

**Town of La Pointe Zoning  
Town Plan Commission Special Monthly Meeting  
Wednesday, October 1, 2008**

**Town Plan Commission (TPC) Members Present:** Carl Broberg; Chair, Mike Starck, Lois Carlson, Ron Madich, Suellen Soucek, (5)

**Town Plan Commission Members Absent:** Michael Childers; Vice-Chair, Ron Harrold

**Public Present:** Charles Brummer, Paul Brummer, Dick Hoffman, Mary Ross, Larry Whalen, Gary Russell, Joe McCarthy, Thomas E. Nelson, Ted Michaels, Chris Wolfe, Evan Erickson, Tim Eldred (12)

**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 the Town Hall. Roll call reflected members present or absent as recorded above. The meeting began at 6:04 pm.

**II. Public Comment**

Tim Eldred submits a letter to the TPC at this time; he reads it into the record. This letter can be viewed in the Official Zoning Minutes Book in Town Hall.

Tom Nelson submits a petition to the TPC ~~with over 80 La Pointe voters' signatures.~~ This petition is to reduce the number of Commissioners from seven to five. This petition is on file in the Official Zoning Minutes Book in Town Hall. Chair alerts Nelson that this is a Town Board matter and he will forward this petition on to them.

Ted Michaels reads a letter submitted by Attorney Bill Bussey; this letter is on file in the Official Zoning Minutes Book in Town Hall.

Paul Brummer would like to be recognized under agenda item VII a. He comments on last night's meeting (9-30-08 Joint Town Board and TPC), calling it a "sham." He refers to some quotes by members of the meeting. He felt there should have been Public Comment allowed. He gives props to Tim Eldred for the letter he just submitted and read to the TPC.

Dick Hoffman states that if a handout is given to the Commission, "at the chairman's request, they like it signed." He refers to a handout he submitted in the past regarding side yards and County Zoning. He also refers to Tim Eldred's letter stating he agrees with it.

Gary Russell explains that he was involved in the CAPP committee during the Comprehensive Plan creation. He gives a discussion on his experience with the committee and feelings on this current matter of Ordinance Re-write and the community.

Joe McCarthy speaks to the meeting the night before (9-30-08 Joint Town Board and TPC); he has concerns regarding the worksheet that the Chair passed out, in that it only represented his take on the public's input, not other commissioners and that it only covered some of the input given by the public. He goes on to make suggestions to the commission on the re-write.

Charles Brummer, under agenda item VII a., would like the opportunity to speak if appropriate. Brummer would like for the TPC to take into account all the Public Comment that has been given on the current matters.

Commissioner Mike Starck clarifies that all Commissioners have received all the submitted letters and minutes from the Hearing. He assures the public that “we have the data.”

Chair announces that Burke Henry has submitted a letter that he would like to be considered Public Comment. Chair reads the letter into the record; this letter is on file in the Official Zoning Minutes Book in Town Hall.

Joe McCarthy comments on Guest Houses. He doesn't think there should be a limit on how many days these structures should be rented out.

### **III. Review and Approval of Previous Meeting Minutes**

#### **a. September 13, 2008 Regular Monthly Meeting**

Chair announces there is a type-0 in the posting; this meeting should be listed as September 17, 2008. L. Carlson moves to approve the minutes as submitted. S. Soucek seconds. All in favor, 5 aye.

#### **b. September 3, 2008 Public Hearing**

Chair explains this is a second draft of these minutes. M. Starck moves to approve the minutes of the TPC Public Hearing on September 3, 2008 as amended. R. Madich seconds. All in favor, 5 aye. Motion Carries.

#### **c. Correction August 20, 2008 Regular Monthly Meeting Minutes**

Chair explains that there was an error found in minutes that were already approved; thus a two-thirds majority vote is needed to approve the correction. M. Starck moves to correct the minutes of August 20, 2008 to reflect that it was a Regular Monthly Meeting. L. Carlson seconds. All in favor, 5 aye. Motion Carries.

