

**Town of La Pointe Planning and Zoning
Town Plan Commission Special Monthly Meeting Minutes
April 1, 2015**

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

Town Plan Commission members absent: Ted Pallas (1).

Public Present: Paul Brummer, Michael Childers (2)

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

I. Call to Order/Roll Call

Vice Chair Brummer calls the meeting to order at 4:32 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 March 11, 2015 as amended. S. Soucek seconds. Five in favor; J. Martin abstains. Motion carries.

IV. Zoning Administrator's Report

March report for 2015 is reviewed and placed on file.

V. Consideration and/or Action of Permit Applications

None.

VI. New Business

Two Town Plan Commission terms are up (currently held by S. Soucek and G. Thury). Notices will be sent out shortly and a sign-up sheet will be available at the Town Hall and other posting locations. The cut-off date to sign up will be on or about April 24.

VII. Old Business

A. Rentals:

1) Should the Town require rentals to meet minimum private drive standards

Attorney Fauerbach provided language designed to reduce the Town's liability and afford the Town the opportunity to deny a rental license based on the driveway's accessibility/lack of.

2) Review and recommend changes to the Rental Ordinance and Zoning Ordinance

Based on the language provided by Attorney Fauerbach regarding building inspection of rental properties and private driveways, TPC members reviewed the draft Rental Ordinance with changes dated 3/23/15. Typing errors were noted and recommended for change.

G. Thury moves the Town Plan Commission recommends to the Town Board approval of the amended language to regulate rental property. S. Soucek seconds. Six in favor; motion carries.

Any changes to the Zoning Ordinance will occur at a later time.

B. Hegwood Legislation – update

Senator Bewley's office informed the ZA that the legislation is now SB 104 and will go to the Senate Elections and Local Government committee.

C. Private Road and Driveway ordinance – draft

This draft is recommended not to be moved forward at this point. Arnie, Kristian, Fire Chief Rick and Red have reviewed it as a first draft. We also have to consider different facets of the ordinance, including but not limited to 1) construction of future driveways; 2) correction of existing driveways; 3) rental properties; 4) turnarounds/turnouts; etc. We must balance public safety, personal choice, economic impacts and other considerations in moving forward. J. Martin stated that safety standards for personal property are a matter of common sense, that the town cannot be held responsible if a driveway does not meet the standard.

C. Brummer states that if you want adequate fire protection services, it is the price you pay to maintain a passable driveway. He also noted that we must review the Technical memorandums to make sure that they are consistent with the ordinance. There is also the issue of differentiating a private road from a driveway, and how many parcels define each. J. Martin wondered how well the existing numbers for defining a private drive works. ZA responds that unfortunately there is no standard parcel size or number per x feet, so the numbers are arbitrary.

The TPC's direction going forward is to continue to work with the draft document.

S. Soucek recommends that the Town send existing driveway owners a letter with the updated rental ordinance suggesting standard height and width. G Thury said it will alert them to the updated standards. M. Denton wonders how to approach the letter. The ZA recommends a public education approach. The ZA will work with the Fire Department to draft a letter that will come from the Town, to be reviewed by the TPC at their next meeting.

Regarding rental permits and driveways, M. Starck recommends that rental property permit holders will be sent the informational letter along with the new Rental Ordinance language. The ZA wonders who makes the call if a driveway is not passable. TPC members like that it is discretionary and can be determined as a group effort. M. Starck noted that this will prepare folks for 2016 rental permits. There was discussion about checking out all rental driveways. An option could be that rental property owners sign a hold harmless. G. Thury has concerns about the discrepancy between making renters comply to obtain a rental license

while it is discretionary for private owners. J. Martin stated that it could be a financial problem for property owners as well to have to update their driveway. Next steps:

1. Prepare and circulate second draft of ordinance for going forward (new driveways)
2. Draft letter for existing property owners
3. Rental properties must meet standard in 2016 (ensure there is an appeal process)

This discussion is perceived to be a start to the conversation about private roads and driveways.

D. Park and Recreation Plan – update

Members went through the CAPP Committee changes and Kristian’s recommendations to develop updated draft of plan. This will be reviewed again at the next meeting.

1) Dock extension Joni’s Beach

C. Brummer states that if the Joni’s Beach dock is extended, it becomes more of a harbor and less safe for swimming. C. Brummer and J. Martin want to maintain what we have rather than expand dock.. M. Starck doesn’t think there should be a launch ramp there but sees no problem with extending the dock. He is concerned about the availability of transient docking. It is pointed out that there is transient docking at both the Beach Club and the marina.

C. Brummer moves that the Town Plan Commission does not endorse a dock extension at Joni’s Beach at this time. S. Soucek seconds. Five in favor; M. Starck opposed. Motion passes.

2) North Shore Trail kayak racks –

ZA asked the TPC to make a decision on this matter if possible, as the ZA asked the Town Board to table this at the last TB meeting. Adventure Vacations wrote a letter requesting the Town to put kayak racks at North Shore Trail. The Town Park and Recreation Plan states that the location should “remain relatively wild and undeveloped“. Concerns are expressed about additional staff costs traveling to the Trail to pick up garbage and check kayak stickers. C. Brummer is concerned about access in emergency situations as the trail is very steep.

Barb Nelson contacted the DNR because the Town has received a grant in the past, and the DNR has stipulations about how the land is used for grants they give. J. Martin supports the business requesting the kayak racks but says they may have to take kayaks down the trail each time they use the access. This trail is designed primarily for winter lake access. It was pointed out that the Town should also check with neighbors regarding any concerns they may have about increased use of the location. G. Thury points out that this is an access, not a park. M. Starck wants to see a response from DNR as to whether this project is acceptable or not. This will be put on the agenda for discussion at the next meeting.

VIII. Future Agenda Items

A. Kayak racks at North Shore Trail Park – information from DNR

B. Parks and Recreation Plan

C. NR 115 changes to Zoning Ordinance

D. Private road/driveway ordinance

- 1) Letter for existing property owners with driveways
- 2) Prepare and circulate second draft of ordinance for going forward (new driveways)
- 3) Ensure there is an appeal process

E. Weddings at Coole Park

IX. Schedule Future Meetings

Next Regular Monthly Meeting to be held **Wednesday, April 29, 2015 at 4:30 p.m.**

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor. Motion carries. Meeting ends at 6:11 pm.

Town Plan Commission minutes respectfully submitted by Lisa Potswald, Planning and Zoning Administrator, on Thursday, April 2, 2015. Corrections made on April 30, 2015.