

**Town of St. Germain
Planning & Zoning Committee Meeting
March 26, 2003**

It was noted this meeting was posted in accordance with public meetings laws, State of Wisconsin Statutes.

AGENDA:

1. **ROLL CALL:** Tim Ebert, Ed Odette, Lee Holthaus, Jim Santefort and Dick Gern. Late was Mary Platner. Eleven members of the public were present.
2. **APPROVAL OF AGENDA:** A motion was made by Mr. Gern to accept the agenda as posted and Jim Santefort seconded the motion. Motion unanimously carried.
3. **APPROVAL OF MINUTES:** Mr. Odette made a motion to table the minutes from the previous meeting and Jim Santefort seconded the motion. Motion unanimously carried.
4. **DISCUSSION / BUSINESS:**

4.1 Chairmans Report / Communications: Mr. Holthaus handed out a Skate Park Committee Agenda that he received with their goals for the upcoming year.

Ms. Platner had a letter from Mark Hiller, President of the Chamber of Commerce, with regards to the proposed sign ordinance. They set up a sub committee to work with the Planning & Zoning Committee and information will come at a further time.

4.2 Review / Action of Permit and Plan Submittals: Tim Ebert submitted a new Travelway Permit for Fred Branner on Highway 70 across from Rustic Manor. The original permit was for one driveway and now he is applying for two. Mr. Ebert didn't think the DOT would allow two driveways. 35' is the maximum width that he would be allowed. A discussion was had. Mr. Ebert said we could approve this application with DOT specs. Mr. Holthaus suggested we should table this until he finds out from the DOT and then re-submit. Mr. Odette made a motion to table the Travelway Permit for Fred and Katherine Branner until he gets a response back from the DOT. Mr. Gern seconded this motion.

Ilde Hours Resort - Conditional Use Permit. Boyd and Judy Best. Mr. Ebert explained that because it is being run as a resort and it is not a permitted use in Lakeshore Residential, if they expand the foot print of the building by 20% they need a CUP. They have five cottages they want to completely remove and rebuild them. They will be conforming and meet the setback from the lake. Mr. Ebert explained the sizes and setbacks for each cabin. One septic will have to be added-on to complete this project on the west side. They will try and keep one or two

cottages and use them for a shop or garage. The county said they could they would just have to take the plumbing out of it. These would become assessor buildings for the property. Mr. Holthaus said we would have to set a date for a public hearing on this because it is a CUP. Two notices have to be put in the paper on 4/1 and 4/8. We could schedule this for the 28th of April on our regular meeting night at 5:00 p.m. with Planning & Zoning meeting to follow. Mr. Santefort made a motion to have this go to a public hearing and Mr. Gern seconded this motion. Motion unanimously carried.

Bibs Resort - Condo Amendment by Ted Ritter. This amendment addresses the relocation of alternate septic purposes. This is more or less a courtesy to the Town because the County already approved it. A letter was submitted by Mr. Ritter from Dawn from the County approving it. A discussion was had. Soil data was also submitted by Favorite Surveying. Mr. Odette made a motion to approve the 1st Amendment to Bib's Condos for alternate septic fields and Mr. Gern seconded the motion. Motion unanimously carried.

Bradford Point - Third Amended Final Plat. Glen Schiffmann. Copies were received two weeks ago with regards to this amendment. Mr. Holthaus contacted Chip Nielsen with regards to it. It details providing an as built drawing of the plat. Unit on the point is going to be a one unit building vs. a two unit building. It has now dropped down to 51 units which was the approved limit. An addition of storage units were added. Mary questioned the 63 storage units vs. 51 rental units. Glenn stated that owners requested more for boats, vehicles, etc. There will be no other storage units proposed in the future according to Mr. Schiffmann. Mr. Odette questioned 107 - 116 on the letter for the storage units. It should have been 115, a typo. He also questioned the single unit that was a double. A question was asked regarding the 140' feet from the point into the peninsula that was supposed to be kept natural. Apparently about 25' from the peninsula was cleared. A discussion was had. Mr. Ebert and Mr. Schiffmann will go out and Mr. Schiffmann will write a letter with what has to be done and submit it to the Town. A motion was made by Mr. Odette and Mr. Gern seconded the Third Amended Final Plat for Bradford Point as submitted subject to the conservatory area being restored if needed. Motion unanimously carried.

Mr. Ebert advised that Tom Paulson has a cottage on Lost Lake and he has a deck that the main structure is 30' from the water and the deck is 40' from the water and he would like to enclose the deck as a three season room. Mr. Ebert talked to the County about it and they are not sure what they can do without seeing a survey and Mr. Ebert thought if he removed the whole deck then he would be done. Then he would have to go 50' no matter what. They don't know if Dawn would allow this to happen. More information will be coming.

