

TOWN OF NAMAKAGON
FOR – TOWN BOARD MEETING with Bayfield County Representatives
Tuesday, August 6, 2019
At – NAMAKAGON TOWN HALL – 1:30pm
MINUTES

Chairman Rasmussen called the meeting to order at 1:34pm. Present were Chairman Rasmussen, Supervisors Jack McGregor and Jim Krueger, Treasurer Arlene Skultety, Clerk Laura Bjork, Brett Rondeau (Member of Bayfield County Planning & Zoning Committee), Tracy Pooler (Inspector of Bayfield County Planning & Zoning), Rob Schierman (Director of Bayfield County Planning & Zoning), Mark Abeles-Allison (Bayfield County Administrator) and Mary D'Andrea.

Agenda was posted in 3 places in town on August 1st. The Daily Press was notified on August 1st of the meeting via email.

Supervisor Krueger explained that the pink slip from Fogarty was received too late for the Plan Commission meeting, and therefore the board could not address. The pink slip specifically requests the Town Board reasoning for recommendation. The Plan Commission meets the first week of the month, and the board meets the second week of the month. The County needs 45 days notice before they address. In the past, this system worked, but now the town has received a late request. The town would like to have an opinion on the properties within their township, especially this one from Fogarty because of the violations. When a request is received, the Town Board goes out to the property and observes the situation and makes a recommendation based on Plan Commission compliance, not personal opinions. In some cases, the Board of Adjustment does consider the township opinions. Rob Schierman explained that a Board of Adjustment request is different than a zoning request. He stated that Bayfield County welcomes input from the town on any Board of Adjustment request. However, Bayfield County will not be sending out pink slips any more for these requests. The town is welcome to send a letter to the Board of Adjustment in favor or against, and the board will notice that opinion. The request from Fogarty had several complications. The paperwork was delayed because of complications; hence, the town received the recommendation late. Supervisor Krueger requested that the town receive pink slips before the first of the month so the town can address. Rob Schierman responded that the county sends information the last week of the month.

Supervisor Krueger requested that Bayfield County work on better communication with the town on Short Term Rentals. The town supervises Short Term Rentals. The rules were put together by Bayfield County Zoning and the town. The state has referenced these rules because they are enforceable. It seems that there are now a different set of rules for Bayfield County and the town. Previously, occupancy was set the same, but it now has become an issue. Rob Schierman explained that Short Term Rentals are regulated by the Planning and Zoning Department. He stated that the septic system determines the occupancy and the town does not look at the Sanitary Permit. Supervisor Krueger stated that the town sets occupancy based on number of bedrooms and square

footage. The town ordinance states that an occupancy permit is given by the town. The septic requirements are a county regulation. The Short Term Rental requests have been a 5 step process; 1-A Short Term Rental application from Bayfield County Zoning, 2-An inspection from Bayfield County Health Department, 3-Comprehensive Plan Commission recommendation, 4-Town Board recommendation and 5-Bayfield County approval. The county cannot approve unless there is town approval. The town receives the permit from zoning and the health inspection permit. The town addresses all complaints for Short Term Rentals. Supervisor McGregor stated that there is good checks and balances, but there needs to be further investigation on how occupancy is set. Mark Abeles-Allison asked if it would be better for the town to know the concerns of the county before approval by the township. Supervisor Krueger stated that the town will usually write in recommendation to the county contingent upon their approval, but it would be beneficial for the town to be aware of the counties concerns. Rob Schierman explained that the county looks at the septic history and the history of the building before approval, and corrections are made accordingly. After the county approval, occupancy is set based on septic size. He suggested that the town adopt a septic analysis into their process. There was discussion on system failures and water protection and safety. There was discussion on the town changing the occupancy based on septic size. The Town Board agreed to require the applicants to sign a form from the town recommending approval of the permit with conditions listed from Bayfield County. The inspector from the town will do an inspection after county approval and place the occupancy based on the counties suggestion based on septic size.

There was discussion on how long a Short Term lasts. Supervisor Krueger stated that the Short Term Rental stays with the property for the town. Rob Schierman stated that if there is a lapse for 36 months in usage, the Short Term Rental Permit is no longer valid. The applicant would need to re-apply. If there is nonconforming use, the permit would be invalid in 12 months. In some conditions the permit is only valid to the owner only. Supervisor Krueger stated that there was just an issue with a property that was not rented for 8 years, and the town was told by Tracy Pooler that they still had the permit and did not need to re-apply. There is a lack in communication and needs to be remedied. There was discussion on enforcement. The Chamber of Commerce is down in funds possibly due to illegal Short Term Rentals. Rob Schierman can be notified, and he will address the non-compliance.

There was discussion on a particular variance for the building of a garage. Rob Schierman explained that each variance is unique depending on the property. Supervisor Krueger stated that sometimes the rules don't take into consideration common sense. Rob Schierman stated that the county is bound by ordinance. When denied, the applicant has other options.

There was discussion on Chronic Wasting Disease. This will be addressed at the Town Board meeting. There was discussion of the census and highway projects.

MOTION made by Supervisor Krueger to adjourn at 2:53pm. MOTION seconded by Supervisor McGregor and carried.

Respectfully Submitted by
Laura Bjork, Town of Namakagon Clerk