

Minutes of the **October 5, 2021** Regular Meeting of the Manitowish Waters Planning Commission

Meeting called to order at 7:08 P.M. by Chair Dan Sleight, following the completion of one Public Hearing.

Commissioners Present: Dan Sleight, Dan Johns, Jr., Robert Becker, John Hanson, Vince Hoehn, Mike Kramer

Absent: Lynn Schroeder

Also Present: Zoning Administrator Tom Thiessen

Public Visitors: Karen Dixon, Matt Ullrich

Approval of Agenda

Motion by Johns, second by Becker, to approve the agenda as posted and waive the reading. Motion carried.

Public/Governmental Comments and Correspondence

None

Reading and Approval of Minutes

Motion by Becker, second by Hanson, to approve the September 7, 2021 Eshoo CUP Application Public Hearing minutes, Solar CUP Application Public Hearing minutes, and Regular Meeting Minutes; and the September 14, 2021 Special Meeting minutes as presented. Motion carried.

New Business

Motion by Johns, second by Kramer, to approve the Ullrich CUP application as presented, with the addition that the required setback be measured to the eaves. Roll call vote: Kramer: Aye Hoehn: Aye Hanson: Aye Johns: Aye Becker: Aye Sleight: Aye Motion carried.

Zoning Administrator's Report

Zoning Administrator Thiessen reported that Cheryl Burton put up some kind of plastic material for a fence right down to the water, but he would prefer to not stir things up further due to the notice of claim filed for a potential lawsuit, and let the matter of the fence sit for right now.

Thiessen asked for guidance on whether the Town is yielding to the County on impervious surface calculations. The County has changed how they do the calculations, which is now not the way we do it. Hanson reported that the County zoning ordinance has some internal conflicts, and they attempted to resolve it with the new calculation procedure. Following discussion, the consensus is to leave the impervious surface calculations to the County until something changes.

Thiessen reported that both the zoning office phone system and the main computer have developed issues. Hanson said he will call Ty Rayala about an upgrading recommendation.

Unfinished Business

Hanson read from a letter by the Commission's attorney, Matthew Yde, on the matter of changes to the Ordinance that will reinforce the Town's rights to pursue fines against both the landowner and contractor when construction or tree cutting is done in the absence of permits. Thiessen stated that one weakness is that some activities never would have received a permit in the first place, so a fine based on permit fees doesn't seem the right approach. Hanson stated that the focus should be that for violations of the ordinance, there should be a fine for just that, and then the landowner must still secure a permit. No after-the-fact permits. If the permit is not available, then restoration is required. Hoehn suggested that the best approach is to prevent the violation in the first place, and maybe the best way to do that is to put the fear of God in the contractors. Sleight questioned how to assign value to the fine for starting a project without a permit. Hanson stated it would have to be substantial, but still meet the reasonable test. Becker suggested an escalating scale for contractors who commit multiple violations. Kramer questioned whether the fine would apply to both the landowner and contractor. (Yes.) Becker questioned how large a tree has to be before a permit is required. Hanson will take the matter back to the attorney for further consideration.

Regarding the regulation of metal sided structures on residential lots, the Commission has recommended a change in the Ordinance that mirrors the County's more expansive definition of structures. Hanson questioned if we should look at establishing accessory building size limitations, metal sided or not, based on the size of the lot. Sleight questioned whether that would be workable; once those limitations are established everything has to fit into it. Thiessen stated that within a few years there will be a big garage on every lot in town – unless the County impervious surface standards prevent it. Becker suggested increased setbacks for larger buildings. Sleight stated that we can do that in the CUP process. Discussion on roof heights. To be carried over to next meeting.

Secretary's Report

Hoehn presented his hours for approval. Motion by Johns, second by Kramer, to approve. Motion carried, with Hoehn abstaining.

Meeting declared adjourned by Chair Sleight. Time was 7:55 P.M. Next scheduled meeting: November 2, 2021 at 6:00 P.M.