

Town of Bayfield Plan Commission Meeting Minutes - June 14, 2010, 7:00 PM

Meeting notice and agenda was posted at the Bayfield Town Garage, The Bayfield Town Hall, Andy's IGA, and the Town of Bayfield website.

The meeting was called to order at 7:00 PM by Town of Bayfield Plan Commission Chairman Richard Carver. Plan Commission members present were Jeff Boutin, Jim Moeller, Jack Beagan, Bill Ferraro, Richard Carver, Nancy Bussey, Demaris Brinton, and Plan Commission Secretary Kelly Faye. Members of the public in attendance were David Galazen, Tom Galazen, and Ellen Kwiatkowski.

Reading and Approval of Minutes of Previous Meeting of May 10, 2010: Carver suggested that the members note the minutes include the Intergovernmental Cooperation recommendation. Carver asked for questions regarding minutes. Ferraro made motion to approve the minutes, Beagan seconded. Motion carried.

Carver explained that a discussion of a needed revision to the Agricultural Enterprise Area (AEA) was accidentally not included on the agenda. He suggested that the topic be included in this meeting anyway due to the time constraint involved and the need for a discussion to take place prior to the upcoming town board meeting. Bussey suggested that the topic be labeled Item 7C under the Old Business portion of the agenda. Carver agreed. Bussey suggested that the agenda be officially revised before continuing. Carver asked for any discussion regarding that revision. Ferraro made motion to officially amend the agenda. Bussey seconded. Motion carried.

Communications and Public Input: Carver asked for public input from the public in attendance. None given.

Discussion and Identification of Items for Future Agendas: Ferraro noted that the continuing work to revise the Comprehensive Plan should be included on future agendas. Tom Galazen asked if there had been correspondence with John Johanning regarding the possible installation of solar panels on town buildings. Carver stated that they were waiting for some specific information on cost estimates from Johanning. He added that the topic will be dealt with by the Bayfield Town Board from this point on. He explained there is a Utility Terrain Vehicle Pilot Program which the governor signed legislation regarding. It would give permission to use Utility Terrain Vehicles on the same areas where All-Terrain Vehicles are permitted. The governor gave Counties the ability to adopt this pilot program, which Bayfield County did. Bayfield County says that unless there is objection, it will be adopted countywide. Carver would like this to be on a future agenda.

OLD BUSINESS

a. Continue committee reports on current status and recommended revisions to

elements of the Comprehensive Plan: Carver reported that the only recommendation report that was completed last month is Intergovernmental Cooperation (included in May minutes). Recommendations being submitted at this meeting include Coastal Resources, Transportation, Housing, and Economic Development (detailed below). Agriculture element is to be completed in the near future. Bussey asked if the process of seeking input from the public would start next month. Carver stated he would like it to. Bussey suggested that two elements be chosen for each public meeting. Discussion ensued related to options for advertising, topics, and organizational plan of the public hearings. Brinton suggested that outside help be sought from professionals that have gone through the amendment process in other towns/cities and she agreed to do so. Several possibilities concerning how to alert the public of the meetings and the topics to be addressed were considered. It was determined that a postcard would be sent to all Town of Bayfield households with a schedule of the upcoming meetings and a note that all information will be available on the website. The following tentative schedule was agreed upon: *July 12, 2010- 1. Transportation 2. Public Utilities and Community Facilities 3. Cultural and Historic Resources. August 9, 2010- 4. Housing 5. Economic Development 6. Natural Resources. September 13, 2010- 7. Coastal Resources 8. Land Use 9. Agriculture. October 11, 2010- Anything that did not get done (Intergovernmental Cooperation?).* Discussion took place concerning the most appropriate technique to present the recommendations at the meetings in order to minimize confusion. It was determined that it would be best for a member of the Plan Commission to read through each element aloud and explain the recommendations at that time. Printed copies of the recommended changes will be available online, printed at the town hall, or by mail if requested prior to the meeting. Carver asked for input on the possibility of holding the public input meeting prior to the regular Plan Commission meeting. It was suggested that the public hearing portion would most likely be held before the regular meeting starting at 6:30 PM and the regular meeting starting at 8:00 or 8:30 PM.

