

**TOWN OF CABLE PLAN COMMISSION
MEETING MINUTES
JULY 7, 2020**

1. Call to Order

The regular meeting of the Town of Cable Plan Commission was called to order by Chairperson Thurn at 5:30 pm on July 7, 2020 in the main assembly room of the Cable Community Center.

Present: Chairperson Susan Thurn, Commissioners Kristine Lendved, Monte Lewis, Tony Merrill, Shelly Wilson, Andy Schwartz, Secretary Jeannie Dixon and members of the public.

Excused: Kathy Zuelsdorff

2. Chairperson's Remarks

Thurn announced that regretfully Chairman Karl Kastrosky's resignation from his position has been received. She thanked him for his years of service and contributions made to the Plan Commission. Town Chairman Rondeau has appointed Thurn as interim Chairperson through August. She also introduced Andy Schwartz and welcomed him as a newly appointed Commissioner who will then take over as Chairman in September. Schwartz has experience as the Assistant City Planner for the City of Mequon and with the SE Wisconsin Regional Planning Commission, and holds a Master's Degree in Urban Planning.

3. Approval of Agenda

Thurn suggested that **Item 15 Land Use** be moved forward in order to accommodate members of the public who were in attendance for that topic. **Lewis made a motion to approve the Agenda as revised which was seconded by Wilson and carried unopposed.**

4. Approval of Minutes – June 2, 2020

Upon review there are two changes needed to the June meeting minutes. Lendved pointed out that in **5. Public Input section** the location of the pedestrian crosswalk is incorrect and should be changed to “extends across Hwy M from the *Museum* to the Church *parking lot...*”. In addition, Lewis stated that in the **6. Land Use section, Item a.** the address for the Walters Class A Special Use Permit should be changed from 16905 to “16095 Hwy M”. **Lendved then made a motion to approve the June 2, 2020 minutes with stated changes. Motion seconded by Lewis and carried.**

5. Public Input

a. There was a request from the floor by Tom Frels to make the minutes of the Plan Commission meetings available within 5 days of the meetings. Thurn and Schwartz responded to the request by explaining that the minutes can only be released to the public after they have been approved by the Plan Commission. Therefore minutes are made available on the website after they have been approved by the Commission at the following month's meeting.

b. Question from Jack Radecki concerning the location of the crosswalk in the aforementioned Item 4 – as to if Lendved was requesting the crosswalk be moved since the Town was planning to repaint lines on Co Hwy M the next day. The Town should go ahead with painting current crosswalk location.

c. Paulette Frels asked for an update to the Runamuk Rides LLC Conditional Use Permit request which was considered at last month's meeting (Item 6.d Land Use) since she had been contacted by Kathy Zuelsdorff for some historical background information. Town Board member Jack Radecki who was present at the meeting stated that there was an approved motion at the last Town Board meeting to deny the placement of a new LP gas tank at the site.

6. Land Use

a. **Leroy M. and Samantha Walters Class A Special Use Permit request, 16095 Hwy M, Robert Walters Agent.** This request was taken up after being tabled for further information at the June meeting. Agent Robert Walters was present and took the floor to provide additional information and answer questions. He explained that the RV is a 5th wheel travel trailer which he wants to bring in to the property; it will not be used as a short term rental and that he holds the title to the RV. When asked by Lewis how far the RV will be from the lake, Walters stated 75'. Thurn asked about status of the driveway which crosses another individual's land in order to access the parcel. Walters stated that he does have an easement to cross. Merrill stated that there are questions as to whether the driveway ordinance applies in the case of an "unimproved path". Thurn then reminded Walters that he should be prepared to provide the Town Board with information regarding the intended ingress and egress to the property and where the parking will be.

When Thurn asked to confirm that the septic system and connection will be maintained so there is no waste spilled above-ground, Walters said yes and that a new cap is being installed on the pipe. In response to questions from Lendved, Walters agreed that he is willing to move the RV off the property seasonally and is open to a stipulation on the permit that he will do so. He also stated there are no covenants on the Lake. Walters stated that the RV will set facing North/South on the slab. Lewis stated that the permit is valid for one year and then cited the relevant section of Chapter 1 of the Bayfield County zoning code that states that "The RV shall be permitted to be used for temporary dwelling purposes for an aggregate time period of up to four(4) months per calendar year....." .

