

June 3, 2016

Zoning Committee CUP Public Hearing
Robert and Debra Francis

This Public Hearing was called to order at 10:20 a.m. by Zoning Committee Chairman Bob Schneider. This hearing has been posted and published as required by Wis. Stats and LdF Zoning Ordinance 93.4.

Zoning Committee members present were: Bob Schneider (Chairman), Darwin Lohse, Rob Milburn, Colette Welch, Janet Konopacki. Also present representing the town is Sue Ackland, Town Zoning Administrator and Donna Szarek, Zoning Committee Secretary. Also present was Todd Pond (Forrester) of Louisiana Pacific out of Tomahawk and James Rein, Surveyor.

Mr. Rein has turned in 7 green cards to Donna Szarek.

The agenda for this meeting is a CUP for proposed logging for a parcel zoned residential possibly objectionable to neighbors. Property is adjacent to Wyandock Lake.

Sue Ackland apologizes to the committee members for not having the access gate to the property open for inspection.

Jim Rein introduces himself as the surveyor of the property. Jim points out the scope of the property on a map to committee members. He explains that Todd, the Forrester would like to do a thin cut on the property but because it is zoned residential you need special permission for that. Jim states that Todd did an analysis of the property and it was submitted to the town for review. They are both here to answer any questions.

Darwin Lohse asks if in a thin cut they basically cut some and leave some. He is told that is correct.

Darwin then asks who determines what gets cut and what is left.

Todd Pond responds that basically what he did was write up a prescription map for the logger.

Darwin asks if Todd is the logger and Todd states that he is the Forrester not the logger. Darwin asks how Todd became a part of this project. Todd states that he works for Louisiana Pacific out of Tomahawk and he sets up timber sales for contractors and buys timber from them. They make engineered wood siding from Aspen and there is significant Aspen on the proposed property. The property owner contacted the Logger who is C.W. Osterman in Rhinelander and the logger contacts him to assess the property for the cut.

Darwin asks if Todd would be determining what trees will be cut or would the Logger.

Todd Pond states that he writes the prescription for the cut and the logger follows his prescription.

Darwin asks if Todd would simply explain the prescription for the cut to the committee.

Todd Pond states that he canvassed the property and it is a mix of Pine, Aspen, and White Birch primarily. There is a component of Maple and Red Oak as well. Todd points out the sections of the various tree varieties on the map to committee members.

Todd states that the prescription that he wrote was to primarily cut all Aspen, Balsam Fir, and White Birch and then the Red and White Pine to a residual basal area of +/- 100 square feet per acre which is approximately 1/3 of the trees on the property were Aspen and 2/3 Pine residual. The basal residual area of 100 square feet is just a measurement of trees that are left in the area. A simple way to describe it would be to say 1/3 of the trees will be cut and 2/3 will be left depending on the actual makeup of the forest. The Aspen that are out there are about 15 years over mature. A lot of it has already fallen down or dying. They should have been cut 15 to 20 years ago. The Pines are very mature, tall, pretty indicative of the area. We'd be just basically thinning those pines to even out the spacing. Taking the smaller trees out and letting the bigger trees get bigger.

Todd states that this logger in particular, I've worked with him a lot he has the best reputation out of the 100+ loggers that I work for. It's going to look like a park when it is done.

Darwin asks what the loggers name is.

Todd States the logger is C.W. Osterman of McNaughton outside of Rhinelander.

Sue Ackland states that Osterman is one of the few loggers that she has not had any problems with and he does a nice job.

Todd Pond states that there are some areas that are going to be thinner than others just because of the timber type since some areas are dominated by Aspen they are either going to fall over so you might as well cut them and get something out of them. The stuff along the road will literally look like a park.

Jim Rein states that we can't cut within 75 feet of the lake so that all stays.

Todd states that he believes within 300 feet of the lake the residual Basal area has to be higher than 60 square feet, so if there are areas that are Aspen there, we can't take them all to stay above that 60 square feet parameter.

Sue Ackland states that this is why we have the Conditional Use Hearing. And I understand Aspen don't all grow at the same rate, some are small some are big but they are all the same age and because it's a conditional use hearing they have authorized more cutting. When I do a permit you can't cut less than what the ordinance allows, but because this is a public hearing they can authorize more if it's needed.

