

ZONING & PLANNING COMMITTEE

August 5, 2014

Minutes of August Regular Meeting

Vilas County Courthouse

Conference Rooms 2-3

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Agenda Item #1: Call to Order. The Chairman calls the Zoning & Planning Committee Meeting to Order at 10:02 AM at the Vilas County Courthouse, 330 Court St, Eagle River, WI.

Members Present: Ken Anderson; Chuck Hayes; Steve Doyen; Carolyn Ritter.

Others Present: Dawn Schmidt, Zoning Administrator; David Sadenwasser, Deputy Zoning Administrator; Deb Bohn, Human Resources Director; Robert Brownell, Glen Johnson.

Agenda Item #2: Approve Agenda. **Motion by Steve Doyen, seconded by Chuck Hayes, to approve the agenda in any order to be discussed by the Chair. All say aye, motion carried.**

Agenda Item #3: Approve 7/15/2014 Regular Monthly Meeting Minutes and 7/15/2014 CUP #2-2014 Public Hearing Minutes. **Motion by Chuck Hayes, seconded by Carolyn Ritter, to approve the minutes of the 7/15/2014 regular monthly meeting as presented. All say aye, motion carried. Motion by Chuck Hayes, seconded by Carolyn Ritter, to approve the minutes of the 7/15/2014 CUP #2-2014 Public Hearing as presented. All say aye, motion carried.**

Agenda Item #4: Public Comment on Agenda Items. The only members of the public present wish to comment on Agenda Item #7.

Agenda Item #7: Request to Waive Fee for Resubmittal of Pickerel Lake Rezone Petition (#85-241). Mr. Brownell relates the history of the Pickerel Lake Rezone to the Committee and states that he wishes to resubmit the petition with some changes.

Mr. Hayes asks about what the precedent on this issue. ZA Dawn Schmidt responds that there is none.

Discussion regarding the amount of staff time and department money that would be involved in a resubmittal of the petition.

Discussion regarding the denial of the original petition by the County Board.

Mr. Hayes asks if the same petition would be submitted the second time. Mr. Brownell states that the content of the resubmittal is partly based on the outcome of the current discussion.

Discussion regarding the possible setting of a precedent. Mr. Doyen notes that Corporation Counsel is opposed to waiving the fee.

Ms. Ritter discusses creating a written policy or procedure for resubmittal of a rezone petition. ZA Dawn Schmidt states that most likely would require an ordinance amendment.

Discussion regarding a potential reduced fee amount.

ZA Dawn Schmidt recommends waiving the fee completely.

Motion by Steve Doyen, seconded by Carolyn Ritter, to reduce the fee for resubmittal of the Pickerel Lake Rezone petition to the cost of publication and mailing of the Public Notice.

Discussion regarding the estimated costs for publication and mailing. Mr. Sadenwasser estimated the cost between \$300 and \$400.

Discussion regarding the options for reduced fees and the availability of funds in the Zoning Department budget for additional mailings.

Ms. Ritter asks how Mr. Brownell feels about the proposal. Mr. Brownell states that the original fee was paid for through donations and predicts issues with asking for more money to be donated by association members.

Motion by Chuck Hayes, seconded by Carolyn Ritter, to amend the motion to set the fee for resubmittal of the Pickerel Lake Rezone petition to one half the cost of publication and mailing of the Public Notice.

Mr. Doyen expresses concerns about setting precedent for future situations. Discussion regarding Mr. Doyen's concerns.

Voice vote on motion by Mr. Hayes. Two say aye, two say nay. Motion defeated (2-2). Mr. Anderson and Mr. Doyen opposed.

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Voice vote on motion by Mr. Doyen. One say aye, three say nay. Motion defeated (1-3). Mr. Anderson, Mr. Hayes, and Ms. Ritter opposed.

Motion by Steve Doyen, seconded by Chuck Hayes, to waive the fee for resubmittal of the Pickerel Lake Rezone petition. Three say aye, one say nay. Mr. Anderson opposed.

Agenda Item #8: Request to Fill Vacant Full-Time Administrative Secretary A Position. Mr. Sadenwasser relates the history of staff cuts in the Zoning Office. Mr. Anderson states that the cuts have caused the Deputy Zoning Administrator at the front desk to also act as the receptionist, causing pressure.

