

July 16, 2021

Minutes of the **Planning and Zoning/Land Information meeting with public hearing** conducted on July 7, 2021 in the courthouse, Florence County, WI.

Chairperson Bomberg called the meeting to order at 6:00 P.M. and took roll call.

Members present: Supervisors' Jeanette Bomberg, Sherry Johnson, Joe Mills, Matt Burnette

Members absent: Gary Steber was excused

Others present: Tim Bomberg - Town of Florence Chairperson, Tim LaBine, Scott Lamers, Eric Huss, Al Meister, John Allard, Kelly Sleeter - Zoning Administrator, Trish Kelly - Assistant Zoning Administrator

Chairperson Bomberg asked for a motion to approve the agenda, **motion by Supervisor Johnson to approve the agenda, second by Supervisor Mills, vote four (4) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg asked for a motion on the minutes of the meeting and public hearing conducted on June 2, 2021. **Motion by Supervisor Johnson to approve the minutes of the meeting and public hearing conducted on June 2, 2021, second by Supervisor Mills, vote four (4) ayes, zero (0) nays, motion carried.**

There were no persons wishing to address the committee on other zoning related concerns.

The committee reviewed the current bills as presented and recommended to the Audit and Budget Committee for approval. **Motion by Supervisor Johnson to approve the bills, and recommend to Audit and Budget for approval, second by Supervisor Burnette, vote four (4) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg announced *Public Hearing CUP-20210005*, request an After-the-Fact Conditional Use Permit under Chapter 10, Sub-Chapter 2, Section 9.2 and Section 8.0 Florence County Shoreland and Wetland Zoning Ordinance for filling and grading within 300 feet landward of the Ordinary High-Water Mark of navigable water on slopes greater than 20 percent with surface drainage toward the water. Property owner will submit a mitigation plan for the disturbance that occurred within the vegetative buffer zone. Total disturbed square footage is 5945 square feet. Property is Lot 3 of Sunset Plat of Cosgrove Lake. Section 32, Township 40 North, Range 19 East, Town of Florence, Florence County, WI. Property address is 1891 N. Cosgrove Lake Road. Request submitted by Allard Real Estate Trust.

There was no written or oral correspondence. The Zoning Office was notified of a shoreland disturbance at the property. Upon inspection of the property, there was fill placed within the 35-foot shoreland vegetated buffer zone and further landward. The owner was directed to put silt fence in place to prevent soils from entering the water and to seed and mulch the disturbed area immediately. A stop work was issued until the proper permits were in place. The owner has submitted a mitigation plan, and will record a Shoreland Mitigation Agreement with the County.

If approved, Administrator Sleeter would recommend erosion control measures remain in place until the area is revegetated and stabilized, continue to follow Best Management Practices for water quality, any other local, state or federal permits be obtained and the Zoning Office is notified one day prior to the restart of work. **Motion by Supervisor Johnson to approve CUP-20210005 for filling and grading within the shoreland with the conditions as stated by the Zoning Administrator, erosion control measures remain in place until the area is revegetated and stabilized, continue to follow Best Management Practices for water quality, any other local, state or federal permits be obtained and the Zoning Office is notified one day prior to the restart of work. This was seconded by Supervisor Burnette, vote four (4) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg announced *Public Hearing CUP-20210006*, request an After-the-Fact Conditional Use Permit under Chapter 10, Sub-Chapter 2, Section 9.2 Florence County Shoreland and Wetland Zoning Ordinance for filling and grading of 13,560 square feet within 300 feet landward of the Ordinary High-Water Mark of navigable water on slopes 12 percent or less with surface drainage toward the water and filling and grading of 30,450 square feet between 300 feet and 1000 feet of navigable water to prepare for a future building site. Total disturbed square footage is 44,010. Property is part of SW NE, Section 1, Township 39 North, Range 15 East, Town of Long Lake, Florence County, WI. Property address is 3432 STH 139. Request submitted by Scott Lamers.

Letter of correspondence was read from Rebecca Labine Copiskey with concerns that in the process of Mr. Lamers clearing and grading activities he has appropriated a .26-acre portion of her property as well as removing many of the trees on her property. Mr. Tim LaBine, representing Ms. Copiskey submitted a two-foot contour map indicating the area outlined in red where they left many white ash and oak trees as a buffer while logging their property four years ago. The trees have been removed and the elevation of the land lowered by five feet in this grading project while using this material to fill other areas of Mr. Lamers property. The concern now is surface drainage towards their home. The Copiskey's are asking that remediation be done on this site by restoring the natural contours and planting trees or shrubs. (Letter on file in zoning office).

Mr. Lamers said the encroachment is his fault. He had an excavator ready to go and the professional surveyor could not get there for three weeks so he used a survey application on his phone to do his own survey, which he stated was off by 12-feet or so. When the professional surveyor got to the site, around 90 percent of the excavation was completed and it was at that time he realized he encroached onto the neighbor's property. There was an old house on the property that was torn down and the area filled in. He has not been able to discuss the matter with the neighbor as no one lives in the home. Mr. Lamers said he would be more than willing to restore the back edge of his property.

