

**MINUTES**  
**Bayfield County Planning / Zoning Committee Public Hearing / Meeting**  
**April 17, 2008**  
**Board Room, County Courthouse, Washburn, WI 54891**

1. **CALL TO ORDER OF PUBLIC HEARING:** *By Chairman Beeksma 4:03 PM.*

2. **ROLL CALL:** *Beeksma, Jardine, Maki, Miller, Rondeau, all present.*

**A. ELECTION OF CHAIRMAN:** *Harold Maki nominated **Jim Beeksma**. Motion by Maki, seconded by Jardine, to cast a unanimous ballot; carried.*

**B. ELECTION OF VICE-CHAIRMAN:** *Shawn Miller nominated **Brett Rondeau**. Motion by Jardine, seconded by Maki, to cast a unanimous ballot for Rondeau; carried.*

3. **ADJOURNMENT OF ZONING COMMITTEE MEETING:** *Motion by Jardine, second by Rondeau to adjourn at 4:06 PM; carried.*

4. **CALL TO ORDER OF PUBLIC HEARING:** *by Chairman Beeksma at 4:06 PM.*

5. **ROLL CALL:** *Beeksma, Jardine, Maki, Miller, Rondeau, all present.*

6. **AFFIDAVIT OF PUBLICATION:** *By Director Karl Kastrosky*

7. **REVIEW OF MEETING FORMAT:** *by Beeksma.*

**8. PUBLIC HEARING:**

**A. JAMES FENNESSEY REZONE REQUEST (F-1 to R-1):** on a 3.52-acre parcel (part of Legacy ID #010-1060-08) described as a parcel of land in Government Lot No. 1, W of Town Road, Section 29, Township 51 North, Range 6 West, Town of Bell.

*Richard Lavigne of Spears & Carlson spoke on behalf of James Fennessey noting the Town approved this rezone. He presented a history of the fused lots which are considered one parcel zoned F-1, but does not conform to F-1; property is not saleable as it can't be separated.*

*Director Kastrosky said Bayfield County has 'fused language' in its ordinance which tends to be a pitfall for many people. If this property had been deeded in 'another name' (i.e. spouse, child) it would not have been fused. Karl said this came in as a lot division but could not be approved, there is little or no forestry practice on the parcel, and others there are residential; there is no way to re-conform it and the only options are to keep it fused or rezone it.*

**Support / Opposition:** *None*

**File Report:** *Town Board approval is on file, (approved w/ no reason listed). No correspondence or other information for or against was received.*

**B. TIRA JUNE RANDALL REZONE REQUEST (I to Ag-1)** on a 4.97-acre parcel (Legacy ID #014-1060-09) described as a parcel in the NW ¼ of the SW ¼, Section 21, Township 50 North, Range 7 West, Town of Clover.

*Beverly Steel of Bark Point Road - Herbster, aunt of the Applicant said the property was bought w/ the understanding it was Residential / Ag; she said they didn't know when it became 'Industrial'.*

**Support / Opposition:** None

*Kastrosky said the lending institution became concerned when it was discovered to be Industrial. He said this was on the record when the Town adopted zoning, it was not due to internal zoning, and has to go 'through the process' to correct it, following due procedure.*

**File Report:** *There is no correspondence on file except Town approval which states compatibility w/ their land use plan.*

**9. ADJOURNMENT OF PUBLIC HEARING:** *Motion by Jardine, seconded by Rondeau to adjourn at 4:25 PM.*

**10. CALL TO ORDER OF PLANNING & ZONING COMMITTEE MEETING:** *by Chairman Beeksma at 4:25 PM.*

**11. ROLL CALL:** *Beeksma, Jardine, Maki, Miller, Rondeau, all present.*

**12. MINUTES OF PREVIOUS MEETING(S):**

*Motion by Rondeau, second by Maki, to approve the 3/20/2008 minutes. **Discussion:** Director Kastrosky stated there is a technical change regarding the motion on Item C, page 3 of said minutes.*

