

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: AUGUST 21, 2006

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 4:00 P.M. by Todd Wiese, Chairman
2. **Roll Call -Members Present:** Ted Ritter, Todd Wiese, Mary Platner, Lee Holthaus, Marion Janssen, Tom Martens, town clerk, Tim Ebert Zoning Administrator.
3. **Approve Agenda:** Motion Ritter seconded Platner that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** Motion Platner seconded Ritter that the minutes of the July 17, 2006 regular meeting be approved as written. Approved.
5. **Public Comments:** There were no public comments.
6. **Zoning Administrator Report – Discussion/Action:**
 - 6A. **Found Lake Landing Sign:** Mr. Ebert asked if a permit would be required for a boat landing sign at Found Lake. Mr. Ritter felt that since the sign was smaller than what was defined as a structure and since it was being put up by a non-profit organization and there was no sign ordinance that a permit should not be necessary. The Committee agreed.
 - 6B. **Anna Knapp Request:** Mr. Ebert noted that Anna Knapp had asked whether or not she and her husband would be able to put a residence in their auto repair shop along with the business. Mr. Ebert also noted that a conditional use permit had originally been granted for the business. Mr. Ritter thought that the committee could amend the CUP without taking away the old one or issuing a new one. The committee decided that if and when the Knapps make a formal request, the matter will be put on the agenda for discussion. At that time the Knapps will be informed that they will be required to meet all State Dwelling Codes.
 - 6C. **Forest Primeval Building:** At the last town board meeting, Jack Piel brought an old building in Forest Primeval to the town board. Mr. Ebert showed the committee pictures of the very run down building. Mr. Wiese will write to Howard Beaver, Jr., the owner, indicating that the building should be removed. If Mr. Beaver does not comply with the request, the committee will recommend to the town board that formal procedures be followed for the removal of the building.
 - 6D. **Holiday Estates Lot:** Ed Reid was present to discuss what he could do with the vacant lot adjacent to his duplexes in Holiday Estates. Mr. Reid indicated that he had several ideas for the lot. He could build storage units or a clubhouse and maintenance garage for the duplexes. He thought that he could meet the setbacks. Mr. Ritter noted that Mr. Reid could not build an

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accessory building since there was not a primary building on the lot. Mr. Reid also indicated that he may turn the duplexes into condominiums. The committee agreed that if Mr. Reid converted the property into condominiums, he would have much more flexibility with what he did with the property.

6E. Jim Kelsey Lots: Mr. Kelsey was present to ask the committee if he would be able to his 2.88 acre lot on the pond behind Thunderbird Pass into two smaller lots. The committee told Mr. Kelsey that it would deny the request since the ordinance requires lots to be 1.5 acres in size. Mr. Kelsey would have to appeal to the Appeals Committee for a variance. Mr. Ritter asked Mr. Kelsey to study the requirements for a variance. If Mr. Kelsey felt that he met those requirements, then he should appeal to the Appeals Committee.

7. Ordinance Amendments – Discussion/Action:

7A. Discussion on Presentation of Previous Ordinance Amendments: The committee had previously decided to present the ordinance amendments to the town board as a group. Now, since the amendments are in the correct format, the committee decided that it was time to act upon the amendments. Motion Ritter seconded Holthaus that the ordinance amendments be presented to the town board for approval and that the time and date for a public hearing be set. Approved.

7B. Little Bass Lake Motor Ordinance: Mr. Ritter handed out a list of procedures for adopting local boating ordinances. Mr. Ritter has already drafted an ordinance and gotten a “condition report” for Little Bass Lake. The next steps would be to conduct a public hearing, post the ordinance, and submit a copy of the adopted ordinance to the Wisconsin DNR. There were also specifications for a sign to be posted at the boat landing. Mike Connors said that he would pay for the sign at Little Bass Lake. Since the ordinance could not be acted upon before the end of this boating season, the committee decided to include Shannon, Little Cloud, Deadman’s and any other lakes under 50 acres which have public access. There will also need to be a condition report for each of these lakes. Mr. Ritter thought that one condition report may be able to include all of the lakes. The town may have to pay for the signs for these lakes.

