

SPECIAL JOINT TOWNSHIP BOARD & PLANNING COMMISSION MEETING
SPECIAL PLANNING COMMISSION MEETING
April 18, 2016
5:30 PM

Meeting called to order at 5:30 p.m.

Present: Town Board: **Rosi; Witkop; Weatherholt; Hoffman; Byron; Avery;**

Planning Commission: **Serocki; Hornberger; Leak, Chair; Couture; Peters; Wunsch**

Also present were **Claire Schoolmaster**, Planning and Zoning Coordinator; **Michelle Reardon**, Director of Planning and Zoning and **Mary Ann Abbott**, Recording Secretary

Absent: Correia (excused)

Approve Agenda:

MOTION: Serocki/Peters to approve agenda.

PASSED UNAN

Brief Citizen Comments – for items not on the Agenda

Britt Eaton, 1465 Neahtawanta wanted to refresh everyone's memory that there was an item scheduled on the agenda three meetings ago that dealt with the Project 81 and what Judge Rodgers' said to bring before the Township and citizen's to resolve. That agenda was changed and the item that did appear dealt with the sewer system and the bond. We need to make sure that that Project 81 get's back on the agenda and addressed as Judge Rodgers suggested. **Leak** believes that the Planning Commission has heard this matter and it has been referred to the Town Board. *Reardon* Scheduled for May 10th Town Board meeting.

Conflict of Interest

Rosi asked the question at the last meeting if she (Rosi) had a conflict of interest regarding the division regarding the property that their three daughters have. When it comes up in the conversation tonight she will recuse herself from this one issue and speak as a member of the audience.

Hoffman we had a request from a Town Board meeting. A Joint meeting will be for all boards to attend to discuss conflict of interest, social media and code of ethics.

Consent Agenda for Planning Commission

Any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion.

1. Reports and Announcements (as provided)
2. Correspondence (as provided)
3. Meeting Minutes

March 21, 2016 5:30 PM Special Meeting and 7:00 PM Regular Meeting (recommend approval)

Serocki Corrections to March 21 meeting at 5:30 under also present: should read Claire rather than Chair. At 7:00 page two it should read: It is the intent ~~what~~ that. **Peters** submitted corrections to the secretary that will include use of the word assumptions rather than presumptions on page 2 Master Plan Review.

Avery was present at the 5:30 portion of the meeting as well as the 7:00 p.m.

MOTION: Peters/Serocki to approve minutes with corrections.

PASSED UNAN

Rosi did prepare a Report to the Planning Commission from the Town Board. It did not get in this packet and so Rosi read the report.

Wunsch did not have a report as the Zoning Board did not meet.

Business

Joint Township Board & Planning Commission

1. Peninsula Township Zoning Ordinance DRAFT Articles 1-7 (Discussion)

Reardon provided introduction. This is the bulk of the ordinance and *Patrick Sloan* is present to assist in the review. Staff has reviewed twice. It has been on the website for the public. This document is currently in front of the Attorney who will provide written comment.

Patrick Sloan, McKenna On March 21st the Planning Commission reviewed the outline of the document and made comments.

Began review with the cover letter and with explanation of Article One: Title, Purpose and Scope. No discussion on this Article.

Article Two: Definitions

* Accessory Building or Accessory Structure

Discussion by boards on the reason that water could not be allowed in accessory buildings. Also felt not unusual to have stool and sink in accessory garages. Concerns about Granny Flats. Enforcement of no two dwellings on a lot. Thoughts on bathroom on first level only in accessory building. Needs to be spelled out so there is no confusion. Staff will relook at this item.

*Adult Foster Care, Family Home and Adult Foster Care, Small group home

Sloan Definitions regulated by State Law

*Basement

Illustration to be added.

*Building Height

Skipped to page 2-4 and discussion on how to measure the definition of height. Consensus of Board is that buildings be measured to the peak. Do we present the Peninsula to the public from the water? Staff needs to talk to attorney and see what this does to non-Conformities. Further discussion on what 2 ½ stories would consist of and no more than 35 feet to peak. Board would like to discuss this again at a future date. *McKenna* will supply other options of measuring. *Sloan* feels that this will guide the board on the basement issue as will.

*Bed and Breakfast

Updated to be consistent with the Amendment #190. Has not been seen by the Town Board. Current recommendation is as written in the Zoning Ordinance. **Hoffman** is very opposed to increase to 5 rooms and events such as dining in the vines. **Byron** does not feel that board has not had enough public input from opposing public. *Reardon* would like to have Public Hearing on Amendment #190.

