

**Town of La Pointe Zoning
Town Plan Commission Special Monthly Meeting Minutes
February 6, 2013**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Charles Brummer, Vice-Chair, Larry Whalen, Greg Thury, Suellen Soucek, Joan Martin, Carey Baxter, Greg Thury (7).

Town Plan Commission members absent: none.

Public Present: Dave Thomas, Paul Brummer, Ham Ross (3).

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 4:30 PM at the La Pointe Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

Dave Thomas reads aloud a letter he submits (part of the permanent record and attached to these minutes). In his comments, he brings up his concerns that the Comprehensive Plan Review process has not been well organized to this point. He wishes to see a timeline for the review process, a front and center role for the issue of sustainability on the island in the Plan, and involvement in the process for other island committees and the public at large.

III. Approval of Previous Meeting Minutes

- **Town Plan Commission Regular Monthly Meeting, January 16, 2013.**
In Section VI.b, second sentence, change illusive to elusive.

G. Thury moves to approve the Town Plan Commission Regular Monthly Meeting minutes of January 16, 2013, as amended. S. Soucek seconds. All in favor, 6 aye, 1 abstain (C. Brummer). Motion carries.

IV. Zoning Administrator's Report

- **2012 Annual Report**

There is no longer a section in the annual report for non-conforming uses. The Zoning Administrator asked the Town Board whether she should compile lists of these and they answered no.

C. Brummer asks about the status of Charles Nelson's complaint re: the Middle Road Literary Arts Society. The Zoning Administrator responds that she spoke to Charles Nelson recently about the complaint. A letter's being drafted to the property owner and she will be doing an inspection with the Town's Road Foreman regarding the vision triangle at the property. The complaint will be moving forward soon.

V. Consideration and/or Action of Permit Applications

VI. New Business

- a. **Bergeon, Susan re: Special Exception Permit at 2635 Big Bay Road, LP# 014-00054-0900**

The Town Board asked for a status update on this permit (issued in 2010). The Zoning Administrator has reported that the travel trailer that was to be removed is still on the property. The existing materials smothering vegetation (and were also causing water runoff to increase cliff erosion) were to be removed. It's unknown whether they are still in place.

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Ms. Bergeon is the sole owner of the property now; she plans on applying for a building permit in the spring moving the travel trailer to the inland side of the property when construction begins.

C. Brummer notes that the Special Exception specifies that there's no travel trailers allowed. He thinks a specific date for the trailer to be removed from the property be selected.

Chair Pallas notes that the travel trailer can't meet setbacks on the inland side of the Bergeon property, so it would have to be moved somewhere else on or off the island. He notes that Conditional Use Permits require construction to be started within twelve months of issuance and questions whether Special Exceptions governed by the same rules as Conditional Use Permits.

The Zoning Administrator states that the travel trailer needs to meet Ordinance requirements wherever it ends up being moved to on the island and that the coastal erosion plan in the Special Exception needs to be implemented. She also responds to Chair Pallas' question that Special Exceptions are indeed governed by the same rules as Conditional Use Permits.

C. Baxter notes that the property owner has already been given quite a bit of leeway in terms of time to remove the trailer and carpets. He also questions whether there's a loophole in this situation whereby the property owner gets a Land Use Permit which allows them to have the travel trailer on site during construction and wouldn't have to remove it as required by the Special Exception.

C. Brummer responds that the requirements and regulations for a Special Exception trump those for a Land Use Permit.

C. Brummer moves that it's the Town Plan Commission's interpretation of the Bergeon Special Exception permit at 2635 Big Bay Road, the owner needs to remove the existing travel trailer by June 1st, 2013 and wherever the travel trailer may end up, they need to follow Zoning Ordinance regulations. They need to remove all material smothering the vegetation on the property by the same date. The Zoning Administrator will do a follow-up inspection on or about June 1st, 2013. S. Soucek seconds. All in favor, 7 aye. Motion carries.

b. Board of Appeals text change language

The Town Board informed the Zoning Administrator that they would prefer Rules for Procedure for the Board of Appeals to be adopted and added to the Zoning Ordinance as part of a text change (as opposed to by-laws being created). Therefore, the Zoning Administrator has copied the Bayfield County Zoning Ordinance section on their Board of Adjustment to look at and possibly adapt for the Town.

The Town Plan Commission reviews the first half of the Bayfield County document and makes some changes (the second half wasn't copied to the Town Plan Commission). It's agreed that a new draft of the Bayfield language will be put together showing the changes made to the first half, and the Town Plan Commission will review that along with the second half, giving them some time to familiarize themselves with the previously unseen half.

c. Zoning Administrator request for Zoning Ordinance interpretation re: Rental of a Principal or Accessory Dwelling Permit & Weddings

The question is whether it's a legal use for weddings to be held at rental properties.

The Town Plan Commission agrees that there's no problem at all with the occasional wedding being held on properties that are hosted by the property owner. Problems could arise were property owners

to advertise their properties for weddings. This would require a permit either in the form of a Home Business or a Conditional Use Permit, depending on the Zoning District where the wedding events take place. However, it's agreed that this would be a complaint-driven issue.

VII. Old Business

- **Comprehensive Plan Review**

The Zoning Administrator feels that the process is rather overwhelming. The Town doesn't have professional planners like last time. One way to look at the process is to view it as merely tweaking the numbers in the Comprehensive Plan, and the other way to look at it is a total review of the Plan. Regardless, it seems like it's going to be a much longer process than we thought. She sees a definite need for direction in the review.

C. Baxter agrees with the Zoning Administrator and D. Thomas. He thinks the Town Plan Commission needs a professional planner, one who isn't an islander. It would save money in the long run to do the review correctly from the beginning.

D. Thomas feels that the community has many people who could ably aid in the review process.

S. Soucek and Chair Pallas respond that no one regularly comes to the meetings except Paul Brummer and D. Thomas himself, so there hasn't been much community involvement up till now.

C. Brummer notes that the original Comprehensive Plan process took about about three years.

Chair Pallas asks whether there's been any response to the Zoning Administrator's memo from any other boards or committees. The Zoning Administrator responds that the memo had basically just been an announcement that the review process would be beginning, asking the various committees/boards to begin thinking about the process, and that the Town Plan Commission would inform them when the process was officially underway.

C. Brummer suggests contacting Northwest Regional Planning for assistance.

The Zoning Administrator will contact a couple of professional planners for bids.

C. Baxter feels that the Town Plan Commission should have workshops designated to the review process alone—trying to combine the review and regular zoning business is too much for one meeting.

C. Baxter suggests to Dave Thomas that if he has information or research, to copy the Town Plan Commission. Mr. Thomas will copy things to the recording secretary, who will distribute to the Town Plan Commission.

VIII. Future Agenda Items

- Board of Appeals text change language

IX. Schedule Future Meetings

- Next Regular Monthly Meeting to be held Wednesday, February 20, 2013, at 4:30 pm.

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor. Motion Carries. Meeting ends at 6:10 pm.

Town Plan Commission minutes respectfully submitted by Margaretta Kusch, ZCA on Monday, February 11, 2013.

Town Plan Commission minutes approved as amended on Wednesday, February 20, 2013.