

**TOWN OF ST. GERMAIN
P. O. BOX 7
ST. GERMAIN, WI 54558**

**Minutes, Zoning Committee
January 03, 2024**

1. **Call to order, roll call:** Meeting called to order at 5:30pm. Ted Ritter conducted the meeting from Room 4 of the Community Center with a virtual attendance option. Committee members physically present in Room 4: Jimmy Vogel, Ted Ritter, Brian Cooper, Beverly Przybylski, and non-voting member/ Zoning Administrator June Vogel (hereinafter referred to as ZA Vogel). Committee member Bob Schell attended virtually. Community members in attendance in Room 4: Terry Duke, Paul Novorolsky and Brian Siekierzynski. Community member Michael Connors also attended virtually.
2. **Public comments:** None
3. **Zoning Administrator updates:** There are no CUP applications pending, therefore there will be no CUP public hearings this month. Also, there are no ongoing Zoning ordinance non-compliance issues at this time.
4. **Discussion/action topics:**
 - a. **Approve minutes of 12/06/23 meeting:** Motion Schell, second Cooper to approve the minutes with correction of two noted typos. Motion passed by unanimous voice vote.
 - b. **Continue discussion of amendments to sections 1.111 and 1.405 of zoning ordinance to clarify definition of clear-cutting, and clear-cutting setback requirements from centerline of adjacent roadways:** Cooper reported he had talked to an attorney at WI Towns Association who felt the 200 feet clear-cut setback from any roadway was overly restrictive and unenforceable. Cooper had also talked to the St. Germain Town attorney who felt Towns could be as restrictive with clear-cut setbacks as they choose. Ritter then polled the Committee to determine who might be in favor of citing Mr. Baltus for violation of section 1.405 by clear-cutting within 200 feet of Found Lake Road. All were in favor of enforcing the ordinance as it exists with the exception of Cooper. Motion Przybylski, second Vogel to present the Town Board with a citation and a recommendation for the Town Chairman to sign it at the upcoming 01/08/2024 Town Board meeting. Motion passed 4:1 with Cooper opposed.
 - c. **Consider zoning ordinance restrictions for clear-cutting:** Ritter offered a draft definition of clear-cutting and suggested that perhaps St. Germain's Forestry and Forestry/Recreation zoning districts should have provisions prohibiting clear-cutting in excess of specified areas unless a WDNR approved forest management plan called for clear-cutting to achieve a specific purpose. Audience members expressed concern the Town could be violating personal property rights with such provisions. Ritter emphasized the stated purpose of forestry districts includes "encouraging the continuation of large tracts of forested areas.....and to promote the preservation of wildlife habitats". Mr. Connors shared with the Committee draft language of a "Clear Cutting and Environmental Protection" ordinance that would be more inclusive than only clear-cutting restrictions. Ritter polled the Committee asking if members felt the idea of expanding our ordinance to include clear-cutting provisions should be further explored or dropped. All were in favor of

further discussions with the understanding that personal property rights be appropriately respected. Motion Ritter, second Cooper to table for further consideration after seeking the guidance of professional foresters to help with appropriate language. Motion passed by unanimous voice vote.

- d. Continue discussion of amendment to section 1.404(C) of zoning ordinance to limit how long RV camping may continue after construction of a home is far enough along to satisfy completion of the Town permitted project, yet no occupancy permit has been issued by the UDC inspector:** Following discussion, Motion Cooper, second Vogel that Ritter develop draft language to amend 1.404(C)(2) to limit RV camping to three years after issuance of a Town zoning permit. Motion passed by unanimous voice vote.
- e. Review/adjust permit fees for attached vs unattached garages:** ZA Vogel highlighted the inconsistency in zoning fees by basing the fee for an attached garage on total square footage of the combined house and garage while assessing a flat fee for unattached garages. Following discussion, motion Cooper, second Vogel that Ritter develop a draft amendment to the zoning fees to assess a flat fee for both attached and unattached garages and limit the square footage fee to only the house when there is an attached garage. Motion passed by unanimous voice vote.
- f. Assist Zoning Administrator with Zoning Permit Application decisions:** ZA Vogel reminded the Committee of an earlier discussion regarding snow collapsed accessory buildings not needing CUPs if the replacement building is of the same size and footprint of the collapsed building. The question now is whether a CUP is needed if the replacement building is smaller than the collapsed building but within the footprint of the original building. Consensus of the Committee is that no CUP is required for smaller buildings if placed entirely within the footprint of the original building.
- g. Discuss/table size restrictions for attached garages:** No discussion, no action taken.
- h. Discuss/table Ritter conversation with County Zoning regarding possible role of Town Zoning in helping permit applicants proceed with projects in a manner that does not cause potential future problems for either the Town or the project owner (i.e. building at too low an elevation resulting in water runoff problems from Town roads).** No discussion, no action taken.
- i. Approve December monthly Zoning Administrator compensation:** Motion Vogel, second Cooper to approve the requested December 2023 compensation of \$324.00. Motion passed by unanimous voice vote.
- j. Committee concerns for future agendas:** None beyond the actions taken during the course of this meeting.

5. **Adjourn:** Ritter declared meeting adjourned at 7:25pm