

**TOWN OF BASS LAKE**  
**SAWYER COUNTY**  
**PLANNING COMMITTEE & BOARD OF SUPERVISORS**  
**Thursday, July 5, 2012**  
**MINUTES**

Chairperson Mark Olson called the meeting to order at 6:30 pm. Members Present: Chairperson Mark Olson, Dorothy "Doc" Brueggen, Phil Nies, Dan Grothe and Mark Laustrup. Members Absent: Martha DeLong, John McCue and Steve Friendshuh

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

Motion by Brueggen, seconded by Grothe to approve the agenda. Motion carried.

Olson had minor changes to the June 7, 2012 minutes. Motion by Nies, seconded by Brueggen to approve the minutes with changes. Motion carried.

Olson reported that correspondence was received from Sawyer County Zoning denying the Taylor application due to lack of a majority.

Nies reviewed Planning Committee member voting guidelines. Last month, Friendshuh voted and should not have. Olson did not vote. Committee members are entitled to an opinion, but should not vote. So that there is not a question, rules need to be in place for the future. Laustrup asked how it would be handled. Nies said when you get the papers from the County, you should reclude yourself. Olson added that if you are named in the notification, you should reclude yourself. Everyone agreed.

**ZONING:**

Variance Application -- Andris Baltins etux. The NW ¼ SW ¼, S12, T 40N, R 9W; Parcel 3202. Doc# 287141. 39.36 acres. Property is zoned Residential/Recreational One. Application is for **Option A:** The construction of a 10' x 10' and a 16' x 36' addition onto an existing 15' x 18' dwelling with screen porch located 50' from the ordinary high water mark (OHWM) of Petty Lake. The proposed addition would be 59' at the closest point to the OHWM. **Option B:** The construction of a similar addition, the closest point being at 59' from the OHWM but would angle back further away from the lake. Olson presented the application. Olson reported that 2 letters were sent and 2 were returned with no objection. The applicant, Andris Baltins, was present and reviewed the history of the property. Baltins would like to add a bathroom to the existing guesthouse and add another bedroom. Baltins said that he also wants to build a roof made of earth with a permeable membrane surface. He said that there should be very little water running off. It will be a shed style roof. It's an experiment and the water would be running off 75 ft from the lake. Discussion followed. Nies asked if the guesthouse has power. Baltins answered yes and said that it's underground, but not sure if it is connected to the house. Nies said that he reviewed Option A and Option B and he has Option C. Nies said that no matter what you do, you are breaking into a wall. The Town and County are very protective of the Lake. Nies said he wants the whole structure 75 ft back and Baltins would still need a variance for Option C. Baltins explained the reasoning for Options A and B. He is looking to preserve the historical integrity and has spoken to architects. Discussion followed. Laustrup said that he has been on the Planning Committee for 3 years and the committee has never allowed anyone to build closer than 75 feet. Baltins said that preserving this historic structure is important. Baltins was told by architects that the structure would not survive a move and respectfully requests the committee to grant the variance. Olson asked why they couldn't go in the backside: it's used twice a year. Nies asked if Baltins was interested in Option C. Baltins said that it is not an option for him. Brueggen said they move old buildings all the time. Nies said the foundation is gone on the West side

where Baltins is planning to build. Discussion followed. Nies said that the committee has never done anything within the 75 feet. Further options were discussed. Olson said that he is struggling on the hardship. Nies said you can't use historic value as hardship. Discussion followed. Motion by Nies to take Option C seconded by Brueggen. Laustrup opposed. Motion carried. Applicant has accepted Option C.