Todd states that he doesn't believe more cutting will be needed, without actually going out there and looking at the individual trees. There was enough Maple and Oak and Pine mixed through there. 60 Square feet of basal area is not a lot.

Sue Ackland states that the 60 Square feet is what the ordinance requires for her doing a permit.

Todd states that he believes that requirement is for trees 5 inches or bigger so that square footage is not a lot.

Todd explains that a basal area is a unit of measurement. If you were to cut trees off at 4 ½ feet above the ground, it is a measurement of how much area (square footage) is actually there. An easy way to explain it is the bigger the trees are the further apart they can be apart, the smaller they are there has to be more of them. It's a forestry measurement of area.

Colette Welch asks, are these second or a 3rd growth trees.

Todd states that it would be 2nd growth trees.

Colette asks about Jack Pine trees.

Todd states that there are very few Jack Pines.

Darwin asks if they will be cutting no trees less than 5 inches in diameter.

Todd states that they will take all the Aspen down to whatever. Balsam would be down to a small diameter too. There is no diameter limit on the pine.

Jim Rein states that usually they take out all of the small stuff and leave the bigger trees to grow.

Todd states that the 5 inch diameter requirement comes into play within the basal area.

Todd states that this will improve the property immensely and that it needs this.

Rob Milburn asks why it states on the original permit that it was denied.

Sue Ackland replies that she is required to do. The ordinance requires her to deny the permit because she is not authorized to approve the permit for this request. She has to deny it based on the requirement of a CUP.

Jim Reins states that basically they submit the permit, Sue denies it and then they submit a CUP.

Rob Milburn asks about them clearing an area for a proposed road.

Jim Reins states that the road location they are referring to pertains to the possibility of outlining lots in the future. He wants to create a road that traverses the property through here (an area pointed out to the committee on the map) back to the other end of the property. It will provide access to get the logs out, but in the future we may be back for some lot development.

Darwin Lohse asks what the total area is that will be logged.

Todd Pond replies 108 acres.

Jim Reins responds that there is more than 108 acres of the property but the remaining is wetland and will not be touched. Within the 75 feet setback from the water we are limited to what we can cut and along the road we are limited to what we can cut. That's why when you thin it out and look at it it's going to look like a park when they are done.

There is additional discussion regarding the denseness of the property and the time since the last logging on the property. It is mentioned that most of the pines are planted pines along the shoreline.

Bob Schneider mentioned he came across a ribboned area with a steel pipe in the ground.

Jim Reins responded that there are a couple of different corridors within the property that are marked in such a way.

Bob Schneider asks if there is anyone else present that would like to approach the committee regarding this proposal.

Bob asks if the committee has any additional comments or questions.

Sue Ackland comments that they do recognize that they cannot cut within 75 feet of the lake but we still need to make that a condition just so its on paper.

Rob Milburn asks if there will be any issues with the logging trucks accessing the property and affecting other property owners.

Jim Reins responds that because the property is so far removed from everyone else, the only issue you would have is across the way. They will have a tracking matt at the end of the driveway where they come out so the roads stay clean. Other than that it should not be an issue.

Colette Welch asks if they will be creating another road.

Jim Reins responds that the only road they will be creating at this time is the logging road and that road will stay.

Sue Ackland states that that can be part of the approved permit also.

Darwin Lohse asks what road the logging road will come out to.

Jim Reins states it will come out onto Thoroughfare.

Rob Milburn asks how long they feel the whole project will take.

Todd Pond responds about 2 months and he believes they plan on doing it this summer.

Rob Milburn asks if they feel there will be any noise issues with the neighboring properties.

Todd Pond responds that they will be far into the property so noise should not be a concern.

Jim Rein mentions that most of the equipment used today is harvester equipment rather than chain saws so the noise is reduced.

Bob Schneider asks for a motion.

Darwin Lohse motions for an approval of the request with no cutting within the 75 foot set back from the lake.

Rob Milburn seconds the motions.

Bob Schneider asks if there is any discussion on the motion.

Bob Schneider asks how do you vote.

Colette Welch: In favor

Janet Konopacki: In favor

Rob Milburn: In favor

Darwin Lohse: In favor

Bob Schneider: In favor. Motion has been made and passed. Thank you for coming.

This meeting is adjourned at 10:35 a.m.

Respectfully submitted,

Donna Szarek
Secretary Zoning Committee

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