

Comprehensive Plan Committee Meeting – April 29, 2009

Posted Monday, April 27, 2009 at 4:00 p.m. at the Town Garage, Buffalo Bay Store, Tribal Administration Building, Peterson Foods and the Town of Russell website.

The meeting was called to order at 12:01 p.m. by Chairman Leon Basina at the Town of Russell Garage Meeting Room. Other committee members present were, Tessa Levens, Judy Meierotto, Sam Atkins, and Paul Tribovich and Clerk David L. Good. Bob Kent and Linda Brown were excused. Mike Darrow and Dan Jokeum of SEH and Doug Casina, Bayfield County Zoning were also present.

Alternate member for Tessa Levens, Ann Bowker was present and no members of the public were present.

Public Input – None.

A motion was made by Atkins and seconded by Meierotto to approve the meeting minutes of April 13, 2009. Discussion followed regarding the attachment. The motion carried.

Review Existing Town of Russell Land Use Plan – Darrow stated the Land Use Plan is the most significant portion of the Comprehensive Plan. He presented background on what has been done to date from the County Comp Plan. All information developed to date is on the website and Town specific information is also included which includes the Town of Russell. Levens inquired if the survey data collected is available by Town and Darrow stated it is. He stressed the survey is a tool and we had a 20% response rate. The survey is just one source of input and is not to be relied on as a definitive opinion of everyone in the Town and/or County. He discussed the meeting schedules and process that will be followed.

Darrow discussed how they developed the existing land use map and process they use. He reviewed the classifications to be used in the land use plan that were discussed at the Committees last meeting. By using these categories consistently across the entire County, we will have a land use map with the same meanings. Discussion followed that we do not eliminate Industrial classification even if we do not have it. Aerial maps and soil maps will be utilized as well as slope data to identify where development should or should not occur. Darrow presented us with a very first draft of an existing land use plan for the Town utilizing the new land use classifications. He requested that the Town review this map and provide input in the next several weeks. Jokeum stressed that this be a high level view and reflect existing use at a 160-acre view. Discussion followed about the Tribal lands as an overlay verses land use classifications. It was agreed that private property within the reservation needs to be classified for existing land uses since it is subject to Bayfield County Zoning at this time. It was agreed that the Tribal Boundary be depicted on the map and the land identified as Tribal land. Discussion continued on what and how the Tribe would have input to the land use within the reservation. Darrow stated that would be part of the Intergovernmental Section of the Comp Plan. It was agreed that the decision about jurisdiction of land use on privately held non-tribal lands within the reservation is not an issue to be addressed by this Committee or this Comp Plan. Tribovich stated the Tribe has their own land use and zoning maps for the Reservation and there are currently significant differences such as Lake Superior setbacks and lot sizes. Darrow stated he has copies of the Tribal plans. Discussion

followed regarding this issue. The Town and Bayfield County Zoning must follow the State laws. Situations where the Tribe has indicated a permit is needed from them, it is up the owner of the private land if they pursue obtaining the permit. The issue is between the landowner and the Tribe. Discussion followed about how to classify the existing land use.

Tribovich requested Darrow to get his schedule to the Clerk so we can establish meetings. Discussion followed and the schedule was agreed to as listed at the end of these minutes.

Timeline and Completion Schedule – Levens asked what the milestones are. Darrow stated the plan must be adopted by January 1, 2010. This means the Comp Plan must be done by the end of October to allow time for the public hearings and adoption by the Town Board and Bayfield County Board.

