

**TOWN OF BASS LAKE**  
**SAWYER COUNTY**  
**PLANNING COMMITTEE & BOARD OF SUPERVISORS**  
**Tuesday, August 25, 2015**

**MINUTES**

These are the minutes of the Public Hearing for the purpose of reviewing the Town of Bass Lake, Sawyer County Ordinance Regarding the Public Reserve Strips Located in the Northwoods Beach Subdivision held on Tuesday, August 25, 2015 at 6:00 pm. Members Present: Chairperson Mark Olson, Dorothy “Doc” Brueggen, Dick Theis and Mark Lastrup. Members Absent: Dan Tyrolt and Joel Valentin.

Chairperson Olson called the hearing to order at 6:01 pm. Olson stated that the purpose for the Public Hearing is to review the Town of Bass Lake, Sawyer County Ordinance Regarding the Public Reserve Strips Located in the Northwoods Beach Subdivision.

Two Points of Order:

1. The hearing was not noticed for survey results, specific violations, removal decisions, etc. as the Planning Committee was not tasked by the Town Board to address those issues, it is only for the review of the proposed ordinance.
2. The Planning Committee is only a recommending committee, the Town Board makes the final decision on the ordinance.

Clerk Warshawsky affirmed that notice of the public hearing was posted in the August 12 and August 19, 2015 editions of the Sawyer County Record, on the Town of Bass Lake website, posted in 3 places and notices with the draft ordinance were sent to the adjacent property owners listed in the ordinance.

Olson presented the Statement of Planning Committee and Hearing Procedures:

- The public hearing will follow this order:
  1. Correspondence
  2. Reading of each section of proposed ordinance individually
  3. Public comment on proposed changes to the content in section
  4. Discussion and decision by the Planning Committee
- Those persons desiring to give pertinent testimony will be afforded the opportunity to do so within a requested 3-5 minute comment timeframe. As recognized by the Chairperson, that person will clearly state their full name before giving testimony.
- Orderly procedure requires that each person shall proceed without interruption by others. All testimony will be addressed to the committee and there will be no questions or arguments between individuals.

Correspondence - Olson reported that the Clerk received correspondence (4 letters) from the following individuals:

- Randy Wiederin
- Gail Castriota
- Michael Chwistek
- Edmond C. Packee, Sr.

Olson read all correspondence (on file).

### **Section 1. Purpose**

Olson read Section 1.

Town of Bass Lake Chairperson Justin Hall suggested applying the ordinance to all public accesses in Bass Lake, not just in Northwoods Beach. Hall also stated that he would like to get away from using Public Reserve Strip because there are public accesses, public access strips and access roads. Lengthy discussion followed.

Richard Laumer asked about recent legislation that states that zoning can't be more restrictive than NR 115. Olson replied that the proposed ordinance is not a shoreland zoning ordinance, the Town is self-imposing rules on their property. Lengthy discussion followed.

Olson called for a 10 minute recess at 7:50 pm.

Olson calling the hearing back to order 8:11 pm.

Olson presented the changes to Section 1 to the Planning Committee (to include all public access including public access strips). Discussion followed. Motion by Lastrup, seconded by Brueggen to approve the changes. Motion carried.

### **Section 2. Intent**

Olson read Section 2.

Olson stated that Section 2 needs to include all public accesses to go along with Section 1. Olson opened the floor for discussion. Hearing none, Olson turned the discussion over to the Planning Committee. Audience member. Kevin Horrocks asked to speak. Horrocks stated that 95% of the attendees are concerned with their structures and stated that there is a difference structures and fire pits, pipes, etc. Olson replied that the Town Board could create categories:

1. Items easily removed: propane tanks, wood pile, miscellaneous debris, etc.
2. Minor infringements: a corner of deck on public access – rather than grandfathering, something could be placed on the deed stating that life of a deck is 15 years and when life is reached or repair needed, it is to be rebuilt compliant.
3. Major infringements: Part of a house built on Town land - something could be placed on deed stating that if the house is to be remodeled, rebuilt, burns, etc., it has to be moved off the public access and made compliant.

Olson continued by explaining that these would be options to grandfathering and if public has suggestions on these three categories to send suggestions to Clerk Warshawsky in writing for Town Board. Town of Bass Lake Chairperson Justin Hall instructed Clerk Warshawsky to list types of violations on town web site to aid in suggestions. Discussion followed. Town Attorney Ward Winton stated that the Town is in the position of being the adjacent property owner.

Winton said that when he reviewed the ordinance, he noticed that it calls attention to the ordinances/ rules that exist. Lengthy discussion followed.

Motion by Theis, seconded by Brueggen to approve including all public accesses in Section 2. Motion carried.

### **Section 3. Location of Public Reserve Strips in Northwoods Beach**

Olson read Section 3.

Olson stated that Section 3 can stand alone as is. Descriptions were taken from the 1967 suit. Discussion followed.

Olson presented Section 3 to the Planning Committee with the suggestion that “reserve” be replaced with “access” if possible. Motion by Brueggen, seconded by Theis to accept Section with changes. Motion carried.

### **Section 4. Conditions of Use**

Motion by Brueggen, seconded by Theis to refer Section 4(A) to the Town Board for further instructions. Motion carried.

Olson explained that Section 4 (B), (C) and (D) refer to the statute. Discussion followed regarding whether or not Section 4 (B), (C) and (D) should be included. Horrocks said that he and Lastrup have been on the COLA Board and it is their experience that it is better to include the information. Chuck Gunderson questioned using the exact verbiage. Olson stated that it is taken from the ordinance at this time and added that the Town is self-imposing what they are going to abide by. Winton explained that part of the rationale is to have control; if the ordinance changes, it automatically updates. Leaving the verbiage in shows what guides the decision and it isn't automatically updated by someone else.

Motion by Lastrup, seconded by Theis to accept Section 4 (B), (C) and (D). Motion carried.

### **Section 5. Enforcement and Section 6. Penalty**

Discussion followed. Packee referred to paragraph 15 of his letter read during correspondence which suggested changing the wording change to up to \$500.00. Winton agreed with the change stating that it gives the attorney and judge the ability to bargain. Lastrup suggested changing the maximum amount to \$1,000.00. Discussion followed.

Motion to by Brueggen, seconded by Lastrup to refer Section 5 and Section 6 to the Town Board for further instructions. Motion carried.

Motion by Lastrup, seconded by Brueggen to change “reserve” to “access” in Section 5 and Section 6. Motion carried.

### **Section 7. Severability**

Motion by Brueggen, seconded by Theis to approve Section 7. Motion carried.

Motion by Theis, seconded by Brueggen to adjourn at 9:25 pm. Motion carried.