

**Town of La Pointe Planning and Zoning
Town Plan Commission Special Monthly Meeting Minutes
June 3, 2015**

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

Town Plan Commission members absent: Suellen Soucek (1).

Public Present: Paul Brummer, Pete Rogers (2)

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 4:30 PM. Roll call reflects members present or absent as recorded above.

II. Public Comment

Paul Brummer states that MISA's conditional use permit states that they must "arrange to provide" doesn't say create or prepare meals to students. He submits information from previous meetings regarding MISA students' financial contribution to the Island. Paul states that changes could be less income for the restaurants.

III. Approval of Previous Meeting Minutes

G. Thury moves to approve the Town Plan Commission Regular Monthly Meeting minutes of May 13, 2015 as amended. M. Denton seconds. Six in favor; motion carries.

IV. Zoning Administrator's Report

ZA distributes list of permits for 2015 through June 1, 2015.

V. Consideration and/or Action of Permit Applications

None.

VI. New Business

None.

VII. Old Business

A. Craftivity Change of Use Permit for Commercial Kitchen

ZA reviewed the memo prepared on this topic, and noted that Charlie Meech provided written information included in the memo since he could not attend the TPC meeting.

How MISA is proposing to serve food changes their present food license. The license will change from a low to moderate complexity state food license. C. Brummer states that since 2004 they have had the same food license, but now they are going to prepare food on the same level as a restaurant. Their CUP says they are supposed to arrange food from local restaurants. They now want to go from lunch box to food buffet. A restaurant is not allowable in the W-2 district. Students can prepare their own food without any license. Charlie Meech has gone to a buffet which takes their license from a low to a moderate complexity. C. Brummer says it is not allowed unless specifically says so in their CUP.

Chair Pallas said they cannot become a moderate complexity licensed facility because that is a change in their CUP. ZA asks how they can make the CUP clearer. M. Starck asks if you can have a restaurant license and not be a restaurant? C. Brummer says it depends upon what zoning district you are in. ZA says it's a balance of being able to provide quality food within the parameters of the CUP. Chair Pallas says it needs to be clear to MISA that they are not allowed to get a moderate license. M. Starck asks what type of food license the Music Camp has; ZA responds that she can research it.

C. Brummer says the reason for a conditional use is it states what's allowed. Chair Pallas points out the only thing that has to be considered is that the entire operation is conditioned under a cup. If a moderate food license is allowed, the CUP has to be amended to be very clear in black and white otherwise there will be more changes applied for. Chair Pallas thinks that no CUP should be allowed change of use – a CUP is a privilege. MISA should be allowed to continue their existing food license. If they want to go to a moderate level, then MISA should apply for a modification to the CUP.

M. Starck does not agree; why is the TPC talking about food licenses? Mike asks ZA to ask K. Tuckwell (Ashland County) if a moderate complexity food license make them a restaurant. C. Brummer responds that a food license addresses how food is served; not any business operation. ZA recommends resolution from TPC to have on record. J. Martin supports quality food for the students, but within the existing license.

After discussion, Chair Pallas moved, and G. Thury seconded, a motion to instruct MISA that to obtain a moderate complexity food license, the same license as all restaurants on the Island, they must apply for a modification to their conditional use permit. Five in favor; one opposed. Motion carries.

Chair Pallas recognizes Pete Rogers, who wants to make a comment. P. Rogers states that they want to improve how the students at the school are fed. They have no intention of feeding anyone other than students; they will not be feeding the public. Chair Pallas responds that he understands why they want what they want for the students.

B. NR 115 changes to Zoning Ordinance

Table for the next meeting.

C. Private road/driveway ordinance

- 1) Letter for existing property owners with driveways**
- 2) Second draft of ordinance for going forward (new driveways)**
- 3) Appeal process**

Table for the next meeting.

D. Rieman Park

ZA prepared budget with Kristian’s assistance and noted it was over \$25,000. Kristian has concerns with providing services at this location; there is no cell service. He is also concerned about how to make money with this park. C. Brummer doesn’t see the park getting to level the Riemans have talked about; it may be better back on the tax rolls. ZA asks if the TPC members want to make decision now since they have until 2019 to get plans in place. Chair Pallas wants the Riemans to be at a meeting when the future of this project is decided. ZA will put this item on the agenda when we know the Riemans are back on the Island. C. Brummer noted that the TPC was just starting with the Town Park in 2013; now that the BBTP improvements are completed it seems there is no need for a park farther down Big Bay Road. J. Martin expresses concerns about EMS/fire department’s ability to respond to this remote location.

E. Parks and Recreation Plan

TPC members reviewed the Parks and Recreation Plan for any final changes before moving it forward to the Town Board for approval. M. Denton recommended the following changes:

Page 6 – Under Big Bay Town Park, Long Term Goals, add 2. Make the beach handicapped accessible.

Page 8 – Under Bog and Creek Adjacent to Rec Center and Marina, move 2 from under Recommended Immediate Improvements to Long Term Recommendations.

After discussion, it was agreed by consensus that the Plan would not be presented to the Town Board for approval until the TPC makes a decision about how to proceed with Rieman Park.

F. Hegwood Legislation – Update

The Senate Committee on Elections and Local Government voted 5-0 on June 3, 2015 to pass the legislation on to the Senate. The Senate meets on Wednesday, June 10. Senator Bewley’s office will let us know if a vote is scheduled.

G. Long-term camping and camp sites

C. Brummer asked to have this on the agenda, as there are a lot of camping units popping up around the Island. It is suggested putting a letter in the Gazette to educate people. C. Brummer says that the TPC doesn’t want to come down hard, but it is in the ordinance. If we don’t want to enforce we should take it out. ZA says she should have an inventory so as to deal with all equally. C. Brummer says that if a camping unit is parked and unoccupied it’s ok, but the TPC wants to ensure adequate sanitation. C. Brummer recommends that we start with an informational piece in Gazette. We can also deal with camping units on a complaint driven level. ZA will prepare a draft article and email to TPC members for input/approval prior to sending to the Gazette.

VIII. Future Agenda Items

A. Parks and Recreation Plan - Rieman Park

B. NR 115 changes to Zoning Ordinance

C. 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

D. Alton Survey Map Question

E. SB 104/AB 154 Update

IX. Schedule Future Meetings

Next Special Monthly Meeting to be held **Wednesday, July 1, 2015 at 4:30 p.m.**

X. Adjournment

G. Thury moves to adjourn. C. Brummer seconds. All in favor. Motion carries. Meeting ends at 5:38 pm.

Town Plan Commission minutes respectfully submitted by Lisa Potswald, Planning and Zoning Administrator, on Monday, June 15, 2015.