

**Town of La Pointe Planning and Zoning
Town Plan Commission
Special Monthly Meeting Minutes**

Wednesday July 6th, 2016

4:30 PM

La Pointe Town Hall

TPC Members Present: Charles Brummer, Chair; Mike Starck; John Gembitsky; Suellen Soucek.

TPC Members Absent: Greg Thury, Vice Chair

Town Staff Present: Ric Gillman, Zoning and Planning Administrator

Public Present: Michael Brenna, Sue Brenna, and Paul Brummer

I. Call to Order/Roll Call

Chair Brummer calls the meeting to order @ 4:30 PM. Roll call reflects the members indicated above.

II. Public Comment

None

III. Approval of Previous Minutes

a. Town Plan Commission Special Monthly Meeting, June 1st, 2016

Starck motions to approve minutes as presented, Soucek seconds, 4 ayes, motion carries.

b. Town Plan Commission Regular Monthly Meeting June 15th 2016

Starck motions to approve minutes as presented, Soucek seconds, 4 ayes, motion carries.

c. Town Plan Commission Public Hearing Minutes June 22nd, 2016

Starck motions to approve minutes as presented, Gimbitsky seconds, 4 ayes, motion carries.

IV. Zoning Administrators Report

Presented and discussed, placed on file.

V. Consideration and/or Action of Permit Application

Gillman discusses and updates the TPC on Benjamin Ryder properties @ 2724 Benjamin Blvd. Some discussion related to the Donohue property on 761 Main Street. A meeting is being pursued between all parties related to the proposed project.

VI. New Business

a. Review results of Public Hearing June 22nd, 2016 – Recommendations to the Town Board

Discussion opened with reviewing a general synopsis of public input; primarily the proposed definitions applicable to Greenhouse and Hoop House. It was the consensus of the committee that a more apt description of a Hoop House was related to mobility as defined in our current ordinance SECTION 4.2 Item G. Accessory use and Structures, Pages 39 and 40. There are items containing one and two asterisks and the Note on page 40 says “Moveable shall mean no slab, foundation, or sanitary connection.” There

was discussion of adding this as an asterisk item applicable to the definition of Hoop House. However it would still be required to meet setback requirements.

It was a consensus of the TPC to recommend the language pertaining to Greenhouse to increase the size to 250' square feet, (one without a permit).

Following this discussion Chair Brummer asked for the committee to address the following definitions, and to review these at the next TPC meeting for final preparation and recommendation to the Town Board.

Agricultural Crops and Products

“The raising of farm products for sale, including horticulture, floriculture, apiculture, viticulture products, livestock or poultry husbandry, and the growing of crops such as grain, vegetables, fruit, grass for pasture or sod, trees, shrubs, flowers and similar products of the soil including stables for boarding and training.”

There was general discussion of Crop Farming and Crops and Products, and review of current Matrix.

Crop Farming is permitted use in W1, W2, and R1. Conditional Use in W-P
Crops and Products is a permitted use in P-R, C-V, and T-P.

The consensus of the committee is the recommendation to add Crops and Products to W1 and S1 as a permitted use.

Greenhouse/Hoop House

Review of current ordinance definition of Greenhouse SECTION 2.1 (19) page 8.

“A building with transparent walls and roof, usually of glass, for the cultivation and exhibition of plants under controlled conditions.”

It was a consensus of the TPC that this definition is currently applicable.

Add to definitions:

Hoop House – A movable flexible plastic covered lightly framed structure for the cultivation and exhibition of plants for agricultural use. “Movable shall mean no slab, foundation, or sanitary connection.”

Greenhouse/Hoop House – Commercial

“A building for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse/hoop house, but are sold directly from such a lot at wholesale or retail.”

Matrix application – Conditional Use in; W-1, W-2, R-1 and, S-1; and permitted in C-1 and LZ-1 and LZ-2

Open Air Market

“An establishment or premise where farm products of a local farming community are sold at retail and where crafts, artwork, and local products are sold at retail from uncovered or open areas designated for individual retailers.”