Jack Radecki asked if the Town has addressed the RV issue before? There was a general discussion among meeting participants and Thurn stated that she did not recall that it has come before the Town of Cable Board since the ordinance was put in place.

Sam Borsellino referred to the site plan of the property and stated that he felt that the County should be involved in the decision making process. Thurn stated that the County Zoning representative has visited the site and flagged the 75' setback which ends up in the middle of the slab. Borsellino said he had other concerns with the situation including storage. Thurn responded that with a Special Use Permit recommendations can be made to the Town for conditions that have to be met along with the issuance of the Permit. She also stated that the Permit applies only to the RV that is listed on the Permit application. Merrill stated that if owner does not follow the rules the permit can be revoked.

Following further discussion among the Commission members, **Lewis made a motion that based on the permit application and the Land Use Plan requirements we recommend approval to the Town Board pending review and conformance to the Driveway Ordinance. Motion was seconded by Commissioner Wilson and carried unopposed.**

Following the vote, Chairperson Thurn advised Robert Walters to attend the upcoming July Town Board meeting and also the subsequent Bayfield County Zoning Committee meeting. In addition, there was further input from Borsellinos stating concerns that people other than the property owners have been using the property. Chairperson Thurn thanked them for their additional information and encouraged them to bring their concerns to the Town Board in the form of requests for stipulations and conditions on the Permit.

(Item 6 Land Use, cont'd)

b. Deer Feeding Ordinance in Section 18. Chairperson Thurn stated that Town Board Chairman Brett Rondeau has asked the Plan Commission to review this matter and draft an ordinance. The Town is looking into deer-vehicle collisions, concerns about human health risks from deer feces, and numerous complaints about deer population and damage to public property including gardens, ornamental trees and shrubs. Thurn provided a draft ordinance dated 7/6/2020 and a map of Section 18 made available to members and the public present to review. Following review suggested edits were:

1. Add the word “corn” to Section 1(b) list of types of feed
2. No fine for first offense, but rather a written warning, before fines start
3. In Section 1(b) remove “...in an aggregate quantity of greater than one-half gallon.” Sentence would end after “deer suckers.”
4. In Section 1(c)2. Remove “...unmodified commercially purchased....” .

To the question of who enforces this ordinance, Thurn stated that it is the Town Chairman or the Law Enforcement Officer Kevin Johnson. The question was also asked as to “What is to stop someone from planting a small feed lot in their back yard?” The Commission does not have the power to regulate that matter, it would be subject to DNR regulations.

David Popelka stated that he owns 60 acres of property in Section 18 where he would like the option of feeding the deer and proposed that the ordinance cover the Sanitary District overlay area instead of the entire Section, exempting the larger land parcels that skirt the Town. Tom Frels spoke against changing the boundaries and felt it should cover the entire Section so that it returns to its original natural state.

Scott Gooler brought up the Resolution that was made on this matter in 2019 and asked if the Town feels they implemented everything in the resolution? He reminded the Commission that the matter was reviewed by the Town on March 21, 2019, and that the public voted on a voluntary feeding ban and requested education and public meetings before instituting an ordinance. The Town Board was directed by voters to act on the Resolution and so far it has not been done. Gooler also shared some data regarding deer habitation stating that the core area for a deer is 750 acres and can range to 2-3 miles, making the point that controlling deer feeding in Section 18 would not be enough.

Following further discussion by the Commission members as to options for moving forward on this matter, **Andy Schwartz made a motion to table the ordinance in favor of taking the actions as identified in the Town Board meeting of March 21, 2019. This motion was seconded by Tony Merrill and carried.**

7. Intergovernmental Cooperation

- **Lot Sizes in the Town of Cable / R-4 zoning within Sanitary District boundaries.**
This issue has been on the table for discussion at previous meetings and Thurn asked David Popelka to explain the matter further in order to help Commission members and the public understand it fully. Popelka stated that the primary reason to move to R-4 zoning rather than the current R-1 zoning in Section 18 is to allow for greater density of residential housing in an area that is served by a wastewater treatment facility. The Town of Cable Sanitary District #1 was formed in 1999 and became operable in 2004 which is when R4 zoning was first considered. Areas for R-4 zoning were identified on a plat map which was subsequently allowed by Bayfield County but has never been officially applied to the Zoning regulations. The County has no records of the Town of Cable 2004 request.

