

# PLANNING & ZONING COMMITTEE

## TOWN OF ST. GERMAIN

P.O. BOX 7

OFFICE OF THE CLERK

ST. GERMAIN, WISCONSIN 54558

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1

### MINUTES PUBLIC HEARING DONALD R. ELIASON, LLC. REZONE REQUEST: APRIL 17, 2006

**PLEASE TAKE NOTICE**, that the Planning and Zoning Committee of the Town of St. Germain will conduct a public hearing on Monday, April 17, 2006 at 7:00 P.M. in the Red Brick Schoolhouse pursuant to Section 1.65 of the Town of St. Germain Zoning Ordinance, to consider a request for a Zoning District Map Amendment for Donald R. Eliason LLC. The request is for a Zoning District Map Amendment for the Donald R. Eliason LLC property in Section 33, T40N, R8E; tax parcel 24-1833. The first 75 feet adjacent to Hwy. 70 is currently zoned in the Parks and Recreation District. The next portion up to 500 feet from Hwy. 70 is currently zoned in the Community Business District. The Zoning District Map Amendment will change the first 500 feet from Hwy. 70 of the Donald R. Eliason LLC property to be zoned in the Downtown Business District.

**COMMITTEE MEMBERS PRESENT:** Todd Wiese, Ted Ritter, Mary Platner, Marion Janssen, and Tom Martens, Town Clerk.

There were 13 people present.

The chairman opened the hearing at 7:00 P.M. Mr. Wiese read the application by Donald R. Eliason, LLC for the rezone request. Comments will be received for and against the amendment. Voting by the committee will take place after deliberation following the hearing.

Stu Foltz spoke representing Donald R. Eliason. The property to the south and across the highway are already zoned downtown business. It is felt that it would give this property a more compatible lot size with other property in the area.

Shawn W. Kassien has an interest in 123 E. Lullaby Lane. Could change routing of snowmobile trail. It could be moved closer to property or detrimental to businesses in the area. This could also change the value of their property. They would like to know the long range plan. It could put a strain on the water and sewer systems in the area. It could change the road situation. Lullaby lane could be extended. It could make a quiet area into a noisy area. The zoning change could also affect the wildlife in the area. Their property is currently zoned medium density residential. How big will the lots be if the rezone takes place? Mr. Kassien has an easement across a portion of Mr. Eliason's property.

Jonathan Borth, owner 123 E. Lullaby Lane stated that he was concerned about the community. Everyone's taxes will go up if sewer and water are needed. New town roads would also make the taxes go up. Without knowing what the intentions are, he is against the rezone.

Fred Radtke wanted to know the difference in the lot size in downtown business district and community and highway business district. The lot sizes in downtown are 20,000 square feet.

Chris Barbe owns a lot on Little Mamie Lake wanted to know how his lot would be effected.

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2

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Eric Santefort from Thunderbird Pass wanted to know about the front portion that is zoned parks and recreation. If the zoning is changed how will the snowmobile trail be changed.

Ellen Allen the DOT made a buffer in the front portion by the highway. Ms. Allen is concerned about how any development would look. Should protect entrance into town.

Stu Foltz stated that highway access had already been approved for Mr. Jennings. There was no buffer area and no more entrances would be allowed.

Milne Harvey wanted to know about the remainder of Mr. Eliason's property. Is that going to be rezoned too? Mr. Wiese stated that whatever is done, permits will be required. If it is a business, there has to be a buffer zone to separate the residential sections.

Kevin Harvey asked if the zoning on the rest of the property could be changed. Mr. Wiese noted that anyone could apply for a zoning change.

Mr. Ritter stated that the committee understands the concerns, but that there are misconceptions about what can be done right now. Mr. Ritter asked everyone to stay for the deliberations.

Maggie Santefort asked if something was done with the rest of the property would they have to go through this same procedure?

Stu Foltz stated that there is no formal snowmobile trail easement across the property. The rezone wouldn't necessarily effect the trail.

