

MINUTES
Bayfield County Planning / Zoning Committee Public Hearing / Meeting
August 20, 2009
Board Room, County Courthouse, Washburn, WI 54891

1. **CALL TO ORDER OF PUBLIC HEARING:** By Chairman Beeksma at 4:00 P.M.
2. **ROLL CALL:** Beeksma, Jardine, Maki, and Rondeau, Present; Absent: Miller
3. **AFFIDAVIT OF PUBLICATION:** Read by ZA Kastroosky.
4. **REVIEW OF MEETING FORMAT:** By Chairman Beeksma.
5. **PUBLIC HEARING:**

A. Loren & Julie Bohl (Barnes) – Rezone from R-1/R-2 to R-1

Applicant was not present

Support: None

Opposition: None

Dave Pease spoke on behalf of the Town of Barnes and explained the intent of the applicants. Kastroosky gave a statement of factual data regarding the application.

Letters received: None

Town Board Approval with Recommendations on file

B. Town of Barnes – Petition to Amend (Title 13)

Spoke in Support: John Harkness, Lucille J. Peet, David J. Pease, Roger Dreher, Arin LaLiberte, Sheree Bye for Jim Brakken of the BCLF, Sheree Bye for herself, Paul H. LaLiberte, Barbara Harkness, Robert Hershey, Jerry W. Kaiser, Kent Bahner

Opposition: None

Kastroosky gave file report. Town Board approval on file. Sixty-six (66) letters in favor of the proposal are on file (Bob / Judy Hammond, Scott / Pamela Toshner, Terri Breitzmann / Robert Schoneberger, John / Frances Meinke, Thom / Cindy Storm, Patti Joswick, Gaelle Berg-Mefleh, Sunne Thomas, John / Lois Storlie, Gregory T. Lehman, Gordon G. Lund, Cliff / Pat Gastineau, John T. Palla, Dave / Amy Sussek, Dan Silver, Glen E. Holt, Robert H. / Darlene R. Smith, Thomas R. Smith, Carol LeBreck, Lloyd J. Pickering, Bruce / Cindy / Libby Backberg, Ann / Bruce Christensen, Thomas P. Schnettler, Charlotte Rantala, Janice Gallagher, Nancy / Dale / Robert Rohr & Susan Dunat, Andi / Jack Bidwell, George / Georgia Lanphear, Bob / Mary Johnson, Kurt / Kathleen Kuhlman, James / Adeline Lucas, Rick / Char Yorks, Jerry W. Kaiser, Arlene Fritchen, Leland / Kathleen Hansen, Jim / Carolyn Brueggemann, Don / Bonnie Dealing, Judith McCormick, Don Wolter, Barbara Manion, Namakagon Lakes Assoc., Bayfield County Lakes Forum, Timothy Tully, John / Joyce Hamm, Ingemar Ekstrom, Dennis / Barbara Vergin, James / Cathy Nieckula, Mike / Marilyn Bowes, Janet Wisdom, Daniel / Roberta Stein, David E. Dines Richard / Harriet Ford, Bill / Shelby Woodard, Barb Cooper, Don / Dorothy Arvidson, Carol / Patrick Tierney, Tom / Mary Boman, John Storlie, Bill / Cindy Patza, Harrington Harkness, Susan / William Pence, David / Janis Waddell, Kurt Beaver, Leslie Hall).

C. Michael & Sue Masterson - Application to rezone from R-1 to F-1.

Support: Michael Masterson explained the intent of the application is to place a cell tower on the site. He stated the town requested the entire parcel be rezoned. Karl stated that the publication would have to state the entire parcel description, if it is specific to the small portion where the tower will be located, then it *has be done by a new petition*. Scott Casanova representing AT&T Cingular further explained the proposal.

Opposition: None

Kastroosky gave the file report and added there was no correspondence received for or against the application.

At this time there was a short recess from 5:46 p.m. until 5:59 p.m.

D. Michael & Sue Masterson – Cell Tower

Support: Scott Cassanova of AT&T Cingular explained the proposal.

Opposition: None

No letters in favor of or in opposition to the request on file. Town Board Approval on file.

E. Sampson Global Holdings LLC (Namakagon) – short term rental units (4 units).

Susan Kinzie, General Manager of Garmisch Resort explained the application for Conditional Use.

Support/Opposition: None

Kastroosky gave factual data regarding the application. It is noted that the lots in the application are not a part of the original Condominium Plat, and are located adjacent to Garmisch USA.

It is to be noted that Town Board approval is on file, they approved the 2 units that exist with no other structures or vehicles permanent or temporary can be placed on the property for human habitation until this short term vacation rental is terminated. All other conditions set by the County must be adhered to. Action on new construction tabled until more information is available.

6. ADJOURNMENT OF PUBLIC HEARING: Motion at 6:07 P.M. to adjourn the public by Rondeau seconded by Jardine. Motion carried.

7. CALL TO ORDER OF ZONING COMMITTEE MEETING: By Chairman Beeksma at 6:07 P.M.

8. ROLL CALL: Beeksma, Jardine, Maki, and Rondeau, Present; Absent: Miller

9. MINUTES OF PREVIOUS MEETING(S): [July 18, 2009] Motion by Maki, seconded by Rondeau to approve as prepared; carried.

10. BUSINESS:

A. Loren and Julie Bohl are petitioning for a zoning district map amendment on their 3.03-multiple acre parcels. The multiple parcels are described as a 1.515 acre parcel (PIN #04-004-2-45-09-35-4-05-001-03000) located in Lot 11 CSM #69 and the additional lot is a 1.515 acre parcel (PIN # 04-004-2-45-09-35-4-05-001-04000) located in Lot 12 of CSM # 69, both in Section 35, Township 45 North, Range 9 West, Town of Barnes, Bayfield County, WI. The petition requested is from R-1/R-2 to R-1.

