

**MINUTES**  
**Bayfield County Planning / Zoning Committee Public Hearing / Meeting**  
**September 18, 2008 – 4:00 PM**  
**Board Room, County Courthouse, Washburn, WI 54891**

1. **CALL TO ORDER OF PUBLIC HEARING:** *By Chairman Beeksma at 4:02 PM.*

2. **ROLL CALL:** *Beeksma, Jardine, Miller, Rondeau, present; Maki – absent.*

3. **AFFIDAVIT OF PUBLICATION:** *Presented by ZA Kastrosky*

4. **REVIEW OF MEETING FORMAT:** *By Chairman Beeksma. Announcement by Director Kastrosky: a phone call was received to withdraw 'Item B.' **ROBERT JOHNSON, et al (Iron River) – EIA / Campground request**, therefore Item B. would not be heard.*

5. **PUBLIC HEARING:**

**A. DAN ARCHAMBEAU CONDITIONAL USE REQUEST: second residence on a parcel that can not be subdivided.** Existing 1976 mobile home will not be removed from the property, but relocated on this 10-acre parcel (ID# 04-004-2-45-09-19-2-03-000-20000 / 004-1169-08-990), described as part of the SW ¼ of the NW ¼, Section 19, Township 45 North, Range 9 West, Town of Barnes.

*Dan Archambeau / Sally Archambeau said they live in a mobile home and currently are in the process of building a home; Sally's 86-year-old mother will live in the mobile home for as long as she is able, at which time they will remove it from the property. Their desire is not to leave it on the property indefinitely but to relocate it close to the new residence. It was noted Town approval was received with the condition another trailer on the property is removed by July 2009.*

*Mike Furtak reported a special use was granted in recent years allowing an extra mobile home for storage. It was also noted this parcel is large enough to have two residences but because they want both homes close together, they need a conditional use permit. He said interconnect plans are in for the septic.*

**Support / Opposition:** *none*

6. **ADJOURNMENT OF PUBLIC HEARING:** *Motion by Jardine / Rondeau at 4:10 PM. Carried, 4 yes / 0 no.*

7. **CALL TO ORDER OF ZONING COMMITTEE MEETING:** *By Beeksma at 4:10 PM.*

8. **ROLL CALL:** *Beeksma, Jardine, Miller, Rondeau, present; Maki – absent.*

9. **MINUTES OF PREVIOUS MEETING(S):** *Motion by Rondeau / Miller to approve the Aug. 21st minutes as presented; carried 4 yes / 0 no.*

10. **BUSINESS:**

**A. DAN ARCHAMBEAU CONDITIONAL USE REQUEST: second residence on a parcel that can not be subdivided.** The existing 1976 mobile home will not be removed from the property, but will be relocated on his 10-acre parcel (ID# 04-004-2-45-09-19-2-03-000-20000 / 004-1169-08-990), described as part of the SW ¼ of the NW ¼, Section 19, Township 45 North, Range 9 West, Town of Barnes.

Motion by Miller / Rondeau, to **approve**. Discussion followed; Miller amended his motion to ‘**approve the second residence as long as their mother is living there; mobile home will be removed after that time**’. Rondeau seconded the amended motion; carried 4 yes / 0 no.

### Agenda Review and Alteration

**B. ROBERT JOHNSON, et al (Iron River) – EIA and Campground** (tabled on 8-21-08) THIS ITEM WAS WITHDRAWN BY THE APPLICANT(S) PRIOR TO THE MEETING AND NOT HEARD.

**C. DEER GROVE RESORT SPECIAL USE REQUEST (Jeff / Maureen Fullington): Home-Based Business (Small Engine Repair)** located on 21.28-acre parcel. (#004-1111-03) in Govt. Lot 4, Section 16, Township 44 N, Range 9 W, Town of Barnes.

Travis Fullington spoke on behalf of this request on his parent’s property. It was noted the Town approved this with the stipulation that there is no outside storage of materials and equipment. **Mike Furtak** reported this home-based business would be located at Deer Grove Resort which is a well-kept property; Travis Fullington recently graduated from a small engine repair program; there is a need for this type of business in the area. Mike said the Town’s does not want old equipment/parts piled up and left on the property and if parts are needed, they must be kept in a garage.

Jardine moved to approve w/ the Town’s conditions [no outside storage of materials or equipment]; second by Rondeau. Discussion: Mike reminded the Applicant of the stipulation that the person running the business must live on the property. Motion carried- 4 yes / 0 no.

**D. DISCUSSION / POSSIBLE ACTION RE BAXTER EQUITY LLC (Namakagon) – Short-Term Rental on Trial Basis** (approved: May 18, 2008):

**Kastrosky** reported the Committee approved this Item in May 2008 on a one year trial basis; the Dept. received a letter from Jim Anderson w/ concerns and change of opinion since that meeting. Kastrosky also noted the Dept. has not received any direct complaints from adjoining.

**Jim Anderson** stated there are nine residences on Duck Point, including the Baxter’s. He said four adjoining – two for / two against this trial period were present at that meeting and others were against it. He noted two who were in favor (of allowing a trial period) have changed their minds due to situations since then; eight of nine are against this venture. Anderson submitted the following complaints:

- The first week end [after approval] nine people were booked at the residence while the owners were in the area staying at their parent’s home.
- Traffic is an issue (many four wheelers, other vehicles, equipment).
- The dead end lane is too narrow, there is no proper turnaround.
- Safety is a factor for children / pets.

**Jardine** questioned no signatures on the letter presented by Anderson. **Anderson** stated the letter in May had signatures, he asked Karl Kastrosky and was advised he didn’t need to get signatures at this time. **Anderson** said the property owners held a meeting over Labor Day, all but two were present, the letter is a result of that meeting.