8. Re-zonings – Discussion/Action:

8A. Deliberation on Public Hearing for Rezone of Privately Held Parks and Recreation District Lands: Motion Platner seconded Holthaus that in light of the letter from Foth & Van Dyke stating that the zoning had been done in error and in light of the recommendation of Attorney William O’Connor, the committee recommend to the town board that the 67 foot strip currently zoned in the Parks & Recreation District in each of the three parcels be rezoned in the Community Highway Business District. By a roll call vote: Ritter –yes; Holthaus –yes; Platner – yes; Janssen – yes; Wiese – yes. Motion Carried.

9. Conditional Use Request - Discussion/Action: There was no discussion.

10. Plat and Survey - Discussion/Action:

10A. Two-Unit Condominium Conversion, Gov’t Lot 5, Sec. 34 T40N R8E. Richard and Timothy Epping, Tax Parcel 24-2220-06. (Eagle Landmark Surveying): Mr. Ritter noted

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that the plat indicated that there were no septic systems. Instead, there are holding tanks. Mr. Ritter also noted that there was no expansion space for the units. Motion Ritter seconded Platner that the two-unit condominium conversion in Gov't Lot 5, Sec. 34 T40N R8E for Richard and Timothy Epping be approved. Approved. Mr. Wiese signed the plat and presented a check for \$27.00 to the town clerk for the review fees.

10B. Minor Subdivision, Sec. 8 T40N R8E, Roger Weber Tax Parcel #24-405. (Eagle Landmark Surveying): Motion Janssen seconded Holthaus that the plat for Roger Weber's minor subdivision in Sec. 8 T40N R8E be approved. Approved. Mr. Wiese signed the plat and presented a check for \$29.00 to the town clerk for the review fees. The private road, outlot #1 on the plat is owned jointly by the three lot owners. If Roger Weber wants to put mini storage buildings on the remainder of his property, he would need to apply for a Conditional Use Permit.

11. Miscellaneous Agenda Items – Discussion/Action:

11A. Plat Review Fees: Motion Platner seconded Holthaus that section 5.16, in lieu of fees, be eliminated from the town's zoning ordinance. Approved.

Motion Holthaus seconded Janssen that section 5.18(2)(a) be amended to state that the review fee will be \$200 plus \$50 for each lot in excess of three (3) lots. Approved. Ms. Platner will print the changes so that they can be presented to the town board at the September meeting.

11B. Sample Zoning Code Format: Ms. Platner stated that she would have the format for the September committee meeting.

12. Letters and Communication

12A. Impervious Surface Runoff: Mr. Wiese noted that he had received a letter from Tom Ryan stating that he was concerned about the runoff onto his property from the metal roof on a new pole building on Pedycourt Road. The committee did not know what could be done about the runoff. The building meets all of the setback requirements. Mr. Ritter suggested waiting until after this winter to see if there was a problem.

12B. Star Lane Garage: Mr. Wiese noted that he had also received a letter from Tom Ryan stating that there was a garage on Star Lane that was built too close to South Bay Road. There seems to be some confusion as to whether the setback is measured from the center of the roadway or from the center of the right of way. Sec. 1.15(2) of the ordinance states that the setback is to be measured from the center of the roadway. Mr. Wiese was not able to find any mention of the situation in the minutes. It appears as though the permit was issued in error. The committee will discuss the matter at the next regular meeting.

13. Committee Concerns:

13A. Forms Copied to CD: Mr. Wiese noted that the zoning forms have all been uploaded to the town's website. Mr. Ritter gave a CD containing the forms to the town clerk.

13B. Vilas County Zoning & Planning Meeting: Mr. Wiese reported that he had attended the Vilas County Zoning & Planning on August 16th. Roger Weber's subdivision was approved. A

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complaint will be filed in Circuit Court concerning the Jackson/Newby dispute. Mr. Ritter suggested that the committee review with Vilas County to see what could have been done differently. Dawn Schmidt, Vilas County Zoning Administrator thought that the town should have enforced its ordinance. If we are not going to enforce them, she wanted to know why we had them. The town's attorney recommended that the town not get involved in the dispute. Vilas County has asked the town to suspend the zoning permits, which was done.

Motion Ritter seconded Holthaus that the meeting be temporarily adjourned. Approved.
Motion Platner seconded Holthaus that the meeting be reconvened following the Rezone Public Hearing. Approved.

14. Set Time and Date of Next Meeting: The next regular committee meeting will be held on September 18, 2006 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 6:18 P.M

Town Clerk

Chairman

Vice Chairman

Member

Member

Member