*[in reference to **BAYFIELD ELECTRIC COOPERATIVE / USDA FOREST SERVICE, OWNERS, WITH DAIRYLAND POWER COOPERATIVE, AGENT – Request to expand the following sites by the addition of (1) 79' pole each at:** the **Cable Station** 1.54-acre parcel (ID#012-1056-02) located in the NW ¼ of the NE ¼, Section 20, Township 43 N, Range 7 W, Town of Cable; **Cable Substation** parcel (ID# 012-1014-08) located in the SE ¼ of the NE ¼, Section 6, Township 43 N, Range 7 W, Town of Cable. **Lincoln Substation** 0.22-acre parcel (ID# 030-1011-01) located in the NE ¼ of the NE ¼, Section 6, Township 45 N, Range 5, W, Town of Lincoln. **Barksdale Substation** parcel (ID# 002-1052-09) a 1.0 acre parcel located in the SE ¼ of the NW ¼, Section 35, Township 48 N, Range 5 W, Town of Barksdale and F.S. owned **Barksdale Substation** (Pin# 002-1067-09) a .58 acre parcel located in the NW ¼ of the SE ¼, Section 29, Township 48 N, Range 7 W, Town of Barksdale]*

*This Item was approved “**with a height restriction of 35' in shoreland zones**”. The correct language should be, “**with a height restriction in EXCESS of 35 ft. in shoreland zones**”.*

*Rondeau amended his motion to approve the March 20, 2008 minutes with an **addition** of the above words, second by Jardine; carried.*

**13. BUSINESS:**

**A. JAMES FENNESSEY REZONE REQUEST (F-1 to R-1):** on a 3.52-acre parcel (part of Legacy ID #010-1060-08) described as a parcel of land in Government Lot No. 1, W of Town Road, Section 29, Township 51 North, Range 6 West, Town of Bell.

*Motion by Jardine, second by Shawn Miller to **approve the rezone from F-1 to R-1**; carried 5 yes / 0 no.*

**B. TIRA JUNE RANDALL REZONE REQUEST (I to Ag-1)** on a 4.97-acre parcel (Legacy ID #014-1060-09) described as a parcel in the NW ¼ of the SW ¼, Section 21, Township 50 North, Range 7 West, Town of Clover.

*Motion by Maki, seconded by Rondeau to **approve the rezone from Industrial to Ag-1**; carried 5 yes / 0 no.*

**Agenda Review and Alteration**

**C. WAYNE STORKE SPECIAL USE REQUEST – Home-Based Business (woodworking & retail outlet):** located on a ten-acre parcel (#028-1023-09-990) in the SE ¼ of the SE ¼, Section 28, Township 47N, Range 6 W, Town of Keystone.

Wayne Storke reported he and his wife do wood carvings / chainsaw carvings.

**File Report:** TBA is on file but no other letters of support / opposition. Motion by Maki, seconded by Miller to **approve**; carried 5 yes / 0 no.

**D. ANNETTE SMITH SPECIAL USE REQUEST – Home-Based Business (real estate office)** located on a 5.23-acre parcel (#04-004-2-45-09-33-1-01-000-41000) in Lot 1 of CSM 1500, in the NE ¼ of the NE ¼, Section 33, Township 45 N, Range 9 W, Town of Barnes.

Mike Furtak spoke on behalf of the Applicant. He said this business was in Barnes, then Hayward, and now in a recent agreement w/ an individual, wants to use a 'spec cabin' for a real estate office and living quarters; building is permitted, there is new septic, is on Birch Lake Road.

**File Report:** Karl reported Barnes has an aggressive land use plan in place, so the Committee may wish to approve subject to Town approval. Motion by Maki, second by Rondeau, to **approve contingent upon Town of Barnes approval**; carried 5 yes / 0 no.

**E. DISCUSSION & POSSIBLE ACTION RE Comprehensive planning grant award & comprehensive planning process & future decision making to implement planning as required under WI comprehensive stat. Sec 66.1001:** (Tabled 3/20/08)

Karl reported that the county & numerous towns were awarded a \$200,000 grant; the money is fronted for a completed project & is not a loan. He said, in the process, what the plans address must be done and by January 1, 2010 all municipalities must have a plan based on that. The plan is to set the stage for how land will be developed. Towns involved in the grant are: Barksdale, Bell, Cable, Eileen, Grand View, Hughes, Iron River, Kelly, Keystone, Lincoln, Namakagon, Oulu, Pilsen, and Tripp; also Bayfield County. He noted some towns have done comp plans themselves.

