

# Town of Namakagon

## Comprehensive Planning Commission

### Meeting Minutes August 2, 2017

Meeting called to order at 9:04 a.m.

Members present: P.C. Rasmussen, Patsy Rieckhoff, Sarah Boles, Jeff Raether, Mary D'Andrea.

Absent members: Jim Krueger, Abett Icks.

Public in attendance: 2

1. Meeting Minutes of July 5, 2017 were read by Mary D'Andrea. Motion by Jeff R. to approve the minutes. Motion seconded by Mary D'. Motion carried.

#### **Old Business**

2. The Robert & Kathleen Cooklock property, at 44295 Eagle Point Drive, was again reviewed. No new markings or updates to the property have been made since July. Jim Krueger will contact the home owner about the tabled permit request. Sarah Boles will report to the Board at the August Town Board Meeting

#### **New Business**

3. The Kim Zack property, 40055 Buffalo Lake Road, (Stillwaters Lodge), a short term rental application, was reviewed. The State of Wisconsin, **Town of Namakagon Short Term Rental Permit**, a **check** for the Permit Fee, \$75.00, and the **Accommodations Permit Application**, were submitted by the Rental agent, Richard Reukema to the Town of Namakagon. The Bayfield County Planning and Zoning Department application ("pink slip") for this property has not been received by the Town. The Zack request is tabled until the remaining application is submitted. The Town Clerk will notify the agent, R. Reukema, of the missing application, and Jack McGregor will call R. Reukema concerning the application process.  
Pending the necessary permits and necessary regular inspections, the CPC agreed that the short-term property request would meet the criteria for approval.  
Sarah Boles will report to the Board at the August Town Board Meeting.
4. The James P. Fogerty property, 24915 Garden Lake Rd, a Conditional Use Application for short term rental accommodation, was reviewed. Pertaining to this request, the Town received the following application and correspondence:
  - a. Bayfield County Planning and Zoning application ("pink slip")
  - b. Bayfield County Planning and Zoning Committee, August 17, 2017, 4:00 p.m., Public Hearing notice
  - c. Bayfield County Planning and Zoning Committee Public Hearing and Public Meeting agenda, for August 17, 2017
  - d. letter from Bayfield County Planning and Zoning Department to James P. Fogarty, dated July 25, 2017

James P. Fogarty requests a conditional use permit in a shoreland/wetland zone for short-term rental accommodations, on 3 existing cabins. One of the three cabins is after-the-fact. The CPC voiced concerns for sanitary septic needs, wetland proximity, site congestion, and operating without the necessary permit (after-the-fact) cabin. The Fogarty permit does not meet the Comprehensive Plan. Sarah B. motioned to deny James P. Fogarty the short-term rental request because it does not meet the Comprehensive Plan. This was seconded by Mary D. Motion carried.

Sarah Boles will report to the Board at the August Town Board Meeting.

The Board must respond, per this request, to the Bayfield County Planning and Zoning Committee before the August 17, 2017 hearing.

5. Continue to work on Comprehensive Plan. Motion to table this item to Sept. meeting was made by Sarah B. and seconded by Mary D. Motion carried.
6. Review and discuss any other topics. The number of Short-term rental requests was discussed. Should the Town consider a moratorium on short-term rentals? The CPC requests that the Town Board provide the CPC a list of the short-term rentals currently approved within the Town of Namakagon.
7. Public comment. The article published in the *Ashland Daily Press*, Jul 23, 2017, "Bayfield County delays adoption of new shoreland zoning regulations", by Rick Olivo, generated questions and concerns about the new Shoreland Zoning Regulations, replacing the former shoreland regulations invalidated by the passage of 2015's **Act 55**. Act 55 reversed state laws that allowed Bayfield County and other local unites of government to create shoreland zoning that was tailored to their particular environmental requirements.

Discussion centered on:

- a. The elimination of the setback and density standards for properties riparian to Class 2 and Class 3 lakes in the Town of Namakagon (Buffalo, Crystal, Devils, Garden, Lake Five, Little Bass, North Twin, and White Bass).
- b. Have the property owners affected by this change been notified?
- c. Do the zoning districts for the affected parcels need to be changed in order to be consistent with the Future Land Use map?
- d. Can Towns affected by this legislation take action to maintain the density standards affected by the lake classification standard?

After lengthy public discussion of Bayfield County's delay of adoption of the new shoreland zoning regulations, the CPC recommends to the Town of Namakagon Board:

- a. Recommend to Bayfield Planning and Zoning to develop reasonable protections to succeed the removal of protections for sensitive lakes.
- b. Recommend to Bayfield Planning and Zoning to establish an *ad hoc* committee, including local stake holders (Towns, fishing clubs, lake associations, homeowners, others) to assist the County in developing new protections for sensitive lakes.

- c. Recommend to Bayfield Planning and Zoning that the County take leadership in making the map changes required for maintaining density standards.

Sarah Boles will report to the Board at the August Town Board Meeting.

Motion to adjourn was made by Sarah B, and seconded by P.C. Rasmussen. Meeting adjourned at 10:50 a.m. Next meeting set for Sept. 7<sup>th</sup>, at 9:00 a.m.