

ZONING & PLANNING COMMITTEE

May 9, 2014

Minutes of Amendment #85-241 Pickerel Lake Rezone Public Hearing

Cloverland Town Hall

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The Chairman calls the Public Hearing to Order at 9:00 AM at the Cloverland Town Hall, 5860 Perch Lake Rd, Eagle River, WI.

Members Present: Chuck Hayes, Vice Chairman; Steve Doyen, Carolyn Ritter, Vernon Wiggerhauser.

Others Present: Dawn Schmidt, Zoning Administrator; David Sadenwasser, Deputy Zoning Administrator; Robert Brownell, applicant; Darryl Blink; Jan Brownell; Gerald Calliari; Karen Calliari; Wally Coghlan; Alice Drallmeier; Richard Drallmeier; Barb Elleson; James Elleson; Scott Ewing; Dennis Franciskovich; Martin Grant; Nancy Grant; Glen Johnson; Christopher King; Roger Klein; Chuck Spitz; Mary Spitz; Karen Stanton; Douglas Tarkowski; Debra Vermoch; Jim Vermoch.

Mr. Sadenwasser reads the Public Notice.

The Committee and Zoning Department Staff introduce themselves.

Mr. Hayes explains the reasons for the hearing and the process of taking testimony.

Mr. Sadenwasser swears in Robert Brownell, applicant, of Eagle River, WI

Mr. Brownell recounts the history of the rezone petition, including the efforts taken to elicit responses from those included. He presents those responses on a map.

The map showing property owner responses to the applicant's questionnaire about rezoning is entered as Exhibit A.

Mr. Brownell discuss the results of the questionnaire using Exhibit A. He notes that letters of support have been provided by the Cloverland Town Board and Cloverland Town Lakes Committee. He discusses the reasons why the Pickerel Lake Preservation Association ("the Association") want to rezone the riparian properties on the lake. Mr. Brownell asks that all riparian properties lying adjacent to Pickerel Lake be rezoned to Single Family Residential (R-1) with the exception of one state owned parcel in the northwest portion of the lake, which would be rezoned to Forestry (F) and one adjacent state owned parcel which would remain Forestry (F). He notes that five (5) other lakes in the Town of Cloverland were rezoned completely as Single Family Residential (R-1) despite the objection of some of the property owners.

Ms. Ritter asks if there are any existing resorts on the lake. Mr. Brownell responds that he believes there is one (1) existing resort.

Mr. Sadenwasser swears in Scott Ewing, of Hoffman Estates, IL.

Mr. Ewing states that he is not in opposition of the rezone for those properties whose owners wish to be included, but he states that he is not in favor of the rezone for his property because he wants the option to rent on a weekly basis in the future. He recounts the family history of his property. He states that he would be willing to have his property rezoned to Residential/Lodging (RL) but opposed Single Family Residential (R-1).

Mr. Doyen asks which property Mr. Ewing owns. He responds that it is Computer Parcel Number 6-165 and uses Exhibit A to indicate said property.

Discussion regarding the latitude of the Committee to make changes in the petition. ZA Dawn Schmidt informs the Committee that they may exempt parcels from the rezone and allow them to retain their original zoning districts but they may not include parcels or zoning districts that were not included in the petition.

Mr. Ewing requests that his property be excluded from the rezone and remain All Purpose (AP).

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Mr. Sadenwasser swears in Glenn Johnson, of Eagle River, WI.

Mr. Johnson states that he is in favor of the rezone. He refers to the letter of support from the Cloverland Town Lakes Committee and discusses public access.

A letter from the Cloverland Town Lakes Committee dated January 20, 2014 in support of the proposed rezone is entered as Exhibit B.

Mr. Johnson notes that an existing public landing on Pickerel Creek allows public access to the lake.

Mr. Sadenwasser swears in Martin Grant, of Algonquin, IL.

Mr. Grant states that he is representing his entire family and that they are opposed to the proposed rezone. He states that his property was once a lodge and resort and that his family may want to restore it as such in the future. He states that he does feel his property lends itself to large development and that Single Family Residential (R-1) zoning is not appropriate for a twenty-six (26) acre property. He asks to be excluded from the rezone.