Administrator Sleeter explained a DNR permit was obtained to burn the house that was on the property. This excavating was done to build a 45' x 60' storage shed. This public hearing is for the after-the-fact filling and grading that was done on the property. Mr. Lamers is currently working with the DNR on a storm water permit for disturbance of over an acre. Erosion control measures are in place, erosion socks, silt fence and erosion mats on both sides of the driveway. If approved, the Zoning Administrator would recommend the following conditions, that erosion control measures remain in place until the site is revegetated and stabilized, follow Best Management Practices for water quality, any other local, state or federal permits be obtained and the Zoning Office is notified one day to the restart of work. Also, a buffer on the north and east side of the property be maintained.

Supervisor Burnette noted there is not much we can do as a committee as far as the damage that has incurred to the neighbor's property. Mr. LaBine agreed that would be a civil matter. As long as the DNR Storm Water Permit addresses the storm water runoff, so it does not run onto our property and cause issues. **Motion by Supervisor Johnson to approve the After-The-Fact Conditional Use Permit CUP-20210006 for filling and grading within 300 feet landward of the Ordinary High-Water Mark of navigable water on slopes greater than 20 percent with surface drainage toward the water with the conditions as stated by the Zoning Administrator, that erosion control measures remain in place until the site is revegetated and stabilized, follow Best Management Practices for water quality, any other local, state or federal permits be obtained and the Zoning Office is notified one day to the restart of work and a buffer on the north and east side of the property be maintained. This was seconded by Supervisor Mills, vote four (4) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg announced *Public Hearing CUP-20210007*, request a Conditional Use Permit under Chapter 10, Subchapter 1, of the Florence County Comprehensive Zoning Ordinance, Section 6.16, Temporary Uses, to place a travel trailer in an agricultural zoning district for more than 30 consecutive days to be used as a temporary dwelling. Property is NE, SE, Section 06, Township 38 North, Range 19 East, Town of Aurora, Florence County, WI. Request submitted by Alan Meister.

There was no written or oral correspondence. The applicant, Al Meister said he and his family have decided to move up to the area to be close to family and friends. He plans to build an accessory structure in the near future to store the travel trailer and eventually build a home on the property. A sanitary permit and fire number has already been issued for the property. Administrator Sleeter said if approved, he would recommend that any other local, state or federal permits be obtained and Section 6.16 Temporary Uses of the Comprehensive Zoning Ordinance be adhered to. **Motion by Supervisor Mills to approve Conditional Use Permit CUP-20210007 to place a travel trailer in the Agriculture Zoning District for more than thirty consecutive days to be used a temporary dwelling with recommendations as stated by the Zoning Administrator that any other local, state or federal permits be obtained and Section 6.16 Temporary Uses of the Comprehensive Zoning Ordinance be adhered to. The permit is to be reviewed in three years through a Conditional Use Permit before the Planning and Zoning Committee, second by Supervisor Johnson, vote four (4) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg announced *Public Hearing CUP-20210008*, request a Conditional Use Permit under Chapter 10, Subchapter 1, of the Florence County Comprehensive Zoning Ordinance, Section 6.16, Temporary Uses, to place a travel trailer an open forest zoning district for more than 30 consecutive days to be used as a temporary dwelling. Property is Part of GL 8 & 11 AKA Lot 6 of CSM#271132, Section 23, Township 40 North, Range 15 East, Town of Tipler, Florence County, WI. Request submitted by Jason Wickesberg.

Written correspondence was read from adjacent landowner, Bryan Rahn, who has no issue with the applicant to place one temporary camper/motorhome on their land, provided "black tank" waste is properly disposed of or emptied in accordance with Town of Tipler and/or County of Florence regulations. (Letter on file in Zoning Office). The applicant was not present. Administrator Sleeter said if approved, he would recommend that any other local, state or federal permits be obtained and Section 6.16 Temporary Uses of the Comprehensive Zoning Ordinance be adhered to. **Motion by Supervisor Johnson to approve Conditional Use Permit CUP-20210008 to place a travel trailer in the Open Forest Zoning District for more than thirty consecutive days to be used a temporary dwelling with recommendations as stated by the Zoning Administrator that any other local, state or federal permits be obtained and Section 6.16 Temporary Uses of the Comprehensive Zoning Ordinance be adhered to. The permit is to be reviewed in three years through a Conditional Use Permit before the Planning and Zoning Committee, second by Supervisor Burnette, vote four (4) ayes, zero (0) nays, motion carried.**

Under discussion/action regarding ordinance review. Administrator Sleeter is working with Scott Wolf on the ordinance update.

Under discussion/action regarding Land Information Department, update. The Register of Deeds Office reported the scanning information for the time-period June 1, 2021 through June 31, 2021, there were 22 hours worked by one employee with 237 historical documents scanned. ► The 2020 imagery tiling was posted to website June 25th 2021. It is available under the base maps for now, not with the prior year imagery layer. ► Ayers Associates has informed the County that the USGS has not yet finished the QA/QC status of the LIDAR. Ayers Associates expects to need approximately three months to have our enhancements available so we are looking at possible October-November delivery. ► The 2020 Retained Fee/Grant report was submitted to the State. ► Dorton Technologies has been given information to get started on map scanning portfolios; however, Chad Dorton is also working on an IMS service issue at this time, so the project may be delayed.

Motion by Supervisor Johnson to adjourn, second by Supervisor Mills, vote four (4) ayes, zero (0) nays, motion carried.

Respectfully submitted,

Kelly Sleeter
Zoning Administrator

KS/tk