

Town Board/Planning Commission Meeting, October 7, 2009

James Parent called a joint Town Board/Planning Commission meeting to order at 5:04PM in the meeting room at the Town Hall. Present were James Parent, Robert Schultz, Barbara Anschutz, Dale Williams, Peter Jacobs, Douglas Smith, Gene Stanis, Kenneth Uhlhorn, James Schorer, Cal Oldenburg and 27 visitors. Dan Krowas was absent.

Clerk verified posting. Motion made/second Dale/Barb to accept the agenda. Carried.

Consideration of John Armbruster's request to change parcels 002-03-18302842G and 002-03-18302842A, located on County Road F, from "residential" to "commercial" on the Smart Growth/Comprehensive Plan Future Land Use Map – The parcels in question are currently zoned Mixed Use Commercial and have been for close to 20 years. On the Smart Growth/Comprehensive Plan Land Use Map, not the zoning map, the parcels are shown as residential. Anything that is zoned Mixed Use Commercial can be used as residential or commercial. Mr. Armbruster's concern is that on the 2025 land use map, it shows the parcels as residential and if, in the future, he wants to do something commercial on those parcels, someone may come back and say that on the future land use map it's shown as residential and cause him some problems in trying to use it the other way. Due to the sensitive nature of this decision, the Town contacted Mariah Goode at the County, to make sure everything is spelled out for us. She gave us two options. Mariah's letter is available in the Clerk's office upon request.

John Armbruster spoke and stated that he's terribly concerned that if there's a discrepancy between the land use map and the zoning map, it's going to raise an issue if and when he applies for a special use permit. The zoning is there, he'd just like to get everything consistent. John thought this issue was already resolved in 2006, until he saw the new land use map and it still showed as residential. As an aside, the difference in value between commercial and residential is considerable. Jane Pluff, the Town Clerk in 2006, had stated that Mariah had lent credence to it being a mapping error. Cal stated that issue did come up in a meeting at the Planning Commission level and it was supposed to be taken care of. It cannot be changed on the Town of Baileys Harbor maps right now, but it can be changed on the County maps. The Town would have to change it in the future, by following proper procedures to alter the Smart Growth plan.

Bill Jacobs spoke and stated that there is a designation for mixed use commercial/residential. He feels that would be the appropriate coding for the map. He would also suggest to use the term "correction" rather than "change."

Motion made/second Dale/Bob to write a letter to the County, being very specific, to make sure the current use and the potential future use remain congruent based on the County's map. Carried. This will be submitted to the County Board and will be part of the public hearing at the County on October 27. Jim will write the letter and word it carefully and then follow up with Mariah.

Motion made/second Dale/Barb to adjourn at 5:25PM. Carried.

These minutes are subject to correction at the next regular monthly Town Board meeting.

Douglas Smith
Town Clerk