ZA Dawn Schmidt explains how the office personnel are organized and how work is assigned.

Discussion regarding the staffing requirements for the Zoning Office.

Discussion regarding seasonal fluctuations in workload.

Discussion regarding historical staffing vs. funding levels.

Motion by Chuck Hayes, seconded by Steve Doyen, to fill the vacant Administrative Secretary A position in the Zoning Office. All say aye, motion carried.

Agenda Item #10: Discuss Rezone Procedure. ZA Dawn Schmidt presents the Committee with educational materials regarding zoning methods and procedures.

Discussion regarding spot zoning.

The Chairman instructs that this be placed on the agenda for next month to be continued when all members are in attendance.

Agenda Item #5: Proposed 2015 Zoning Budget. ZA Dawn Schmidt presents the proposed 2015 Zoning Department budget.

Discussion regarding capital expenditures for a new copy machine and replacement of the current zoning department vehicle.

Motion by Steve Doyen, seconded by Chuck Hayes, to adjust the Capital Equipment line item #100.42.56401.0810 to include the cost of a new copy machine and dedicated zoning department vehicle in consultation with the Finance Committee.

Roll call vote.

Ken Anderson - Aye

Chuck Hayes - Aye

Steve Doyen - Aye

Carolyn Ritter - Aye

Motion carried (4-0).

Discussion regarding current and future postage needs.

Motion by Carolyn Ritter, seconded by Chuck Hayes, to adjust the Postage line item #100.42.56401.0312 to \$9500.

Roll call vote.

Ken Anderson - Aye

Chuck Hayes - Aye

Steve Doyen - Aye

Carolyn Ritter - Aye

Motion carried (4-0).

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Motion by Steve Doyen, seconded by Chuck Hayes, to approve the proposed 2015 Zoning Department Budget as amended.

Roll call vote.

Ken Anderson - Aye

Chuck Hayes - Aye

Steve Doyen - Aye

Carolyn Ritter - Aye

Motion carried (4-0).

Agenda Item #6: Proposed 2015 Solid Waste & Recycling Budget. ZA Dawn Schmidt presents the proposed 2015 Solid Waste and Recycling Department budget.

Discussion regarding the money allocated for the amnesty programs and use of the recycling grant funds.

Mr. Anderson suggests inquiring about the need for an agricultural hazardous waste collection.

Motion by Carolyn Ritter, seconded by Chuck Hayes, to approve the proposed 2015 Zoning Department Budget as presented.

Roll call vote.

Ken Anderson - Aye

Chuck Hayes - Aye

Steve Doyen - Aye

Carolyn Ritter - Aye

Motion carried (4-0).

Agenda Item #11: NR 115. ZA Dawn Schmidt informs the committee that the finalized NR 115 rules will go into effect on October 1, 2014 and that counties have two (2) years to implement the changes. She states that she has already begun the process of revising the Vilas County Shoreland Zoning Ordinance. She notes that the General Zoning and Subdivision Control Ordinances will also have to be amended.

Agenda Item #12: Letters and Communications. ZA Dawn Schmidt inform the Committee that the Wisconsin Supreme Court did not take up the *Hegwood vs. Town of Eagle* decision so it is the opinion of the office that the Towns cannot enforce their shoreland zoning ordinances.

Mr. Anderson states that Presque Isle may still enforce their Shoreland Ordinance.

ZA Dawn Schmidt states that Lac du Flambeau has claimed that they can enforce their ordinance as well.

Mr. Sadenwasser states that office policy is to not hold County permits waiting for Town permits but to inform permit holders to check with towns to see if permits are needed from them.

Mr. Anderson also states that the Presque Isle Board of Adjustment has been taken to court over a recent variance hearing.

Agenda Item #14: Confirm September regular meeting date, time, and location. The September regular meeting will be held on September 4, 2014 at 10:00 AM at the Vilas County Courthouse, Conference Room #1.

Agenda Item #16: Adjournment. The Chairman adjourns the meeting at 12:12 PM.

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