

**Town of La Pointe Zoning
Town Plan Commission Regular Monthly Meeting
Wednesday, December 17, 2008**

Town Plan Commission Members Present: Carl Broberg; Chair, Ron Harrold; Vice-Chair, Mike Starck, Ron Madich, Suellen Soucek, Greg Thury (6)

Town Plan Commission Members Absent: none

Public Present: Jim Ryder, Liz Ryder, Alan Fischlowitz, Warren Anderson (4)

Town Staff Members Present: Jennifer Croonborg; ZA (arrives at 5 o'clock), Jessica Hatch; RCS (2)

I. Call to Order/Roll Call

Chair, C. Broberg calls the meeting to order. Roll call reflected members present or absent as recorded above.

II. Public Comment

Jim Ryder would like to speak to his agenda item and answer any questions.

III. Review and Approval of Previous Meeting Minutes:

a. Joint Town Board and Town Plan Commission Special Meeting September 30, 2008

M. Starck makes a motion to approve the minutes of the September 30, 2008 Joint Town Board and Town Plan Commission Special Meeting as published.

Commissioner Harrold requests a recess at 4:12 PM. Back in session at 4:14 pm

S. Soucek seconds. All in favor, 5 aye. 1 abstain (G. Thury.) Chair states that the minutes are approved.

b. Town Plan Commission Special Monthly Meeting November 17, 2008

R. Harrold makes a motion to approve the minutes as published. S. Soucek seconds. All in favor, 5 aye. 1 abstain (G. Thury.) Chair states the minutes are approved.

c. Town Plan Commission Regular Monthly Meeting November 19, 2008

M. Starck makes a motion to approve the November 19th meeting as amended. S. Soucek seconds. All in favor, 5 aye. 1 abstain (G. Thury.) Chair states that the minutes are approved as amended.

d. Town Plan Commission Special Monthly Meeting December 1, 2008

M. Starck moves to approve the minutes of the December 1st meeting as amended. R. Harrold seconds. All in favor, 4 aye. 2 abstain (G. Thury and R. Madich.) Chair states the minutes are approved as amended.

IV. Zoning Administrator's Report

M. Starck makes a motion to place on file the Zoning Administrator's Report dated 12-9-08. R. Madich seconds. All in favor, 6 aye. Motion Carries. The ZA Report can be viewed at Town Hall in the Official Zoning Minutes Book .

V. Consideration and/or Action of Permit Applications:

a. Petition for Certified Survey Map and Amendment of Zoning Map of Land Parcels 014-118-1800, 014-0018-1400, 014-0118-1600 (at Big Bay Road and Snowplace Road) Section 21-T50N-R3W by Jim and Liz Ryder.

Chair explains that it is his mistake to call this a "CSM" because it is not; he made a clerical error in typing the agenda. The TPC review the application for the Zoning Map Change. ~~In the~~

~~Z.A.'s memo regarding this application, she states that there should be two applications, where as this is a single application filed by two applicants. Jim Ryder is given the opportunity to speak to this matter. He explains his intentions and clarifies what he is requesting, relating to the Commission that it is the shaded area in "Map C" that the map change applies to.~~

Recess at 4:30 PM for the Secretary to copy the latest documentation from the Z.A. and the Sanitary Department for Ryder. Back in session at 4:32 PM.

Discussion carries on in this matter, TPC review the maps that have been submitted. The question raised by the Z.A. as to whether two petitions are required is addressed. There is no reference to a statute that states as such, thus the TPC decide to move forward at this time. ~~Chair will seek an attorney's opinion for clarification on this matter; if the attorney's opinion is that more than one application is required then the Ryder's will be notified.~~

M. Starck makes a motion that we schedule a Public Hearing for the Ryder's on January 21st at 4 pm. R. Madich seconds. All in favor, 6 aye. Motion Carries.

