

October 23, 2014

Zoning Committee Public Hearing  
Stevens/Fordham CUP Hearing

This public hearing was called to order at 1:10 p.m. by Zoning Committee Chairman Bob Schneider. This hearing has been posted and published as is required by Wis. Stats and LdF Zoning Ordinance 93-4.

Introductions were made. Zoning Committee members present were: Chairman Bob Schneider, Dan Shanahan and Janet Konopacki. Also present representing the Town is Sue Ackland, Town Zoning Administrator and Teri Shaw, Zoning Committee Secretary.

Also present at this time is Gerry Lituinoff representing the Stevens and the Fordhams.

Mr. Lituinoff has turned in 8 green cards today.

On today's agenda is the request from Mr. Stevens and Mr. Fordham for tree cutting which may be considered excessive and objectionable by neighbors.

Chairman Schneider: there are two items on the agenda today. They are very similar if not identical in nature. This is a CUP Hearing for the Stevens and the Fordhams, who are neighbors. Mr. Lituinoff is here today representing both parties.

For discussion purposes, Mr. Lituinoff please give us an overall back ground on both proposed projects and then if the Zoning Committee has any questions and/or concerns we will address them separately. At the end of this hearing we will then vote on each one separately.

The committee has viewed the property.

Mr. Lituinoff: The landowners contacted me regarding poplar/aspen trees that they wanted logged off both properties because they were mature, dying off and falling. They asked because they knew I logged for a living. They asked if I could take out the aspen/poplars leaving the hardwoods, oak and pine. I agreed to it and that's what brings me here today.

Chairman Schneider: So, the area that you are speaking about is north of their private easement road? Nothing will be cut between the road and the lake?

Mr. Lutuinnoff: That is correct. It's all between the private easement road and Thompson Lane.

Chairman Schneider: And just to confirm, it's just the aspen and poplar trees that will be harvested. Not the healthy hardwoods or pine.

Mr. Lituinnoff: The property owners have concerns regarding mature, dead or dying trees falling onto their buildings. The Stevens/Fordhams understand that if a tree dies and falls verses being harvested properly, will allow new trees to seed out and sprout up for regrowth. Plus you still have the hardwood, oak and pine for esthetics, something to look at close to the lake.

Chairman Schneider: Did you do an estimate on how many trees were going to be harvested?

Mr. Lituinnoff: As far as volume, I estimate about 100 cord. It's pretty thick, there's a lot of trees on the property.

Janet Konopacki: What is actually there in hardwoods? Is there a lot?

Mr. Lituinnoff: There is soft maple of decent size. There is not a lot of it, but there is a lot of young understory maple coming up.

Janet Konopacki: So when you take the poplar/aspen out what do you think the picture will be?

Mr. Lituinnoff: Granted, removing the aged aspen and poplar is going to open the area up, but there is enough pine to fill it in.

Discussion took place in regards to the amount of trees to be removed and what it may look like after the harvest.

It was determined that it was necessary to remove the mature, aged, dying aspen and poplar. This will let the young hardwood seedlings have a chance to grow and fill in. Also, some of the aspen/poplar already have fallen, causing problems and concerns for structures and roadways.

Janet Konopacki: Has there been any calls or letters regarding this proposed harvest?

Sue Ackland: We haven't any correspondence, calls or walk-ins regarding this at all. Frankly, I am surprised at the lack of interest.

Discussion took place about the Lac du Flambeau Zoning Ordinance regarding logging of this nature.

Sue Ackland: My only concern is for the cutting to be allowed only north of the private easement road. The easement road is approximately 200 feet back from the Whitefish Lake.

Discussion took place in regards to where the tree cutting will actually take place.

It was determined that the cutting will only be done north of the private easement road and at least 200 feet back from Whitefish Lake.

Chairman Schneider: What type of equipment will you be using?

Mr. Lituinoff: Chainsaws and a short wood forwarder – packer backer. We've got a loader that sets it on the bunk which takes it out to the road. We decided to cut at this time (fall) rather than in the spring/summer so as not to disturb as many people with the commotion and noise, noting that there are less people in the general area at that time of year.

Sue Ackland: Are you going to have a decking area?

Mr. Lituinoff: Yes, I think that there is a wide enough spot on the Town Road, and between the two properties. There is an existing old road that I would like to use for decking. That way I don't have to do any cut work. If there is any scuff work from the semi, I will clean that up daily.

Chairman Schneider: Is there any further general questions?

Dan Shanahan asked if this was Mr. Lituinoff's full time career.

Mr. Lituinoff: Yes it is. I have been logging for 28 years now.

Chairman Schneider stated that he would like two conditions to be listed subject to the approval of these proposed permits.

1. That only the aspen and poplar were to be harvested, leaving the healthy hardwoods, maple and pine.
2. That the tree harvest would only take place north of the private easement road and no closer than 200 feet from Whitefish Lake.

Chairman Schneider asked if there was any further discussion or questions from the committee. Hearing none, asked for a motion for the Steven's CUP Hearing.

Dan Shanahan: I make a motion to approve the Stevens CUP permit as presented to the Zoning Board with the two conditions stated.

Janet Konopacki: I second the motion.

Chairman Schneider: Any discussion on the motion? Hearing none, may I have a vote?

Dan Shanahan: In favor.

Janet Konopacki: In favor.

Chairman Schneider: In favor.

Chairman Schneider: All in favor, passed with the two conditions stated.

Chairman Schneider asked if there were any further questions and/or concerns from the committee concerning the Fordham CUP Hearing. Hearing none, asked for a motion.

Dan Shanahan: I make a motion to approve the Fordham CUP as presented to the Zoning Board with the two conditions discussed and stated.

1. That only the aspen and poplar were to be harvested, leaving the healthy hardwoods, maple and pine.
2. That the tree harvest would only take place north of the private easement road and no closer than 200 feet from Whitefish Lake.

Janet Konopacki: I second the motion.

Chairman Schneider: Any discussion on the motion? Hearing none, may I have a vote?

Dan Shanahan: In favor.

Janet Konopacki: In favor.

Chairman Schneider: In favor.

Chairman Schneider: All in favor, passed with the two conditions stated.

May I have a motion to adjourn?

A motion was made by Dan Shanahan and seconded by Janet Konopacki to adjourn at 1:27 pm. Motion carried.

Respectfully submitted,

Teri Shaw  
Secretary Zoning Committee

THERE IS A TAPE RECORDING OF THIS PUBLIC HEARING ON FILE AT THE TOWN OF LAC DU FLAMBEAU OFFICES.