Both Boards would like to hold additional meetings to review the Zoning Ordinance Review. Consensus of the Board is to meet again on April 26th, May 3rd and May 9th from 6:00-8:00 pm.

Reardon An Ordinance is living document and we should expect to have changes. It must be adopted to be enforced.

* Boat Livery

No additional discussion

*Building Elevation or Building Width

Reardon Building has to be 24' along all sides. More discussion wanted on this point

MOTION: Byron/Weatherholt to adjourn Town Board Session of the meeting at 7:16 p.m.

PASSED UNAN

Planning Commission Only:

1. Zoning Ordinance Amendment #190 (Discussion)

MOTION: Couture/Wunsch to recuse Rosi from this agenda item.

Peninsula Township Special Joint Meeting

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Town Board & Planning Commission

April 18, 2016

PASSED UNAN

Reardon in 2013 the boards talked about private roads. The decision was to force improvement when there was a definite need. The property owner would be responsible for this update to the roads. Now we may need to drop this from Amendment 190 as one single split will force improvement, and this was not the direction the boards originally wanted to go.

Leak Who is responsible to look at these frontage roads? Large-scale developments are looked at by the Fire Department. Individual homes are not reviewed, and now if the road meets right of way requirements the road can continue to be used.

Peters would like to hear of the experience that Board member Rosi has run into.

Rosi(as member of the audience) has 450 feet with a heavily wooded lot of about 11 acres and a cabin. They have deeded the land to their 3 daughters. There are deed restrictions and road maintenance agreements. The property is remote and to require an engineered road for ¾ mile is unusual, and there is no interest by the neighbors in having an improved road. There may be other properties unique such as this.

Reardon Right now if the right of ways existed and has been used and it meets our Right of Way requirement it can be used. This band-aid amendment is giving us more unintended consequences that we expected.

Consensus of the Planning Commission is to not move forward with this language as part of Amendment 190 section 7.10.11

MOTION: Couture/Wunsch to not approve with this section of Amendment #190.

PASSED UNAN (Rosi recused)

MOTION: Couture/Wunsch to un-recuse Rosi and welcome her back to the meeting.

PASSED UNAN (Rosi recused)

2. Master Plan 5-year review (Discussion and potential decision)

Reardon pointed out the data that is in the packet for use in review of the 5-year plan. Asked Planning Commission to look at Page 3 of the 5 -year plan review and the 12 questions to see if we need to make changes to the Master Plan. Great spot to start discussion and facts are still being gathered.

Peters offered to meet with others and go through data to see what changes have occurred since the last Master Plan.

Discussion continued on areas that might need attention. *Reardon* Really need to determine that our Master Plan is still the guiding document. That is the reason behind this exercise.

Suggestions led to meeting that will be scheduled and published so that anyone can come. First meeting will be April 28th at 8:00 a.m. Only agenda item will be Master Plan.

3. SUP 32 2nd Amendment, Bowers Harbor Vineyard (recommend table)

4. SUP 125, BHV Dining in the Vines (recommend table)

Reardon still at the table talking to us. Recommend no action at this time.

MOTION: Hornberger/Wunsch to untable Business items #3 and #4 regarding Bowers Harbor Vineyard.

PASSED UNAN

MOTION: Hornberer/Wunsch to table Business items #3 and #4 regarding Bowers Harbor Vineyard to the next regular meeting.

PASSED UNAN

Citizen Comments

Britt Eaton, 1465 Neatawanta would like to volunteer for citizen input to the Master Plan. Also there are local publications that could help get information to the area citizens.

David Tuttle, 13129 Bluff is hearing positive things from this board. Urges meetings to be set at time so that Planning Commission can get input from younger people. They are the future of this Peninsula.

Nancy Heller, 3091 Blue Water Road is disappointed especially in the first session. Agrees that all boards and commission should be heard. McKenna tasked to complete in one year. Strongly suggests that you hear what is said, take a vote and move on.

Margaret Achorn, 11284 Peninsula Drive regarding diagram of measuring height. This is not always waterfront. Those definitions are very important. You must clearly define. Critical later on.

Board Comments

Peters Bonobo planted pumpkins as their vines. Do they need to have wine? *Reardon* They have to process on site in order to have guest activities. They have indicated that they will provide proof. **Serocki** not approved for current activities
Reardon No

MOTION: Hornberger/Wunsch to adjourn at 8:19 p.m.

Respectfully submitted by Mary Ann Abbott, Recording Secretary