PLAN & REVIEW COMMISSION PUBLIC HEARING
Wednesday, March 6, 2024 at 6:00 PM
Spider Lake Town Hall, 10896W Town Hall Rd, Hayward Wisconsin

MINUTES

The Town of Spider Lake Plan & Review Commission held a Public Hearing on Wednesday, March 6, 2024 at 6:00 P.M. at the Town Hall, 10896W Town Hall Rd, Hayward Wisconsin, to consider the following:

Conditional Use Permit: Land owner: Shirley J Holt Trust (Attn: Robert & Shirley Holt). Located in the NE 1/4 of the SW 1/4, Sec 17, T42N R06W, PRT NESW LOTS 1-2, CSM 12/185 #2944, Tax ID 30094, Legacy PIN: 028642173102. Site address: 9141W Upper A Road, 7.24 acres, zoned RR-1, Residential/Recreational One and F-1 Forestry One. The purpose of the request is to seek a Conditional Use Permit to expand (by adding a deck to enable wheelchair access) a non-conforming dwelling per Ordinance 17-88 Part II, Sect 16.0.

1. Chair Delaney called the meeting to order at 6:00 pm
2. The Chair provided an overview of the administrative process.
    a. Roll was taken and Quorum confirmed present.
    Present: Commission Chair Delaney, Commissioners: Fred Haueter, Steve Smith, and Tim Sheldon. Absent: Commissioner Don Becker.
    b. Compliance with Open Meetings Law and Public Notice Requirements were confirmed by Chair Delaney (notice posted in SCR Feb21/28 and on website).
3. **Sheldon moved to approve the Agend**a; seconded by Smith. Motion carried.
4. Chair Delaney informed public of the hearing procedures:
    a. Application
    b. Applicant statement: Builder/agent Rick Kizlik (Hill Construction) stated that he was there to represent the Holt Trust and answer any questions which may arise.
    c. Response Letters from adjacent property owners: Seven letters were sent out to neighbors. Three letters were returned, all responding with “no objection”.
    d. Public Statements
        i. Town Hall participants (NONE)
        ii. Zoom participants (NONE)
5. Response by Applicant: Mr Kizlik indicated his client is willing to consider conditions presented by the Town.
6. Questions from the Commission
    a. Discussion of shoreline preservation agreement, and additional proposed conditions.
7. Chair Delaney closed the Hearing at 6:08 pm as all questions and comments were addressed.

    Deliberation and Decision/Recommendation took place in the P&RC Meeting which immediately followed.

Respectfully submitted,
Tim Sheldon, P&RC Vice Chair
March 15, 2024

Town of Spider Lake
Plan & Review Commission Meeting Town
Hall, 10896W Town Hall Road
March 6, 2024, immediately following the Public Hearing which began at 6:00 pm

MINUTES

1. Chair Delaney called the meeting to order at 6:09 pm.
2. **Haueter moved to approve the agenda**; seconded by Smith. Motion carried.
3. Pledge of Allegiance
4. **Smith moved to approve of the Minutes of the CAFO Public Hearing**; seconded by Haueter. Motion carried. **Smith moved to approve the Minutes of the February PRC meeting**; seconded by Sheldon. Motion carried.

5. CUP Deliberation and Decision / Recommendation*
    a. Holt (Decision and Conditions) – expansion of non-conforming dwelling
    **P&RC Recommends, Board Decides/Approves*

    Chair Delaney introduced the Holt CUP for consideration with the proposed Conditions:

