

Town of La Pointe Planning and Zoning Town Plan Commission
Regular Monthly Meeting Minutes
December 2nd, 2020

Members in attendance: Suellen Soucek, Chair; Mike Starck, Vice Chair; Jim Peters; Paul Wilharm and Samantha Dobson (via tele-conference)

Staff Present: Ric Gillman ZA

Public Present: Paul Brummer, Charlie Brummer, John Soucek and Bob Hartzell

This meeting was streamed online and is available for view or review at

www.townoflapointewi.gov

I. Call to Order/Roll Call

Chair Soucek calls the meeting to order @ 4:01PM. Roll Call reflects members present indicated above.

II. Public Comment

None

III. Approval of Previous Minutes

a. Town Plan Commission Regular Monthly Meeting November 4th, 2020

Peters motions to accept as submitted, Starck seconds, 5 Ayes motion carries.

IV. Zoning Administrators report and update

Nothing

V. New Business

a. Certified Survey Map Application Parcel #014-00200-3600 located at 446 Old Fort Rd. and #014-00206-2940, Ron Crofoot, Owner. Review and recommend approval/denial to the Town Board.

Application and fees paid on 11/30/20. Copy of proposed CSM provided. ZA asserts conformity with applicable Zoning. TPC reviewed copy of CSM.

Starck motions to recommend approval to the Town Board, Peters seconds, 5 ayes motion carries.

b. 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.

Per the last TPC meeting this deliberation and vote was delayed providing the owner time to discuss his plans with County Zoning, as their setback issues and floodplain ordinance may hinder related plans. Hartzell indicates he spoke with Amy Moore, Administrative Assistant Ashland County Zoning. While Mr. Hartzell has an awareness that there may be some issues related to this, he is willing to comply with County ordinance should this map change be acceptable.

ii. Recommendation to approve or deny to the Town Board

Motion by: Mike Starck to recommend approval of the petition for a Map Change to the Town Board, second by Peters.

Discussion: As discussion ensued commissioner began to cast votes prior to calling the question. The Chair called the question.

Canvas vote and rationale of TPC. A nay vote indicates recommending denial of the petition.

Peters: Nay

Rationale: Cites Comprehensive plan, and letters of objection from neighboring properties.

Starck: Aye

Rationale: Hartzell already has a (small boat) marina in the R-1 District. This map change makes the activity conform with Zoning.

Wiharm: Nay

Rationale: Believes this sets a precedence and agrees with Commissioner Peters.

Dobson: Nay

Rationale: Due to the delay in phone correspondence during this meeting, her rationale was not recorded.

Soucek: Nay

Rationale: Concern for neighbors and letters of objection.

1 Aye, 4 Nays, Motion fails. The Town Plan Commission has voted to recommend denial of the Petitioners request for a Map Change.

Mr. Hartzell asks for clarification of objectors on record. He asks if the Town Plan Commission could postpone sending the recommendation forward to the Town Board, so he may clarify his intent to objectors. Peters motions to postpone forwarding a recommendation to the Town Board for up to and not to exceed 6 months, Wilharm seconds, 5 Ayes Motion carries.

c. Robert Hartzell invited to the Town Plan Commission to present possible plans for recently purchase land parcels 014-00206-2001 70A and 014-00206-1600 19.49 and 014-00206-0100 5.59A in the R-1 Residential District, single family low density (previously owned by Pan-O-Gold Baking Company).

Mr. Hartzell elaborates on his plan to include up to 70 acres and create an “Expandable Condominium” for 55 units. He circulates an article from the Wall Street Journal regarding Camping and Glamping. He also circulates facsimilia of the properties he owns and a schematic of a proposed “Glamping Unit”, while addressing some related plans.

i. Questions by the Town Plan Commissioners regarding related proposals

During his continued presentation the Town Plan Commission addressed the following statements and questions:

1. (Soucek) In a recent correspondence you have referred to this project as a “Glamping Resort”. In your opinion would this be commercial activity in this residential Zone?

Hartzell: No this is not commercial activity; it is a rental of properties just like a single-family dwelling.

2. (Wilharm) In a Town Plan Commission meeting earlier this year, you stated you would hopefully not have to sell any of the units. Is it your plan to be Sole Proprietor? If not, would you intend to apply the concept of “Expandable Condominiums to the Glamping Units?

Hartzell: Ownership of the units is an open issue; I may not want to sell but have the ability to sell. I could market them for sale.

3. (Wilharm) There are strict guidelines in the structuring of a “Condominium Association” including membership, directors, by laws, etc. How would you structure your proposed condominium? Have you identified any board members or association members at this time?