Maki asked if this will wind up w/ a second set of standards. Karl answered that the county plan is like an umbrella, will encompass all towns, except Pilsen. They will still take action on TBAs, and the second phase is if a town has something unique to them, they can address it in their plan or pass an ordinance. Karl added that there is 'quite a disconnect w/ the current ordinance' and this will allow the Towns be specific, but if towns go 'on their own' [apart from the County], they would need their own legal counsel, zoning departments and boards of adjustment. He said the biggest challenge will be consistency.

Karl noted how time will be saved when rezones come through (i.e. If an R-1 rezone comes through and the town's plan says it should be R-1, it's simply taken care of) This will also help correct Ag & F-1 zones where the practice is neither of those. Travis reported Washburn's plan has been adopted and Mike stated that as the towns develop/ plans, they will need help with coordination and commonality.

Karl said this is the first time citizens in the County have a chance to plan for future development; & the Zoning Committee will be the 'oversight committee', with Jim Beeksma and Shawn Miller serving on the steering committee. More members will be sought, as well as a consultant hired. Only eighteen months is permitted to complete the project (per the grant). Karl is considering Lisa David as assistant to line up meetings, put out bids for consultants, obtain input/surveys from the public, etc.

Karl said he would like a motion to establish a five to six member steering committee, which would have to be approved by the County Board. Motion by Jardine, seconded by Maki, to form a five to seven member steering committee. **After discussion, Jardine amended his motion to establish a seven (7) member steering committee**; carried 5 yes, 0 no.

Beeksma asked who will come up with names for this committee. Karl stated he needs input because this must be in place in May. The Committee consensus was that Director Kastrosky should come up with the

names. In reference to a future consultant, Mike noted it is important to have 'veto power' if a firm sends a person who doesn't 'click'.

**F. DISCUSSION / POSSIBLE ACTION: County Board Resolution RE request for proposal on a consultant for the comprehensive planning process.**

Motion by Jardine, seconded by Rondeau, to **approve** this request and **bring it to the County Board** in order for the proposal can be put out for bids. Motion carried 5 yes / 0 no.

**G. CITIZENS' CONCERNS / INPUT:**

- **Maki** discussed a parcel of land on County C, near Big Rock. Kastrosky was aware of the situation and said he found out this is a short-term temporary landscape easement only; 4-1/2 acres are zoned Ag; the county could make the lot 'non-conforming' which could be a problem for someone wanting to purchase it. He said the County wanted to widen the road, but when county creates the problem, they have to compensate for the takings and an exception should be made to not consider this 'nonconforming'. Maki asked if Karl would send a letter to the people on C to explain the situation and he replied that he has called the party to explain.
- **Harold Maki** asked for an update on Einar Olson's sign in the Town of Bayfield and said it needs to be finalized before the summer season. AZA Casina said he believes this issue has been taken care of, unless he was referring to directional arrow signs. Doug also clarified that the County owns the land in question and it came up because permission needs to be granted for signs on County property. Olsen moved his sign to his own property to meet code. Maki wanted Doug to meet with the orchard growers as some still have concerns. Kastrosky suggested that Doug and Harold meet w/ the orchard growers. The Committee agreed.

**H. DISCUSSION / POSSIBLE ACTION ON NR115 REWRITE UPDATE:** Kastrosky said there is nothing new to report.

**I. OTHER ITEMS THAT MAY COME BEFORE THE COMMITTEE (Discussion only):**

- **Mike Furtak** said a 're-class' for Rob Schierman is in the works and asked if the Committee had to take action. Beeksma answered 'yes'. Karl will put it on the agenda.

**14. MONTHLY REPORT:** Karl said there was no report as one was recently presented at the Executive Committee; he then reviewed last month's discussion [on monthly reports] for Harold and Shawn (who were absent). He said revenue and permit numbers in a report are fine but felt valuable staff time to generate detailed reports listing staff schedules, etc. was taking too much time. The Committee agreed last month that the details were not necessary as far as they were concerned and admitted they did not usually look at them.

**15. ADJOURNMENT:** Motion by Jardine at 5:27 PM, seconded by Rondeau, and carried.

**Karl L. Kastrosky, Planning / Zoning Director  
Bayfield County Planning / Zoning Dept.**

Prepared by MJJ on 4/23/2008  
Approved by KLK on 4/24/2008

cc: Administrator; Clerk; Corp.Counsel; DNR; Committee; Supervisors  
K/MJJ/Draft Min in Progress/Apr  
K/ZC/Minutes/2008/April