

Liberty Grove Plan Commission
Meeting Agenda Wednesday October 12, 2011

Time: 7:00 PM

Place: Town Hall

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 9/14/11
5. Public input
6. Grandview acquisition—referral & report pursuant to Town Ordinance 1-02
7. Consider text amendment to DC Zoning Ordinance, Sec. 2.05(3)(a) which prohibits vegetable and cheese processing in HL zoned areas
8. Budget request for 2012—consider request to finance committee
9. Correspondence
10. Future meeting dates
11. Adjourn

* Deviation from posted order may occur—A Quorum of Town Board Members may be present but will not be taking action as a Town Board*

Audience members must ask for permission, during public input, to speak on topics they wish to address

Oct 12 11 Plan Commission narrative

To: Plan Commission

From: Bud

Attached find:

10/12 PC agenda

9/14/ PC minutes

6. Ordinance 1-02 Sec. 7 requires a report from the PC on park acquisition
7. The table of uses in the Zoning Ordinance on page 16 has footnote 5, which prohibits vegetable and cheese processing plants in HL zoned areas. It has been called to my attention that someone is investigating a land purchase for which they wish to raise goats and make cheese. This prohibition seems strange as this area was primarily agricultural before the swing to resort and out of area landowners. The Commission should take a look at this and could recommend a text amendment if so desired.
8. 5 non board members at 24 meetings a year times \$35 equals \$4200/year for per diems plus little if any for other expenses.

Liberty Grove Planning Commission Minutes from Meeting of September 14, 2011.

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 8/24/11
5. Public input
6. Application for conditional use permit—addition to vacation home at 1084 Wagon Trail Rd, Arthur & Barbara Bartsch
7. Application for variance—addition to MOD unit with increase to 23 bedrooms for development at 755 Plum View Ln, Dennis & Mary Garde
8. Budget request for 2012—consider request to finance committee
9. Correspondence
10. Future meeting dates
11. Adjourn

Chairman Goss called the meeting to order at 7:00 PM. Also attending: Commissioners Miller, Kim Shumway, Peter Sauer, Kate Houston, Paul Flottman, MK Shumway and Clerk/Administrator Kalms. Also F. Forkert, Dennis Garde and Randy Kasten.

Miller/Shumway to adopt the agenda. Carried 7-0.

Flottman/Goss to approve the 8/24 minutes. Carried 6-0-1, MK Shumway abstaining.

Public Input. Garde to speak on his topic.

Bartsch Conditional Use. Additions to the MOD at Wagon Trail require a CUP. Randy Kasten said he may be the builder. Houston noted the garage is parallel on one drawing and at an angle on another. Goss moved, Sauer second to recommend that the Board support the CUP for Bartsch. After discussion regarding the support of the condo association, Sauer withdrew his second. Goss moved, Houston second to recommend that the Town Board support the Bartsch application on the condition that verification is received that the condo association is in favor of the CUP and structural improvements. Carried 7-0.

Garde Variance. Dennis Garde spoke for his project: he is not changing the footprint; the side yard has not been in compliance; was there prior to zoning; many homes in the area are less than the 65 foot setback; this is a MOD with 11 buildings on the property; the number of bedrooms are at least twice the 6 bedrooms per acre requirement; his increase in bedrooms would amount to 4.5%; it will be a seasonal home—they come up occasionally in winter; beds will be moved upstairs from a lower room; there will be no closet, no door, with a rail and opening to the space below. MK Shumway said she does not consider this a bedroom with no closet and window. Houston said zoning classifies it a bedroom; she noted variance criteria which says that if there are prior variances then future variances should be turned down—you can argue that they have already had minimum relief. Garde said he was not the owner when the prior variance was given; he is also adding a solar thermal system on the roof to take care of a majority of the heat load; electric heat is being removed and insulation enhanced. MK Shumway noted these situations/philosophy is to take unallowed uses out of existence. She feels the 3 criteria have been met and supports the variance. Goss is not in support as zoning is not considered a unique limitation of the property; harm to public interest—would you be pumping the holding tank more often; hardship—is it an unnecessary burden to not have another bedroom; SF30 zoning would have a lower density than SF20—are already at 200%; the setback is a dimensional standard; the density is nonconforming. Garde said the owners won't go away, as seems to be the intent of variances. Goss said that is being discussed at the Board level. Houston noted the house seems to be "squeezed in" and questions the tower to add a third bedroom. Garde felt this would be easier to do if he was not surrounded by SF30. Flottman noted 2 issues: the setback remains the same, and the increase in density is not significant enough; the hardship is where this is located, and not just physical limitations; felt all the elements are satisfied.

Sauer agreed—this was developed prior to zoning and restrictions; is a good presentation. Sauer moved, MK Shumway second that the Town Board support the variance for Garde. Vote: Aye—Sauer, Flottman, K. Shumway, MK Shumway. Nay—Miller, Goss, Houston. Carried 4-3. MK Shumway wondered if the Board should look at this for re-zoning. Houston noted also that the variance guide says that if there are many variances being turned down in an area the zoning should be looked at.

2012 Budget. Figures will be presented at the next meeting.

Next meeting will be October 12 at 7 PM with agriculture accessory buildings on the agenda.

Miller/Flottman to adjourn. Carried 7-0. 8:00 PM.

DRAFT