

**WAUPACA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD SESSION  
MAY 19, 2015**

Chair Koeppen called the meeting to order at 9:00 a.m. with 26 members present.

Present: Suprs. Aasen, Barrington, Boyer, Craig, Ellis, Federwitz, Flease, Gabert, Handrich, Jonely, Kietzmann, Koeppen, Kussmann, McClone, Much, G. Murphy, T. Murphy, Neumann, Penney, Peterson, Poehlman, Rohan, Sorensen, Spierings, Wilfuer, Zaug. Supr. Johnson was excused.

Chair Koeppen made the open meeting statement that this meeting and all other meetings of this board are open to the public. Proper notice has been posted and given to the press, in accordance with Wisconsin Statutes so the citizenry may be aware of the time, place and agenda of this meeting.

A moment of silent meditation was observed followed by the Pledge of Allegiance.

Supr. Zaug moved and Supr. McClone seconded the motion to approve the agenda. Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015.

Supr. G. Murphy moved and Supr. Peterson seconded the motion to approve the minutes of the April 21, 2015 meeting. Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015.

**HIGHWAY ANNUAL FINANCIAL REPORT  
HIGHWAY COMMISSIONER DEAN STEINGRABER**

Highway Commissioner Dean Steingraber reviewed the 2014 Annual Financial Report and updated current highway projects. Chair Koeppen placed the report on file in the County Clerk's Office.

**EXTENSION IMPACT NEWSLETTER  
COUNTY BOARD TOUR UPDATE  
JESSICA BECKENDORF, UWEX CNRED**

Jessica Beckendorf reviewed the upcoming annual County Board Tour and reviewed the Extension Impact Newsletter.

**LAKEVIEW MANOR  
ADMINISTRATOR MEGAN FEIRTAG & SUPR. GARY BARRINGTON**

Report has been postponed due to illness.

## REPORTS BY COUNTY BOARD SUPERVISORS/DEPARTMENTS

Chair Koeppen reported on the WCA meeting and proposed changes to the WCA Constitution.

Chair Koeppen called for a short recess. Chair Koeppen called the meeting to order.

Supr. Kussmann moved and Supr. Poehlman seconded the motion to re-open the amended agenda, adding Resolution No. 11 (2015-2016). Motion carried 25-1 with Supr. Craig voting no. Passed the 19<sup>th</sup> day of May, 2015. Supr. Zaug moved and Supr. G. Murphy seconded the motion to approve the amended agenda. Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015.

### CREATE CHAPTER 38 WAUPACA COUNTY CODE OF ORDINANCES NON-METALLIC MINING ORDINANCE

The Waupaca County Board of Supervisors does hereby ordain that the current Section 6.07(6) of the Waupaca County Zoning Ordinance, Chapter 34 of the Waupaca County Code of Ordinances be repealed in its entirety. In its place, Chapter 38, Waupaca County Non-Metallic Mining Ordinance, is hereby created as a separate section of the zoning code. A copy of the entire ordinance is on file in the County Clerk's Office and Planning & Zoning Office:

#### ***EFFECTIVE DATE:***

Approval of the Planning & Zoning Committee and upon enactment of the County Board of Supervisors, the creation will be in full force and effect within Waupaca County and each town as provided in Section 59.69(5)e, Wis. Stats.

Supr. Kussmann moved and Supr. Federwitz seconded the motion to adopt Chapter 38 of the Waupaca County Code of Ordinances. Motion carried 23-3 with Suprs. McClone, Ellis and Zaug voting no. Passed the 19<sup>th</sup> day of May, 2015.

### AMENDMENTS TO THE WAUPACA COUNTY CODE OF ORDINANCES CHAPTER 34 – WAUPACA COUNTY ZONING ORDINANCE

The Waupaca County Board of Supervisors does hereby ordain and enact the following amendments to the Waupaca County Zoning Ordinance, Chapter 34:

#### **Delete Sec. 3.05 in Table of Contents:**

#### **Amend Table 4 –**

#### **Amend Footnote #1 –**

The statement, "Please refer to the Waupaca County Density Management Tracking System maintained by the Waupaca County Planning & Zoning Department (811

Harding Street, Waupaca, WI) for current information on available residential development rights on this/these parcels,” shall be recorded on each Certified Survey Map, plat, and plat of survey created for parcels within the PVRF, AE, AR, AWT, and RR zoning districts.