        1. *The CUP is issued* only *to add a deck (20'3" x 8'11") to enable wheelchair access on the south (lakeshore) side of the existing non-conforming dwelling per Section 16.0 (Part II) of Ordinance 17-88.*
        2. ~~*The permit shall expire once the property is no longer used by a disabled resident and all non-conforming structures no longer required shall be removed at the landowner's expense within six months of the expiration date.*~~
        3. *An approved shoreline mitigation plan is created and commenced by* ***August 31, 2025****, which includes the following:*
            a) *Property owner shall re-vegetate shoreline in accordance with Section 17, Part II of Ordinance 17-88.*
            b) *The Town's Zoning Administrator shall review and approve the proposed mitigation plan.*
        4. *The landowner consents to periodic inspections by the Town of Spider Lake's Zoning Administrator (ZA) or the ZA's designee.*
        5. *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 landowner or successors will disclose the existence of the CUP to any prospective buyers.*

    b. Discussion: The consensus was to approve the CUP, with further discussion around the specific conditions. **Sheldon moved to recommend the Holt CUP <u>without</u> proposed Condition 2 (to remove the deck if ADA became unnecessary)**; Haueter seconded. Motion carried. The final recommended conditions are attached to these minutes.

6. Zoning Administrator's Report – Activity is increasing with the anticipated early spring.
    a. Five permit applications were reviewed and approved*:
        i. LUP 24-03 Holt – deck addition (*conditional, subject to CUP approval by the Town Board). **Sheldon moved**; Smith seconded. Motion carried.
        ii. LUP 24-04 Keitel – new accessory structure – garage. **Sheldon moved** Haueter seconded. Motion carried.

iii. LUP 24-05 Hyde – new dwelling. **Smith moved**; Sheldon seconded. Motion carried.
iv. LUP 24-06 Orr / Chapman – new accessory structure – sauna. **Smith moved**; Sheldon seconded. Motion carried.
v. LUP 24-07 Whittenberg – screen porch addition and deck replacement. **Smith moved;** Haueter seconded. Motion carried.

b. Notices and anticipated activity
   i. Wanegan Holdings LLC – (North Star Camp)
   DSPS working with owner on requirements for approvals of state building permits. ZA Gardner will make a visit to the camp to determine if any changes have occurred. Deadline for action was Feb. 16, 2024.

7. Strategic Priorities for P&RC in 2024 (Discussion and possible action)
   a. Chair Delaney reviewed with the Commission a list of possible strategic actions for 2024 (Comprehensive Plan update, Ord. 17-88 Revision, Ord. 05-1 revision, Neighborhood Guide and others). Discussion included ability to get things done and concerns of being too ambitious. Immediate priority will be to focus on Ord. 17-88 and the Neighborhood Guide, along with tactical activity such as a fee schedule update and general Ordinance reminders (eg, shoreline buffer zones).
8. There was other business coming before the Commission for Discussion
9. **Sheldon moved to adjourn**; seconded by Haueter. Motion carried.

Respectfully submitted,
Tim Sheldon, P&RC Vice Chair
March 15, 2024

Town of Spider Lake
Conditional Use Permit
Approval Conditions

Owner:
Shirley J Holt Trust (Sharon Holt, Trustee)
825 Summit Ave, Apt 1102
Minneapolis, MN 55403

Permit Number: **CUP 24-01**
Hearing Date: March 6, 2024

Property Address: 9141W Upper A Road, Hayward, WI 54843
PRT NESW Lots 1 and 2, CSM 12/135 #2944

The Conditional Use Permit described above has been recommended for approval subject to the following conditions:

1. The CUP is issued *only* to add a deck (20'3"x8'11") to enable wheelchair access on the south (lakeshore) side of the existing non-conforming dwelling per Section 16.0 (Part II) of Ordinance 17-88.

2. An approved shoreline mitigation plan is created and commenced by **August 31, 2025**, which includes the following:
   a) Property owner shall re-vegetate shoreline in accordance with Section 17, Part II of Ordinance 17-88.
   b)The Town's Zoning Administrator shall review and approve the proposed mitigation plan.

3. The landowner consents to periodic inspections by the Town of Spider Lake's Zoning Administrator (ZA) or the ZA's designee.

4. 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 landowner or successors will disclose the existence of the CUP to any prospective buyers.