

**Town of La Pointe Zoning
Town Plan Commission Special Monthly Meeting
Wednesday, April 1, 2009**

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

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

Public Present: Warren Anderson, Janine Dobson, Ric Gilman (3)

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

I. Call to Order/Roll Call

Chair, C. Broberg calls the meeting to order at 5 pm. Roll call reflects members present or absent as recorded above.

II. Public Comment

Janine Dobson speaks in support of the rental of Guest Houses.

III. Zoning Administrator Report

ZA has none at this time.

IV. Review and Approval of Previous Meeting Minutes:

a. Town Plan Commission Public Hearing February 18, 2009 (Tabled from March 18, 2009 meeting)

The second draft of these minutes is reviewed. M. Starck moves to approve the minutes of the Town Plan Commission February 18, 2009 Public Hearing as submitted. S. Soucek seconds. All in favor, 6 aye.

b. Town Plan Commission Regular Monthly Meeting March 4, 2009

Commissioners review the minutes; some amendments are identified. M. Starck moves to approve the Town Plan Commission Special Monthly Meeting Minutes of March 4, 2009 with the four (4) changes identified tonight and that is: change the word "urged" to "caused," "It caused the ZA to consult the TPC," add the words "removed from" after "half inch," deleting the sentence "Confusion presents itself on this matter," in item V and change the word "concluded" to "identified" in V c. S. Soucek seconds. All in favor, 6 aye.

c. Town Plan Commission Regular Monthly Meeting March 18, 2009

M. Starck moves to approve the Town Plan Commission Regular Monthly Meeting Minutes of March 18, 2009 as submitted. G. Thury seconds. All in favor, 5 aye. 1 abstain (RM).

- Chair asks Mrs. Janine Dobson if she would like to give Public Comment because she was not present during that Agenda Item. Mrs. Dobson gives her comment.

V. Consideration and/or Action of Permit Applications:

NONE

VI. Old Business

a. Letter from William Bussey dated November 5, 2008 re Ron Lacey Adverse Possession Claim. (Tabled November 19, 2008 pending Town Board direction on 7th Street vacation.)

This item is awaiting Town Board direction.

b. Town Plan Commission By-Laws and Notices and Minute Content

ZA's research on the By-Laws determines that the sentence in question, "Other statements or comments requested to be made part of the written record will be accepted in writing only," should have been added to Article 6 (I) in 2006. The ZA inquires if the document "Appendix of TPC ByLaws" dated 8/16/06 should be attached to the By-Laws and who should make the physical amendments to the said document. TPC determine that the appendix should be included. Chair directs the ZCA to add the missing sentence and the appendix attachment then redistribute the By-Laws to the TPC.

c. Revisions and possible recommendation to § 3 Zoning Districts (definition, dimensional requirements and permitted and conditional uses.) including Shoreline and Flood Hazard Overlay District (tabled from March 18, 2009)

The format which the "Zoning Districts Permitted and Conditional Uses" will be presented in the Ordinance is discussed. The ZCA created a redline comparison of the existing Section 3. She is directed to match the language of this working comparison to the matrix for redistribution to the TPC. ZA addresses the Shoreline and Flood Hazard Overlay Districts regarding how they will be presented in our Ordinance and poses questions regarding the Public Hearing process. Chair has added the footnote, "Note: All Permitted or Conditional Uses must conform with the requirements of the Ashland County Shoreland Amendatory Ordinance and the Ashland County Floodplain Zoning Ordinance," to the bottom of the Matrix of Uses to alert property owners of the possibility of more restrictive County Regulations. Chair will put together a new draft Section 3 adding the language decided on, ensuring common language throughout.

The Mixed-Use Zone is discussed. It is said that there will be no recommendations for a Mixed-Use Zone without a map that shows exact boundaries of it.

VII. New Business
NONE

VIII. General Code Project/Ordinance Revision

a. Zoning Map Review and Changes and Report from Planning Commission Sub-Committee (tabled from August 6, 2008 until April 1, 2009.)

Sub-Committee consists of Commissioners Thury and Baxter. Commissioner Thury gives a brief account of the research activities regarding past map changes. Baxter is looking for background on the purpose of this research. It is determined the objective is to find out how the map got the way it is and to determine if the districts can be legally defined. Discussion ensues regarding the Zoning Map and its history. The issue of parcels that are located in more than one district is discussed. ZA reads from "The Procedural Guidelines," which she will copy for Thury and Baxter. The sub-committee will continue work, especially focusing on the S-2 zone.

b. Filling and Driveways (Tabled on February 4, 2009 until April 1, 2009)

Chair presents and reads from a document drafted by Dick Hoffman on 9-13-07; it contains information on Filling and Driveways. Chair will distribute this document to the Commission and Zoning staff. M. Starck moves to table Filling and Driveways until the next meeting of April 15. S. Soucek seconds. All in favor, 6 aye.

IX. Future Agenda Items

- a. Procedural Guidelines**
- b. Filling and Driveways**
- c. Update Zoning Map Change Research**

X. Schedule of Meetings

Not discussed.

XI. Adjournment

S. Soucek so moves to adjourn. R. Madich seconds. All in favor, 6 aye. Meeting ends at 7:05 pm.

Town Plan Commission Minutes for the April 01, 2009 SMM respectfully submitted by Zoning Clerical Assistant, Jessica L. Hatch on Friday, April 03, 2009.

These minutes of the April 01, 2009 TPC SMM are approved as submitted by Jessica Hatch, ZCA on Wednesday, April 15, 2009.