Delete Footnote #3 –

**Amend Table 5 –**

“Tourist Rooming House” – Delete in its entirety

“Mineral Extraction (Non-Metallic)” – Should add “C” (Conditional Use Permit) to RI-G (Rural Industrial - General) District

“Community Living Facility – 9 to 15 Residents” – Should add “C” (Conditional Use Permit) to AWT (Agriculture and Woodland Transition) District

“Community Living Facility – 16 or more Residents” – Should add “C” (Conditional Use Permit) to AWT (Agriculture and Woodland Transition) District

Amend Footnote #3 – See Section 6.10.2 for permitted animal units within the PVRF zoning district and non-farm residential lots within the AE, AR, and AWT zoning districts.

Delete Footnote #4 –

**Delete Sec. 1.07(2):**

**Amend Sec. 1.07(13) & (25):**

13. Common Ownership: Ownership by the same person or persons or by partnerships or corporations that are all wholly owned by the same person or persons. This includes joint tenancy and tenancy in common. Within the Farmland Preservation Overlay, a parcel owned by one member of a married couple is deemed to be owned by the married couple.

25. Farm: For the purposes of the Farmland Preservation Overlay, farm shall mean: Land that is primarily devoted to agricultural use, having produced at least six thousand dollars (\$6,000) in gross farm revenues in the previous year, or at least eighteen thousand dollars (\$18,000) in the preceding three (3) years.

**Add Sec. 2.16(3):**

3. In all zoning districts, any building or structure that exceeds one hundred (100) feet in height must be set back from all parcel, property lines and lot lines a distance equal to the height of the building or structure.

**Delete Sec. 3.01(4)(c):**

**Delete Sec. 3.05:**

**Amend Sec. 3.09:**

***3.09 SR: Sewered Residential District***

Purpose: To accommodate existing single and two-family residential development including compatible neighborhood uses that are currently served by public sewer. Lots may be as small as 20,000 (twenty thousand) square feet and shall be established in a fashion that maximizes the use of existing infrastructure and allows for the efficient

expansion of infrastructure in the future. The SR zoning district corresponds with the Sewered Residential and the Residential Preferred Land Use Categories within the Waupaca County Comprehensive Plan.

**Amend Sec. 6.05(1)(c)(5) & delete (6):**

- (1) Single-Family Residence, Nonfarm: Land uses consisting of a single detached building containing one (1) dwelling unit.
  - a. Parking required is two (2) spaces per dwelling unit.
  - b. This land use includes modular homes as defined in the Wisconsin Statutes Section 101.71(6) and manufactured homes as defined in the Wisconsin Administrative Code SPS 327. This does not include mobile homes as defined in the Wisconsin Statutes 101.91(10).
  - c. All homes shall meet the following requirements:
    - (1) All homes shall have a minimum width of twenty-two (22) feet.
    - (2) Roof pitch shall not be less than a nominal 3:12, rise to run.
    - (3) Roof overhang shall not be less than a nominal six (6) inches excluding any gutter.
    - (4) Any home not meeting the above standards shall require a Conditional Use Permit.
    - (5) Within the Farmland Preservation Overlay a single family residence is a type of “single-family dwelling” that is located on a farm, but does not meet the criteria for a “farm residence” as described in Section 6.10.9. Where located within the Farmland Preservation Overlay, this use shall meet the following performance standards:

**Delete Sec. 6.05(4):**

**Amend Sec. 6.05(8)(a):**

- (a) If proposed to be constructed in advance of the principal building (dwelling) on the same lot, the structure shall be sited with relation to appropriate locations for a future dwelling, private well, and on-site waste treatment system, and driveway. These accessory structures shall not include sanitary facilities or plumbing.

**Amend Sec. 6.05(10):**

10. Home Occupation, Minor: A small home-based family or professional business that is accessory to a principal residential use. This business includes economic activities performed within any dwelling that comply with the specified requirements listed below. Examples include, but are not limited to, personal and professional services, home offices, small beauty salons, handicrafts, small machine repair and where four (4) or less animals six (6) months of age or older are received for care, training, grooming, and boarding for compensation, excluding personal pets.