Matrix Application permitted in C-1

Restaurant

“A place licensed to prepare and serve food and beverages on site to the public for consumption on or off the premises.”

Matrix Application permitted in C-1

Section 6.0 Regulation of Special Uses – Remove language that went into the Rental Ordinance.

Items for deletion: Section 6.0 deletion starting on page 58 para. F. through page 59, 60, 61 up to 6.2.

Regulation of Special Uses Requiring a Land Use Permit, “Accessory Dwelling”, stays as is, but delete “rental of principal and accessory dwelling” and “Tourist Rooms”. These items are covered in the rental ordinance.

Section 7.2 H. (Page 73) - “Within five (5) days after the Town Plan Commission decides to recommends to **approve or deny** issuance of a Conditional Use Permit.” (Additional or replacement wording indicated in bold type)

Section 7.2 J. (Page 74) – “After 45 days...” Should this restriction remain or be removed?

Concerns were expressed and discussed regarding the removal of this language. Since a Conditional Use Permit can only be appealed through Circuit Court. It was the consensus of the TPC to research “Statute of Limitation” which may be applicable to an aggrieved party in the issuance of a Conditional Use Permit. **No decision was made regarding the removal of this restriction.**

Section 8.1 A. (Page 75) – “The provisions of this Ordinance shall be administered and enforced by the Zoning Administrator who shall be employed by the Town of La Pointe and shall report directly to the Town Administrator and with guidance from the Town Plan Commission.”

Section 10.1 Composition (Page 85) – “The Zoning Board of Appeals shall consist of five (5) members appointed by the Town Board Chair...” “The Town Board Chair shall designate one of the members as chairperson.” Annually, the Town Board Chair shall designate one of the alternate members as 1st alternate and the other as 2nd alternate.

Discussion of we must add “the Town Board confirms” in this change. This section is dictated by Wisconsin Administrative Code.

9. **Section 13.3 Membership** (Page 102) – The Town Plan Commission shall consist of five (5) residents of the Town appointed by the Town Board. **Section 13.4 Organization** (Page 102) – “Quorum will be three (3) members

b. Updated Shoreline Ordinance

Most current update of Shoreline ordinance provided to the TPC members for review. The probability of a workshop on these updates is in order. Starck points out the County is required to have this update complete in October of 2016. We may not be under the same timeline. TPC is encouraged to read and review the update provided. The committee engaged in a general discussion of preparing to address changes and how they apply to La Pointe Ordinance. It was a general consensus that a work shop in August may be a good target date.

c. Ordinance Updates – Determine Process

This item was covered above.

VII. Old Business

a. Private Road/Driveway Ordinance

Zoning Administrator is reviewing draft and other ordinances pertaining to this issue. This project should coincide with the assignment of new fire #'s.

b. Cell Tower

Nothing new for the TPC. Some renegotiation on the contract with American Tower is taking place with the Town Board.

c. Camping/Camp Units

Zoning Administrator has developed a list. There is some voluntary compliance. Questions how hard we want to enforce this. Review possible impacts of enforcement. The purpose of the ordinance is to protect density, sanitation, squatting, encroachment, campground development. The positive side or neutral side to campers is the right to own, provision of housing for summer workers. Possibilities related to grandfathering were discussed but do not seem applicable. Discussion of ordinance date and grandfathering from that date was discussed, however inventory information is lacking. It is the consensus of the TPC that voluntary compliance is the current goal. A letter of compliance will be sent to property owners emphasizing sanitation etc.

VIII. Future Agenda Items

- a. Shoreline ordinance
- b. Recommendation on ordinance changes to the Town Board

IX. Next Scheduled Meeting

Gillman will be out of the office Tuesday the 19th, and Wednesday the 20th. Starck suggests the meeting to be scheduled for Thursday July 21st at 4:30. Agreed

X. Adjournment

Chair Brummer calls for adjournment at 5:50 PM

Town Plan Commission Minutes respectfully submitted by Ric Gillman, Planning and Zoning Administrator, on Wednesday July 13th, 2016.