

**Town of Bayfield
Regular Plan Commission Meeting Minutes
Monday, September 11th, 2017**

Meeting was posted on Tuesday, September 5th, 2017 at the Bayfield Town Hall, the Town of Bayfield website, and was sent to the Ashland Daily Press Meeting notices. A revised agenda was posted on Thursday, September 7th, 2017. Plan Commission members present were Chairman Jack Beagan, Robert Feyen, Karen Boutin, Robert Meierotto, Nancy Bussey, and Demaris Brinton, as well Clerk Kelly Faye. Fred Erickson was absent. Eleven members of the public were present. The meeting was called to order at 5:30 PM.

Reading and approval of minutes of Regular Plan Commission Meeting of August 14th, 2017: A motion was made by Meierotto, seconded by Boutin, to approve the minutes. Motion carried.

Discussion and identification of items for future agendas: Suzette Psychogios requested that a presentation by Kyle Magyera of Wisconsin Wetlands Association be placed on the November agenda. Brinton brought up the possibility of scenic byway designation of Star Route Road to placed on a future agenda.

Communications and Correspondence: None.

Public Comment: None.

New Business.

Discussion and recommendation to Bayfield Town Board regarding the proposed Xcel Energy Bayfield Second Circuit Transmission Project-

Presentation by Bill Bailey on an alternate approach to the proposed Xcel second 34.5 kv line to Bayfield: Bill Bailey explained that he was there representing Chequamegon Bay Renewables, a non-profit organization that is studying alternative plans to the proposed Xcel Transmission Line Project as it has been presented. The Public Service Commission is instructing Xcel Energy to make improvements to improve reliability in the area. The line would run through portions of six local municipalities including the Town of Bayfield. It was explained that an alternative plan has been developed in which the line would run underground/ underwater from Ashland to Washburn. He noted that an underwater line was put in to Madeline Island approximately 50-70 years ago and has worked well. The plan would also include a contractor installing a 50 MW solar facility with a 10 MW battery storage in the area of the current Bayfield Sub-station and selling power to Xcel. This would be a large solar facility for Wisconsin but not out of the ballpark. Bailey expressed his viewpoint that this is an opportunity for input into a project that Xcel is planning to spend several million dollars on. He suggested that in order for consideration of this and other possible alternative plans to take place, the County Board should be asked to slow the process. Discussion took place about the alternative proposal.

Presentation by Bob Adams on possible resolution requesting an opportunity to study the Xcel Energy Bayfield Second Circuit Transmission Project in order to encourage the public

review and comments: Bob Adams introduced himself as being from the Town of Washburn. He commented that 90-91 residents of the Town of Washburn would be affected by this project. He suggested that the Town of Bayfield might consider signing the following resolution:

A RESOLUTION REQUESTING AN OPPORTUNITY TO STUDY THE XCEL ENERGY BAYFIELD SECOND CIRCUIT TRANSMISSION PROJECT IN ORDER TO ENCOURAGE PUBLIC REVIEW AND COMMENTS

WHEREAS, Xcel Energy has proposed a Bayfield Second Circuit Transmission Project in six municipalities, including the Town of _____; and

WHEREAS, construction of the 25-mile second circuit will require county approval of a land use permit for a new substation and approval of a right-of-way through county forest land; and

WHEREAS, it is county policy that "utility improvements shall be planned in a collaborative way with surrounding jurisdictions," and specifically to "become more involved with public utility companies in planning and development of services within Bayfield County" and to "communicate with surrounding jurisdictions including Bayfield County and the surrounding towns on utility needs and concerns" (Bayfield County Comprehensive Plan); and

WHEREAS, coordinated action by the county and affected municipalities will improve the net result of utility infrastructure development in Bayfield County; and

WHEREAS, power lines create permanent easements over public and private property in perpetuity that if improperly planned, could cause significant environmental degradation, financial loss, potential health impacts, and diminish the aesthetic characteristics of our town; and

WHEREAS, Xcel Energy's proposed route crosses seven high-quality trout streams bordered by sensitive and highly erodible soils that could be disturbed by the project; and

WHEREAS, there has been inadequate information and communication provided to the Township officials, property owners, and the general public concerning the new proposed project which is significantly different than the project proposed in 2013; and

WHEREAS, decision makers and the public have had inadequate time to evaluate and respond to the new proposed project; and

