

minutes approved at 7:00 PM
3/5/08 g/j

① TPC
① Jimmy
① Barb
① Waggie

**Town of La Pointe Zoning
Town Plan Commission Special Monthly Meeting
Wednesday, March 5, 2008**

Town Plan Commission Members Present: Barb Christensen; Chair, Ric Gillman; Vice-Chair, Mike Starck, Lois Carlson (arrives at 5:29 PM), Beth Fischlowitz, Suellen Soucek, Carl Broberg (7)

Town Plan Commission Members Absent: none

Public Present: Warren Anderson, Charles Brummer, Paul Brummer, Jim Patterson, Micaela Evanson, Charles Meech, Chris Wolfe, Holly Tourdot, Meg Brown (9)

Town Staff Members Present: Jennifer Croonborg, ZA, Jessica Hatch, RCS (2)

I. Call to Order/Roll Call

B. Christensen called the meeting to order at 5:01 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

Charles Brummer requests that the TPC when voting on the Craftivity, Inc. CUP state their reasons for their vote as per the Zoning Ordinance. He also would like for the TPC to reference the entire document of the Comprehensive Plan when discussing it, not just select items.

Warren Anderson presents the Ashland County Comprehensive Plan Map for 2006-2025 for Madeline Island. He has concern for land he owns that is between proposed industrial and mixed use zones. He requests that when deciding on this issue the TPC make his land one or the other, industrial or mixed use.

Paul Brummer reiterates the request that the TPC state their reasons for how they vote on the Craftivity, Inc. CUP per Zoning Ordinance. Further, he believes that a CUP can only go to the landowner. He is questioning who is the landowner, Craftivity or Meech? Lastly, regarding the agenda item VII C regarding the Comprehensive Plan he would like to possibly respond depending on how the discussion goes.

III. Minutes

A. 2-20-08 TPC RMM

M. Starck moves to approve the minutes of the Regular Monthly Meeting of the Town Plan Commission held on February 20, 2008 as amended. S. Soucek seconds. All in favor, 6 aye. MC.

B. 2-20-08 TPC PH

R. Gillman moves to accept the minutes of the Town Plan Commission Public Hearing held on February 20, 2008 as amended. B. Fischlowitz seconds. All in favor, 6 aye. MC.

IV. Zoning Administrator's Report

On file.

V. Consideration and/or Action of Permit Applications

A. Jefferson/US Bank: CSM on Hagen Road

a. A subdivision of lot 1 CSM #222

M. Starck moves, R. Gillman seconds that ZA will create a letter to the Agents for the property owner recommending the follow changes to the preliminary CSM: (1) insert Town of La Pointe Zoning District S-1, (2) insert setback lines for S-1 Zoning District, and (3) on the second page, delete "Zoning Committee" and insert "Town Plan Commission." ZA will also give comment that there is the issue with the wetlands on Lot 1 after they divide it as a comment, not a requirement. All in favor, 6 aye. MC.

Motion by M. Starck to table item VB until Lois Carlson arrives. R. Gillman seconds. All in favor, 6 aye. MC.

B. Craftivity, Inc. re: request for an amendment to their CUP at the Madeline Island School for the Arts at 978 Middle Road for the addition of 3 cottages, each cottage having four bedrooms and allowing for adult lodging to accommodate up to 8 individuals.

a. Discussion and/or recommendation to Town Board

Fischlowitz reads into the record a list of thoughts (on file) she has had on this issue that she would like the TPC to consider. TPC engage in a long discussion and commissioners voice their opinions.

The follow inputs were made:

- Jim Patterson asks the TPC if he can offer a comment understanding he may not be able to; he would speak not as a Town Board Member. The TPC decide they cannot allow it because the Public Hearing has already happened.
- Jennifer Croonborg, ZA wanted to say verbally that she handed in a report and her recommendation to the TPC is to deny this CUP on several ordinance sections that she feels it is in conflict with, she wanted to say this into the record.
- Later in discussion, ZA responds to a commissioner's question of the definition of "cottages." She has contacted Ken Tuckwell, Environmental Health Specialist for Ashland Co. Health and Human Services, and though he has not been able to get back to her at present with complete information, he is in the process of providing her with the proper definition and whether MISA is licensed or needs to be as a "Recreational Education Camp." At late he had not heard of this entity. Tuckwell will be getting back to her on MISA's status and Croonborg will present this information to the TPC.
- When asked of the status of license for MISA, Meech was unsure what to call the license he says they have.

