TOWN OF SPIDER LAKE
Plan & Review Commission Public Hearing Summary
Wednesday, February 1, 2023 at 6:00 PM
Town Hall, 10896W Town Hall Rd, Hayward Wisconsin

1. Public Hearing was called to order by Commission Chair Delaney at 6:01 PM
2. Chair Delaney ensured that the administrative requirements were met:
    a. Took roll to confirm that a quorum of the Commission was present (Confirmed, all Commissioners present: Chair Delaney and Alt Commissioner Tumbelson were present at the Town Hall, and Vice Chair Sheldon and Commissioners Haueter and Smith joined via Zoom.)
    b. Confirmed that the public hearing complied with Open Meetings Law and Public Notice Requirements (posted on the Town's website and in the Sawyer County Record (SCR) on 1/18/2023 and 1/25/2023).
3. Sheldon moved to approve the 2/1/2023 Agenda; seconded by Tumbleson. Motion carried.
4. Chair Delaney stated the hearing procedures to public:
    a. Delaney read the Hilpisch application.
    b. Applicant statement: Mr. Hilpisch stated that the garage was built in the 1930s, with sound solid construction. Plumbing was present when the property was purchased. Contractor installing a new septic system indicated there would be no problem installing a garage toilet and did so. The toilet and sink were connected to the new septic system in compliance with County regulations. Chair Delaney: The after-the-fact CUP application is required to bring the accessory structure into compliance with Town ordinance.
    c. Response Letters from adjacent property owners
        i. Seven letters sent, 5 returned. Of the 5 returned: 3 have no objections, 2 with objections.
    d. Public Statements
        i. Town Hall speakers: 6 in favor, 2 opposed
        <u>Arguments in favor</u>: no impact on density, the Town should allow toilet for a sewing room; other properties have plumbing in accessory buildings via the CUP process.
        <u>Arguments in opposition</u>: the bathroom will affect activity level by adding more space and convenience; concerned that this will add space to be rented. Neighbors will have the burden to monitor and report non-compliance (noise, boat speeds, cars, etc.).
        ii. Zoom participants:
        <u>Argument in opposition</u>: Burden is on neighbors to monitor and report non-compliance (noise, boat speeds, cars, etc.). People in support of CUP do not live near the applicant.
5. Response by Applicant: Mr Hilpisch stated that the garage space would not be used for living quarters and would not be rented.

6. Questions from the Commission:
    a. Sheldon: Garage cannot be used by renters. Is that correct? RESPONSE: No, they cannot. If renters enter the garage, there will be two problems: trespassing and Short Term Rental [STR] infraction.
    b. Haueter: Need to make sure there is no access to garage by renters. RESPONSE: Agreed.
    c. Smith: Can the septic system handle the increased water usage? RESPONSE 1: Yes, it is a large system and can handle it. RESPONSE 2: (Delaney): It has been confirmed with Sawyer County that the system is adequate and has met all installation requirements.
7. The Record/Hearing for Applicant closed. Deliberation by the Plan & Review Commission will take place at the P&RC meeting to immediately follow.
8. Delaney concluded the public hearing.

Respectfully submitted,

Tim Sheldon, PRC Vice Chair

MEETING MINUTES

Town of Spider Lake
Plan and Review Commission Meeting
Town Hall, 10896W Town Hall Road
February 1, 2023 at 6:00pm

1. Chair Delaney called the meeting to order following the Public Hearing for CUP 23-01 (Hilpisch) at 6:41PM.
2. Motion to approve agenda made by Smith; seconded by Tumbleson. Motion carried.
3. Motion to approve the 1/4/2023 minutes without changes made by Tumbleson; seconded by Haueter. Motion Carried.
4. CUP Deliberation and Decisions/Recommendations:
   a. Hilpisch CUP 23-01

   Discussion: (Sheldon) The CUP and Short-Term Rental property (STR) issues are separate issues. A CUP authorizes a use beyond the normal use with the addition of conditions. The CUP needs to be considered independently from the problems associated with STRs. The Town needs to take the concerns of the neighbors very seriously and do a thorough analysis the STR issue.

   Commissioners discussed conditions prior to the motion to consider the CUP decision, resulting in the following:

   The Conditional Use Permit described above has been approved subject to the following conditions:

   1. The CUP is issued only for a toilet and sink in the garage accessory building (no additional plumbing or appliances shall be permitted).
   2. The land owner consents to periodic inspections by the Town of Spider Lake's Zoning Administrator or the Zoning Administrator's designee.
   3. The conditions of this CUP are binding upon any heirs, successors or assignees. In the event of the sale or transfer of the property, the land owner or successors will disclose the existence of the CUP to any prospective buyers.
   4. The CUP itself will be recorded with the Sawyer County Register of Deeds and a copy of the recorded CUP shall be provided to the Spider lake Zoning Administrator.
   5. If any of the conditions of this permit are violated, the CUP may be revoked by the Town Board (resulting in the need to remove the toilet and sink at the owner's expense) and the land owner is subject to the fines, forfeitures, and penalties as allowed by law.
   6. This proposed structure can only be used for permitted uses enumerated in Section 15.2 and 15.3 (Part I) for areas zoned RR-1 and RR-2.
   7. The accessory structure (garage) will not be used as a location for lodging persons and will not be available for short term rental. There shall be no access to the

accessory building by guests renting the primary dwelling.

There was general agreement on recommending the CUP, with the enumerated conditions, to the Town Board for approval:d

Motion by Smith to approve the CUP with the above stated conditions; seconded by Sheldon. All in favor (roll call): Sheldon, Smith, Haueter, Tumbleson, and Delaney all voted aye. Motion carried.

Smith commented that we need to address the STR issue directly and separately as part of the PRC strategic planning process.

5. Zoning Administrator's Report
    a. Permit applications – (Delaney) No new permit applications.
    b. Notices and anticipated activity – (Delaney) Queries are ramping up, with owners planning for Spring projects and activity.
6. P&RC Strategy Priorities and Timeline- Discussion and Recommendations
    a. Progress Updates:
        i. Initial conversation took placed with Town attorneys about the ordinance amendment process. A detailed list for conversation/clarification with the DNR has been compiled.
    b. Importance and Urgency of proposed actions
        i. Discussion: Commissioner Smith described the Comprehensive Plan Actions and the exercise by P&RC members to assess the priorities. A significant amount of work will be required to cover the list. Certain key activities will support progress on a number of elements within the Comprehensive Plan. A separate meeting will be required to to focus on those issues which are far-reaching and achievable.
7. Collaboration with Town of Round Lake- there are areas of mutual interest.
    a. Speaking with the Town of Round Lake leadership about the CAFO ordinance, oak wilt awareness and high capacity wells.
8. Transitions: ZA Search Committee Update and Plan & Review Commission Membership
    a. Meeting with a possible ZA candidate this week.

b. Transitions: Chelsea Tripodi sent a letter of resignation. Chair Delaney is using a list of desired attributes to identify new PRC candidates, and asked the public to submit suggestions.

9. Any other business that may come before the Commission for Discussion: none.
10. Adjournment.

Respectfully submitted,

Tim Sheldon, PRC Vice Chair