

# 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: APRIL 4, 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:** Ted Ritter, Mary Platner, Todd Wiese, Tom Martens Town Clerk. Fred Radtke was also present. Bruce Weber came in later.
3. **Approve Agenda:** Motion Platner seconded Ritter that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** The approval of the March 21, 2005 minutes was tabled until the next meeting.
5. **Public Comments:** Fred Radtke stated that the Vilas County Zoning Committee would be meeting at 9:00 A.M. tomorrow concerning the rezone of the Kelsey property.

Bruce Weber, who had come in later to the meeting, showed the committee a plan for the proposed new grocery store. Mr. Weber had two concerns: (1) Mr. Weber needed a copy of the minutes from the May 13, 2002 town board meeting concerning the vacation of a portion of Hiawatha Avenue; (2) Mr. Weber somehow needs to store approximately 40,000 gallons of water for a fire suppression system. Options would be a very large underground storage tank, somehow connect to the fire department well, or construct some type of water tower.

6. **Zoning Administrator Report – Discussion/Action:** There was no zoning administrator report.

#### 7. Ordinance Amendments:

**7A. Review and Select New Ordinances to be addressed:** Mr. Wiese read the following list of items to be addressed: (1) Accessory buildings and guest houses; (2) Garage minimum setbacks on vacant lots; (2a) District bisects lots; (2b) Repair fire damaged buildings; (2c) Burning in the Downtown District; (3) Sign, Blight and Lighting Ordinances; (4) Transient business licensing, fireworks sales, and compression brakes.

Ms. Platner noted that a problem with guest houses and accessory buildings would be being more or less restrictive than the county or trying to match the county. Mr. Ritter thought that the biggest problem would be to define accessory buildings and guesthouses.

**7B. Establishment of moratorium on consideration of re-plat of residential lots to less than 1.5 ac. In business zoning districts:** The Planning & Zoning Committee hoped that the Vilas

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County Zoning Committee would table the rezone request for the Kelsey property once they knew that St. Germain was considering amending its zoning ordinance concerning residential lots in the Downtown Business District and Community Highway Business District. Mr. Wiese had drafted a moratorium “Relating to Residential Lot Size in the Downtown Business District and Community Highway Business District”. The Planning & Zoning Committee reviewed the proposed moratorium and made several corrections. Motion Platner seconded Ritter that the moratorium relating to residential lot size in the Downtown Business District and Community Highway Business District be accepted and after Mr. Wiese presents it to an attorney for approval, it will be given to the town chairman to be placed on the Town Board agenda as an action item. Approved.

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

**9. Subdivision Approval – Discussion/Action:** No discussion.

**10. Conditional Use Request – Discussion/Action:**

**10A. Discussion of Procedures as it relates to Property Transfers and Expansions:** Mr. Ritter has contacted the Wisconsin Towns Association Attorney. She stated that the conditions of a conditional use permit stay with the property. However, there is no vehicle by which the conditions are recorded. It is the seller’s responsibility to inform the buyer about the conditions. Often times, this does not happen. Ms. Platner suggested that the town use a running record of conditional uses such as the county had used. The town would have to remind owners that they would have to pass the information on to new owners. Mr. Ritter stated that the matter needs to be addressed and that perhaps applications and reports could contain the information. Mr. Wiese will ask Attorney Steve Lucareli about recording conditional use permits and their conditions with the register of deeds. Mr. Wiese stated that conditional use permits attach to the buildings and their use and not to the land. Mr. Ritter than pointed out that this was most likely why C.U.P.’s would not be recorded on property deeds. Mr. Wiese suggested that the new C.U.P. forms, the committee will be working on, contain a standard condition that the holder of the C.U.P. be required to disclose the C.U.P. to the new owner(s) if the property were sold.

Mr. Wiese checked with Vilas County concerning expansions. In the county’s opinion, if the footprint of the building is expanded or if another building is to be used, a conditional use permit is required.

**11. Plat and Survey – Discussion/Action:** No discussion.

**12. Miscellaneous Agenda Items – Discussion/Action:**

**12A. Interpreting Split Lot Zoning Requirements:** Mr. Wiese again checked with Vilas County Zoning. It is their opinion that if two different zoning districts split a parcel, each portion of the parcel must meet the requirements of the district in which it lies

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**12B. Map Printing Costs:** Doug Prigge, in the Vilas County Mapping Coordination Office, said that he would make the map corrections. Once the corrections are made, Foth & Van Dyke would print the maps for \$1.00 regardless of the number of maps that are needed. Or, the town could take the maps to any other local printer.

**12C. New Zoning Forms Needs:** Zoning Administrator, Tim Ebert, has stated that he needs several types of new forms. Mr. Wiese will work with Mr. Ebert to develop some forms. The forms will be presented to the Planning & Zoning Committee for approval.

### 13. Letters and Communications:

**13A. Zoning Office:** Mr. Wiese noted that Mr. Wendt had given approval to move Tim Ebert's desk to the small room adjacent to the room where the file cabinets are located.

**13B. Zoning & Land Use Seminar:** Ms. Platner would like to go to the zoning seminar in Green Bay in June. The cost is \$309 per person if two or more people attend. Ms. Platner will check to see if there are any similar seminars at a lower cost.

### 14. Committee Concerns:

**14A. Miller Property Status on Lingo Lane:** Mr. Wiese has drafted a letter to Attorney Kirk Everson, who is handling the disposition of the property, informing him that a new owner should be informed about the repairs and inspections that had been required from Mr. Miller.

**15. Time and Date of Next Meeting:** The next Planning & Zoning Committee meeting will be on Monday, April 25, 2005 at 5:00 P.M. in the boardroom of the Old Red Brick Schoolhouse.

**16. Adjournment:** Motion Platner seconded Ritter that the meeting be adjourned. Approved. Meeting adjourned 6:58 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