

**Town of La Pointe Zoning  
Town Plan Commission Special Monthly Meeting  
Wednesday, August 6, 2008**

**Town Plan Commission Members Present:** Carl Broberg; Chair, Michael Childers; Vice-Chair, Mike Starck, Lois Carlson (arrives at 3:03 pm), Ron Madich, Suellen Soucek (6)

**Town Plan Commission Members Absent:** Ron Harrold (1)

**Public Present:** Joe McCarthy, Keith Sowl, Chuck Irvine, Warren Anderson, Larry Hildebrandt, Dick Hoffman, Thomas Nelson (7)

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

**I. Call to Order/Roll Call**

Chair, C. Broberg called the meeting to order at 3:01 pm at the Town Hall. Roll call reflected members present or absent as recorded above.

**II. Discussion with Larry Hildebrandt, Ashland County Zoning Administrator to review and discuss**

Hildebrandt attends to help the Commission clarify some issues they are considering in the Town's Zoning Ordinance codification regarding the following:

**a. Sanitation**

Discussion of the sanitation rules and restrictions for travel trailers, tents and other temporary lodging found in the Ashland County Zoning Ordinance-the State Plumbing Code- Comm 83 is discussed.

**b. Camping on private lands**

Discussion of shoreline regulations regarding temporary lodging within 1,000 feet of the Lake and also the land unrestricted by the County beyond the 1000 feet mark.

**c. Potential conflicts between Ashland County Ordinances and existing or proposed La Pointe Ordinance**

Hildebrandt presents the County's Ordinances for the TPC to consider.

Discussion of La Pointe's Ordinance and taking into account possible solutions to this particular issue.

Motion by M. Starck to move to agenda item Xb1. M. Childers seconds. All in favor, 6 aye. Motion Carries.

**III. Recess**

Chair calls a 10 minute recess at 4:50 pm.

**IV. Reconvene**

TPC reconvene at 5:05 pm, the same Commissioners are present.

**V. Public Comment**

Dick Hoffman reads into the record a letter (on file) he has submitted to the Recording Secretary regarding the Zoning Ordinance Codification Project.

**VI. Review and Approval of Previous Meeting Minutes**

Review of the draft minutes from the July 16, 2008 Regular Monthly Meeting. L. Carlson moves to accept the minutes as amended. R. Madich seconds. All in favor, 6 aye. Motion Carries.

**VII. Zoning Administrator Report**

On File. ZA explains that her work load is very full and would like to receive assistance.

**VIII. Consideration and/or Action on Permit Applications:**

- a. **Certified Survey Map (CSM) Submitted by Thomas Banner for Government Lots 3 and 4 the SE ¼ of the SW ¼ of Section 32, T.51 N.,R. 2 W., in the Town of La Pointe, Madeline Island, Ashland County, WI. (tabled from July 16, 2008 meeting).**

M. Starck moves that we recommend to Town Board to approve the CSM for Banner and Breunig as submitted. L. Carlson seconds. All in favor, 6 aye. Motion Carries.

- b. **Land Use Application for Travel Trailer by James & Janine Dobson on parcel number 14-0200-0720 (Old Fort Road).**

ZA requested this item to be on the agenda as FYI for the TPC. ZA explains the history of the application.

**IX. Old Business**

- a. **Installation of second bulk propane storage tank at La Pointe Gas located on South Shore Road (tabled from July 2, 2008 meeting pending review and presentation of the terms and conditions of the 2003 Conditional Use Permit by the Zoning Administrator.)**

La Pointe Gas has a CUP to have propane storage. There is no condition limiting the number of propane tanks on the property. No action needs to be taken.

- b. **Definition of Construction Commencement (RE Zoning Administrator's draft memo RE Project Beginning) dated July 8, 2008 (tabled from July 16, 2008 meeting)**

ZA crafted a draft letter to building contractors regarding soil disruption prior to inspection for permit issuance. The Commission disagrees with some of the verbage in the letter. Discussion ensues as how to clarify the message to be received from the Zoning Department regarding this issue. Consensus on the proper wording is agreed on, this letter will also go to local realtors.

