

**Town of La Pointe Planning and Zoning
Town Plan Commission
Regular Monthly Meeting Minutes**

Wednesday, June 5th, 2019

4:30 PM

La Pointe Town Hall

Attendance: Suellen Soucek, Chair; Mike Starck, Vice Chair; Paul Wilharm; Jim Peters and Samantha Follis.

Staff Present: Ric Gillman, ZA

Public Present: Eric Lahm, John Soucek, Charles Nelson, Susie Flores, Gary Flores and John Carlson (5:05pm)

I. Call to Order/Roll Call

Chair Soucek calls the meeting to order at 4:30PM. Roll call reflects members present identified above.

II. Public Comment

Charles Nelson points out the agenda should have identified the owner of the property under agenda item V. New Business a. (below)

III. Approval of Previous Minutes

a. Town Plan Commission Regular Monthly Meeting May 8th, 2019

Peters motions to approve the minutes as submitted, Starck seconds, 5 ayes motion carries.

IV. Zoning Administrators Report and update

Review of recent ZA report submitted in May. General review of permits and projects.

a. Violation Procedural Review

The ZA outline procedural steps in the issuance of a notice of a zoning violation. Whether generated by complaint or observation, the person in question shall be notified and compliance requested. In the event compliance cannot be reached or is otherwise contentious the concern will be place on the agenda of the next scheduled TPC meeting, where parties can discuss related facts and/or concerns. The TPC shall rule in coordination with the ZA whether the complaint is frivolous or warrants a citation issued by the ZA. The citation will outline remedies required and any forfeiture proceeding will be forwarded to the Town Board for further action or disposition.

V. New Business

a. Review correspondence and relative materials related to the trailer located @ 274 Middle Rd Parcel #014-00438-0400

The ZA met with Tom Nelson (manager of Tom's Burned Down Café further addressed in these minutes as TBD) also known as Middle Road Literary Arts Society Inc. on June 4th, 2019. The ZA reads into record a letter authored by Tom Nelson. Tom Nelson believes the TPC has misinterpreted the definition of the trailer. Further he discussed other situations and properties which may be in violation regarding the interpretation.

Tom Nelson decided not to attend this meeting as he felt he had stated his case with the ZA. The ZA agreed to represent his concerns.

There was considerable discussion from Charles Nelson and Susie Flores regarding the apparent violations in Zoning and Commercial Codes. While the TPC can address apparent Zoning violations, the purview on Commercial Inspection is that of the Town Board. Charles Nelsons concerns regarding this is on the Town Board agenda schedule for Tuesday June 11th, 2019.

The ZA outlined a possible plan to work with Tom Nelson on becoming further into compliance, or otherwise avoid litigation regarding the definition of the trailer. The plan outlined is related to the conversation the ZA had with Tom Nelson.

- The frontage declared by the TBD becomes Michell Cadotte Rd.
- TBD works toward vacating utility easement on that frontage (10')
- At achieving the above TBD applies for a Permit to develop area for staging meeting the required setbacks.
- Setbacks requirements other than the frontage be assured.

There was discussion regarding a timeline related to the above issues, however the ZA believes this is a point of agreement to be discussed and determined. It is hoped that TBD will enter an agreement with the TPC to help bring resolve to this issue.

b. Review of Town Board action related to Zoning
i. Re-appointment of TPC Chair

Suellen Soucek was reappointed as Chair

ii. Zoning Ordinance Resolution

The Town Board voted on the Resolution to approve Zoning changes on 5/28/19

iii. Sunset Clause on Incidental Structure rental

The Town Board further defined the review process of "Incidental Structure" rentals now placed in the Rental Ordinance.

c. Zoning Ordinance Publication Schedule

The notice of amendment was published in the Ashland Daily Press on 6/5/19. The ZA is still updating the master document. It should be available on-line and in print before the 15th of June.

d. Parks and Recreation Plan – Discussion/revisions

Motion made by Starck to recommend to the Town Board the insertion of the following language into page 3 INTRODUCTION as paragraph 2:

The Town of La Pointe has ordained the creation of a "Public Arts Committee". This committee will pursue the placement of art works, paintings, sculptures and other mediums in public areas including Public Parks. This Park and Recreation Plan supports the placement of art in and on Town owned property and the Town Plan Commission works directly with the "Public Arts Committee" for the display and creation of art works in Town Parks.

Second by Peters, 5 ayes motion carries.

e. Zoning Tray Card

Reviewed and the Chair will distribute some of these to the Realtors.

VI. Future Agenda Items

- a. Fire Numbers**
- b. Follow-up with TBD**

VII. Next Scheduled Meeting

June 26th, 2019 @ 4:30PM

VIII. Adjournment

Chair Soucek adjourns @ 5:15PM

Respectfully Submitted on June 6th, 2019 by Ric Gillman, Zoning Administrator
Approved with one typo correction by the Town Plan Commission 7/10/19