

# ZONING & PLANNING COMMITTEE

October 7, 2011

## Minutes of Regular Monthly Meeting

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**Agenda Item #1: Call to Order.** Chris Mayer, Chairman, called to Zoning and Planning Meeting to Order at 9:26 a.m. at the Phelps Fire Station, 4499 Town Hall Rd, Phelps, Wisconsin.

**Members Present:** Chris Mayer; Steve Favorite; Bob Egan; Fred Radtke; Ralph Sitzberger.

**Others Present:** Dawn Schmidt, Zoning Administrator; David Sadenwasser, Administrative Secretary; Martha Milanowski, Corporation Counsel; Laurel Carlson, Lakeland Times.

**Agenda Item #2: Approve Agenda.** Motion by Bob Egan, second by Ralph Sitzberger, to approve the agenda in any order to be discussed by the Chair. All say aye, motion carried.

**Agenda Item #3: Approve 9/1/2011 Regular Monthly Meeting Minutes.** Motion by Ralph Sitzberger, seconded by Steve Favorite, to approve the 9/1/2011 Regular Monthly Meeting Minutes.

**Agenda Item #6: It is anticipated that a motion will be made and seconded to convene into closed session pursuant to Wis. Stat. §19.85(1)(c) for the purpose of considering employment, compensation, and performance evaluation data of a public employee over which the Zoning and Planning Committee exercises responsibility.** Motion by Steve Favorite, seconded by Bob Egan, to convene into closed session. Roll call vote: Chris Mayer, aye; Steve Favorite, aye; Bob Egan, aye; Fred Radtke, aye; Ralph Sitzberger, aye. Motion carried.

**Agenda Item #7: Adjourn closes session pursuant to Wis. Stat. §19.85(1)(c) and return to open session.** Motion by Steve Favorite, seconded by Fred Radtke, to adjourn closed session and return to open session. All say aye, motion carried. Meeting returns to open session at 11:20 a.m.

**Agenda Item #8: The Committee may take action on matters discussed in closed session.** There is no action taken on matters discussed in closed session.

**Agenda Item #13: Lac du Flambeau Zoning Ordinance.** Corporation Counsel Martha Milanowski advises the Committee on her concerns regarding the proposed Ordinance. Discussion of how applicable state laws affect the Town requirement of a Conditional Use Permit for all condos and the changes to that requirement made by the Town at the September 1, 2011 meeting. Discussion regarding how the applicable state laws affect conversion condominium standards vs. traditional condominium standards. Motion by Steve Favorite, seconded by Ralph Sitzberger, to recommend that the Zoning Administrator communicate with the Town of Lac du Flambeau that the Committee is not going to approve the Lac du Flambeau Zoning Ordinance and that the Town should revisit it based on the provisions of Wis. Stat. §703.27. All say aye, motion carried.

**Agenda Item #9: Schedule a Public Hearing on a Petition for a Comprehensive Plan Map Amendment submitted by Tara Spoon, agent for Broken Arrow Holdings, LLC, to change the Generalized Future Land Use of a property from Residential to Agricultural in the SE¼, SE¼, Section 25, Town 42 North, Range 5 East, Town of Manitowish Waters, Vilas County, Wisconsin.** The Public Hearing will be held at 9:00 AM on Tuesday, November 15, 2011 at the Manitowish Waters Town Hall, in Manitowish Waters, WI.

**Agenda Item #10: Schedule a Public Hearing on a Petition for a Zoning Map Amendment submitted by Tara Spoon, agent for Broken Arrow Holdings LLC, to rezone a portion of a property from Single Family Residential to Agricultural Zoning District in the SE ¼, SE ¼, Section 25, Town 42 North, Range 5 East, Town of Manitowish Waters, Vilas County, Wisconsin.** The hearing will be held Tuesday, November 15, 2011 immediately following the preceding Public Hearing, at the Manitowish Waters Town Hall in Manitowish Waters, WI.

**Agenda Item #11: Schedule a Public Hearing on a Petition for a Comprehensive Plan Map Amendment submitted by Tara Spoon, agent for Highway 51 Properties LLC, to change the Generalized Future Land Use of properties from Residential to Commercial in Section 23, Town 42 North, Range 5 East, Town of Manitowish Waters, Vilas County, Wisconsin.** The hearing will be held on Tuesday, November 3, 2011 immediately following the preceding Public Hearing, at the Manitowish Waters Town Hall in Manitowish Waters, WI.

