

Keweenaw County Planning Commission
Regular Meeting
Minutes – July 30, 2013

Keweenaw County Courthouse 6:00 PM

Roll Call:	Jon Soper, Chairman	John Parsons, Vice Chair
	Ned Huwatschek, member	Richard Schaefer, member
	Steven Siira, member	Jim Huovinen, member
	Tom Hall, member	
	Ray Chase, Commissioner	Ann Gasperich ZA

All members were present.

The Pledge of Allegiance was recited

The agenda was approved M/S/P John/Steve/All

Jon Soper opened the public hearing to receive comment regarding the possibility to rezone the Town of Eagle River Plat RR-C to RS. He stated that due to an advertising issue, no action can be taken at this meeting.

Jon projected the 2002 land use plan and stated that the zoning cannot be changed in a direction different from the land use plan. In 2002 Eagle River was listed as RR with RS along M-26. RRB defines 60' lots, RRC defines 40' lots. This meeting is to look at the possibility to rezone to Resort Services. He went on to say that we cannot spot zone nor can we create any more small lots. He spoke to what is allowed in Resort Residential and what is allowed in Resort Service with the assistance of slides. He then asked if Eagle River should be rezoned, and began the public comment.

Public Comment -- Property Owners within Eagle River **

Jim Vivian said that rezoning had been bantered around for a number of years. In the past M-26 was changed to Resort Service. Eagle River is unique. It does not have enough room for parking. Rezoning is an attempt to come into compliance in order to maintain our businesses that are grandfathered legally.

George Riedell asked if the rezoning included the plat of Eagle River East? - No

Mary Long asked about the zoning prior to 1975? - One strip was Resort Service

Dane Christenson stated that he doesn't accept the overlay, and asked if we can zone out the Fitz & Treganowan? - can't spot zone

Jack Treganowan said Eagle River is a sleepy town and has been this way since I moved here. I can't see how we can open this up to the potential to have a McDonalds on the beach or liquor establishments.

George Riedell said rezoning is a short benefit to expand, it can't happen this way.

John Parsons said since Eagle River is a mixed use area, he thought Resort Service would be more compatible.

Eileen Swank of 7452 Main Street objected to opening the zoning up. She commented about spot zoning and carpet beggars. Her concern was a safe environment in the little village, the infrastructure is not compatible with growth. The community needs a sewer system and a new water system. Eagle River is a community for children.

Susan Rovano of 7442 E Main read from her letter as follows:

The move to RS-1 will remove barriers for businesses including hotels, motels, shooting ranges, laundries, tattoo parlors, steam baths, party stores, taverns and soup kitchens to operate without

Public Comments -- Please limit comments to 3 minutes, not to exceed 30 minutes in total.

*needing any further review. Presently, any business may apply to operate in the RR-C zone. Requesting a variance is provided for in the KCZO, allowing an opportunity to review the impact that the business will have **on infrastructure** (Will the city water supply be adequate? How will they deal with the sewage generated? Where will the patrons park?) the impact **on government** (Will the roads be adequately plowed all winter? Will extra law enforcement be required?) and the impact **on the surrounding community** (Late hours? Excessive noise? Aggressive patrons?). Through the existing variance process, the door is always open to improving the community. Changing the zoning classification to RS-1 is "taking the door off of its hinges"; eliminating review, and the opportunity for the citizens to provide input and for the board to weigh the impact of the change and to make the proper decision. There is no advantage to making this zoning change at this time. We ask that the Commission advise the County Board of Commissioners against this proposal.*

Doug Dawson of 5389 Lakeshore, Eagle River East commented about people are always looking for a change. We are a golden nugget – look at what happened to Fish Town, someone could get a permit to dredge and create a marina, I'm totally against RS.

Mark McEvers spoke to Eagle River having a great economic value, it is a gem/jewel in the context of the whole picture. We can't say we want to open the town to RS. It would open the door for a hotel chain, Keweenaw County will loose.

Jan Cole – on behalf of my brother, we don't want to see the sweet wonderful town to change, is there a space where a small business can grow? Where do we go for ice cream or soda if the store closes? how can we walk the line? What about a use variance?

Jon Soper stated that the Planning Commission cannot give a use variance. A request for a use variance would be made following the steps established in the zoning ordinance.

Bob Cole said, "I welcome the comments. It is a stunning & gorgeous town, I appreciate Eagle River for it. As a small town there is an opportunity for the right balance. My brother bought the property because he loved it. I am so pleased to see so many show up and to have this type of discussion.

Walter Barker said, "What disturbed me is that it looks all or nothing, if you open the door it never closes. I'm not opposed to businesses like we have now. I'm opposed to someone coming in, buying up and sprawl."

