

**Town of La Pointe Planning and Zoning
Town Plan Commission Regular Monthly Meeting Minutes
December 17, 2014**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Charles Brummer, Vice-Chair, Suellen Soucek, Greg Thury, Joan Martin, Mike Starck (6).

Town Plan Commission members absent: Margie Denton (1).

Public Present: Paul Brummer (1).

Town Staff Members Present: Lisa Potswald, Planning and Zoning Administrator (1).

I. Call to Order/Roll Call

Chair Pallas calls the meeting to order at 4:36 PM. Roll call reflects members present or absent as recorded above.

II. Public Comment

None.

III. Approval of Previous Meeting Minutes

G. Thury moves to approve the Town Plan Commission Special Monthly Meeting minutes of November 5, 2014 as amended. M. Starck seconds. Six in favor. Motion carries.

IV. Zoning Administrator's Report

November report reviewed and placed on file.

V. Consideration and/or Action on Permit Applications

**a. Ashland County Section 21, Township 50 N, Range 3W, LP #014-00117-0100.
Consideration of options for illegally subdivided parcel.**

The owner of this parcel recently died and the family is now dealing with the estate. They would like for the term "illegally subdivided" to be struck from the property record in case the family decides to sell it. Chair Pallas notes that the road and shoreline both meet the minimum lot widths; however there is less than the required 3 acres. TPC members note that the parcels on either side of this property are also nonconforming parcels. The family contacted Mr. Oberzut who bought their property on the other side of the road; he is not willing to sell any property back to the family.

After discussion, TPC members see no reason for a variance or a special exception now because there is an existing structure on the property.

If the TPC is presented with a CSM to approve, they will approve it with the caveat that it is a nonconforming parcel and will want it recorded as such. Any potential buyer could receive information about what that means as it relates to the Town's zoning ordinance.

The TPC members were not sure how the term “illegally subdivided” came to be on the property description; there are other lots on the Island that have been illegally subdivided and they don’t have that language on the property record. They want a letter to go to the Ashland County Land Description to ask them to remove the “illegally subdivided” and instead have it read “nonconforming lot”.

C. Brummer directs the ZA to send a letter to Mr. Oberzut to inform him that the lot he purchased is a nonconforming lot as well and cannot be sold. C. Brummer points out it is unlikely it will be sold if the road and well is on that lot, as we understand it to be.

VI. New Business

a. Service Fee for County Permits

The County is reimbursing the Town \$5,000 for zoning services for 2014; however the actual cost of services provided by the Town for the County is \$12,600 through the end of November. This does not include the cost of use of the Town vehicle. The TPC is being asked to consider charging a service fee to people applying for county land use permits to assist in covering the cost of Town services.

The TPC considers different ways of collecting a service fee, and recommends charging the same amount the county charges for a permit. Chair Pallas moves that the Town Plan Commission recommends to the Town Board to enact a service fee for county permits in the same amount as the county’s permit fee. M. Starck seconds. All in favor. Motion carries.

b. Report About Town Board/County Meeting Held on December 2, 2014

Ashland County Administrator Jeff Bierl, County Board Supervisor Matt MacKenzie and County Board Chair Pete Russo attended a meeting with the Town Board to discuss, among other topics, the inter-municipal agreement with regard to zoning services provided to the county by the town. As stated in VI.a. above, the service costs the town more than the county reimburses. ZA prepared a fact sheet that was distributed at this meeting highlighting this disparity. Nothing was resolved at the December 2 meeting.

c. TPC Meeting Schedule for 2015

TPC members agreed by consensus to keep the meeting schedule the same for 2015 - the first and third Wednesdays at 4:30. Meetings will be canceled by the Chair if there is no agenda.

d. Comprehensive Plan Report to TB for 2014

The Town of La Pointe’s Comprehensive Plan requires the TPC to provide a year-end report on progress made in the past year. TPC members agreed by consensus that there was no need to do a year-end report for 2014 since the plan was updated this year. A year-end report will be prepared for 2015.

VII. Old Business

a. TB Questions Regarding Land Disturbing Activity Permit Fees

The TB had questions about the recommendation to charge \$25 for a land disturbing permit – specifically, what constitutes a land disturbing activity that requires a permit. ZA prepared a memo in response to the TB questions. The TPC sees no need to provide additional information at this time.

VIII. Future Agenda Items

- a. Review of conditional use permits and board of appeals cases list.
- b. Review preliminary act in reaction to Hegwood

IX. Schedule Future Meetings

- a. Next Special Monthly Meeting to be held **Wednesday, January 7, 2015 at 4:30 p.m.**

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor. Motion Carries. Meeting ends at 5:10 pm.

Town Plan Commission minutes respectfully submitted by Lisa Potswald, Planning and Zoning Administrator, on Thursday, December 18, 2014.