

**Town of La Pointe Zoning
Town Plan Commission Regular Monthly Meeting Minutes
October 27, 2011**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Larry Whalen, Suellen Soucek, Greg Thury (4). Ron Madich has resigned.

Town Plan Commission Members Absent: Charles Brummer, Carey Baxter (2).

Public Present: Paul Brummer (1).

Town Staff Members Present: J. Croonborg-Murphy, ZA, Margaretta Kusch, ZCA (2).

I. Call to Order/Roll Call

Chair Pallas called the meeting to order at 4:32 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

L. Whalen states that R. Madich has resigned from the Town Plan Commission due to work conflicts. The Zoning Administrator and Town Plan Commission express their appreciation for his work for the Commission over the years and wish him luck in his new business ventures.

III. Approval of Previous Meeting Minutes

a. Town Plan Commission Special Monthly Meeting, October 5, 2011

- Change heading date from “September 7” to “October 5.”

G. Thury moves to approve the Town Plan Commission Special Monthly Meeting minutes of October 5, 2011, as amended. S. Soucek seconds. All in favor, 4 aye. Motion carries.

IV. Zoning Administrator’s Report

V. Consideration and/or Action of Permit Applications

a. Erickson, Evan re: Travel Trailer at 304 Big Bay Road LP# 014-00198-0200.

Nothing new has been received.

b. Craftivity, Inc. re: amend permit approved 4/13/2011 for Office Building (“Stable”) at 978 Middle Rd, LP# 014-00178-0200.

This amendment is to move the location of the office building on the property; the permit was already reviewed by the Town Plan Commission prior to approval in April 2011.

Chair Pallas moves to approve it contingent upon the Zoning Administrator inspection for setbacks. L. Whalen seconds. All in favor, 4 aye. Motion carries.

VI. New Business

a. Ryder, Ben question re: extending expired 2007 permit.

Mr. Ryder questioned whether he could extend a permit that expired in 2007. The Town Plan Commission consensus is that he could not extend the permit, he would have to re-apply. The Zoning Administrator will write Mr. Ryder a letter telling him so.

b. G. Thury presentation re: Board of Appeals workshop.

G. Thury attended a workshop about Boards of Appeals in Wisconsin in September. He submits to the Town Plan Commission packets of information and digital materials gathered at the workshop. These materials are attached to these minutes (in the case of the digital materials, in the Town Hall vault) and are part of the permanent record.

c. Schwartz, Todd: questions re: variance history at 1300 Middle Rd., LP #014-00168-0200.

Mr. Schwartz is in the process of selling his property and has been attempting to find documentation of a Certified Survey Map and documentation of a variance granted for the property in 2004. There is no record of the map in Town records and the surveyor apparently never filed the map with the County Register of Deeds.

The Zoning Administrator states that she spoke with Attorney Fauerbach on this issue. Mr. Fauerbach told her that any new owners will have to go through the variance process again. The Zoning Administrator will write a letter informing Mr. Schwartz of Mr. Fauerbach's opinion.

VII. Old Business

a. Brummer, Paul complaint re: Madeline Island Wilderness Preserve fundraiser held at 978 Middle Rd, LP# 014-00178-0200 (Madeline Island School of the Arts).

The Zoning Administrator states that she spoke with Attorney Fauerbach on this issue. Mr. Fauerbach feels that another Public Hearing needs to be held on the matter and that the criteria for Town Plan Commission decisions have to be made very clear.

The Zoning Administrator states that the Town Plan Commission already made the decision that Madeline Island School of the Arts can't schedule events not directly related to the School.

Chair Pallas moves to schedule a Public Hearing on November 30 at 5 pm at the Town Hall regarding the Paul Brummer complaint. S. Soucek seconds. All in favor, 4 aye. Motion carries.

Mr. Brummer has also filed a separate complaint against the Madeline Island School of the Arts regarding a wedding held there this past summer. The Zoning Administrator reports that Mr. Fauerbach feels that the two complaints need to be dealt with separately (so that the decisions regarding each don't influence the other).

b. Hartzell, Robert: add/alter at 641 Main St., LP #014-00446-0200 (The Pub).

The Zoning Administrator has issued this permit. Chair Pallas states that C. Brummer feels that the issue of parking spaces at the Lightkeeper's Lodge adjacent to the Pub should be reviewed, but that he (C. Brummer) is fine with the addition/alteration permit.

G. Thury moves to amend the agenda to place item VII.d before item VII.c. S. Soucek seconds. All in favor, 4 aye. Motion carries.

c. Review of Comprehensive Plan.

A discussion of the Plan is held.

It is generally noted that numbers and figures such as the projected population of the island have to be adjusted to reflect current facts.

It is also noted that the central wastewater system facility upgrade that was recommended to occur in 2011-2015 has already occurred.

Chair Pallas states that he would like to see the addition of future development of a sub-station for EMT's and the fire department on the north end of the island. He would also like to see a future upgrade of the Town Rec Center included.

The Zoning Administrator states that she noticed inconsistencies between the Plan's Future Land Use Map and the Zoning Map, such as the inclusion of a Mixed Use Zone on Middle Road.

The Zoning Administrator will compile a report for the Town Board highlighting inconsistencies, changes, comments, and issues that Town Plan Commission members have brought up.

d. Anderson, Michael complaint re: employee housing at LP #014-00192-0110.

As per the last Town Plan Commission meeting, the only aspect of this complaint that the Town Plan Commission has jurisdiction over is the issue of the potential necessity for rental permits for the dwellings. Town documentation shows that rental accommodation tax was first required in December of 1993. Rental permit fees were received for the property for seven of the years between 1993 and 2011.

Chair Pallas feels that the fees for the other eleven years in that time period should probably be paid, although he doesn't know if double fees should be required. He feels that perhaps this should be an issue for the Town Board to decide on.

The Zoning Administrator states that she will bring the matter to the Town Board.

G. Thury moves to amend agenda to move back to item VII.c. S. Soucek seconds. All in favor, 4 aye. Motion carries.

VIII. Future Agenda Items

- **Erickson, Evan re: Travel Trailer at 304 Big Bay Road LP# 014-00198-0200.**
- **Hartzell, Robert: add/alter at 641 Main St., LP #014-00446-0200 (The Pub): Review Conditional Use Permit.**

IX. Schedule Future Meetings

- Town Plan Commission Special Monthly Meeting to be held Wed., Nov 2, 2011.

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor. Motion Carries. Meeting ends at 5:39 pm.

Town Plan Commission minutes respectfully submitted by Margaretta Kusch, ZCA on Thursday, November 03, 2011.

2nd Draft Town Plan Commission minutes submitted by M. Kusch, ZCA on Tuesday, November 29, 2011.

Town Plan Commission 2nd draft minutes approved as amended on Thursday, December 1, 2011.