### **IV. Zoning Administrator's Report**

ZA explains she did not produce a written report due to being busy with budget. *She gives a verbal report.* She states that the Petition that was submitted will come to her and won't leave Town Hall; she says she will make all the necessary copies. ~~She also comments on a Protest Petition, she explains that when you have text changes, a protest petition is the public's right to protest the TPC's recommendation to Town Board; it is in statute. She goes on to describe to the Commission what this Protest Petition is. She explains that she has concern that due process may have been circumvented at the Joint Town Board/TPC meeting and a protest petition could result.~~

### **V. Consideration and/or Action of Permit Applications**

None

### **VI. Old Business**

#### **a. Requirements and restrictions on non-conforming (grandfathered) lots. (Tabled from August 6, 2008, August 20, 2008, and September 17, 2008 meetings)**

Ron Madich reads a letter written by Chair of the Board of Appeals, Alan Fischlowitz regarding this matter. The letter explains that Two Board of Appeal members along with

two Commissioners will be getting together to compile information on non-conforming lots. Presently, this letter is on file in the Official Zoning Minutes Book in Town Hall.

## **VII. New Business**

**a. Letter from Brummer Company dated September 8, 2008 RE replacement of storage propane tank**

The Commission has been informed. The Brummers are allowed to comment.

**b. Zoning Administrator request for guidance on processing Land Use Application signed by now deceased Charles A. Nelson**

ZA explains her concern with this application. Chair and Commissioner Carlson direct ZA to make “the estate of...” the owner of the property.

**c. Letter from Glenn and Susan Bergeon dated September 16, 2008 regarding use of their non-conforming lot.**

The history of this lot is discussed. L. Carlson moves to table this agenda item till next meeting. S. Soucek seconds. All in favor, 5 aye.

**d. 2009 Town Plan Commission Budget**

ZA joins the commission at the table, submitting to them a TPC Budget Worksheet for 2009. Chair Broberg also submits a 2009 Proposed Budget. Both these documents are on file in the Official Zoning Minutes Book in the Town Hall. Discussion ensues. Both parties present their data. ZA will continue work on the Budget taking Broberg’s input into consideration.

**Commissioner R. Madich leaves at 6:25 pm. Total TPC attendance is now at 4 commissioners.**

**e. Conflict of Interest**

Commissioner Carlson speaks to this agenda item; she disputes an attorney’s opinion on this matter. Chair advises the ZA that if there are issues as such in the future it gets brought to his attention.

## **VIII. General Code Project/Ordinance Revision**

**a. Zoning Map Review and Changes (tabled from August 6, 2008 and September 17, 2008 meetings until November 16, 2008 meeting)**

This agenda item is tabled till November 16, 2008 Regular Monthly Meeting.

**b. Discussion of September 3, 2008 Public Hearing (RE Revision § 3, Additions to § 2, Addition of § 6.10, Revision § 8.4.2 and Repeal § 15) and Joint Meeting with Town Board.**

Discussion ensues on the Public Hearing and the Joint Meeting. Chair shares his experience with decision-making and universal values. Commissioners explain their thoughts on this process.

## **IX. Future Agenda Items**

**A. Bergeon Letter**

**B. Zoning Map Review**

**C. Non-Conforming Lots**

## **X. Schedule of Meetings**

The next TPC meeting will be held on Wednesday, October 15, 2008 at 5 pm at the Town Hall.

## **XI. Adjournment**

M. Starck moves to adjourn. L. Carlson seconds. All in favor, 4 aye.

TPC meeting ends at 7:04 pm.

**Town Plan Commission Minutes respectfully submitted by Town Plan Commission Recording Secretary, Jessica L. Hatch on Monday, October 6, 2008.**

**TPC minutes are approved as amended by Jessica Hatch; RCS on Wednesday, October 15, 2008. Additions in italics; deletions struck-through.**