**Amend Sec. 6.05(11) & (12)(b):**

11. Family Day Care Home: Land uses consisting of an occupied residence in which a qualified person or persons provide child care for four (4) to eight (8) children. The care of less than four (4) children is not subject to the regulations of this Ordinance.

In the Farmland Preservation Overlay, the family day care home must meet the standards set forth in Section 6.10.8 for an Agricultural Home Occupation and the standards set forth in Section 6.08.6 for a Minor Indoor Institutional Use.

12. **Bed and Breakfast Establishment:** Land uses which provide lodging facilities that are operator-occupied residences providing accommodations for a charge to the public with no more than five (5) guest rooms for rent, are in operation for more than ten (10) nights in a twelve (12) month period, provide meals only to renters of the place, and are clearly residential structures in design, scale, and appearance. Such land uses may provide indoor recreational facilities for the exclusive use of their customers.

- a. One (1) parking space per bedroom is required.
- b. In the Farmland Preservation Overlay, the bed and breakfast establishment must meet the standards set forth in Section 6.10.8 for an Agricultural Home Occupation.

**Amend Sec. 6.05(13)(5):**

- (5) In the Farmland Preservation Overlay, the manufactured home must meet the standards for a Farm Residence as described in Section 6.10.9.

**Amend 6.06(13):**

13. **Commercial Animal Facility:** Land uses where five (5) or more animals six (6) months of age or older are bred by a person providing facilities for breeding and the offspring are sold, or where such animals are received for care, training, grooming, and boarding for compensation, excluding personal pets. This would include a small animal hospital, clinic, or pet shop. These uses include exercise yards, fields, training areas, and trails.

**Amend 6.06(15):**

15. **Mini-Warehouse:** Land uses oriented to the indoor storage of personal items entirely within partitioned buildings having an individual access to each partitioned area. Such storage areas may be available on either a condominium or rental basis.

**Delete Sec. 6.07(6):**

**Amend Sec. 6.08(6)(b) & (1):**

- b. If proposed in the Farmland Preservation Overlay, the use shall also meet the following standards:
  - (1) The use and its location are consistent with the purposes of the Farmland Preservation Overlay.

**Amend Sec. 6.08(7)(b) & (1):**

- b. If proposed in the Farmland Preservation Overlay, use shall also meet the following standards:
  - (1) The use and its location are consistent with the purposes of the Farmland Preservation Overlay.

**Amend Sec. 6.08(9)(c):**

- d. In the AE-FP Farmland Preservation Overlay, the Small Solar Energy System must meet the standards set forth in Section 6.10.6 for an Agricultural Accessory Use.

**Amend Sec. 6.09(1)(e):**

- e. In the Farmland Preservation Overlay, these areas shall remain undeveloped except for buildings for government or non-profit uses that are associated with an Outdoor Public Recreation use and shall meet the standards set forth in Section 91.44(l) (e) of the Wisconsin State Statutes

**Amend Sec. 6.09(5)(a)(12):**

12. Convenience establishments of a commercial nature may be permitted in a campgrounds providing that such establishments and their related parking areas shall not occupy more than ten percent (10%) of the total camp area, shall be subordinate to the recreational character of the camp, shall be located, designed and intended to serve the specific needs of the camp occupants, and shall present no visual evidence of commercial character from any portion of any residential district outside the camp. Such convenience establishment building shall adhere to any service building requirements.

- a. Recreational vehicle sales and service offices, display areas, or buildings may be permitted on the campground premises by special permission of the Planning and Zoning Committee. In granting such permission, the Committee shall take into consideration the location and appearance of such activities, shall require that display areas not detract from the aesthetic value of the camp, and shall require that all display stock and materials be kept under cover. No repair of service facilities shall be permitted in any case where by reason of excessive noise, odor, unsightliness, etc., would detract from the recreational character of the camping area.

**Amend Sec. 6.10(2):**

2. Agriculture – Animal Husbandry: Land uses that include keeping livestock, beekeeping, aquaculture, fur farming, and any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agricultural use.

- a. For horse keeping, must follow the 2011 Edition of the “Good Horse Keeping Best Practices Manual for Protecting the Environment” from the State of Connecticut; or successor. (Copy on file in the Planning & Zoning Office.)

