

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

**Wednesday, November 4<sup>th</sup>, 2020**

**4:00PM**

Members in attendance: Suellen Soucek, Chair; Mike Starck, Vice Chair; Jim Peters and Paul Wilharm.

Members Absent: Samantha Dobson

Staff Present: Ric Gillman, ZA

Public Present: Norm Castle and John Soucek

**I. Call to Order/Roll Call**

Chair Soucek calls the meeting to order @ 4:03 leaving the conference phone line open if Dobson calls in. Roll call reflects members present listed above.

**II. Public Comment**

None

**III. Approval of Previous Minutes**

**a. Town Plan Commission Regular Monthly Meeting October 7<sup>th</sup>, 2020**

Soucek points out 2 typos. Starck motions to accept the minutes as corrected, Peters seconds, 4 Ayes motion carries.

**b. Town Plan Commission Public Hearing October 28<sup>th</sup>, 2020**

Starck motions to approve as submitted, Peters seconds, 4 Ayes motion carries.

**IV. Zoning Administrators report and update**

Brief discussion of current permits and zoning activity.

**V. New Business**

**a. Procedural review in possible zoning action regarding possible building height exceeding the 35' limit. Possible violation in new ongoing construction Parcel # 014-00054-0770 Norm Castle, owner. Review correspondence. Note: No infraction is cited at this time.**

ZA asks the chair for permission to address Norm Castle, granted. Mr. Castle presented a history of the property and expressed frustrations with the Town of La Pointe. He asked the ZA to confirm his statements regarding this history. The ZA confirmed the Town had misapplied or overlooked some Zoning issues related to his property, and the delay in receiving permission to build. There was discussion between him and the ZA, regarding the height of the under-construction building. He stated he had no architectural plan and was primarily building with materials available. (Note: He has met with the building inspector on site.) The TPC reviewed the correspondence between the ZA and Mr. Castle, including a method of height measurement utilized by Ashland County.

Mike Starck discussed the measurement method and felt an accurate measurement could only be obtained following construction and fill. The ZA asked for that to be presented as a motion to the body. Starck motioned that the building height be determined at completion of the work, Wilharm seconds, 4 Ayes motion carries.

*Annotation: Mr. Castle is free to continue and complete his project, and these minutes serves as granted.*

**b. Review information on the Petition for Zoning Map Change.**

**i. Parcel #014-00192-0600 Legal Description: South 254' of W ½ SW1/4 SW ¼  
Less MP Condominium V 404 PG 377 & V 473 PG 702 Sec 29 T50N R3W  
3.28A.**

*Reviewed letter of agreement between Hartzell and the Town of La Pointe dated December 4<sup>th</sup>, 2006.*

*Reviewed correspondence and evidence in TB and TPC minutes, October and November of 2006.*

TB (5) Clerk (1) File (1) Email: Town Administrator; Assistant Administrator; Clerk; Deputy Clerk; La Pointe Shop

*Review building core and County Ordinance. Mr. Hartzell was allowed to develop this small boat marina without Town Permits through Zoning and without a Conditional Use Permit. This development was under the tutelage Zuelke ZA and was prior to codification of the Zoning Ordinance and prior to language regarding Conditional Use "including but not limited to" was removed from ordinance.*

**ii. Discussion regarding proceeding with a recommendation to the Town Board**

The ZA discusses that he feels Mr. Hartzell should be given more discovery and information prior to the TPC forwarding a recommendation to the Town Board. Discussion of the new wetlands County Ordinance and the fact that the building core is in a floodplain the ZA would like to have Mr. Hartzell check his options with the County. If the TPC recommends now, and the TB were to grant the Map Change his options for the property receives the privilege and constraint of the M-1 District. Should his plan not meet with County approval, he would need to re-apply for a Map Change if he chose to revert to R-1.

ZA asks for deferring any recommendation until the next TPC RMM so he can discuss this situation with Mr. Hartzell.

Chair calls for a consensus to defer until the next TPC RMM. All agree.

**iii. Deliberation regard the Map Change**

Deferred

**iv. Recommendation to the Town Board**

Deferred

**c. Review article place in the Gazette regarding proposal offer by Robert Hartzell in recently acquired properties. (General Discussion)**

TPC is provided with the article placed in the Gazette regarding some of the ideas and projects expressed by Hartzell. (Article on File). Starck reminds TPC of Zoning signage yet to be installed. ZA will contact Public Works.

**d. Fire Numbers**

**i. Update and scheduling with Commissioner Wilharm for continued and further action**

Wilharm will meet with the ZA on Tuesday next week and review work which has been done and on hold. We will advocate with the County to re-engage in this project given appropriate protocols and COVID management.

**VI. Future Agenda Items**

**a. Review information and deliberate on the Petition for Zoning Map Change.**

- i. Parcel #014-00192-0600 Legal Description: South 254' of W ½ SW1/4 SW ¼  
Less MP Condominium V 404 PG 377 & V 473 PG 702 Sec 29 T50N R3W  
3.28A. Robert Hartzell, Owner

**b. Fire Number Update**

**VII. Next Scheduled Meeting**

Wednesday December 2<sup>nd</sup>, 2020 @ 4:00PM

**VIII. Adjournment**

Chair Soucek adjourns the meeting @ 4:45PM

*Respectfully submitted by Ric Gillman 11/5/20. Approved as submitted 12-2-20*