Coastal Resources

Goal 1: Preserve, protect and enhance the Town's lakeshores as an important resource.

Objective CR-1: Okay as it is.

Task 1: Okay as it is. However, Action 1 and Action 2 under this task have to do with County Zoning. We need to check with zoning and see what is in the ordinance.

Task 2: Either drop these (we are already part of county zoning and can't adopt a mitigation point system on our own) or come up with different language showing our support of the mitigation point system and how it should apply to the shoreline.

Objective CR-2: Needs to be resolved and combined as the current language is confusing.

Task 1: Okay but we need to check with zoning on current ordinance language.

Task 2: Should be left in or incorporated in some new language.

Objective CR-3: Needs to be resolved and combined as the current language is confusing.

Objective CR-4: Currently reads "The lakeshore should be a natural resource enjoyment and living area for people with public access where permitted." This should be changed as it makes no sense as written. Perhaps adding a comma after living area and taking out for people might help.

Task 1: Okay.

Objective CR-5: Okay.

Task 1*: Okay.

Task 2*: Okay.

*Refers to overlay district for coastal developments. The current zoning ordinance already has good

language.

Objective CR-6: Okay.

Task 1*: Okay.

*Same as above.

Objective CR-7: Okay.

Task 1: Okay.

Objective CR-8: This is already being done by some agency. We should check and see who is doing it.

Goal 2: Promote natural types of recreational development such as trails. Parks, boat landing and scenic overlooks.

Objective CR-1: Okay.

Task 1: Okay.

Objective CR-2: Okay.

Task 1: Okay.

Objective CR-3: Drop (covered elsewhere).

Objective CR-4: We recommend that Task 2 basically become the objective and Task 1 be removed. So, Objective CR-4 will read Coordinate with DNR to identify and, where necessary eradicate invasive vegetation.

Objective CR-5: This should be incorporated in Goal 1 somewhere.

Objective CR-6: Okay.

Goal 3: Protect our water resources, wetland, and Lake Superior.

Objective CR-1: Okay.

Task 1: Okay.

Task 2: Okay.

Task 3: Okay.

Task 4: Okay.

Objective CR-2: Leave as is but drop Task 1 and 2 as they are covered elsewhere.

Goal 4: Encourage individuals or business entities engaged in future shoreline development to either set aside public (and public access) space on the Lake Superior shore or that such developers contribute a like value to a Town of Bayfield trust for public lands preservation.

This should become a task under Objective CR-2 (promote public access) of Goal 2.

Transportation

Goal: Ensure that transportation is adequate to the needs of the residents and visitors to the Town of Bayfield.

Objective T-X 1: Accommodate and encourage Mt. bike, ski, and other non-motorized trail development in our region.

Task 1: Work with County, AOE, Wisconsin DNR and NCCA to develop Mt. bike trails.

Objective T-X 2: Support the effort for 5' wide, paved shoulders along Highway 13 between Cornucopia and Bayfield.

Task 1: Work with Wisconsin DOT to acquire additional funding to upgrade current plans for 3' shoulders.

Objective T-X 3: Repave rough portions of Star Route and extend paved portion to County Rd. C.

Task 1: Work with Bell Township to pave a connection to County Rd. C, thus establishing an additional biking route that connects Washburn, Cornucopia and Bayfield.

Objective T-X 4: Acquire RR grade between Ashland and Bayfield.

Task 1: Work with County and NCCA to develop a bike trail along former RR grade between cities.

Housing

Objective 1: Use the results from the Baker Tilly Housing Needs Analysis completed in April 2010 to create a plan for addressing the unmet needs identified in the report.

Task 1: Work with the City of Bayfield and CORE Community Resources and other agencies as needed to develop housing strategies in the following areas: Owned housing, Rental housing, Seasonal workforce housing, Independent Senior Rental housing, and Assisted living senior rental housing.

Task 2: Identify the resources available to assist home owners in updating their homes so that they retain market valuation and meet all code requirements.

Objective 2: Insure that all proposed housing development meets the requirements of the Land Use Objectives contained in the Comprehensive Plan.

