

**MINUTES ST. GERMAIN PLANNING AND ZONING  
COMMITTEE MEETING: OCTOBER 20, 2008**

**Meeting Type:** Regular Meeting of the P & Z Committee. The chairman noted that this was a duly called meeting in accordance with the Wisconsin Open Meeting Law.

1. **Call to Order:** Chairman, Todd Wiese, called the meeting to order at 4:00 P.M.
2. **Roll Call -Members Present:** Todd Wiese, John Vojta, Lee Holthaus, Marion Janssen, Tom Martens, Town Clerk. Mary Platner and Tim Ebert were absent.
3. **Approve Agenda:** Motion Vojta seconded Janssen that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** Motion Janssen seconded Vojta that the minutes of the September 15, 2008 regular committee meeting be approved as written. Approved.
5. **Public Comments:** There were no public comments.
6. **Zoning Administrator Report – Discussion/Action:**
  - 6A. **Quarterly Report Review:** Mr. Wiese handed out Mr. Ebert’s quarterly zoning permit report. There were no questions.
7. **Ordinance Amendments – Discussion/Action:**
  - 7A. **Review of Off-Premise Sign Ordinance Progress – Platner:** There was no report.
  - 7B. **Ordinance Book Status:** Mr. Wiese noted that Kris Main had finished the ordinance book. She had already submitted her final bill. Mr. Wiese also noted that all that was left was to assign numbers to the ordinances. Ms. Platner had said that she would work with Mr. Martens to assign the numbers. Mr. Martens stated that he did not know how the committee wanted the numbers to be assigned. Mr. Wiese said that he would do it.
  - 7C. **Review of Above Ground Gas Storage Amendment:** Mr. Wiese handed out an amendment to Chapter 1, Section 1.36, Downtown Business District. The amendment added “Gas Systems” with capacities of greater than 5,000 gallons to the list of “prohibited uses”. He also handed out Chapter 1, Section 1.53, an ordinance to create the regulation of installation for gas system storage tanks. The ordinance defines a gas storage tank system and requires a permit to be issued by the Fire Department. The town board has scheduled a public hearing for Wednesday, November 12, 2008 at 7:00 P.M. in meeting room #4 of the Community Center.
  - 7D. **Review of Above Ground Gas Storage Safety Ordinance:** Mr. Wiese noted that the town board had adopted Chapter 8, Section 8.21, and ordinance to regulate the safety of installation and storage of above ground gas systems at the regular meeting on October 13, 2008. The clerk is publishing and posting the ordinance this week.
8. **Re-zonings – Discussion/Action:** There were none.
9. **Conditional Use Request - Discussion/Action:** There were none.
10. **Plat and Survey - Discussion/Action:**
  - 10A. **First Addendum to Dorway Condominiums – Gov’t Lot 3, Sec. 3 T40N R8E, Lost Lake Drive North, Thomas A. Boettcher, agent (Progress Report):** Mr. Wiese noted that he had notified Mr. Boettcher about the committee’s decision concerning the roads. Mr. Boettcher had said that he would take care of naming the roads, and also indicate that the road is a private road. Mr. Boettcher has not gotten back to Mr. Wiese with the corrected plat.
  - 10B. **Benicke Property Division Survey Review:** Mr. Wiese noted that he had received a preliminary plat of Mr. Benicke’s property from Favorite Surveying. Mr. Benicke had met all of the requirements of the agreement and moved the lot line so that both lots are at least 2.5 acres.
11. **Miscellaneous Agenda Items – Discussion/Action:**
  - 11A. **Review of Serenity Bay Condominium Setback Issues:** Mr. Wiese noted that he had talked to Darren Rubo from Cornerstone Builders. Mr. Rubo is working on correcting the problem. Mr.

Vojta stated that he has talked to people who have said that the town should just take the money that it would cost to move Halberstadt Road. Mr. Wiese once again stated that if he thought at all that the violation was done intentionally, he would not consider moving the road.

**11B. Project Report on County Hwy. J Reconstruction:** Mr. Wiese handed out a project report from the Wisconsin Department of Transportation. The bridge by the Rainbow Flowage and Pickeral Lake will be closed for several weeks next summer to all traffic. The reconstruction of Hwy. J from Hwy. E to Hwy. 70 will take place from July 2009 until the fall. Hwy. J will be detoured during the reconstruction.

**12. Letters and Communication:**

**12A. Schuler/Faust Status Report on UDC Inspection Complaint:** Mr. Wiese noted that Mr. Schuler had fired his attorney. The new attorney has requested information from the Town of St. Germain. The clerk has sent all of the pertinent papers.

**12B. Newby/Burgess Report from Vilas County Circuit Court and Corporation Council:** Mr. Wiese read the court report on the Newby/Burgess case. The court found in favor of Ms. Jackson. The court did not allow Ms. Newby’s adverse possession claim. It was the finding of the court that Ms. Newby had to move all evidence of her home from Mr. Jackson’s property. She would have to move the home, garage, septic system, and well and all other evidence.

**12C. Status of WPS Property Sale:** Mr. Wiese noted that none of the WPS property had sold at the auction last Wednesday. There were bids on the lots, but WPS did not accept any of them.

**13. Committee Concerns:**

**13A. Todd Wiese:** Mr. Wiese noted that the Board of Appeals had not come to a decision concerning Gary Pagel’s variance request. The Board of Appeals had adjourned the hearing. Mr. Wiese also noted that Ray Weber had brought up section 1.72 of the ordinance that states that if a setback violation is no more than 5% of the setback, a conditional use permit would be issued rather than a variance. Mr. Wiese also stated that he had talked to Boyd Best. In the future, Mr. Best will get all of the required information from either Mr. Wiese or Tim Ebert prior to a hearing.

**13B. Tom Martens:** Mr. Martens stated that he thought that the Planning & Zoning Committee had put the Board of Appeals into a very difficult position. So far, one the variance requests had been more like a zoning change, and the other two have been after the fact building issues. Mr. Martens felt that the Planning & Zoning Committee should review the variance requests before they went to the Board of Appeals.

**14. Set Time and Date of Next Meeting:** The next regular monthly Planning & Zoning Committee meeting will be held on Monday, November 17, 2008 at 4:00 P.M. in meeting room #4 of the Community Center.

**15. Adjournment:** Motion Vojta seconded Janssen that the meeting be adjourned. Approved. Meeting adjourned 5:06 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