

# LINCOLN COUNTY PLANNING BOARD

## Meeting Minutes

November 27, 2012

### 1. **5:35 – Meeting Called to Order by Board Chair, Paul Tisher**

Present: *John Damon, Paul Tisher, Kirsten Holland, Mark Romey, Matt Bowser, Dave Johnson, Bonny Peterson, John Rios,*

Staff: *Kristin Smith*

Public: Dave Heckler, Jan Bertelsen-James, Bev Cass, Dan Taylor, Greg Hoffman

### 2. **Approval of Minutes from October 16<sup>th</sup> – Kirsten moved to approve, Mark seconded. Motion passed.**

### 3. **Agenda**

#### **a. Community Wildfire Prevention Plan – Draft Review**

Paul asked Ed Levert, the County Forester, to present the Plan. Ed gave an overview of the update from the 2005 plan and the work completed to date to reduce risks of wildfire. The Board thanked Ed and expressed appreciation for the good work.

#### **b. Turtle Lake proposed zoning district**

Kristin presented the proposal from Turtle Lake residents to create an 88-acre zoning district in Eureka centered on Turtle Lake. She provided her evaluation based on the statutory criteria and offered some recommended changes to the draft as presented. She noted that the proposal came from 73% of the property owners, or 8 of the 11, above the 60% minimum.

Dave Heckler spoke in favor of the proposal and shared the history of how it was developed by all the neighbors.

Jan Bertelsen-James spoke in favor of the proposed district and shared her experiences living in the area.

Dan Taylor spoke against the proposed district and raised concerns about what some of the provisions would mean for his property specifically regarding animals and foundations.

Greg Hoffman spoke about the Corps of Engineers' concerns over water quality and quantity and the impacts of increased use on such a small water body such as Turtle Lake which does feed the Murray Springs Fish Hatchery.

Jan affirmed that RVs could in fact be placed on the properties that they were not too steep and that the additional activity that RVs bring to the lake would in fact impact the quality of the lake.

Paul asked Greg how the Corps gauged the volume and quality of water coming into the hatchery. Greg stated that only way now is with volume being pumped out; but gauges will be installed this year – a new requirement. They will be studying connectivity.

Greg stated that adjacent property owners are interested in developing their property, but the Corps is working with them to potentially add a conservation easement.

Bonny commented about the comparison to Kiowa Hill and that their property owners had changed their covenants against the wishes of some of their neighbors and that it seemed like a similar situation with the property owners of Turtle Lake wanting to zone other peoples' property, like having to get rid of animals.

Dave Heckler explained how the provision addressing animals was modified. The original draft was not very restrictive and just deferred to odor and noise as the threshold for a nuisance. It became clear that noise and odor would be difficult to enforce. A comment had been made to make it a distinct number of animals. Dave called the Extension Office to determine the appropriate number of animals based on pasture grass. Since the area is predominantly forested, feeding would have to be done all year long. Dave had information from a couple owners and put a number in the document to reflect that information. He noted that neighbors had complained about noise and odor and the wandering animals.

Following a few more comments, the Board began discussion of the district. Initially there was a great deal of discussion about the Board's role in the process and several members felt they should reject the proposal because it was not supported by 100% of the owners.

Paul advised the Board that it was their job to review the proposal and that the neighborhood had done their part, bringing it to as much consensus as possible.

*[The discussion turned to the specifics of the zoning document and the Board began making some changes to the draft presented by the neighborhood. The Board continued their discussion to the 11<sup>th</sup>. The audio recording of the deliberations is on file with the Planning Board. Also see the draft recommendations as presented to the Board of County Commissioners on December 19<sup>th</sup>.]*

#### **4. PLANNING BOARD COMMENTS AND QUESTIONS**

Paul commented that it was a frustrating meeting, but that it was a very important issue and the Board needed to address it.

**5. Next Meeting** – December 11<sup>th</sup> - only to finish the zoning district

**6. 8:30 Meeting Adjourned**