Consensus is that TPC will wait until next meeting to cast votes. One particular piece of information requested is more clarification from the state. This CUP will be on the next agenda.

VI. Old Business

- A. McCarthy preliminary CSM NE ¼ NW ¼ SEC 29 T50 N R3W: Update**
Agenda item is just informational for TPC and is on file in the ZA Report.

VII. New Business

- A. Zenk, Jim: discussion re: Island Inn alteration/change of use**
Project at the Island Inn has ceased until proper permits are in hand by Mr. Zenk. Once this issue is in La Pointe's jurisdiction the ZA and TPC will consider whether the project is a change of use and a Change of Use Permit is needed.
- B. Commercial Structure application fee**
- a. Recommendation from Jim Price re: raising fee for commercial structure permit applications.**
Presented in ZA Report (on file).
 - b. Discussion and/or recommendation to Town Board**
Discussion. Consensus by TPC to track the Commercial Permit Applications for the next several months and reconsider in the fall when reviewing fees.

Motion by M. Starck to go back to item V5 on the agenda. R. Gillman seconds. All in favor, 7 aye.
MC

- C. Proposed Zoning Map Change as defined in Comprehensive Plan for a mixed use zoning district on Middle Road**
TPC discusses need for definition of "mixed use zone" and future Public Hearing so that can be part of the codification.
Paul Brummer is allowed to contribute at this point. Brummer states that if the TPC is changing zoning they will need to notify all landowners affected by that change in writing not just in a Public Hearing. He also directs a question to C. Broberg wondering what is the timetable on this zoning change?
Broberg responds that it needs to be done in conjunction with codification, which should happen this year. As well there will be a Public Hearing, which does require notification of landowners, which should happen in the next couple of months. C. Broberg goes on to explain more of the zoning change process and that legal descriptions of each aspect will be refined. Brummer states he would like copies of those legal descriptions. TPC Chair explains that would be a public request and it will be available at that time.
It is decided that the commission needs to sit down with the Zoning Map and begin defining the zones and create a list of property owners.
- They decide to hold a Commission Working Session on Wednesday, March 12, 2008, 4 PM at the Town Hall, public are welcome. This meeting will be posted properly. The Public Hearing will be held in the future.

VIII. General Code

A. Chapter 450 Zoning

C. Broberg hands out a draft document of imposed changes to the following articles. He also hands out an Editorial Analysis from General Code and text draft answers. Both are on file.

1. **Article 7: Conditional Uses**
Agreement on draft changes.
2. **Article 8: Administration**
Agreement on draft changes.
3. **Article 9: Zoning Board of Appeals**
Agreement on draft changes.
4. **Article 11: Amendments**
Agreement on draft changes.

Broberg has referred the following sections: 288, 350, 395, 425 to the Town Board for their guidance as they are not TPC issues.

IX. Future Agenda Items

- A. **Craftivity, Inc. CUP**
- B. **Zoning Map Change: results of Work Session**
- C. **Article XII: Ch. 450 Public Hearings**
- D. **Article XIII: Town Plan Commission**
- E. **Article XIV: Permit Complaint Process**
- F. **Section 375: Sewers and Sewer Disposal**
- G. **Section 388: Solid Waste**

X. Schedule Next Meeting(s)

TPC Work Session: Zoning Map Change on Wednesday, March 12, 2008 at 4PM.
TPC Regular Monthly Meeting on Wednesday, March 19, 2008 at 5 PM

XI. Adjournment

R. Gillman moves to adjourn at 7 PM. L. Carlson seconds. All in favor, 7 aye. MC.

Town Plan Commission Minutes respectfully submitted by Town Plan Commission Recording Secretary, Jessica L. Hatch on Monday, March 10, 2008.

TPC Minutes approved as amended by Jessica Hatch on the 19th of March.