Objective 3: Seek energy efficiencies in all new and remodel construction.

Task 1: Encourage builders and developers to use the latest products and techniques to reduce the use of energy in all buildings and to employ current “best practices” in all construction.

Objective 4: Insure awareness in the community of current and future development plans. Provide updates to the community regarding regulatory guideline.

Task 1: Investigate the most effective means to communicate to Town property owners. This may involve mailings, Town website, or perhaps social media like Facebook.

Economic Development

Objective 1: Encourage additional businesses to locate in the industrial park with a focus on environmentally clean wood products companies.

Task 1: Determine and implement an affective marketing strategy for the industrial park.

Task 2: Pursue the potential for allowing and funding small incubator business start ups for the industrial park.

Task 3: Work closely with nearby Townships, Cities, and Native Tribes; along with County and State economic development agencies to increase the awareness of our industrial parks potential.

Objective 2: Determine the feasibility for a fruit processing operation which all local growers could use as a means for growth and expansion of this industry.

Task 1: Establish a series of meetings wit the local growers during the winter of 2010-2011 and collect data to determine if enough interest exists to warrant the development of a plan.

Task 2: If the data suggests sufficient interest then contract with a consultant to prepare an implementation plan which would include a marketing plan and project costs.

Task 3: Work with the local growers, Town Board, County and State to implement the plain if a profitable outcome can be achieved.

Objective 3: Continue the use of the revolving loan fund to support local businesses in need of short term capital.

Task 1: Continue the town loan committee with th goal of expanding the fund and marketing the availability of this short term capital resource.

Objective 4: Tourism is and will continue to be a major economic driver for the Town of Bayfield and as such the need exists to determine the most affective way to increase the tourism dollars spent in the town during all seasons of the year.

Task 1: Determine the amount of tourism dollars spent in the Town in an average year, month by month, and set goals for consistent growth during each season of the year.

Task 2: Work closely with all tourist entities to insure the Town’s tourist attractions are being effectively marketed. The entities which will require close coordination are the Bayfield Chamber, along with County and State tourism entities.

Task 3: Establish a Town of Bayfield tourism committee to monitor the effectiveness of marketing efforts and to recommend changes as needed to enhance the Town’s tourism image.

Task 4: The winter season could provide an opportunity for tourism growth through the expansion of all outdoor activities including snowmobiles.

b. Update on Housing Needs Assessment Report and possible next steps:

Carver asked that Beagan report on any updates. The City of Bayfield, Town of Bayfield, and CORE Housing Committee continue to have discussions with various housing developers. Beth Meyers met with Northern Lights to discuss the concern that another senior living facility would limit their ability to be financially viable. Moeller stated that he was at the meeting and a theme was that CORE is not intending to build something that could compete with Northern Lights, but rather be a cooperation with the two organizations.

c. Update from Ellen Kwiatkowski concerning proposed Agricultural Enterprise

Area: Kwiatkowski handed out a revised map of the proposed AEA area. She

explained that the first proposed boundary map had a northern section and a southern section that were disconnected by two corners. It is now known that the first proposed area was not acceptable since it was not a contiguous area in that portions were only connected by their corners. As it turns out, Wisconsin state statute requires all sections be connected by borders. In order to alter the proposed boundary to meet that contiguous requirement, Bayfield County has amended their Farmland Preservation Plan. The process of making that amendment is requiring the State to take the amended Farmland Preservation Plan and compare it to the Bayfield County Comprehensive Plan. She explained that the original Bayfield County Farmland Preservation plan designated the inner portion of the County J loop as residential. She stated they choose to take the entire inner County J loop out of the proposed AEA area. This change causes the problem of not including the Young Farm and Blue Vista Farm as it eliminates the required connecting border. To resolve this the suggested option is to include a five-acre parcel of land owned by Gennifer Reed in the proposed AEA boundary. This land has an old apple orchard on it. This inclusion would require the Town of Bayfield to classify the parcel as mixed Ag-Residential in their future land use plan. Kwiatkowski requests that the Town of Bayfield make a resolution that the Town of Bayfield will in its future land use map, as a part of the process of revising the Comprehensive Plan, include the parcel with the designation of Ag-Residential or mixed-use. Kwiatkowski handed out a copy of a letter from Gennifer Reed stating she is in favor of classifying her parcel in this way. Reed also wrote her primary concern is that she retain the right to build a residence on that lot. Carver stated he checked on the legality of writing a resolution that stated our future land use map will include a specific classification for a specific parcel, and determined it may not be allowable. He stated what they could do is write a resolution of intent that this parcel will be classified this way. Carver asked for input from members concerning the possibility of a writing a resolution of intent. Since the issues was not officially on the agenda, the members decided all that could be done was to bring the issue up to the town board and state there was not objection to writing a resolution of intent.

