

PLANNING & ZONING COMMITTEE

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TOWN OF ST. GERMAIN

P.O. BOX 7

OFFICE OF THE CLERK

ST. GERMAIN, WISCONSIN 54558

townofstgermain.org

MINUTES ST. GERMAIN PLANNING AND ZONING SPECIAL COMMITTEE MEETING: DECEMBER 5, 2006

Meeting Type: Special 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 11:30 A.M.
2. **Roll Call -Members Present:** Todd Wiese, Ted Ritter, Mary Platner, Lee Holthaus, Marion Janssen, Tom Martens, town clerk, Tim Ebert Zoning Administrator. Also present; Sharon Goller, property owner, Chris Dries, D.O.T. traffic engineer, Mark Raddy, D.O.T. access coordinator.
3. **Approve Agenda:** Motion Ritter seconded Platner that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** Motion Platner seconded Holthaus that the minutes of the November 27, 2006 regular meeting be approved as written. Approved.
5. **Public Comments:** There were no public comments.
6. **Miscellaneous Agenda Items – Discussion/Action:**
 - 6A. **Travelway Application, Little Acorns Lodge. (Goller):** Mr. Wiese had prepared a synopsis of Chapter 4, the Travelway Ordinance. Section 4.02(1) indicates that an applicant must first obtain a permit. Section 4.03(3) indicates that the committee must approve or deny a permit based on certain criteria. The committee may also use other certain criteria.

Mr. Dries noted that he had first contacted Ms. Goller notifying her that she would have to tell her clients that they could not enter Hwy. 155. There is not a permitted driveway onto Hwy. 155. Ms. Goller than asked Mr. Dries about placing another entrance along Birchwood Drive. Mr. Dries stated that he had no jurisdiction along Birchwood Drive, but as far as the State was concerned, a driveway could be put in at least 70 to 75 feet from the centerline of Hwy. 155. Mr. Dries also told Ms. Goller to contact the town to see if a permit would be necessary.

Mr. Ritter noted that the heaviest traffic periods at the day care center are also the heaviest traffic times on Birchwood Drive. Birchwood Drive is a snowmobile route. The proposed entrance would cause an additional hazard for snowmobiles. The town needs to make several passes with the snowplow to clear the intersection. The driver needs to back up after each pass. He has already had people cut behind the plow while backing up. The county gravel pit is on Birchwood Drive as well as the Pitlik & Wick pit. There are heavy trucks using the road during the spring, summer and fall months.

Schillman bus service considers Little Acorns Lodge a school. State Statutes do not allow buses to back up on school grounds. Kindergarten children are not allowed to cross Hwy. 155 to get on a bus. Schillman likes the proposed driveway as it is. Mr. Schillman indicated that the bus doesn't need very much room to turn around.

Ms. Janssen thought that the driveway should be moved to a safer location. Ms. Platner asked if anything had been done about getting Jim Kelsey to have the deed restriction changed. Mr. Holthaus also thought that the road should be moved. Mr. Ritter thought that the present driveway on Birchwood Drive should become the western most driveway, and that a new driveway should be built more to the east, if there was enough room. Mr. Ritter also wanted to know how far from Hwy. 155 would be considered safe distance. Mr. Ritter also thought that it would be safer for the school bus to stop on Hwy. 155 than on Birchwood Drive. Mr. Wiese stated that he felt that there was no hardship and that there were alternatives to the driveway that Vogel Enterprises had built without obtaining a permit. He also felt that the driveway was only there as a convenience to the patron of Little Acorns Lodge. Where the driveway is now poses hazard and safety issues.

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It was suggested that Ms. Goller provide a walkway to Hwy. 155 so that the children could get on the bus on Hwy. 155.

Motion Platner seconded Holthaus that the permit application be denied, with the driveway to be closed no later than Monday, December 11, 2006. By a roll call vote: Ms. Janssen – yes; Ms. Platner – yes; Mr. Holthaus – yes; Mr. Ritter – yes; Mr. Wiese – yes. Motion unanimously carried.

The penalty for construction of a Travelway without a permit is three times the required fee, if issued after the fact. The town ordinance also allows for a fine upon either the property owner or contractor or a combination of both of from \$100 to \$1,000 per day for duration of the violation.

Motion Ritter seconded Holthaus that since the penalty could far exceed the cost of fixing the problem, the decision on a penalty is postponed for up to two weeks during which time the contractor and landowner are to come up with a new plan to resolve the problem. Motion carried by a voice vote. It was also suggested that Ms. Goller mark the location of the new driveway and notify the committee so that they can view it before work is begun. Ms. Goller or the contractor will also have to apply for a new travelway permit.

7. Letters and Communication: There were none.

8. Committee Concerns: There were none.

9. Set Time and Date of Next Meeting: The next regular committee meeting will be held on December 18, 2006 at 4:00 P.M. in meeting room #4 of the Community Center.

10. Adjournment: Motion Platner seconded Ritter that the meeting be adjourned. Approved. Meeting adjourned 12:51 P.M

Town Clerk

Chairman

Vice Chairman

Member

Member

Member