**Kastrosky** read the motion from the May minutes, “...approve the conditional use permit for one year, with review at the end of one year, bringing it before the Committee at that time, or sooner if necessary. Motion carried 3 yes / 1 no...”.

**Jardine** stated the letter [Anderson’s] is rather vague; isn’t clear what safe / secure means... if that means robberies or what; also safety for children / pets... he said it needs to be more specific. **Shawn Miller** said he agreed 100% w/ Mr. Anderson noting the road is actually just a lane and is extremely narrow. **Beeksm**

asked if there have been any successful rentals and Anderson answered 'yes, but there are two three-bedroom cabins at the end of the point within 200 ft. of the end and traffic has been tripled'.

**Karl** said he wasn't 'playing down' Mr. Anderson's letter, but is looking for 'just cause' and how to handle this. He noted it is not a normal thing to bring something of this nature back to the Zoning Committee. The motion was to automatically review at the end of the year, or before if problems developed. Discussion: the Committee questioned whether this is at the threshold to 'notice it', bringing all parties in again, allowing testimony before the Committee, as well as allowing Anderson time to get signatures.

**Mike Best**, Property Mgr. of Rec. Rental Properties (that rented the Baxter property) arrived at this point in the meeting; Karl invited him to speak. Best noted he has rental reservations on the books for next year and cannot wait until May 2009 to see if this is approved, he would have to cancel reservations soon, return deposits, etc. therefore wanted to see this settled as soon as possible. Best noted he has not received a single phone call with 'issues'; he talked with every recent guest asking how many vehicles, boats, etc. would be present and if there were too many, then others would have to be stored in the garage. Best reported there have been incidents where guests had vehicles put away and some owners were the ones blocking the way.

**Kastrosky** said if this is tabled, the Dept. would have to notify those involved and re-hear it in the business portion of the meeting. Motion by Jardine **to table this until the October meeting**; second by Rondeau, motion carried-- 4 yes / 0 no.

#### **E. DISCUSSION / POSSIBLE ACTION RE ADULT ENTERTAINMENT CLASSIFICATION:**

**Karl** reported a request was received from Cecil Peterson of Gill Tug Net Bar in the Town of Russell; he is contemplating adding 'adult entertainment' to his business at that location. There is no definition in the classification list for such a business. He said the ordinance would have to be amended, possibly allowing it in Ag and Forestry, restricting it in residential zones. He asked if the threshold changes from a bar to adult entertainment, would it be allowed, or would it be required to come before the Zoning Committee.

**Mike Furtak** said as with other types of requests, they have to come before Committee to set requirements. **Karl** asked if the Committee wanted a petition to draft specific ordinance language. **Jardine** noted the Town of Iron River shut down an operation such as this. It was noted that an opinion should be obtained from Corp Counsel Bussey. **Karl** said one week end a year probably doesn't constitute 'adult entertainment' but if it becomes part of their normal business, it has to be dealt with.

Motion by **Rondeau**, second by **Miller**, to have the Dept. put together ordinance language for 'adult entertainment'; motion carried- 4 yes / 0 no.

#### **F. CITIZENS' CONCERNS / INPUT:**

- **Tom Galazan**, Town Bayfield... RE the CFS project in Russell (heard at Aug. 2008 ZC Mtg.): said he believes the Committee erred in approving the rezone; wants to see it rescinded, considering the impact that business would have on Bayfield township. He reported the Town of Bayfield obtained 115 petition signatures requesting this be tabled until the impact is considered. **Kastrosky** called attention to an opposition letter from Tom Gordon on behalf of the Town of Bayfield on file.

**G. DISCUSSION / POSSIBLE ACTION – NR115 RE-WRITE UPDATE:** **Karl** said this has progressed at all but there will be a fall conference.

#### **H. OTHER ITEMS THAT MAY COME BEFORE THE COMMITTEE (discussion only):**

- **RE Budget:** **Karl** said the budget went to the Exec. Committee; Mark Abeles-Allison assured him it appears to be OK with no red flags.

- **Ashland County Airport Meeting:** *Karl said he will probably make a presentation to the Committee in the future and noting animosity between the City of Ashland / Ashland County / Gingles Township. Karl stated he and Travis, the Gingles' chairman, Peppy Kabasa, & others, will meet to help get some understanding and soften the language a bit. He said the basic consensus is Bayfield County should have control over its portion; most of the property is in Gingles, if they don't approve it, it won't go through.*
- **RE Town of Russell Development** *(from August 2008 ZC Public Hearing / Meeting): Karl called their attention to a letter from Tom Gordon; [also discussed above in Item F.] He noted they cannot appeal this to Board of Adjustment because rezones are sent to the County Board as a recommendation and can only be addressed at the Board level. He also said Bayfield Township decided there was enough citizen concern to ask the full board to table it for 30 days; the Board can approve, deny, table, or send back to the Zoning Committee. Karl also noted we are one county with dividing lines between townships—roads and airports, etc. do impact more than one township.*

**11. MONTHLY REPORT:** *Motion by Jardine, seconded by Rondeau to **approve** as prepared; carried 4 yes / 0 no.*

**12. ADJOURNMENT:** *Motion by Rondeau / Jardine-- 5:16 PM; carried.*

**Karl L. Kastrosky, Planning / Zoning Director  
Bayfield County Planning / Zoning Dept.**

Prepared by mjj on 10/1/08  
Approved by KLK 10/2/08

*cc: Administrator; Clerk; Corp.Counsel; DNR; Committee; Supervisors; Sheree Bye 62245 Delta Lake Rd, Iron River WI 54847*

*K/ZC/Minutes/2008/Sept.*