WHEREAS, Xcel has expressed willingness to adjust their previously planned timeline so that more public input could help shape the proposal before it goes to the Public Service Commission;

NOW, THEREFORE, BE IT RESOLVED, that Town of _____ requests that the Bayfield County Board delay action on the easement requested by Xcel Energy for the proposed Project; and

the time necessary to form a study group composed of representatives from each township including the Town of Washburn, the Town of Bayfield, the Town of Bayview, the Town of Barksdale, and the Town of Eileen; and that the study group is charged with the responsibility to examine the evidence of need, alternative means of addressing the need, and possible alternative routes; and

BE IT FURTHER RESOLVED, that the Bayfield County Board establish and describe a process to convey the findings of the study group to the public for adequate review and comment prior to making a decision regarding the easement for Xcel Energy on Bayfield County land.

Date approved

Discussion and possible recommendation to Bayfield Town Board regarding possible resolution related to the Xcel Energy Project to be presented to Bayfield County Board:

It was noted that this resolution asks the Bayfield County Board to take their time to look at this project. Bussey asked if it would be a good idea to put a timeframe in the resolution. Adams stated that they don't want to pressure the county but would like them to determine their timeframe. Town Chairman Gordon noted that the Town of Bayfield will be one of the beneficiaries of the new line. Bailey stated that he is not suggesting that nothing needs to be done, just that there are alternatives to their plan. A motion was made by Feyen, seconded by Brinton, to recommend that the Town Board sign the resolution as presented. Motion carried.

Old Business.

Update on progress in development of poster-style version of Comprehensive Plan and discussion and possible action on setting up work session meeting and/or public hearing date: Chairman Beagan stated that he is gathering more information and that he would send a proposed change to the vision statement prior to the next meeting.

Update from Business Park Promotion Sub-Committee Meeting: Town Chairman Gordon reported that the committee will be working with Cedar Corp at their next meeting to develop a planning and marketing tool for the park. The committee is also planning to divide into three-subcommittees to work on different aspects of the park's development.

Continuing discussion and possible action on proposed Town of Bayfield noise ordinance: Chairman Beagan reported that he looked at several noise ordinances from various places and they are all similar in the noise level restrictions. Town Chairman Gordon suggested that due to the apparent lack of trust by the public recently he has asked that Big Top Chautauqua hold

future public meetings at the Bayfield Town Hall. He added that he is OK with developing a noise ordinance but wants people to be able to use things like tractors and chainsaws. Sean Heckman, a resident of Ski Hill Road, commented that there can be different allowable noise levels for different times of day. Discussion took place about the possibility of developing a noise ordinance now before Big Top Chautauqua changes location. It was brought up that the town could develop a framework for a noise ordinance that could act as a “placeholder” in case a noise ordinance should become necessary. Bussey commented that people don’t know what their new building would be like. It was noted that the ordinance could not be focused only on Big Top Chautauqua. Other locations were brought up that the ordinance could apply to as well. Bussey stated she is not against drafting an ordinance but questions how it could be enforced. Brinton expressed that she did not think they should get hung up on the enforcement issue and stated that since there is something taking place in the community they need to get information. Bussey asked if it would be helpful to have a representative from Big Top Chautauqua at the next meeting to give more information about what their plans are. It was agreed that Big Top Chautauqua be invited to attend the next meeting to present on their plans in order to help the Town make better decisions. If they do not attend, then the Plan Commission would go ahead and work to develop a noise ordinance.

Continuing discussion and possible action on proposal to establish guidelines related to short-term rentals within the Town of Bayfield: Beagan reported that the recent application from Wayne Nelson for short-term rental of his home was approved by the Town Board at their meeting. Beagan stated that he did some investigating on the issue of short term rentals. Discussion took place related to the reputation of Airbnb and lawsuits that have been filed. Some places are banning Airbnb. The question of whether the town is liable for approving short-term rentals was brought up. It was suggested that the town attorney could be contacted to ensure there is no liability on the town. It was also brought up that Airbnb is affecting hotels and resorts in other locations. It was decided that a sub-committee to study this issue would be formed. Bussey and Brinton agreed to make up the sub-committee to look into the issue of short-term rentals, room tax, etc.

Set date and time for next Plan Commission Meeting: Monday, October 9th, 2017- 5:30 PM.

Adjourn: A motion was Boutin, seconded by Brinton, to adjourn the meeting. Motion carried.

Minutes respectfully presented by: Kelly N. Faye-Clerk