

**Town of La Pointe Zoning
Town Plan Commission Public Hearing
Wednesday, January 21, 2009**

Town Plan Commission Members Present: Carl Broberg; Chair, Mike Starck, Ron Madich, Suellen Soucek, Greg Thury (5)

Town Plan Commission Members Absent: Ron Harrold; Vice-Chair (1)

Public Present: Ric Gilman, Jim and Liz Ryder, Charles Brummer, Jim Patterson, Steve McHugh, Paul Brummer, Joe McCarthy, Linda Geier, Beth Fischlowitz, Chris Wolfe, Meg Brown, Greg Nelson, Warren Anderson (14)

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

Chair calls the meeting to order at 4 pm. Roll call reflects members present or absent as recorded above. Chair explains that the issue before the Commission is whether to make a recommendation to the Town Board of Supervisors to approve the request of the Zoning Map Change requested by Jim and Liz Ryder. The following information was posted as a class 2 notice:

Town of La Pointe Zoning Map Change proposed as follows:

Rezone from Wilderness Preservation District 1 (W-1) to Shoreland Protection District (S-1) part of lots 014-00118-1800 and 014-00118-1600 consisting of 137,979 square feet which is 3.17 acres more or less located in the SE ¼ of the SW ¼ and Government Lot 3 of Section 21, T.50N.,R.3W. in the Town of La Pointe, Madeline Island, Ashland, Wisconsin described as follows:

To locate the Point of Beginning, commence at the S ¼ corner of said Section 21 and run N 89°19'00" W, 661.20 feet along the south line of said Section 21, to a 1-¼" iron pipe. Thence leaving said south line, N 00°41'17" E, 330.47 to a 1-¼" iron pipe. Thence S 89°20'00" E, 230.86 feet to a 1-¼" iron pipe. Thence N 00°41'17" E, 751.60 feet to the Point of Beginning. Thence from said Point of Beginning by metes and bounds:

N66°29'41" W, 594.82 feet.

Thence N 64°14'59" E, 612.35 feet.

Thence S 00°41'30" W, 503.31 feet to the Point of Beginning.

Members of the Public who wish to give input are asked to fill out a "Request to Speak" Form (on file in the Official Zoning Minutes Book).

The applicant Jim Ryder is invited to speak. Ryder presents two large maps of his and his wife's properties for the public to view (map D-1 and map C-1). He gives an overview of the history of these parcels and explains what he is requesting and why.

Chair reads into the record the following list of people who signed a form letter in favor of the Map Change: (These letters can be viewed in the Official Zoning Minutes Book)

1. Gerry Elbridge (property owner within 300 feet)
2. Philip Greenberg (property owner within 300 feet)
3. Michael Starck (property owner within 300 feet)
4. Timothy Lesmeister (property owner within 300 feet)
5. Madeline Island Wilderness Preserve (Thomas Kromroy; President) (representing property within 300 feet)
6. Jerry Smith
7. Gary Russell
8. Gary Flores
9. Todd Carlson
10. Arnold Nelson

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The Commission received written letters from the following people; which are against approval of the Map Change: (These letters can be viewed in the Official Zoning Minutes Book)

1. Dan and Rachelle March (property owner within 300 feet)
2. Linda Geier; District Clerk of the Madeline Sanitary District (representing property within 300 feet)
3. Joe McCarthy

Joe McCarthy is the first speaker. He reads the letter he submitted to the Town Plan Commission (on file) into the record. His letter is against approval of this Zoning Map Change requested by Jim Ryder.

Paul Brummer is the next speaker; he is not in favor of the Ryder Request. He reads into the record Linda Geier's letter from the Madeline Sanitary District (on file); he then adds two more important points not mentioned in the letter. Further, Brummer points out to the Commission the following: the Hearing was not accurately posted, notice that there may be a quorum of other boards was not posted at the bottom of the agenda, and he questions how many of the letters in favor of the Map Change were properly notarized.

Chair asks a question to Brummer, as a representative of the Sanitary District, concerning the Sanitary District taking the adjoining property owners' rights by having a 750' setback from the treatment ponds. Brummer explains this is State Regulation. Discussion ensues concerning Broberg's inquiry; other Sanitary District representatives also explain that the setbacks are State Regulation for Treatment Ponds.

Mr. Ryder further explains his process in dealing with the different committees and speaks of the Town Board's motion in this matter.

Commissioner M. Starck states that he did not recommend a Map Change to Ryder, he had outlined options that were available.

Jim Patterson is the third speaker. He speaks for himself not as a representative from any other group. He says in general, he supports Mr. Ryder's solution to his problem.

Chair opens the floor to anyone else who would like to talk that did not sign-up at the beginning of the hearing.

Ric Gilman clarifies one thing that Ryder has referenced regarding the Town Board making a motion that he get a Map Change. He explains that the motion was to deny the original CSM and there was discussion of alternate options.

Linda Geier asks Commissioner Starck if he will vote on the Town Plan Commission level and or on the Town Board level and whether he thinks it is appropriate.

Starck says he has not decided. He says his letter was as an adjacent property owner not as a Town Official.

M. Starck makes a motion to adjourn. S. Soucek seconds. All in favor, 5 aye. The meeting ends at 4:33 pm.

Town Plan Commission Public Hearing Minutes respectfully submitted by Zoning Clerical Assistant, Jessica L. Hatch on Monday, January 26, 2009.

These Town Plan Commission minutes are approved as submitted by J.L.Hatch on Wednesday, February 4, 2009.