Chris Barbe asked if there was any regulations for the property that abuts the pond. It would come under Vilas County Shoreland Zoning.

Mr. Wiese closed the comment section of the Public Hearing.

Dave Clark stated that about 20 years ago, the DOT wanted to move Hwy. 70 so that it would be on the 67-foot strip.

Ray Weber noted that he thought that the 67-foot strip was a mistake on the map. He thought that Foth & Van Dyke arbitrarily made it Parks and Recreation. Mr. Eliason's parcel is the only parcel in the area that was left out of downtown business.

### **DELIBERATION SECTION:**

Mr. Wiese convened the meeting of the Planning & Zoning Committee. Mr. Holthaus was absent.

Snowmobiles can operate on the highway right of way regardless of what the adjacent property owner says. The property owner can close the trail across his property. Mr. Wiese reiterated that there was no formal easement across Mr. Eliason's property.

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Property values may depend on what kind of development might be placed on the property.

Additional strains on the sewer and water would be governed by Vilas County. Are density issues a concern of the committee? Mr. Ritter feels that this is a very valid concern. In downtown business a home require 1.5 acres for homes. It appears that Mr. Eliason is looking at businesses on the property.

Mr. Wiese is concerned that there would be one lot with community highway business. It would be an island of zoning.

Mr. Wiese stated that any new roads have to be approved by the town. Mr. Wiese also thought that changing the zoning would not change whether or not a road could be put in. It would increase the traffic in and out on the corner. The DOT has already approved the entrances.

Mr. Ritter addressed the effect on the wildlife. He felt that the rezone would not affect the aesthetics. Since it is under Vilas County Shoreland Zoning, permits are required to cut trees. The rezone would not increase the number of homes allowed. It would allow for more business development. There could be more businesses on smaller parcels.

The rezone would not affect Mr. Kassien's easement.

Mr. Wiese stated that if additional roads were added, it would add tax base to the town.

Mr. Wiese stated that the two biggest issues are the snowmobile trail and the aesthetics.

Ms. Janssen noted that any building would also increase the tax base of the town. Where else could businesses go in town. The downtown business district doesn't have much room anymore.

Ms. Platner asked why Mr. Eliason wanted to rezone the area 500 feet from Hwy. 70.

Mr. Wiese noted that there is a 100- foot setback from the highway. Mr. Ritter stated that there wasn't much since in rezoning the section in parks and recreation since it is the State's setback.

Ms. Janssen read the allowed structures in Parks and Recreation.

Mr. Ritter suggested that the 67-foot strip remain as Parks and Recreation. Mr. Foltz thought that there would have to be an amended application. He also wanted to know how it would affect any signs, lighting, etc. Mr. Wiese didn't think that an amended application would be necessary. Mr. Ritter noted that he thought that the committee could recommend to the town board that the 67-foot strip remain as Parks and Recreation. If the town board agrees, we would in essence be denying the permit. Than Mr. Eliason could reapply. The present application is either approved or denied. Mr. Ritter stated that from the comments, it appears that the public would like to see the strip preserved. It might be good will to preserve the 67-foot strip. Mr. Ritter stated that the land is severely restricted already. There isn't much that can be done with it.

4

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Motion Ritter seconded Platner since this is one application to rezone two districts, the application as presented be denied with the 67-foot strip to be preserved as parks and recreation. By a roll call vote: Ms. Janssen – No; Ms. Platner – Yes; Mr. Ritter – Yes. Motion carried.

The committee stated that the application would be reconsidered if it were resubmitted with the 67-foot strip remaining as parks and recreation. Ms. Janssen suggested that the owner of 24-1835-02 rezone his 67-foot strip so that there would not be an island created in parks and recreation.

Mr. Wiese will notify the town board of the committee’s decision.

Motion Ritter seconded Janssen that the Public Hearing be adjourned. Approved.

Meeting adjourned 8:25 P.M.

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Town Clerk

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Chairman

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Vice Chairman

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Member

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Member

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Member