Findings of fact:

1. There would be no change in the use in the zone district
2. It would not be damaging to the rights of others or property values
3. It would be due to special conditions unique to the property

Variance Application – Janice Majich. Lots 3-5, Block 23 1<sup>st</sup> Add. Abendpost Beach Sub. S31, T 40N, R 8W; Parcel -0300. Doc#337780. 0.207 acres. Property is zoned Residential/Recreational One. Application is for the construction of a 24' x 30' (26' x 32' with eaves) garage located 20' from the centerline of Court Oreilles Lake Drive. There are 4 other garages located in close proximity with centerline setbacks of 21', 22', 30' and 24' respectively. Olson presented the application. Applicant, Janice Majich, was present. Olson reported that 28 letters were sent. 10 were returned with no objection and 1 letter in favor (outside of the County letter). Olson read the letter from Terry and Joyce Clark. Majich presented her application. Majich reviewed her history. She wants to rebuild the main house in the existing footprint. Majich reviewed the project details and asked for questions. Nies said that when he looked at the property, he used what he had from zoning. Janice said that the garage is the same size. Discussion followed. Jay from Zoning measured wrong. The application and math discrepancies were reviewed. Carl Christensen, the builder addressed the Planning Committee. Discussion followed. Nies said that we need to get the numbers straight. Majich said they are flexible. Nies said that there is a lake set back and the applicant is now building closer than 75 ft. Christensen said that he will speak to Jay before Monday and straighten out the discrepancies. Discussion followed. Nies said the Planning Committee needs to take the application as presented and then present it to the Town Board and then present corrections. 20 feet is the request. Discussion followed. Motion by Nies to approve a garage located 20' from the centerline located on LacCourte Oreilles Lake Drive. The front of the garage can't be closer than 75' from OMM, seconded by Laustrup. Motion Carried.

Findings of fact:

1. There would be no change in the use in the zone district
2. It would not be damaging to the rights of others or property values
3. It would be due to special conditions unique to the property

Conditional Use Permit - Rick Rooney et ux. Lots 7 & \*, Block 6, Community Beach Sub. S30, T 40N, R 8W; Parcel -7.6.7&8. Doc# 378332. 0.138 acres. Property is zoned Residential/Recreational Two. Permit is desired for the construction of an approximate 12' x 20' accessory building on vacant property, to be used as a studio. The property owner's dwelling is directly across Grindstone Avenue. Olson presented the application. Olson reported that 19 letters were sent and 2 were returned with no objection. The applicant, Rick Rooney, was present. Rooney presented his application Rooney passed out drawings and pictures and described the structure. Nies apologized for the County Ordinance as written. Nies said you can't apply for a Conditional Use permit for an accessory building on a lot that does not contain a principal structure. The application needs to be denied as a Variance Application and a Conditional Use Application. The last time, the Town sent a letter. There is nothing listed for accessory buildings in R2. Nies read the letter from the last applicant. Nies said that Zoning knew this couldn't be done. Laustrup asked if there is a way to legally connect the lots. Rooney asked if it was possible. Nies said that he looked into it and it can't be done. You can build on the principal property. Rooney said the man from County said they could build on the area where the current septic field ends. Discussion followed. Rooney said that he has 7 lots and wants to use them and asked what needs to be done. Olson said he needs to put up a dwelling and needs 7 lots. Rooney said that there is a lot in between. Olson said he needs 7 continuous lots. Discussion followed. Motion by Nies to deny similar to Hafferkmorn's application with the same reasons and same letter, seconded by Olson. Motion carried.

Findings of Fact:

1. It would be damaging to the rights of others and property values
2. It would not be compatible with the surrounding uses and the area

Clerk Warshawsky left early and Nies continued taking minutes.

**OLD BUSINESS:**

Olson reported that the Town Board wanted the Planning Committee to review plan for Harvey Park. Nies distributed a hand out. Lengthy discussion followed with information provided to the public in attendance.

The bid for the Windigo Boat Landing parking lot is \$63,000.00 and the committee encouraged the Town to go forward with the paving.

Lastrup will review the park rules and will discuss at the next meeting. Benches will be placed at Post and Williams Road as soon as they are ready.

**NEW BUSINESS:**

Nies gave the NR115 update. There is nothing new to report at this time.

Lastrup confirmed that fireworks are not allowed at Harvey Park.

Motion by Brueggen, seconded by Lastrup to adjourn at 9:05 pm. Motion carried.