He also advised that Wagner's Ridge, an 18 acre parcel that was split until two lots of 9 acres that come with lots along Big St. Germain Lake. He would like know if he can build a marine storage or boat house down on that piece of property that is 101' x 80' x 90'. Being that this is grandfathered, Mr. Ebert doesn't know what to tell him. They are checking on it. If it is not wetlands and he meets setbacks are we going to allow it? The owner is going to go to the County and will come back to us. A discussion was had.

A permit was issued last year for a garage for Mr. Klotz off of Halberstadt Road. Mr. Ebert brought the application in from last year with the diagram of the location where the garage was going. There is however a deeded easement that goes through where the garage was built. Ron has come in a couple of times to apply for a Travelway Permit to get into his property but there was too much wetlands and they would not allow him to get the permit. This man needs this easement to get to his property. Ron needs to know what to do because Mr. Klotz filed this application from a year ago with false information. This is going to court between Mr. Klotz and Ron. Mr. Klotz filled in the area where the road is now with chips and the court has told Klotz that he has to remove the chips by the end of March which means there will be no driveway there at all. The easement was established in 1957. The permit was granted in good faith providing the information from Mr. Klotz was correct. We were unaware of any easements in this area. It is not the Town's responsibility to check on easements.

4.3 Discussion / Implementation of Long Range Planning & Zoning Considerations:

Mary Platner would like a member of the subcommittee for the proposed sign ordinance attend the Chamber meeting on Wednesday, April 2nd at 1:30 p.m. There will be a video and oral presentation. Mr. Gern will attend this with Ms. Platner.

4.4 Policy Development Issues: No discussion.

4.5 Committee Concerns: Ms. Platner submitted a receipt for a video that was purchased for the proposed sign ordinance.

Mr. Holthaus wanted everyone to see Mr. Ebert's new computer. He got the laptop, camera, scanner, printer and bag. He will show the committee after the meeting.

4.6 Public Concerns: Art Sherren - Mr. Holthaus said they took his information, submitted it to the committee members and they have not discussed where to go from here. They have the papers from Dawn and the lawyers with a deal between Brian and the County. Mr. Holthaus said that the Town has no jurisdictions in this because the County already agreed with a settlement. Mr. Sherren said that according to the last meeting, when Mr. Ebert was there to do the last inspection, the county did not show up. Mr. Ebert called and Dawn said they were not going to do that today.

Mr. Ebert said he was notified if they went out or not and the Town would not have knowledge of this. Mr. Holthaus said they must have settled in to an agreement after this date. The County then turned it over to the DNR. The person from the DNR that received the information received a promotion and moved. The new DNR person called Dawn and Dawn told them that it was closed. The trailer is there and has been for two years. The property was filled and hooked up to a septic system without a permission. A cement slab was poured without a permit. This happened in about May of 2000 that Mr. Ebert and Jim Wendt went to investigate it. Then Mr. Wendt was replaced on the Town Board. Mr. Sherren said the problem is there and the violation is still there. According to Fred Radtke, the County closed the file. They came to an agreement with Brian and closed the case. The County is done with this. They will not do anything with it. The Town doesn't have any say into this because it is a County issue. Mr. Radtke said this was all in writing and is done. Mr. Holthaus said that before the Town would do anything, we would not do anything without legal council, and we would not do that.

Fred Radtke questioned the Kelsey property being zoned business and that he wants to subdivide it to make it a subdivision. Mr. Holthaus said that there has been no official submittal at all. He didn't even know if it had been drawn yet. Mr. Holthaus said in the Town ordinance, the district allows it. Prior to the amendments, there was no residential areas allowed in the businesses district. Because of the pressure received from certain groups, they wanted residential in business areas and it was changed. A discussion was had with regards to the ordinances. There would have to be a 40' buffer between districts. Any plat has to be surveyed, and approved by the Town and County. If that plat meets the current ordinances, we cannot deny it. After further discussion, Mr. Holthaus didn't want to discuss it any farther because we do not have anything in writing from Mr. Kelsey that was brought to the committee. Mr. Holthaus stated that they have not seen anything yet. (See 2nd side of tape, approximately ¼ to ½ in for more transcripts.)

4.7 Times and Date of Next Meeting: April 28, 2003 at 5:00 p.m. with CUP to follow.

4. **ADJOURNMENT:** A motion was made to adjourn by Ms. Platner to adjourn the meeting and Mr. Santefort seconded the motion. Motion unanimously carried.