

# PLANNING & ZONING COMMITTEE

## TOWN OF ST. GERMAIN

P.O. BOX 7

OFFICE OF THE CLERK

ST. GERMAIN, WISCONSIN 54558

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### MINUTES ST. GERMAIN PLANNING AND ZONING COMMITTEE MEETING: OCTOBER 17, 2005

**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:** The meeting was called to order at 5:00 P.M. by Todd Wiese, Chairman
2. **Roll Call -Members Present:** Mary Platner, Todd Wiese, Marion Janssen, Tom Martens, town clerk. Lee Holthaus, Ted Ritter, and Tim Ebert were absent.
3. **Approve Agenda:** Motion Platner seconded Janssen that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** Motion Janssen seconded Platner that the minutes of the September 19, 2005 regular meeting be approved as written. Approved.
5. **Public Comments:**
  - 5A. **Fred Radtke:** Mr. Radtke asked that the public comments be moved to the end of the agenda. Mr. Radtke also suggested that if the committee is considering an ordinance for banning wood burners in the downtown business district, maybe anyone wanting to install an outdoor wood furnace should have to apply for a Conditional Use Permit so that the neighbors have some input.
6. **Zoning Administrator Report – Discussion/Action:**
  - 6A. **Travelway Permits:** Motion Platner seconded Janssen that travelway permits be issued to Eric Wagner on the Peterson Road, S. Shull on the Dixon Road, and Lance Wirth Lot 58 on Cedar Avenue. Approved.
  - 6B. **Quarterly Permit Report:** Mr. Wiese noted that Mr. Ebert had given him his quarterly report. Mr. Wiese stated that he would make copies for any committee that wanted one.
7. **Ordinance Amendments – Discussion/Action:**
  - 7A. **Review Ordinance Amendment List for Next Workshop:** First of all, Mr. Wiese noted that Bruce Weber had questioned him about the signs for the new grocery store. Mr. Weber wants to comply with whatever the town has in mind for signs. Secondly, Mr. Wiese noted that section 5.11(7) needed to be corrected. Per Wisconsin Statutes, condo approval needs to be done within 10 days, not the 45 days as stated in the town ordinance. It was decided that a burned structures and district bisected lots would be discussed at the next workshop meeting.
  - 7B. **Report on Vilas County Zoning Committee Meeting:** Mr. Wiese reported that the Vilas County Zoning Committee had approved the St. Germain ordinance amendments. They are now being sent the full county board for approval at their November meeting. The Vilas Corporate

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Counsel gave an opinion that the town can be less restrictive than the county, but that the more restrictive ordinance would apply in any situation.

**8. Rezoning – Discussion/Action:** No Discussion.

**9. Conditional Use Request – Discussion/Action:** No Discussion.

**10. Plat and Survey – Discussion/Action:**

**10A. Spirit Pines, (Benecke) Final Plat Review:** Motion Platner seconded Janssen that the final plat of Spirit Pines Subdivision be approved. Approved. Mr. Benecke was present to pay the \$700 park fund fee.

**10B. Re-submittal of Condominium Plat, First Addendum, for Serenity Bay**

**Condominium:** Motion Janssen seconded Platner that the First Addendum for Serenity Bay Condominium be approved. Approved. The committee had previously approved the First Addendum, however, Vilas County needed to have the condo declarations approved prior to approving the addendum. Therefore, St. Germain had to approve the addendum for a second time.

**11. Miscellaneous Agenda Items – Discussion/Action**

**11A. Town Park Closing Hours:** Mr. Wiese reported that the town board was in favor of having closing hours for the town parks. Mr. Wiese stressed that authorized events would be exempt from the closing hours. Mr. Wiese will check with some of the other town clerks to see what closing hours, if any, they have for their parks.

**12. Letters and Communications:**

**12A. Land Owner Civil Concern on Building Limitations:** Mr. Wiese stated that he had received a letter from Lucareli Law Office asking that the town revoke a zoning permit for Paul Rosenow for a garage. Mr. Rosenow's neighbor, Mr. Kazmierski, produced an agreement between himself and Mr. Rosenow stating that Mr. Rosenow could not build on the abandoned roadway. Mr. Wiese wrote a letter to Attorney Steve Lucareli stating that it was his opinion that the town would not get involved in a civil disagreement between two property owners. The zoning permit had been issued in accordance with the St. Germain Zoning Ordinance. Mr. Rosenow did not mention the agreement with Mr. Kazmierski. Mr. Wiese stated in his letter that even if Mr. Rosenow had mentioned the agreement, his position would not have changed. The rest of the committee members were in agreement with Mr. Wiese's reply to Attorney Lucareli.

**12B. Garage Under WPS Power Line:** Town Chairman, Jim Wendt, had forwarded a letter from WPS to Mr. Wiese. Mr. Wiese in turn forwarded to Mr. Ebert. A property owner on Big St. Germain Drive wants to build a garage under the WPS power lines. He was told by WPS that if he did, he would be responsible for the cost of raising the lines. Mr. Wiese stated that Mr. Ebert has not yet been approached for a zoning permit for this garage. Mr. Wiese also stated that this matter is very similar to the Rosenow/Kazmierski problem. The town would not get involved in a civil matter.

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### 13. Committee Concerns:

**13A. Legal Update of New Statute and Requirements:** Mr. Wiese noted that there had been a change in procedure for the Board of Appeals. In the past it took a 4/5-majority vote for a decision to be made. Now, only three of the five members need be present. And, a decision could be made with a majority vote of those three members. As a result, a decision can now be made by an affirming vote of only two members.

**14. Time and Date of Next Meeting:** The next regular committee meeting will be held on Monday, November 21, 2005 at 5:00 P.M. in the boardroom of the Red Brick Schoolhouse. There will be workshop meeting on Monday, November 7, 2005 at 4:00 P.M. in the boardroom of the Red Brick Schoolhouse.

**15. Adjournment:** Motion Platner seconded Janssen that the meeting be adjourned. Approved. Meeting adjourned 6:23 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