

MINUTES
Bayfield County Planning / Zoning Committee Public Hearing / Meeting
November 15, 2007
Board Room, County Courthouse, Washburn, WI 54891

1. **CALL TO ORDER OF PUBLIC HEARING:** *By Chairman Beeksma at 1:00 PM.*

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

3. **AFFIDAVIT OF PUBLICATION:** *Read by ZA Kastrovsky.*

4. **REVIEW OF MEETING FORMAT:** *By Chairman Beeksma; Karl Kastrovsky advised the audience they must fill out a form prior to speaking on behalf of an agenda item (for / against).*

5. **PUBLIC HEARING:**

A. DAVID BARNINGHAM (OWNER) / STEVE SANDSTROM (AGENT) CONDITIONAL USE REQUEST – Health Center (construct/operate a 1,500 sq. ft a health center consisting of an office, massage rooms, laundry, sauna/steam room, showers, 6 hot tubs, retail space-tea room, yoga and meditation area) on their 2.46-acre parcel (ID# 006-1178-03-004) described as Lot 4, Ashwabay Heights Subdivision, Section 29, Township 50 North, Range 4 West, Town of Bayfield.

Kastrovsky noted this request was discussed at a prior meeting in order to obtain a determination what classification it falls under (the Classification List does not have this specifically noted). It was determined it could be classified as a 'Health Center' by the Zoning Committee and the Zoning Dept.

Nancy Sandstrom (Agent along with her husband Steve Sandstrom) stated their daughter and son-in-law will finalize purchasing the property once approval is received; there will be a private residence, an adjacent day spa, acupuncture treatments, massage therapist rental space; medical massage (their son-in-law is licensed in med. massage). Applicants will work with the proper authorities for licensing, maintenance of hot tubs. Type of sanitary system has not yet been determined, however, Mrs. Sandstrom said soils are sandy; belief is they will perk.

Kastrovsky noted it is important at this time that exactly what is requested with this business be clarified. If not, the applicants would have to come before the committee again in the future. Kastrovsky reviewed "General Description of Long Range Plan" provided by the applicants with their application.

Kastrovsky said it appears this property cannot be subdivided and the Applicant must understand if it is sold, it will be considered one parcel / one complex. Mrs. Sandstrom stated they are aware of that fact. Kastrovsky also noted the Town of Bayfield won't meet until the following week, therefore there was no Board input at this time; if the Zoning Committee chooses to table this item for Town input, it cannot be heard until January [there are no applications for a December meeting]. Mrs. Sandstrom said the Town of Bayfield Planning Commission granted unanimous support of this project.

Supervisor Jardine suggested since the Planning Commission granted approval, the Committee could approve pending Town Board approval.

Opposition / Support:

- **Gennifer Reed** (Reed Realty) spoke in **support** reporting that there is support for this business in the area, specifically noting that neighbor, Bernard Roberts, is in favor and was encouraged by her to send a support letter. [None received in the Dept.]

Kastrovsky reported no letters of support / opposition were received.

6. **ADJOURNMENT OF PUBLIC HEARING:** *Motion by Rondeau, second by Jardine to adjourn the public hearing at 1:19 PM. Carried-- 5 yes / 0 no.*

7. **CALL TO ORDER OF ZONING COMMITTEE MEETING:** *By Chairman Beeksma at 1:19 PM.*

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

9. **MINUTES OF PREVIOUS MEETING(S):** *Motion by Jardine, second by Rondeau to approve the October 18, 2007 meeting minutes without additions/corrections. Carried-- 5 yes / 0 no.*

10. BUSINESS:

A. DAVID BARNINGHAM (OWNER) / STEVE SANDSTROM (AGENT) CONDITIONAL USE REQUEST – Health Center (construct/operate a 1,500 sq. ft a health center consisting of an office, massage rooms, laundry, sauna/steam room, showers, 6 hot tubs, retail space-tea room, yoga and meditation area) on their 2.46-acre parcel (ID# 006-1178-03-004) described as Lot 4, Ashwabay Heights Subdivision, Section 29, Township 50 North, Range 4 West, Town of Bayfield.

*Brett Rondeau stated there was a good overview presented and moved to **approve pending Town Board approval.** Discussion: Beeksma said they need to consider how to handle any conditions the Town may place. Kastrosky stated if the Applicant(s) are agreeable to conditions the Town may place, the same conditions could be upheld by the Zoning Dept.*

Motion amended: *Rondeau amended his motion to **approve pending Town Board approval, as well as any conditions the Town may place, as long as they are agreeable with the Applicant.** Kastrosky noted the motion for approval should cover the wording exactly as the public hearing states it. Rondeau restated his motion to **approve** the conditional use permit for a Health Center to construct / operate a 1500 sq. ft. health center consisting of an office, massage rooms, laundry, sauna/steam room, showers, 6 hot tubs, retail space-tea room, yoga and meditation area) **pending Town Board approval along with conditions the Town may place, as long as they are agreeable with the Applicant(s); if not agreeable, the Applicant(s) would have to come back before the Zoning Committee.** Amended motion seconded by Jardine. Carried-- 5 yes / 0 no.*

Agenda Review and Alteration

At this point, Director Kastrosky suggested 'agenda alteration', by first taking the cases that have someone present in the audience. Motion by Rondeau, second by Jardine, to hear **Item D** next; carried-- 5 yes / 0 no. Minutes are presented in the order they were heard.

