MINUTES - September 6, 2023
Town of Spider Lake
Plan and Review Commission Meeting
Town Hall, 10896W Town Hall Road

1. Chair Delaney called the meeting to order at 6:13 pm
2. Smith moved to approve the Agenda; seconded by Sheldon. **Motion carried**.
3. Haueter moved to approve the Minutes from August 2, 2023; seconded by Tumbleson. **Motion carried.**
4. King CUP Deliberation and Decisions/Recommendations:
   - Chair Delaney drafted a set of Conditions to be met in consideration of the CUP (attached). Commissioners and applicant agreed with the conditions (with a slight shift in time in consideration that the re-planting would be done in a phased approach).
   - Haueter moved to recommend the King CUP 23-002 to the Board for approval; seconded by Smith. **Motion carried**.
5. Zoning Administrator's Report – ZA Gardener continues to have a busy year. Many inquiries about building sites, ongoing work with applicants to complete forms, answer questions, etc.
   a. Permit applications
      i. LUP 23-024 King – roofline alteration and partial rebuild
      Sheldon moved to provisionally approve LUP pending Town Board approval of the King CUP on September 13, 2023; seconded by Smith. **Motion carried**.
      ii. LUP 23-027 Miller – new dwelling on vacant land
      Delaney moved to approve LUP; seconded by Sheldon. **Motion carried**.
      iii. LUP 23-028 Boone – new accessory building (garage). Add RR1 and Shoreland notation to permit application. Smith moved to approve LUP; seconded by Haueter. **Motion carried**.
      iv. LUP 23-029 Pagenkopf – rebuild of accessory building (garage)
      Haueter moved to approve LUP; seconded by Sheldon. **Motion carried**.
      v. LUP 23-030 Nelson – new accessory building (garage)
      Sheldon moved to approve LUP; seconded by Tumbleson. **Motion carried**.
      vi. LUP 23-031 Sonnesyn – rebuild accessory building (garage)**
      Collapse of the non-conforming garage was caused by snow load. Existing structure does not meet wetland setback. Sheldon moved to approve LUP for an accessory building with the same 20'x24' footprint of the original garage per Sect 15.4, Part II; seconded by Smith. **Motion carried**. **Sonnesyns may decide to apply for a CUP in the future.
      vii. LUP 23-032 Guenther/Knutson – new accessory building (sauna)
      Smith moved to approve LUP; seconded by Haueter. **Motion carried**.
      viii. LUP 23-033 January – new accessory building (storage)
      Sheldon moved to approve LUP; seconded by Haueter. **Motion carried**.
      ix. LUP 23-034 Johns – Deck expansion
      Smith moved to approve LUP; seconded by Haueter. **Motion carried**.

6. Permit Extension Protocol:

   In light of recent requests to extend permit applications that have expired, the Commission discussed the criteria for approving and denying permit extensions. Chair Delaney provided a draft framework to guide responses. The commission reviewed and approved the framework. The decision was then to send the extension language to the Town attorney for review and advice. **Decision**. Sheldon will send the draft to Town counsel for review.

7. CAFO Ordinance Progress and Next Steps. Haueter presented a near-final version of the TOSL CAFO Ordinance.

   DISCUSSION. Some outstanding questions: 1,000 Animal Units (AU)* versus 500 AU, Town counsel advised that using State and DNR standards may better withstand challenge. Should application and annual renewal fees based upon a cost basis for number of AUs ($1/AU or $5 or $10/AU?)

   DECISION: Stick with 1,000AU. Use a $5/AU fee basis. When complete send to Town counsel with the goal of holding a public hearing in November, simultaneously with Boating ordinance for the purpose of making a Board decision on both ordinances in December 2023.

8. Vision Assessment Survey update. Current sample is 434 respondents out of a total possible sample of 925 (47%)

9. New Business
   Discussion and possible action regarding revision of Boating Ordinance #12 to address new and old concerns regulating watercraft. Chair Delaney: Current Boating Ordinance (#12) does not reflect the newer technology of watercraft on the lakes, nor does it incorporate the latest science on lake ecology or the significant work done by the Spider Chain of Lakes Association (2019 Comprehensive Lake Management Plan). Statewide regulations have also evolved since the Town's Ordinance was written.

   MOTION: Sheldon moved to request Town counsel to review and recommend revisions to the Boating Ordinance so that it better comports with lake science, innovations in watercraft and current legislation, and incorporates data collected in the Comprehensive Lake Management Plan; seconded by Haueter. **Motion carried.**

10. With no other business, Haueter moved to adjourn; seconded by Tumbleson. **Motion carried**.

Respectfully submitted,

Tim Sheldon, vice chair 9/7/2023