Since a greater density of housing is allowed in the Cable Sanitary District the zoning needs to be corrected at the County level. Currently R-1 zoning requires a 30,000 sq ft lot size to build a single family residence, whereas R-4 zoning in a “Sewer only” district requires 15,000 sq ft. With R-1 zoning a duplex requires 60,000 sq ft. and a multi-family apartment building requires 5,000 sq ft. In the platted area there are about 20 vacant lots with more on the outer perimeter and very few of them meet R-1 zoning requirements of 30,000 sq ft.

The goal is to convert the current R-1 zoning into R-4 zoning in the Cable Sanitary District, in order to allow someone to build a home on a smaller sized lot should the need arise. Currently a new owner/builder would have to submit an application to the County to have the property rezoned. To individually have a lot rezoned to R-4 would cost about \$1,000 via the Bayfield County zoning regulations. What is proposed is for the Town to administratively take care of the rezoning so that homeowners do not have to do it themselves. Andy Schwartz posed the question as to if there is a downside to taking this issue to the County Board and also if there are any negative effects for any existing homeowners. It was pointed out by others that with changes going on at the Telemark property more housing may be required in the future.

When discussion was completed, **a motion was made by Schwartz to table this agenda item in favor of information gathering by the Cable Town Clerk to explore the proper administrative steps required to make this rezoning action happen. Lendved seconded the motion and it carried unopposed.**

8. Cable Tomorrow/Comprehensive Plan updates and projects

- **Connect Communities Update** – Thurn reported that the group continues to meet every month and provided a list of recent accomplishments which includes:
 - Development of a Covid-19 resource page on Town website
 - Planting of flowers and plants in the downtown area complete
 - Reusable bags – All four towns supported the project this year in addition to local businesses. The bags will arrive at end of July and cost kept down at \$2.00 ea.
 - Walking map in process of being updated with changes in the downtown business core. Research being done on historic buildings that can be identified on the map. Funding approved for a large map at a kiosk downtown.

-Group is working on the design plan for the two Cable entry signs at north and south entry points to town.

-Next Connect meeting is scheduled for Monday July 13, 4:00 p.m.

- **Updates to Recreation Plan and/or Comprehensive Land Use Plan** – Kathy Zuelsdorff had provided the members with a draft of “Possible Comprehensive Plan Amendments to Incorporate Recreation”. Following review there was one minor edit suggested by Lendved to change wording on Page 2, first paragraph to read “Encourage organizers of new and existing recreational events to plan and coordinate events to *align* with local business needs, as well as *comply with* public safety and emergency medical standards”. **Lewis then made a motion to approve the amendments to the Recreation Plan to incorporate it into the Comprehensive Plan subject to Lendved's edit. Motion seconded by Schwartz and was unanimously approved.**

9. Transportation

- **Cable Union Airport (3CU) Update**
 - FAA had expressed concern with the height of trees bordering the airport which triggered an Environmental Assessment. A survey was done of trees encroaching into the airspace. The EA will allow the airport to formally pursue cleaning up the airspace with the help of the WisDOT and the FAA. The services of Cooper Engineering will be obtained to perform the work.
 - In September 2020 the airport will finally meet requirements for entitlement funding based on the number of aircraft at the airport. This means that other projects can move ahead, including acquiring new equipment, looking ahead to building a new terminal, repairs to the runway, etc.

10. Other Issues

- Chairperson Thurn noted that Jeannie Dixon had provided an update to the Comprehensive Plan Proposed Amendments worksheet for the members to review. This is with a view toward getting to work on the Public Hearing process required in order to update the Plan with amended language.

11. Housing

- David Popelka provided an update on this topic stating that the Chequamegon Housing group is still meeting regularly and has the 2nd draft of the household survey done. Survey should be ready in about 6 months. It will be mailed to every address in Ashland and Bayfield counties.

12. Next Meeting

The next meeting of the Town of Cable Plan Commission is scheduled for Tuesday August 4, 2020 at the Cable Community Center

13. Adjournment

Commissioner Thurn adjourned the meeting at 8:05 p.m.