D. ASHLAND/BAYFIELD COUNTIES SPECIAL USE REQUEST – Storage Buildings in Existing Structures (A, B, C, & D for boats, campers, ATVs, recreational vehicles): located on a 22.64-acre parcel (#020-1019-10) in the NE ¼ of the NE ¼, Section 10, Township 47 N, Range 5 W, Town of Eileen.

County Administrator Mark Abeles-Allison, *represented this Item D. and explained the short-term rental use planned, noting this is in addition to / 'overflow' from the fairgrounds storage.*

Kastrosky *noted there was no input from the Town of Eileen although they met on November 13th. Following discussion, motion by Maki, second by Rondeau, to **approve pending Town Board approval;** carried – 5 yes / 0 no.*

[Item G was heard next]

G. OTHER ITEMS THAT MAY COME BEFORE THE COMMITTEE (Discussion Only)

[Jardine requested the following be discussed while Mark Abeles-Allison was still present.]

- **Jardine** *expressed concern about UDC inspectors / inspections; he proposed the County should perhaps hire inspectors. Kastrosky gave an overview and history since the time UDC inspections became a requirement; he noted there could possibly be revenue of \$100,000 if the County took over, however, it did not look profitable 'in the long run' but may become so in the future if things 'slow down'.*
- **AZA Mike Furtak** *said the Committee needs to be aware that the UDC only inspects new habitable buildings but Madison is looking into requiring other buildings to be inspected as well. He mentioned the County would need four to five inspectors possibly and the time-consuming inspection of footings, foundations, heating plans, snow load, etc., etc., etc. which would not make this a very profitable venture for the County. It was noted there is no employee licensed to do these inspections at the County currently.*

Director Kastrosky mentioned that the UDC inspectors are hired / fired by the Towns and that is a 'positive' for the Dept. – the towns deal with the problems, not 'us'. Abeles-Allison stated this issue is State-contracted with bids and multi-year contracts, which the County is not involved in now.

B. DUCE INVESTMENTS, LLC (OWNER) / TROY PFINGSTEN (AGENT) SPECIAL USE REQUEST - Home-Based Business (Mortgage Solutions) located on a .74-acre parcel (#034-1045-02-002) in Govt. Lot 3, Lot 2, CSM 1174, Section 3, Township 43 N, Range 6 W, Town of Namakagon.

Applicant was not present; Mike Furtak noted the TBA is here and this special use covers a business which is all handled from the home, over the internet, there is no foot / vehicle traffic involved; Troy Pfingsten needs a permit in order to obtain a license for this business.

Motion by Miller, second by Rondeau, to **approve**; no further discussion; motion carried-- 5 yes / 0 no.

C. MICHAEL & SUZETTE TREMBLAY SPECIAL USE REQUEST - Home-Based Business (Service for Food Plots & Trails) located on a 10-acre parcel (#004-1073-06-990) in the NE ¼ of the SE 1/4, Lot 20 Idlewild Est. Subdivision, Section 6, Township 44 N, Range 9 W, Town of Barnes.

Applicant was not present; Mike Furtak reviewed the request noting Town Board Approval was not received [Town meeting is upcoming]. He said this business would not be on site—it will be done at other locations making trails and foot plots with the primary operation of equipment storage on the property; there will be no signage, no foot traffic. Furtak stated there is a possibility the Town or Land Use Planning Commission may place conditions on this request.

Supervisor Maki felt it is "ridiculous" to require permits for things such as this and said it is "getting out of hand".

Jardine moved to **approve pending Town approval and any conditions they may place**. Motion seconded by Rondeau; carried—5 yes / 0 no.

E. CITIZENS CONCERNS / INPUT:

- **Harold Maki** asked about a **sign placed on County right-of-way for an orchard** (Einar Olsen) on Hwy J in Bayfield and encouraged joint efforts on sign applications, as with this case, five orchards could advertise with one sign instead of multiple signs along the roadway. It was explained that an application has been received by Zoning for the sign in question. Maki suggested the Dept. advise Olsen the sign is not in compliance and to consider requirements for businesses to join efforts with signs. Kastrosky noted work is being done to standardize signs.
- **Maki** also questioned the **time frame involved to get a permit**. Kastrosky replied the Dept. attempts a two week turn-a-round time however there are many factors that enter into it, such as if sanitary is an issue, if application is incomplete when received, etc.
- **Maki** said he is concerned about the **scenic highway beautification** issues taking place in the Bayfield area and feels the Zoning Department's rules and regulations should be substantial. Maki was also concerned about the roundabout plans to be placed at the junction of Highways 13 N and 2.
- **Karl Kastrosky** requested the Planning & Zoning Committee be presented with the **scenic highway action prior** to the Board of Supervisors meetings for **proper protocol**.

F. DISCUSSION AND POSSIBLE ACTION ON NR115 RE-WRITE UPDATE:

- **Kastrosky** stated he believes this will be defeated; there has been lack of leadership, direction and implementation.

11. MONTHLY REPORT: Motion by Jardine, second by Rondeau to **approve**; carried-- 5 yes / 0 no.

12. ADJOURNMENT: Motion by Jardine, second by Miller to adjourn at 2:09 PM; carried—5 yes / 0 no.

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

Prepared by MJJ on 11/26/2007
Approved by KLK on 11/26/2007

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

K/ZC/Minutes/2007/Nov.