Darrow informed the Committee that a private group contacted them to do a master plan for their development which is Shadow Wood Landing and CFS, LLC. The plan would be done by other principals within the SEH firm. He wanted input from the Town. They have also informed the County of this request. Levens stated this is a conflict of interest. Atkins stated this is part of the litigation process with the County. Tribovich pointed out that the Town is not a part of that litigation. Tribovich stated it is not the Town's responsibility to tell them what and whom they can do work for. He appreciated the fact that the Town received full disclosure on this issue. Levens expressed concern that the Town residents asked the Town to rescind the zoning change. She believes the Town residents are against this development. Tribovich stated the Shadow Wood Development is what it is and the land use plan is not necessary a part of our effort. Basina stated SEH developing a plan has nothing to do with the Town Comp Plan development. Tribovich stated the Town decides the Comp Plan, not SEH. Darrow stated he and Jokeum would not be involved in the Show Wood plan development. SEH has 650 employees in total and others would be doing the work. Levens was still concerned that this is a conflict and that they would use all the information garnered from this Comp Plan process. Jokeum stated this is all public information available to anyone, even another firm if they did the work. Darrow stated SEH will need to make the decision and thanked the committee for their input.

Receipt and Acknowledgement of Ethics Statement – Committee members present signed and returned the statements acknowledging receipt and understanding.

SEH representatives left the meeting at this time and Linda Brown arrived.

Schedule for Public Participation Meetings – It was agreed that we have nothing to share at this time.

Policy Regarding Committee Member Participation – It was agreed that committee members should notify the Chairman or the Clerk if they cannot attend. Discussion followed. The Chairman stated he would deal with the issue of repeated excused absences.

Agenda items for Next Meeting – Land use existing classifications will be down to 10-acres. It was agreed that better color differentiation needs to be made. Discussion followed that we currently do not have Core Agriculture classification at this time. Discussion followed about pits

and historic sites. Levens inquired about why some of our classifications are not used. Bowker asked about clear cut forests, are they forests or something else. Discussion followed about Wayne Nelsons land on Peterson Hill Road. Brown asked about procedure for people to speak during our meetings. Good stated the Chairman of the Committee can ask the Committee if they want to suspend the rules. Good referred them to our newly adopted policy. Discussion followed. Levens does not like public input at the beginning of the meeting and wanted input through the entire process. Good stated you as the Committee are charged with developing the Comp Plan, not all of the Town's people doing it together. The committee will continue to review the boiler plate stuff for Chapter 5, define rural character, and identify existing land uses.

Defining Rural Character – Discussion continued on this issue. The goals and objectives in the current land use plan were discussed. New development adversely affecting the value of adjacent property was discussed. Good said he believes it was to not degrade or devalue the adjacent property. He also said not all of these goals and Objectives have not been implemented. Bowker stated a Land Use Plan or Comp Plan doesn't mean anything if people can do whatever they want. Good stated they cannot. They must follow the zoning ordinance which governs the Town of Russell. Levens stated the Plan Commission will have more authority and say on these issues. Good said no, a Plan Commission is advisory only and the decision making lies with the elected Town Board. A lengthy discussion followed. Ultimately the Town Zoning must align with the Town Land Use Plan. Discussion about the old Town survey and the new County survey were discussed. It was pointed out that most Tribal members living on Tribal lands were not surveyed. SEH is planning to survey them.

Next Meeting Dates – The Committee agreed to the following meeting schedule:

Town Comp Plan Committee will meet at the Community Center from 5 to 7 p.m. on 5/12/09, 6/9/09 and 7/14/09. These are prior to the Regular Town Board Meetings.

The Town Plan Committee will meet with SEH at the Town Garage at 6 p.m. on 5/26/09, 6/23/09 and 7/28/09.

The Town Plan Committee will meet with the Bayfield County Comp Plan Committees at 6 p.m. at the Great Lakes Visitor Center (GLVC) on 5/28/09, 6/25/09 and 7/30/09.

A motion was made by Meierotto and seconded by Bowker to recess the meeting at 2:00 p.m. until we reconvene at the Iron River Community Center. The motion carried.

Committee members attending the Iron River meeting were Basina, Bowker, Levens, Atkins and Good. Community members present were Wayne Nelson and Annalisa Cariveau.

The Committee adjourned the meeting at approximately 7:30 p.m.

Minutes Respectfully Submitted by:

David L. Good – Clerk/Treasurer