**X. New Business**

- a. **Set Public Hearing for changes to Zoning Ordinance §3.0 (Zoning Districts), additions to §2.0 (Definitions), addition of §6.10 (Special Uses/Uses of Residential Dwellings and Property for Occupational or Business Use), revision of §8.4.2 (Conditional Uses) and repeal of §15 (Permit Complaint Process)**

Chair explains that the Town Board has decided that the TPC will hold the Public Hearings for the changes to the Zoning Ordinance. The Public Hearing for the above referenced ordinance changes will be on Wednesday, September 3, 2008 at 5 pm at the La Pointe Town Hall.

**b. Review and disposition of correspondence received:**

**1. Thomas E. Nelson letter received July 18, 2008 requesting retraction of ZA letter dated June 5, 2008**

Nelson's letter is on file in the Zoning Office. ZA speaks to the letter's claims and presents information transcribed from the June 4, 2008 TPC SMM. Nelson claims that Ashland County declared he does not need a permit for the work done to his establishment earlier this year. Furthermore he says he had an engineer look at the deck and was told there was no change in the weight-bearing load. Nelson has filed an appeal with the Town's Zoning Board of Appeals. He is now requesting the TPC consider changing their motion entailing Nelson to "file a retroactive permit;" if so he says he will withdraw his appeal. The Commission is unsure if they legally can change a vote after an appeal has been filed.

➤ M. Starck moves to get a legal opinion as to how we can proceed based on the new information we have, understanding that there is an appeal in process. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

**2. Jean Freeman/Bruce Golob letter received July 31, 2008 regarding rental of single family dwellings**

The Commission reviews and discusses the letter submitted by Freeman/Golob (see attached to minutes) and decides no action by the TPC will be taken. It appears to be a neighbor-to-neighbor issue. The Commission will reflect on the issue when considering regulations on Single Family Dwellings.

**c. 2009 County Budget and Inter-municipal Agreement with Ashland County**

ZA explains that she would like to have a ZA assistant added to the budget for 2009 as she is in need of the extra support in the office.

**XI. General Code Project/Ordinance Revision**

**a. Requirements and restrictions on non-conforming (grandfathered) lots (tabled from July 16, 2008)**

Commissioner Childers and Alan Fischlowitz are meeting to identify the number and history of such lots.

**b. Camping on Private Lands (tabled from July 2, 2008)**

Discussion on sanitary permits and temporary lodging on the island. Commissioners consider Ashland Co. Codes. The TPC are working on the appropriate regulations regarding this issue. L. Carlson moves to table this item until the next meeting on August 20, 2008. M. Starck seconds. All in favor, 6 aye.

**c. Zoning Map Review and Changes (tabled from July 2, 2008 meeting)**

M. Childers moves to table this item until next meeting on August 20, 2008. S. Soucek seconds. All in favor, 6 aye.

**XII. Informational Discussion Zoning and Planning Commission Duties**

M. Starck moves to table this item until the next meeting on August 20, 2008. S. Soucek seconds. All in favor, 6 aye.

**XIII. Future Agenda Items**

- a. Camping on Private Lands**
- b. Zoning Map Review and Changes**
- c. Non-conforming Lots**
- d. Thomas Nelson Letter**
- e. Informational Discussion**

**XIV. Schedule of Meetings**

There will be a Regular Monthly Meeting on Wednesday, August 20, 2008 at 5 pm.

There will be a Public Hearing on ~~Wednesay, August 20, 2008~~ *Wednesday, September 3, 2008* at 5 pm. Both will be held at the Town Hall.

**XV. Adjourn**

M. Starck moves to adourn. M. Childers seconds. All in favor, 6 aye. Meeting adjourns at 6:55 pm.

**Town Plan Commission Minutes respectfully submitted by Town Plan Commission Recording Secretary, Jessica L. Hatch on Saturday, August 09, 2008.**

**TPC Minutes approved as amended by J. Hatch, TPC RCS on Wednesday, August 20, 2008. Deletions struck-out, additions in italics.**