Hartzell: Refers to his attorney John Carlson as working on the structuring of the project and references Brickyard Creek in Bayfield. Would sell some units if Glamping is out.

4. (Peters) In other Zoning jurisdictions Zoning has identified “Glamping Units”, (more than one) as being a “Glamp Ground” and have applied similar restrictions and privileges applicable to “Campground”. How does your proposal differ from ordinance related to campground in the Town of La Pointe?

Hartzell: If these are considered single-family dwellings than they are not Camping Units. The State identifies a camping unit as 400 square feet or less, these are bigger. He states he would like to separate the Glamping Units from the condominium concept. *The ZA states because he (Hartzell) has campaigned his idea as a “Glamp Ground”, and continues to present the project as such, the issues are comingled and need to be addressed collectively at this time.*

Peters: Reads definition of single-family dwelling from La Pointe ordinance, and challenges Mr. Hartzell’s attempt to apply this definition to a Glamping Unit.

Starck: Interjects the definition may be clarified by the Town’s building Inspector (James Price).

Hartzell: States he has spoken with Jim Price about the project and states Mr. Price said “Wow” and then expressed an interest in the project. Argues the current private camping ordinance.

Peters challenges his interpretation.

Annotation: The ZA believes the TPC can apply the definition of a “single-family dwelling” in the Zoning Ordinance without the interpretation of the building inspector. In the correspondence with Price referenced by Hartzell, Mr. Price indicated there were several issues to be considered. The following is that email correspondence.

Good morning Mr. Hartzell!

Wow! Very interesting and no I am not up to speed on this “Glamping Resort” concept?

Yes we would need to get involved with permitting, plan approvals, inspections and occupancy certification.

Most information in this email are land use and zoning details which is not my authority.

However we should conference as to Wisconsin’s building codes, dwelling, campgrounds, commercial, fire and human use/occupancy requirements?

This is a major investment and design undertaking of life, safety, health and fire rules, you should consider getting me involved early.

Our office is closed today until Dec. 1, 2020 for Holy Week and time with our family for the Holiday.

Thanks

JMPPrice

WI. Building Official 685282

Town of La Pointe Building Inspections

5. (Peters) You have stated that you believe a “Glamping Unit” should qualify as a “Single Family Dwelling”. Do you know of any jurisdiction in the State of Wisconsin where a “Glamping Unit” has been defined as a single-family dwelling? Or any out of state jurisdiction?

Hartzell: Knows of no other jurisdiction where this definition is applied and says we will be the first.

6. (Soucek) In your opinion is your proposal a “Glamp Ground” a “resort” or an “expandable condominium”? Can you provide a brief explanation how it fits or doesn’t fit any of these criteria?

Hartzell: The Inn is a resort. Claims in his mind “resort” is only a marketing term.

ii. Discussion regarding related proposals

Starck reiterates his belief that James Price could determine the definition and applicability of “Single - Family Dwelling” and “Glamping Unit”.

Hartzell states he would like to come back to the Town Plan Commission in February 2020 and readdress some of these questions.

- d. Conditional Use Application Amendment Robert Hartzell, owner expansion of existing Conditional Use applicable to 580 Mondamin Trail Parcel Number 014-00206-0200 legally described as LOT 1 CERTIFIED SURVEY 590 PT OF NE NW SEC 32 T 50N R3W 4.13A for a “Spa” amended application to include 014-00206-0210 legally described as LOT 2 CERTIFIED SURVEY 590 PT OF NE NW SEC 32 T50N R3W V 696 PG 712 2.09AS**

Currently Mr. Hartzell has not applied to amend the Conditional Use addressed above. He did address his current Permit, and desire to expand it for inclusion on adjacent property. The ZA and Mr. Hartzell have agreed to find the language and agreement applicable to the issued Conditional Use and Mr. Hartzell may exercise his option of amending his current Conditional Use.

i. Set date for Public Hearing.

Not necessary currently.

e. Fire Numbers

Nothing

VI. Future Agenda Items

To be determined.

VII. Next Scheduled Meeting

January 6th, 2020 @ 4:00PM

VIII. Adjournment

Chair Soucek adjourns @ 5:35PM

Respectfully Submitted 12/8/2020 by Ric Gillman, ZA

These minutes are not verbatim, a transcript or a process recording. The author of these minutes has tried to accurately represent dialogue however, not all conversations were discernable and at times conversations were met with two people engaged on the same topic. These minutes do actively reflect the comments of the person(s) addressing the agenda.

Approved 1-6-21 at the Town Plan Commission Regular Monthly Meeting (RG)

Routing: TPC (5); TB (5); Clerk (1); Asst Clerk (1); File (1); Staff email (5)

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