Motion to Approve the request by Maki, seconded by Rondeau. Carried.

B. Town of Barnes is petitioning for a text amendment change in to form of adding an overlay district Section 13-1-65 specific to the Town of Barnes to allow for more restrictive standards and requirements than those currently utilized under the Bayfield County Zoning Ordinance; specifically to minimum shoreline frontage requirements for Multiple Unit Developments and Conservation Subdivisions providing shoreline access to navigable waters (Draft language available in the Planning and Zoning Office).

Discussion: Jardine stated he believed there are more effective ways of dealing with septic and setbacks other than with an overlay.

Motion by Jardine to send the request back to the Town of Barnes town board for more evaluation with further input from the Zoning Department. Seconded by Rondeau

Discussion: Rondeau believed that the Town should be relied upon for more specific solutions to the septic system problem, and stated that a zoning overlay would further confuse the effort. Both Beeksma and Maki are in favor of granting the petition for overlay.

Kastrovsky explained that many months of effort had been put forth by both the Planning and Zoning Department and the Town of Barnes, and this petition for overlay was believed to be the best possible solution to the potential problem of too many septic systems affecting water quality in the area.

Jardine withdrew his motion and Rondeau withdrew his second.

*Motion by Maki to **approve** the Petition for Overlay, with approval from Corporation Council. Seconded by Rondeau. Carried. Opposed – none.*

C. Michael and Susan Masterson are petitioning for a zoning district map amendment on a 0.083 acre portion of the 25-acre parcel (part of PIN # 04-022-2-47-09-10-3-04-000-20000), described as that portion of land located in the SE ¼ of the SW ¼, Section 10, Township 47 North, Range 9 West, Town of Hughes, Bayfield County, WI, from R-2 to F-1 (Metes and bounds description on file in the Zoning Office).

*Motion to **approve** the application by Rondeau, Seconded by Maki.*

Discussion: Rondeau strongly recommends that the entire parcel be rezoned instead of the partial acreage.

Motion carried 4 yes / 0 no.

D. Michael and Susan Masterson, owners and AT&T Cingular, Shane Begley, agent request a conditional use permit for placement and operation of a multi-tenant communication facility to include a 190' mono pole design tower (60' x 60' compound area) on a leased 0.083-acre parcel (PIN #04-022-2-47-09-10-3-04-000-20000), described as that portion of land located in the SE¼ of the SW ¼ Section 10, Township 47 North Range 9 West, Town of Hughes, Bayfield County, WI. (Metes and Bounds on file with the Zoning Department).

*Motion by Rondeau to **approve** the Conditional Use not to exceed 190' in height. Seconded by Jardine*

Motion carried 4 yes / 0 no.

E. Sampson Global Holdings LLC is requesting a Conditional Use Permit for short term rentals consisting of four (4) units. The four units will consist of (2) existing and (2) for future construction. Each may potentially be placed on their own lot. The property is described as a 3.83 acre parcel (PIN #04-034-2-43-06-23-5-001-20000) located in Lot 4 of CSM #1285, Section 14, Township 43 North, Range 6 West, Town of Namakagon, Bayfield County, WI.

*Motion to **approve** the Conditional Use application, by Rondeau with the 2 units that exist with no other structures or vehicles permanent or temporary can be placed on the property for human habitation until this short term vacation rental is terminated. All other conditions set by the County must be adhered to. Action on new construction tabled until more information is available, seconded by Jardine.*

Further discussion-- Karl spoke to Susan and stated she should report back to Mr. Howard that more information must be given to the town. Karl questioned the Committee as to whether this would come back to the Committee as a tabled item and not have to go through the public hearing notice again. Committee agreed that it should come back as an action item not a public hearing item.

Motion carried 4 – yes / 0 no.

F. James and Denise Anderson, Town of Cable, Application for a home-based business (sawmill) on an 18 acre parcel (PIN # 04-012-2-43-08-22-4 04-000-50000), described as the S ½ of the SE ¼ of the SE ¼, Section 22, Township 43 N, Range 8 West, Town of Cable, Bayfield County, WI.

The applicants, James and Denise Anderson were on hand to answer questions from Committee members regarding the request

*Motion to **Approve** the request for operation of the portable sawmill from 8 a.m. to 4:40 p.m. on weekdays, with no*

operation on weekends or holidays Rondeau, seconded by Jardine.

Motion carried 4 – yes / 0 no.

G. Citizen Concerns and Input: *None*

H. Discussion and Possible Action on Comprehensive Planning:

Kastrosky gave a report regarding the project. Open house is set for September 22, 2009, and reported that the project is within budget and on time.

I. Other Items that May come Before the Committee: *None*

11. Monthly Report: *Not available at this point in time*

Motion by Rondeau seconded by Jardine to table the monthly report until such a time as it becomes available.

Carried.

12. Budget and Revenue: *No report available at this time.*

13. ADJOURNMENT: *Motion to adjourn at 7:41 p.m. by Maki, seconded by Jardine, carried - 3*

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

*Prepared by PBS on September 16, 2009
Approved by KLK on*

cc: Administrator; Clerk; Corp. Counsel; DNR; Committee; Supervisors