- (1) Must have a shelter for horses with a minimum of three (3) walls and a roof.

Note: In nonfarm residential lots within AE, AR, AWT and PVRF zoning districts, one (1) animal unit per acre of lot area shall be permitted. Animal units are defined in the Wisconsin Administrative Code Section 243.05(2). A listing of animal units is provided in Appendix B. Any animal units above this limit shall be considered through the Conditional Use Permit process in these instances. (For horse keeping, a Conditional Use Permit will not be considered by the Planning and Zoning Committee unless the applicant meets the minimum of one (1) acre per horse. An exception to the minimum

of one (1) acre per horse may be allowed with a long term lease agreement for additional acreage.)

**Amend Sec. 6.10(4)(c):**

c. In the Farmland Preservation Overlay the use shall meet the standards set forth in Section 6.10.6 for an Agricultural Accessory Use.

**Amend Sec. 6.10(8)(c):**

c. Farm residences are subject to the density provisions established in Section 7.

**Add Sec. 6.10(9):**

9. Secondary Farm Residence:

a. The property is an active farmstead and the dwelling is to be used as a secondary farm residence.

b. The individual residing in the dwelling is one of the following:

1. An owner or operator of the farm.

2. A parent or child of an owner or operator of the farm.

3. An individual who earns more than fifty percent (50%) of their gross income from the farm.

c. At the time this dwelling is no longer used as a secondary farm residence, the dwelling must be parceled off via Certified Survey Map and must meet all applicable Subdivision and Zoning Codes at the time of conversion.

d. Secondary farm residences are subject to the density provisions established in Section 7.

**Amend Sec. 7.02:**

**7.02 Applicability:** This section applies only to the following zoning districts; Private Recreation and Forestry (PVRF), Agriculture Enterprise (AE), Agriculture Retention (AR), Agriculture and Woodland Transition (AWT), and Rural Residential (RR).

**Amend Sec. 7.03(B)(5):**

5. Assignment of development rights will be done at the time of split by all the owners of record of the parent parcel. A document attesting to the assignment of the development rights shall be filed in the Waupaca County Planning & Zoning Office. Signatures of all owners of record must be notarized.

**Amend Sec. 7.05(1) & (2):**

1. Nothing in this Section shall preclude the petitioner from seeking a zoning map amendment to remove lands from the PVRF, AE, AR, or AWT zoning districts unless located in a Farmland Preservation District. In the event that such lands are rezoned away from one of these districts, and not rezoned to another one of these districts, the provisions of this Section shall no longer apply.

2. In the event that a property is rezoned into PVRF, AE, AR, AWT or RR zoning districts from a non-applicable zoning district, the assignment of densities will be determined during the rezoning process.

**Add to Sec. 14.03(5)(a)(2)(d):**

- (2) Exceptions: A Land Use Permit shall not be required for the following:
- (a) Above ground swimming pools that are erected seasonally and do not have accessory decking.
  - (b) Retaining walls located outside the jurisdiction of Chapter 32 Shoreland Zoning Ordinance.
  - (c) Signs, however, must comply with applicable regulations.
  - (d) Rooftop and building mounted small solar energy systems.

**Add to Sec. 14.03(5)(a)(4):**

- (4) Application and issuance: Applications for Land Use Permits shall be made on forms furnished by the Planning & Zoning Director. Issuance of a Sanitary Permit is a pre-condition of issuance of a Land Use Permit whenever applicable. Permits shall be issued if the application and information obtained through field inspections, if any, causes the Planning & Zoning Director to conclude that the proposed use will comply with all applicable regulations. A revision is allowed to be made to the site plan after the Land Use Permit has been issued and prior to construction only if it contains the same structures as originally applied for and these structures meet all the required setbacks. If this revision contains a different type of structure or any additional structures have been added to the original site plan since the Land Use Permit was issued, another Land Use permit will be required.