Chris Bryant, "I don't want to slam the door, can use permits be used?"

Dar Huovinen, "I purchased in Eagle River because it was zoned RR not to be changed to RS."

Gary Bays, "Quaint is not commercial, we all want quaint."

Gary Erickson, "what about the historic value of the town? The fuse factory, County Seat, we may lose historic value. Because it is a quaint place to live, we enjoy the quaint. Thanks to the folks for making comments, many of them I would have made. What can we do about the damn?"

Jim Vivian, "the damn is a separate issue. It needs it's own meeting."

Kathy McEvers asked that we read the letters.

Discussion ensued regarding a middle ground, some people in favor of expansion and to accommodate small business.

Mark McEvers stated, "we don't need to find a middle ground."

Ray Chase wanted to poll the audience regarding accommodating small business.

Polling the audience is not a portion of RRO.

Joan Sullivan, "I have been here 60 years, went to the one room school house, Dad built the house in 1951. Subtle change, take a look at the beach on a hot day, compare that to what could happen with a strip mall."

Mary Long asked, "Is business expansion allowed in RR?"

Ann Gasperich then read the letters –

Jan Cole spoke, "RS 1 is not the best way, it was not my intent to change Eagle River. I was asking questions about what we could do in regards to the septic. We want to use a building that has been here forever. We want to have a responsible plan."

Jon Soper Closed the public hearing.

Jack Treganowan spoke about the letter he received from Jan.

Gary Bays said, "Look at Eagle River Wisconsin, we all benefit from smart planning. It's the Planning Commission that needs to be responsible."

Jon Soper called for a short recess at 7:25.

Jon Soper reconvened the meeting at 7:28.

M/S to Approve minutes of June 18, 2013, Jim/Ned/Passed

Guests:

Bev Spehar was called upon as a guest. Her concern is her horse in Gay and overnight stays. She received a letter telling her she couldn't have horses on property less than 10 acres. The board asked her questions and discussed the ordinance.

Jim Spehar asked the Planning Commission if they had precedence over state law and the right to farm act?

Jon Soper commented about the overnight stays being alright. (on August 2nd, 2013 after contact with the Prosecutor, a letter was sent to Spehar's telling them they were incorrectly advised. They had two issues that needed to be resolved, keeping of the horse on less than 10 acres and the electric fence.)

Public Comments were heard from:

Chuck Junot asking the status of the campers? "Is my piece of heaven gone since I don't have five acres?"

Bruce Gariepy pointed to section 7.15 and said, "There is nothing here saying the trailer must go."

David White showed the Commissioners his letter and asked why his letter is different?

Chuck Junot said, "We have no place to move the campers. Consider a licensing fee or some consideration, a performance verification fee, something."

Philippe Arend said, "Albert Rowe said in Iowa they have a fee for campers."

New Business

No more than one travel trailer on five acres. – postponed

No more than two travel trailers on ten acres – postponed

Extend the 90 days to 180 days. – postponed

Review Temp Housing definitions– postponed

Review Temp buildings and structures– postponed

Review Organized camps and hunting camps– postponed

Writing a request for assistance to get fiber/DSL –

Jim Huovinen talked about DSL and getting it to Eagle River. Charlie or Jonathon Hopper will be contacted and asked to attend a meeting.

Splitting lots with existing structures

Ann has had a few requests regarding existing structures that cross over lot lines. The request is for the parcel to be separated back to the original. It has come up a number of times in the last few weeks. It was reiterated that the lots must be at least 6000 sq feet with a minimum width of 50'. If a dimensional variance is required due to nonconforming setbacks – then a non-use variance will need to be applied for.

Due to the lateness of the hour the balance of the agenda was placed on hold.

Unfinished Business

Letter regarding temporary structures

Update on Old platted locations on Waterfront (Ken, Steve, Alex)

Public Comments -- Please limit comments to 3 minutes, not to exceed 30 minutes in total.

Comments regarding Blue Print for Tomorrow
Accessory Structures & Boathouses

Zoning Administrator's Report

Correspondence

Public Comment

Jon Simula asked about temporary housing for his camper in Wyoming.

Commission Final Comments

Set public hearing for Eagle River for August 22nd, Thursday at 6:00 PM

Contact Mark Wykoff regarding temporary structures

Ask Marcia Bertoldi when she can address the Board.

Schedule Next Regular Meeting – August 27th, 2013, 6:00 p.m. Copper Harbor
(Due to scheduling conflicts the meeting will be at the Courthouse in Eagle River)

Motion to Adjourn at 9:02 PM