VI. Old Business

- a. **Review of recommendations submitted to the Town Plan Commission for definition, area setback requirements for non-conforming lots created prior to September 1972, ("Grandfathered Lots"). (Tabled from the October 1, 2008)**

Chair calls a recess at 5:02 PM to make copies of the documentation being presented by Alan Fischlowitz. Back in session at 5:07 PM.

Alan Fischlowitz joins the TPC at the meeting table to review "Working Draft Version II" regarding "Grandfathered" Lots. This document can be viewed in the Town Hall in the Official Zoning Minutes Book. Review and discussion on this matter follows. Z.A. has a list of all non-conformities on the island. M. Starck agrees to get this list for the Commission to consider. R. Harrold makes a motion to table this. S. Soucek seconds. All in favor, 6 aye. Chair states the matter has been tabled.

- b. **Letter from Glenn and Susan Bergeon dated September 16, 2008 regarding use of their non-conforming lot. (Tabled from the October 1, 2008)**

R. Harrold makes a motion to table this until the January 21st. S. Soucek seconds. All in favor, 6 aye. Chair states this is tabled until January 21st.

- c. **Review and Recommendation of 2009 Schedule of Fees for Zoning Permits (Tabled until December 3, 2008)**

Review of the Schedule of Fees. Discussion of the verbiage for Rental of Single Family Dwellings is considered.

It is decided to strike "or if any rental renewal is paid after May 15" under this heading.

Permits for Road Access or extension is reviewed; consequently, the definition of road access is explored and how this relates to driveways. It is considered whether putting in a driveway should require a permit. Chair explains these are not addressed in our Ordinance at this time as requiring one.

It is decided to make the following revision: strike-out "or extension" from the heading for Road Access.

Next, Filling is reviewed under Types of Permits on the Schedule of Fees. The need for a definition for filling is discussed leading to a lengthy consideration on the matter of filling. Z.A.

adds that Shoreline Zoning Ordinance for Ashland County has a great definition for when you do and when you don't need a permit for fill. TPC will review that ordinance.

Verbiage Changes is discussed.

R. Harrold makes a motion that we forward this, updated, to the Town Board. G. Thury seconds. All in favor, 6 aye. Motion Carries.

- d. **Letter from William Bussey dated November 19, 2008 pending Town Board direction on 7th Street vacation.)**
TPC awaiting Town Board direction.

VII. New Business

a. Town Plan Commission Vice-Chair Election

M. Starck moves to nominate Ron Harrold as Vice-Chair. G. Thury seconds. All in favor, 6 aye. Chair states that Ron Harrold is the Vice-Chair.

b. Review of Wisconsin Department of Commerce Commercial Building Code process.

M. Starck updates the Commission briefly on this matter. This will be addressed further at the next Town Board meeting.

VIII. General Code Project/Ordinance Revision

a. Zoning Map Review and Changes (tabled form August 6, 2008)

Chair tables this item with the concurrence of the Commission. Commission agrees.

b. Final Review of Draft Ordinance Changes and Recommendation:

i. § 3 (Zoning Districts)

R. Harrold makes a motion to table until the next meeting on January 7th. G. Thury seconds. All in favor, 6 aye

ii. § 2 (Definitions)

See above motion.

IX. Comprehensive Plan (Update on status of distribution of correct version)

Commissioners declare they have current copies of the Comprehensive Plan.

X. Future Agenda Items

- a. **Grandfathered Lots**
- b. **Permit Refunds**
- c. **Driveways**
- d. **Filling**

XI. Schedule Next Meeting

The next TPC meeting will be Wednesday, January 7, 2008 at 4 o'clock PM at the Town Hall.

XI. Adjournment

R. Harrold makes a motion to adjourn. S. Soucek seconds. All in favor, 6 aye.

Meeting ends at 6:25 PM.

Town Plan Commission Minutes respectfully submitted by Town Plan Commission Recording Secretary, Jessica L. Hatch on Saturday, December 20, 2008.

These minutes are edited for approval by TPC RCS; J. L. Hatch, on Wednesday, January 7, 2008. Deletions are struckout.