

LINN COUNTY PLANNING & ZONING COMMISSION

MINUTES

Tuesday, January 22, 2019

The Linn County Planning and Zoning Commission meeting was called to order at 6:30 p.m. by Vice Chair, H. Frank Bellon. The meeting was held in the Jean Oxley Public Service Center Board Room, 935 2nd Street SW, Cedar Rapids, Iowa.

QUORUM DETERMINED:

PRESENT: H. Frank Bellon, Vice Chair 2021
R.J. Carson 2023
George Maxwell 2020
Sheila Gatewood (by phone) 2020
Ted Grenis (by phone) 2019

ABSENT: Christine Landa, Chair 2020
Curt Eilers 2022

STAFF: Les Beck, Director
Mike Tertinger, Planner I
Jessica Black, Recording Secretary

See attendance sheet for community sign in.

OPENING STATEMENT

Bellon read opening statement explaining that the meeting would be held in compliance with Iowa Code Chapter 21, Section 21.8, due to an active Winter Storm Warning.

ELECTION OF OFFICERS

Maxwell nominated Christine Landa to continue as Chairperson for the 2019 year and H. Frank Bellon to continue as Vice Chair for the 2019 year. Carson seconded.

APPROVAL OF MINUTES

The minutes of the December 17th, 2018 Planning & Zoning Commission meeting were approved as submitted.

CONSENT AGENDA

JLPS19-0001	Witter First Addition	Land Preservation Parcel Split
JPS19-0001	Kurth Second Addition	Residential Parcel Split
JPS19-0002	Hinton First Addition	Residential Parcel Split

Motion by Maxwell to approve the consent agenda, subject to the conditions of the staff reports. Second by Carson.

Bellon	Aye
Gatewood	Aye
Grenis	Aye
Landa	Absent
Eilers	Absent
Maxwell	Aye
Carson	Aye

REGULAR AGENDA

JC19-0001 **Glenn Harman, Iowa DNR, Owner** **Conditional Use – Floodplain,**
 Paul Berland, NE Iowa RCD, Applicant **Troy Mills Dam Replacement**

Mike Tertinger presented the staff report.

The applicant is requesting a Conditional Use Floodplain Permit for excavation within the floodway. The applicant proposes to remove the low-head dam on the Wapsipinicon River at Troy Mills and replace it with a new rock arch rapids. The project proposes to reconnect two ecologically and recreationally segmented sections of the river while also eliminating the known drowning hazard caused by the hydraulic roller beneath the dam. The project will help restore riverine habitat for endangered mussel, fish and other species that are dependent on an unimpeded path both upstream and downstream. Once excavation activities are complete, the impacted project staging area will be reseeded and access ramp removed.

The applicant is required to submit a “No-Rise” certificate as it is important to ensure excavation activities will not cause a rise in flood heights or velocities. The applicant must obtain all relevant permits required by state and federal entities. The proposal meets all applicable standards for approval in Article VII, Section 107-144 of the Unified Development Code.

Staff recommends approval subject to the conditions of the staff report.

Paul Berland, applicant, with Northeast Iowa Resource Conservation & Development, informed the commission of a previous breach on the existing dam, where loose boulders were put in place to serve as a temporary fix, but Berland insisted that the boulders will not withstand the test of time and Troy Mills Dam Association does not have funding to fix the dam in the event of another breach. Berland said the new rock arch rapids is the best alternative.

David Rizzio, 3206 Shore Lane, Troy Mills, wondered if the applicant was going to put the river channel back on the other side of the river. He owns 23 acres below the dam and since the breach, some of his land has been washed away. He insisted that the boulders used to fix the breach have only made it worse. Rizzio expressed concern for possibly losing a cabin on his property due to rising water level. He informed the commission that several trees from an island north of his property had fallen over into the river channel and wondered if debris removal would be a part of the proposed project.

Berland explained that the objective of the new rock arch rapids is to move water to middle of the channel, not toward Rizzio's property. Berland said debris removal is not part of the proposed project.

Maxwell suggested Rizzio talk to Glenn Harman with Iowa DNR. Berland let Rizzio know he would be happy to arrange a meeting with Rizzio and an engineer or representative from the Iowa DNR to help with his concerns. Tertinger will provide Rizzio's contact information to Berland to set up.

Motion by Carson to recommend approval of case JC19-0001, subject to the conditions of the staff report. Second by Maxwell.

Maxwell	Aye
Carson	Aye
Landa	Absent
Eilers	Absent
Gatewood	Aye
Bellon	Aye
Grenis	Aye

OTHER BUSINESS

COMMISSION COMMENTS

STAFF COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

The meeting was adjourned at 6:55p.m.

Respectfully submitted,

H. Frank Bellon, Vice Chair

Jessica Black, Recording Secretary