

**TOWN OF BASS LAKE
SAWYER COUNTY
PLANNING COMMITTEE & BOARD OF SUPERVISORS
Thursday, April 2, 2015**

MINUTES

Chairperson Mark Olson called the meeting to order at 6:33 pm. Members Present: Chairperson Mark Olson, Phil Nies, Dorothy "Doc" Brueggen, Helen Chevrier, Dan Tyrolt, Mark Lastrup and Dick Theis. Members Absent: Joel Valentin.

Clerk Warshawsky affirmed agenda was posted in compliance with open meetings law.

Motion by Nies, seconded by Lastrup to approve the agenda with the additions of "Public Reserve Strip Violation" and "Public Reserve Strip Proposed Ordinance" under New Business and "Post View Shed Update" and "Williams Road Update" under Old Business. Motion carried.

Motion by Tyrolt, seconded by Lastrup to approve the Minutes of the February 5, 2015 regular meeting with changes. Motion carried.

Olson reported that correspondence was received from Sawyer County Zoning approving the Conditional Use Permit for Mike Neibert with the conditions recommended by the Town and approving the Conditional Use Permit renewal for Jonjak Cranberry Farms, Inc., c/o Randy Jonjak with the same conditions.

ZONING: None

OLD BUSINESS:

Olson reported the Board sent the Town of Bass Lake, Sawyer County Comprehensive Plan back to the Planning Committee to review input and changes. Olson went through and pulled out 38 pages of minor revisions. Changes outside the scope of the project (updating census information) were not made. Olson reported that there were quite a few typos and some items were missed that had changed from the last census. Discussion followed. Olson stated that the list of businesses is not all inclusive and that all changes deal with the census update. Although clarifications were made, the purpose of the project was to update, not to rewrite. Olson reported that the maps are from the County. Olson stated that Edmond Packee caught a number of things that were missing. Olson reported that Nies spent time with the Tribe and the County and Olson spent time with Northwest Regional Planning Commission. Discussion followed. Motion by Olson, seconded by Chevrier to approve changes and submit changes to the draft to the Board. Motion carried.

Olson asked Lastrup for an update on the street lights in Northwoods Beach. Lastrup stated that he hasn't done anything because he didn't feel like there was support. Chevrier and Brueggen drove on K at night and think it's fine the way it is. Olson said that he is open to looking at safety. Nies stated that he thinks it's ok. Olson suggested looking into updating at a later time to LED. Lastrup will research and report back. Theis asked if a survey had been done. Olson and Nies told him that it was in the back of the original Comprehensive Plan. Nies mentioned that in the survey northwoods atmosphere, peace and quiet were important. Discussion followed.

Nies presented that park model review update. Nies reported that a committee was formed to define park models with Tyrolt representing the Tribe, Nies representing the Sawyer County Lakes Forum, Kay Wilson representing the Town of Round Lake and Cheryl Treeland representing the Hayward Lakes Association.

Nies presented the Post view shed update. Nies will contact Rod Sabin regarding landscaping. The Highway Department can do the layout and Rod Sabin at North Star Landscaping can do the Planting.

Nies reported that the replacement benches will be installed at the Williams Road view shed.

NEW BUSINESS:

Public Reserve Strip Violation – Olson reported that four 80 – 90 year old red pines trees on the public reserve strip at Poplar and Dixon were cut down and are currently laying on the ice which is melting. The four red pines were in front of the adjacent property owner's bay view window. Highway Crew Chief, Truit Campbell received the complaint. Olson reported that Campbell spoke with Fred Ruedy, the owner's (Donna Ruedy) son. Olson and Nies also spoke to him. Nies reported that in 2012 Fred Ruedy claimed that he owned the property down to the lakeshore. Ruedy stated that he had papers, but he never produced those papers. Nies stated that there was a lawsuit in 1967. The suit determined that it is the Town's property. The decision stated that the 5 property owners who responded could keep what they already had on the property for its useful life. A stipulation letter is mentioned in lawsuit. Nies researched at the County (Clerk of Courts, Land Records and Register of Deeds) and Tom Duffy's office for the stipulations and his records prior to 1970 have been destroyed. Discussion followed. Nies said that this issue is turning into an every 3 year occurrence. Olson asked the committee what recommendations they would like to make to the Board. Nies stated that he asked Campbell and Town Chairperson Justin Hall what they wanted. Hall wanted to figure out the value and recover any losses. Campbell stated that there was nothing wrong with the trees that were cut down. Laustrup stated that if Town wanted to send a message, the Town could report Ruedy for timber theft. Olson said that we need to be careful and mentioned that the trees were cut within 35 ft. of the buffer zone. Olson asked Tyrolt for his thoughts. Tyrolt stated that if you willingly cut down a tree and don't anchor it down, you are responsible for any damage. The tree either needs to be anchored or taken out. Tyrolt suggested getting the trees off the ice and sell the timber because they are not going to serve a biological purpose. Nies recommended that Campbell take the trees and Ruedy replace the trees with four 14 – 18 ft. trees in a location approved by the Town. Chevrier suggested a penalty. Nies replied that the Town may charge for Campbell's time. Laustrup suggested charging Ruedy with timber theft (just cutting the tree is considered timber theft). Nies replied that charging someone with timber theft is a long and arduous process. Olson suggested writing Ruedy a letter along the lines of the letter to Scott Barnes. Theis asked if there is precedence. Olson answered yes and reviewed the Barnes violation. Olson asked if the Town should request that Ruedy plant four 6 – 8 ft. red pines. Tyrolt said that the Town should include a condition that trees need to be maintained for a number of years. Olson stated that the first priority is to remove the trees immediately. Discussion followed. Olson suggested recommending to the Board that Ruedy plant four 6 – 8 ft. red pines in a location approved by the Board with the condition that Ruedy is responsible for the 5 year survival of the trees and Ruedy will replace with the same if any of the trees die. Ruedy will also be responsible for the Town's expenses to remove trees, brush and repair any damage. Ruedy will also be required to remove personal property (wood pile, fire ring, etc.) from Town property. Additional ground cover (shrubs, native grasses, etc.) will be needed to stabilize the trees. Discussion followed.

Olson presented the draft Public Strip Ordinance. Olson and Nies worked on the draft and it was reviewed for legality. The draft is legally sound. Olson read the draft ordinance. Olson said that once the Ordinance is approved, a copy will be sent by certified mail to every legal owner of the 52 properties involved. Olson stated that the court decided that the public reserve strip is the Town's property and no there is no adverse possession. Discussion followed. Olson said that every property needs to be reviewed. Nies stated that Courte Oreilles has only 2 streets and Grindstone has 5 streets for a total of 7 streets. Olson suggested contacting Jesse Suzan for a quote to get the corners of each public reserve strip property marked. Discussion followed. Chevrier reviewed Section 5 (f) of the draft ordinance and asked 2 boats are allowed in the pier ordinance. Nies replied that 3 boats are allowed; 2 for the 1st 50 ft. and 1 more for the next 50 ft. Motion by Brueggen, seconded by Laustrup to send to the draft ordinance to the Town Board. Motion carried.

Nies presented the Town of Bass Lake Criteria for Consideration of Accessory Buildings on Vacant Land Divided by a Town or County Road Update. Nies reported that County Roads are being added. Olson stated that there are more applications involving County roads than Town roads. Discussion followed. Olson stated that Town has control. Discussion followed.

Motion by Brueggen, seconded by Theis to adjourn at 8:19 pm. Motion carried.