committee background on the issue. Hetfeld recalled that the County Board has passed an ordinance for a grant for restoring shoreland buffers and Wessel explained that the grant is only applicable in “voluntarily” restoring a buffer and not when it is a result of a permit or compliance issue. The timeframe for dealing with restoration and compliance issues was discussed.

The department financial reports were reviewed and discussed. M/S Bailey/Plant to put report on file. Motion carried all ayes.

Committee moved on to Item #9 on the agenda – Farmland Preservation Grant Application.

REGISTER OF DEEDS

12. Q&A on ROD Background Information – Sarah Koss, Lincoln County Register of Deeds was present and explained to the Committee the function of her department. She explained the types of documents they record and their fees.
13. Q&A on ROD Monthly Munis Report – Koss reviewed the report and there was discussion on the report. Bailey asked about an expense listed & Koss explained it is for the redaction of social security numbers off of recorded documents and Koss explained the current project and the mandated deadline. The cost questioned was for a vendor to complete stage 3 of the process.
14. Q&A on ROD Monthly Written Report – Koss explained the written report for the Committee which details activities of her department each month. She explained the attached chart compares the current year to the previous year. Koss said that the trend is that there are certain months (summer) that are busier than others.
15. Confirm schedule & next meeting/public hearing date – June 12, 2104 - Wessel explained the need for a regular & predictable schedule for their meetings because of the public hearing aspect of the meetings. There was discussion with the Committee as to when they would prefer the meetings be held in the day. There was discussion on the options and conflicts in scheduling. The consensus was to keep the schedule “date wise” as originally proposed and try to keep the meetings in the afternoon. They agreed that they would plan the June 12, 2012 meeting 1:00 p.m.
16. Adjourn – M/S Hetfeld/Breitenmoser to adjourn at 4:58 p.m. Motion carried all ayes.