

**Town of La Pointe Zoning
Town Plan Commission Special Monthly Meeting
Wednesday, February 25, 2009**

Town Plan Commission Members Present: Carl Broberg; Chair, Ron Harrold; Vice-Chair, Mike Starck, Ron Madich, Suellen Soucek, Greg Thury, Carey Baxter (arrives at 5:15 PM) (7)

Town Plan Commission Members Absent: none

Public Present: Jim Patterson, Bill Bussey, Warren Anderson, Paul Brummer (4)

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

I. Call to Order/Roll Call

Chair, C. Broberg called the meeting to order the Town Hall (at 5 o'clock PM). Roll call reflected members present or absent as recorded above.

Chair explains, as a matter of information, this is not on the agenda, the Town Board met the night prior and they approved the draft of a Conditional Use Process in the Home Occupation Ordinance that the Town Plan Commission drafted; that will be forwarded on to the County for their review and approval.

Chair says that the purpose the Town Plan Commission agreed on last Wednesday is to go over the Ordinances and the feedback that the Commission received. Chair Broberg hands out his list of the issues he heard to Commissioners. He submits this document titled "Issues for the TPC to address," on file in the Official Zoning Minutes Book.

II. Ordinance Revision

a. Discussion of February 18, 2009 Public Hearing, review of proposed changes and consider recommendation to Town Board of the following:

1. § 3 Zoning Districts

Chair Broberg, referencing his list of Issues, starts with "Section 3 Zoning Districts: #1 Name/Designation of Overlay District: Scenic Shoreline, Historical or Heritage." He reports that he has received two phone calls from landowners whom want nothing to do with anything called "historical." Discussion ensues regarding the proposed language of this Ordinance and whether the Commission wants to have the district at all. It is decided that the proposed name of "Scenic Overlay District" will remain. The next issue is #2a "Expand from shoreline lots to: Inland Lots 'between Sunny Slope and Whitefish'" should be included. Chair hands out a two-page document of the matrix of uses marked with the comparison of draft proposed uses versus existing uses in all the districts (On File). Discussion continues on the boundaries designated in the Overlay as well as whether the Overlay is needed. Bill Bussey gives input to the origin of the district. He argues for why it is a necessary proposal to go forward. The issue of being fair to all property owners is discussed. Chair suggests tabling the issue of including inland lots in the proposal, all agree.

The next issue #2b "Expand from shoreline lots to: Main Street. Chair says, there was a correspondence from a property owner on Main Street advocating Main Street being included (Foster; On File). The matter of filing a "Covenant" with neighbors is brought up as a solution. Chair asks if there is consensus to include "from Main Street to the shores of Lake Superior" in the proposed definition. Commissioners agree. The next issue is #2c "Expand from shoreline lots to: Old Fort Road." It is decided to not include Old Fort Road in the proposed definition. The next issue is #2d "Expand from shoreline lots to: Capser Road." Bill Bussey includes that his clients the Mack's want to be included in the Overlay District. Discussion ensues. Including

the whole island is considered and debated. It is decided to not include Capser Road in the Overlay definition.

Discussion returns to the tabled issue of including Inland Lots in the definition (#2a). Bussey includes input. Language is defined to include shoreline lots only in the definition of the proposed overlay as well as to include Main Street lakeshore lots.

The next issue is whether to prohibit rental of existing “Double and Multi-Family” dwellings in the overlay. Commissioners discuss; Bussey gives input.

Warren Anderson submits a letter (On File) to the secretary before leaving the meeting.

The Secretary asks for clarification on whether a vote was made as to whether the district would exist at all. Chair asks the Commissioners, “Should we have a Scenic Shoreline Overlay District at all?” Due to a tie vote (3 aye: S. Soucek, R. Madich, C. Broberg; 3 nay: G. Thury, M. Starck, R. Harrold; 1 abstain: C. Baxter) tabling is considered. R. Harrold moves to table the question of “Whether we should have a Scenic Shoreline Overlay” until March 4th. G. Thury seconds. All in favor, 7 aye.

Moving to #9 on the document “Issues for TPC to address:” regarding LP or Fuel Oil tanks. It is decided to take out “for heating” in the proposed language of the Ordinance. Next issue: #10, “Include Ashland County “Flood and Shoreline overlay” district in our Ordinance or leave it up to the County Ordinance?” Discussion ensues. It is decided to have “See Ashland County Ordinance” in those sections. The next issue is #11 “Guest House rental?” After a lengthy discussion, it is decided to keep the draft language as is for the Guest House Ordinance.

2. § 2 Definitions (additions)

Not discussed

3. (New) § 4.3(3) Non-Conforming (Grandfathered) Lots

The matrix (On File) that Broberg handed out is reviewed. He as well hands out a document titled “4.3 Supplemental Regulations,” for Commissioners to review; this is a combination of new language and input from Mr. Dick Hoffman (On File). The next section of the “Issues for TPC to address:” is “Section 4.3(3) Non-Conforming Grandfathered Lots 1. Consider new language combining original plus Hoffman’s input?” It is decided to take out in section “4.3.3.2” of the draft “4.3 Supplemental Regulations” document: “50% of the fee established for a variance by the Town Board of Supervisors.” G. Thury moves to table Section 4.3.3.2 Non-Conforming Grandfathered Lots until March 4th. R. Madich seconds. All in favor, 7 aye.

4. (New) § 4.3(4) Camping on Private Lands

Next on the “Issues” list is “Section 4.3(4): Camping On Private Lands 1. Length of ‘temporary?’” Discussion on the length of time one can camp on one’s own land is discussed. Consensus is decided it will be “6 months” one can camp without a permit.

G. Thury raises the point of discussing in the future procedure and process of agendas. Discussion. Chair explains his process and invites input from Commissioners.

III. Adjournment

S. Soucek moves to adjourn until March 4th. G. Thury seconds. All in favor, 7 aye. Meeting adjourns at 6:40 PM.

Town Plan Commission Minutes respectfully submitted by Zoning Clerical Assistant, Jessica L. Hatch on Monday, March 2, 2009. Minutes are approved as amended by J.L.Hatch on 03-18-09.