

**Lincoln County Land Services Committee  
Minutes of Thursday, August 10, 2023 3:30pm  
Lincoln County Service Center, Room #257  
(Meeting recording is available on the Lincoln County website: [co.lincoln.wi.us](http://co.lincoln.wi.us))**

MEMBERS PRESENT In-Person: Marty Lemke, Julie DePasse, Elizabeth McCrank, Randy Detert, Greg Hartwig, Steven F. Roets, and Greta Rusch

MEMBERS PRESENT Teleconference: Bill Bialecki

MEMBERS ABSENT: none

DEPARTMENT HEADS/STAFF In-Person: Mike Huth (Land Services Administrator), Karry Johnson (Corporation Counsel), Sarah Koss (Register of Deeds), Renee Krueger (Administrative Coordinator), Thomas Boisvert (Conservation Program Manager), and Elizabeth Peronto (Program Assistant).

DEPARTMENT HEADS/STAFF Teleconference: Travis Spoehr (Information Technology Director), Sam Fenske (Finance Director)

VISITORS In-Person: see attached August 10, 2023 sign in sheets

VISITORS Teleconference: see attached August 10, 2023 sign in sheets

1. Call Meeting to Order – Meeting was called to order by Chair Lemke at 3:30pm.
2. Roll Call – All other members present.
3. Adopt Agenda – M/S McCrank/DePasse to adopt the agenda as presented. Motion carried on a voice vote.
4. July 13, 2023 LSC Meeting Minutes – Discussion occurred. M/S Hartwig/Rusch to approve the 7/13/2023 minutes with the amendment that Julie DePasse is excused. Motion carried on a voice vote.
5. Public Comment – There was none.

#### **DEPARTMENT REPORTS**

6. Register of Deeds
  - a. Monthly Financial Reports – Koss presented the reports.
  - b. Monthly Written Reports – Koss presented the reports.
7. Land Services
  - a. Administrator Department/Programs Report – Huth gave an overview of the department report.
  - b. Monthly Financial Report – Huth gave an overview of the financial report.
  - c. Zoning Program Manager/Land Services Administrator Timesheets (6/26/2023-7/23/2023) –  
M/S Rusch/McCrank to approve the timesheets. Motion carried on a voice vote.

#### **OLD BUSINESS**

none

#### **NEW BUSINESS**

8. Agency Updates - none
9. Conservation Program Cost-Share Rates – Boisvert and Huth gave an overview of the proposed rate change. Discussion occurred. Committee directed staff to bring a drafted cost share policy to a future meeting.

10. Requirements for Variance Applications 17.8.60 Ordinance Discussion - Huth gave an overview of the requested text amendments. Discussion occurred.

M/S McCrank/Rusch to bring the proposed text to a future meeting. Motion carried on a voice vote.

M/S McCrank/Depasse to suspend the rules and move to items #12 and #13. Motion carried on a voice vote.

12. Future Agenda Items – Proposed Zoning Ordinance Text Amendments, Proposed BOA text amendments, and Cost Share Policy Draft.
13. Confirm next meeting/public hearing date – The next meeting will be September 14, 2023. The meeting will begin at 3:30p.m. with the Public Hearing to begin at 4:00p.m.

Lemke called for a recess until 4:00pm.

11. **4:00pm Public Hearings** – Public Hearing was called to order at 4:00pm by Chair Lemke. Lemke explained the rules of conduct for public hearings and introduced the Committee members and staff.

#### **CONDITIONAL USE REQUEST**

- a) A request by Prairie River Junction LLC (Representative: Jeff Heller), G&M Peterson LLC, and James Peterson Sons Inc to allow Heavy Industrial Use – in a General Industrial (GI) zoning district. The properties are located in Section 1, T31N-R6E, in the Town of Merrill.