**Agenda Item #12: Schedule a Public Hearing on a Petition for Zoning Map Amendment submitted by Tara Spoon, agent for Highway 51 Properties LLC, to rezone properties from Single Family Residential and Multi-Family Residential to Community Business in Section 23, Town 42 North, Range 5 East, Town of Manitowish**

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Waters, Vilas County, Wisconsin. The hearing will be held on Tuesday, November 15, 2011 immediately following the preceding Public Hearing, at the Manitowish Waters Town Hall in Manitowish Waters, WI.

**Agenda Item #4: POWTS Soil Inspections.** ZA Dawn Schmidt states that the Zoning Office charges \$75 for all onsite visits by deputies regarding the General and Shoreland Ordinances, and asks that it be allowed to charge the same fee for department personnel to make site visits to interpret POWTS Soil Tests. She states that the State used to provide this service, but now the responsibility falls to the County. Discussion regarding the need for and frequency of these visits. ZA Dawn Schmidt states that this change would be made when the Vilas County Private Sewage System Ordinance is revised in the future. Mr. Sitzberger requests that the Zoning Office track how many requests for POWTS Soil Tests are made before taking action.

**Agenda Item #5: Zoning Office Organization.** ZA Dawn Schmidt states that at the September 1, 2011 meeting the Committee asked for more time to consider the information given to them regarding the organization of the Zoning Office. Discussion as to who would be in charge in the absence of the Zoning Administrator. The Committee would like to continue discussion of this issue next month.

**Agenda Item #14: Modification of Easement Road in Great Pines Subdivision, Town of Lac du Flambeau.** ZA Dawn Schmidt states that the owners are asking to remove a 20 ft access easement from across Lots #10-13. No other changes are being made. Motion by Bob Egan, seconded by Fred Radtke, to approve the proposed change. All say aye, motion carried.

**Agenda Item #15: NR 115.** ZA Dawn Schmidt informs the Committee that she must send an e-mail to inform the DNR that the County will be extending their deadline for compliance.

**Agenda Item #16: Letters and Communication.** Mr. Sitzberger asks if the Zoning Office has received its new phones yet. ZA Dawn Schmidt responds that it has not.

**Agenda Item #17: Public Comments.** There are no public comments at this time.

**Agenda Item #18: Review Statistics and Budget.** ZA Dawn Schmidt presents the proposed 2012 Budget with no overall increase or decrease. Motion by Bob Egan, seconded by Ralph Sitzberger, to submit the 2012 Budget as presented. All say aye, motion carried. Discussion of the monthly statistics, history of permit numbers and the likelihood of meeting the income projections for 2011.

**Agenda Item #19: Training and Out of County Travel.** ZA Dawn Schmidt states that the fall WCCA conference is coming up in Merrimac, and that the Chairman has given her permission to attend the full conference, and for Deputy ZA Jim Janet to attend the session on Friday, Oct 14, 2011 which will focus on POWTS issues. Motion by Ralph Sitzberger, seconded by Bob Egan, to approve ZA Dawn Schmidt to attend the conference for three days, and DZA Jim Janet to attend for one. All say aye, motion carried. ZA Dawn Schmidt also states that since they will be reviewing sanitary permits, she would like to send the Deputy Zoning Administrators to POWTS Training, with three going to training in November in Hayward, and three going to Stevens Point in December. Motion by Bob Egan, seconded by Ralph Sitzberger, to approve the out of county travel. All say aye, motion carried.

**Agenda Item #20: Sign Vouchers.** Motion by Bob Egan, seconded by Fred Radtke, to approve vouchers as presented. All say aye, motion carried

**Agenda Item #21: Confirm November 3, 2011 meeting and location.** The meeting will be held at the Conover Center, in Conover, WI at 9:00 am.

**Agenda Item #25: Adjournment.** Motion by Bob Egan, seconded by Fred Radtke, to adjourn. All say aye, motion carried. Meeting adjourned at 12:01 p.m.