NEW BUSINESS

a. Review and possible recommendation on Tom Galazen Class A Special Use Permit request to move a cabin onto 9.76 Ac. of property zoned AG-1 on Valley Road: Galazen explained the land in question is across from Frizell's land and that there was previously a large structure on the property. He added it will be for personal and/or family residential use with the possibility of housing farm help there at some point. Carver asked about future heat and sanitary services. Galazen stated that he plans to put a wood stove in the structure and that he is not sure about his sanitary service plans but is interested in putting a composting privy at the site. He is currently unsure if a composting privy is allowed but would like to negotiate with the County concerning that in the future. Bussey asked if the issue of plans for sanitary service were brought up when he filled out the County application. Galazen stated he explained his interest in a composting privy to them and there was no further discussion. The use of the facility as a residential structure with a privy is a five-year plan. Discussion took place related to the sanitary requirements and how they may relate to this situation. Moeller commented

that the County application does have an area to designate the plan for sanitary service and it was left blank. Galazen commented that the cabin has actually already been transported to the proposed site unexpectedly. Because of this he had to apply to the County quickly and had not had time to think through his future plans for the cabin. Moeller said that he is uncomfortable making an approval of the proposal without further information about sanitary service plans. Further discussion took place regarding whether a permit is actually needed at this time. Galazen stated that he already paid the cost of the permit application. Ferraro asked how long the County application was valid, but Galazen did not know. Galazen also explained that he is willing fill out an application for a privy permit but does not want to pay to have it pumped when it is not yet being used. Carver suggested that Galazen withdraw the application and question if the fee could be reimbursed until the sanitary plans are established. Ferraro made a motion that the request be tabled until the application includes additional information concerning residential sanitary plans for the cabin. Boutin seconded. Motion carried.

b. Review and possible recommendation on Dan and Cheryl Vitez Special Exception regarding minimum side and rear yard setbacks for two future structures to be located on Star Route Road: Carver said that the applicants have a ravine immediately adjacent to their proposed structure and there is a minimum setback requirement. He stated that it will be a residence and a garage. Discussion took place about the potential to visit the site in person. Members asked if neighbors had been contacted, but the application did not state if they had. Discussion took place concerning a number of questions related to the application and the inability to get answers without speaking to the applicants, who were not present. Beagan made a motion that the application be tabled until more information is gathered and a site visit with the applicants takes place. Brinton seconded. Motion carried.

c. Discuss concerns raised by PBSB over sewer connection on the Nelson/Hunt Boat Storage Building project and possible revision to Plan Commission processes for Conditional and Special Use Permits.

Carver stated that County Planning and Zoning Committee approved the Boat Storage Building project application until the Sanitary District noticed the building going up next to their facility and noted that Sanitary Commission Statute requires them to hook up to their sanitary line. Discussion among members took place regarding the process of applying for permits and the manner of enforcing requirements and recommendations. Bussey suggested that a future agenda should include plans to invite County Zoning members to a meeting to discuss the loopholes in the application process.

Correspondence: Ferraro brought up the issue of Bayfield County land near Port Superior being sold to the DNR. He stated that the Town of Bayfield will request an access easement from the DNR as soon as possible.

Report from PBSB representative: None.

Set date and time for next meeting: July 12, 2010, 6:30 PM. Postcards will be sent to announce the public hearing and information will also be posted on the Town of

Bayfield website.

Adjournment: Adjournment at 8:50 PM.