Lemke asked staff if there is an update to the Staff Report. Huth informed the committee that the Town of Merrill submitted a recommendation to deny this request and that a citizen petition was submitted to the department/committee. Huth informed the committee there is no change to the staff report and is still recommending approval with conditions as stated in the staff report. Huth and Johnson presented the responsibilities of the committee based on Wisconsin Act 67, which created the current statute addressing conditional use permit applications at the county level.

Lemke asked for additional testimony from proponents of the request. There was none. Huth reminded the committee that Jeff Heller was present at the prior meeting and agreed to all proposed conditions, which proposed conditions have not changed since that meeting.

Lemke asked for additional testimony from opponents of the request. Nathan Miller (legal representative of Ann and Jerry Badeau), Kerrie Kanda, Joshua Fenske, Beth Mickle, Ken Sutton, and Mike Hass expressed various concerns regarding noise, road quality, property values, environmental effect, property value, traffic, hours of operation, and the rezone process from 2003-2005. Nathan Miller and Joshua Fenske proposed conditions to be added to the CUP. Discussion occurred.

M/S Detert/Hartwig to close the public hearing for this request. Motion carried on a voice vote.

M/S Hartwig/Detert to approve the Conditional Use request by Prairie River Junction LLC with the seven recommended conditions listed on the staff report. Motion carried on a voice vote.

Conditions:

1. Erosion Control and Stormwater Management standards located in 17.5.08 shall be met upon approval of plans by WIDNR.
2. A "landscaped bufferyard" meeting the Screening and Landscaping standards of 17.5.05(2)(a) and (b) shall be maintained to a depth of fifteen (15) feet from the current north and west property lines with exception for the driveway/rail/access points.

3. Signage shall comply with Chapter 17.6 of Lincoln County Ordinance.
4. Exterior Lighting shall comply with Chapter 17.5.04 of Lincoln County Ordinance.
5. All buildings, trucks, and activity areas shall be set back from all streets and residential zoning district boundaries a distance equal to the required principal building setbacks and shall not be located within any required landscaped bufferyard.
6. All parking, loading, and vehicle circulation areas shall be surfaced with a hard-surface, all-weather material such as pavement or concrete.
7. One parking space per each employee on the largest work shift.

### **COMPREHENSIVE PLAN AMENDMENT & PETITION FOR REZONING**

- b) A request by Erik Johnson (petitioner) and Jacob & Buddy Graebert (property owners) to rezone tax parcel pins# 00434061229996 and 00434061229995, from Forestry (F) to Rural Lands-2 (RL2).

Lemke asked for testimony in support of the request. Erik Johnson, petitioner, was present and explained the request.

Lemke asked for additional testimony in support of the request. There was none.

Lemke asked for testimony from opponents of the request. There was none.

Lemke asked for the staff report. Huth presented the staff report. Huth informed the committee that the Town of Bradley has submitted a favorable recommendation. County staff recommends that the committee approve the rezone request, as written in the staff report.

M/S McCrank/DePasse to close the public hearing. Motion carried on a voice vote.

M/S McCrank/Rusch to approve the rezone request by Erik Johnson and Jacob & Buddy Graebert as listed on the staff report and forward to the County Board. Motion carried on a voice vote.

### **PETITIONS FOR MODIFICATION OF THE SUBDIVISION ORDINANCE**

- c) A request by Mark Saddison to create a lot that does not have 30 feet of frontage on a public road. The property is located in Section 23, T34N-R6E, in the Town of Bradley. The tax pin# is 00434062319983.

Lemke asked for testimony in support of the application. There was none.

Lemke asked for testimony from opponents of the request. There was none.

Lemke asked for the staff report. Huth presented the staff report. Huth informed the committee that the Town of Bradley requested a 30-day extension in order to file the recommendation. County staff recommends that the committee approve the Petition for Modification with the one recommended condition, as written in the staff report. Discussion occurred.

M/S Hartwig/Detert to approve the 30-Day extension as requested by the Town of Bradley. Motion carried on a voice vote.

### **ANNOUNCEMENTS**

14. Adjourn – M/S McCrank/DePasse to adjourn at 5:18p.m. Motion carried on a voice vote.