Mr. Grant states that the traffic from the public landing leads to far greater potential for harm to the lake than rentals or resort developments. He states that the owners of most large parcels are asking to be excluded. He states that he believes in the Association and its purpose, but asks again to be excluded from the rezone.

Ms. Ritter asks Mr. Grant to explain what development currently exists on his property. He states that there is currently one (1) dwelling but would like to retain the option of erecting additional dwellings for his family or rental purposes.

Ms. Ritter asks if Mr. Grant has any plans to erect a food or beverage establishment as part of a future resort. He responds that he does not.

Discussion regarding the current, future, and past licensing of the resort on Mr. Grant's property.

Mr. Sadenwasser swears in Alice Drallmeier, of Eagle River, WI.

Ms. Drallmeier states that she is in favor of the proposed rezone. She states that she owns a licensed resort on the eastern shore of the lake. She notes that many resorts have a long history on the lake. She states that she is in favor of the proposed rezone. Ms. Drallmeier points out her property on Exhibit A.

Ms. Ritter asks ZA Dawn Schmidt if the Drallmeier property would be able to be sold as a resort. ZA Dawn Schmidt explains that it may remain a resort as long as the license does not lapse for a period of more than twelve (12) month or the use does not change.

Mr. Sadenwasser swears in Christopher King, of Marengo, IL.

Mr. King states that he is representing the family which owns Arrow Point Log Cabins on the southeast shore of the lake. Mr. King points out his property on Exhibit A.

ZA Dawn Schmidt notes that Arrow Point Log Cabins was listed as a non-respondent by the petitioners.

Mr. King requests that his property be exempted from the proposed rezone. He states that his family owns a five (5) unit resort and discusses the positive effects of his business. He states that his resort has a current license but still does not want to be included.

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Ms. Ritter notes that there must be at least two (2) existing resorts on Pickerel Lake.

Mr. King discusses impacts of the proposed zoning change on the lake and states that the Association made reference to the fact that the proposed rezone would help protect property values. He recommends that the Committee deny the petition.

A packet describing Arrow Point Log Cabins resort is entered as Exhibit C. A letter from Arrow Point Log Cabins stating concerns about the rezone is entered as Exhibit D.

Mr. Brownell states that there were three (3) deceased residents on the lake at the time the Association conducted their poll. He states that the Association was able to reach family members for all three deceased owners and that only two replied. He also states that he does not recall promoting property values as a reason to be in favor of the rezone.

Mr. Doyen asks about conflicting responses for the Zyhowski property as shown on Exhibit A. Mr. Brownell states that he just notices an error in the map and states that the Zyhowskis responded as being opposed to the proposed rezone.

Ms. Ritter asks if the Association ever considered rezoning to Residential/Lodging (RL). Mr. Brownell states the Association did not consider that option until Mr. Ewing mentioned it in his response but it was decided that too many resources had already been dedicated to the current petition.

Mr. Hayes notes that the letter from the Town of Cloverland states that it is in favor of those who wish to be included being rezoned, and that the letter from the Cloverland Town Lakes Committee states that it is in favor of rezoning the whole lake.

A letter from the Town of Cloverland dated November 7, 2013 in support of rezoning those who are in favor to Single Family Residential (R-1) is entered as Exhibit E.

Mr. Ewing states that he would support a rezone to Residential/Lodging (RL). He states that he feels it would cover most of the dissent that he has heard at the public hearing.

Discussion regarding the potential options for those who do not wish to be rezoned to Single Family Residential (R-1) and modification of the petition.

ZA Dawn Schmidt reads the registration slips that were received. She counts ten (10) in favor of the proposed rezone and five (5) in opposition. She notes that most of the registration slips in opposition cite the ability to rent on a weekly basis as their reason for opposition.

ZA Dawn Schmidt reads a letter from Russell Waldhuetter in opposition to the proposed rezone.

No one else wishes to testify.

The Vice-Chairman adjourns the meeting at 10:08 AM.

Minutes reflect the recorder's notations and are subject to approval by the appropriate board or committee.