**Amend Sec. 14.05(3):**

3. Time Limits Associated With Conditional Uses:

- (a) If the Conditional Use Permit is not initiated by securing a Land Use Permit, or, if more than one (1) permit is necessary, and securing at least one (1) necessary permit within twelve (12) months of the date of the approval is not done, the Conditional Use Permit approval shall be reviewed by the Committee. The applicant may apply for and the Planning and Zoning Committee may grant a one time extension, provided that a written request for extension is submitted before the original expiration date. At the Planning and Zoning Committee's discretion, these provisions may be modified.
- (b) If a use or activity associated with a previously approved Conditional Use Permit ceases for twelve (12) months or more after first being established on the property, the property owner or authorized agent must reapply and obtain approval of another Conditional Use Permit before recommencing the use or activity. Unless a specific condition of approval indicates otherwise, or the operation is ceased for the period of time indicated above, each Conditional Use Permit shall run in perpetuity with the underlying land and not with the particular property or business owner who originally obtains the Conditional Use Permit.

**Add Sec. 14.05(7):**

7. Owner/Applicant Request to Rescind Conditional Use Permit: When an owner or applicant requests to rescind their Conditional Use Permit, they must submit a written



explanation to the Planning and Zoning Office so it can be placed on the Planning and Zoning Committee's agenda. The Town will be notified.

**Amend Sec. 14.05(9); (a)(1) and (b)(1):**

(9) Land may be considered for rezoning out of the Farmland Preservation Overlay without certification by the Department of Agriculture, Trade, and Consumer Protection if all of the following apply:

(a) The County finds all of the following, after public hearing:

(1) The land is better suited for a use not allowed in the Farmland Preservation Overlay.

(b) The County shall by March 1 of each year provide all of the following to the Department of Agriculture, Trade and Consumer Protection:

(1) A report of the number of acres that the County has rezoned out of the Farmland Preservation Overlay during the previous year and a map that clearly shows the location of those acres.

**Amend Sec. 14.06(2):**

2. Timeline: Towns shall have forty-five (45) days to provide review and recommendation to the Waupaca County Planning & Zoning Director from the date the town receives the application. If the Planning & Zoning Director has not received a written recommendation within forty-five (45) days, the County review process will continue without Town feedback. The Planning & Zoning Director may grant an extension to the 45 days if requested by the Town.

**Amend Sec. 14.07(4)(c)(1):**

(1) Reference to Chapter 25 – Section 25.04 Penalty Provisions.

**Amend Appendix A:**

Appendix A – Residential Density Management System

This Section provides an example of how residential density is managed in Waupaca County within the following zoning districts: Private Recreation and Forestry (PVRF), Agriculture Enterprise (AE), Agriculture Retention (AR), Agriculture and Woodland Transition (AWT), and Rural Residential (RR). This Section applies only to the above listed zoning districts. Furthermore, nothing in this Section shall preclude the petitioner from seeking a zoning map amendment to remove lands from the PVRF, AE, AR, AWT or RR zoning districts. In the event that such lands are rezoned away from one of these districts, and not rezoned to another one of these districts, the provisions of this Section shall no longer apply.

**Amend Appendix B:**

**Appendix B – Animal Density Unit Standards**

\*The above provisions apply ONLY to nonfarm use as defined in Section 1.07(39) of the Waupaca County Zoning Ordinance.

***EFFECTIVE DATE***

Approval of the Planning & Zoning Committee and upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each town as provided in Section 59.69(5)e, Wis. Stats.

Supr. Sorensen moved and Supr. Zaug seconded the motion to adopt the amendments to Chapter 34 of the Waupaca County Code of Ordinances. Supr. Craig moved and Supr. Rohan seconded the motion to amend Section 14.07(4)(c)(1) to read (1) Reference to Chapter 25 – Citation Authority Enactment 25.04. Motion carried 26-0 on the Section 14.07 amendment. Passed the 19<sup>th</sup> day of May, 2015. Motion carried 26-0 on adopting Chapter 34 as amended. Passed the 19<sup>th</sup> day of May, 2015.

**AMENDMENT TO THE WAUPACA COUNTY CODE OF ORDINANCES  
CHAPTER 36 – WAUPACA COUNTY FLOODPLAIN ORDINANCE**

The Waupaca County Board of Supervisors does hereby ordain and enact the following amendments to the Waupaca County Floodplain Ordinance, Chapter 36:

**Add to Sec. 4.3 (1)(d)(2)(a):**

2. The municipality has a DNR-approved emergency evacuation plan.

a. Wolf River Emergency Action Plan, Dated October (2014) prepared by Waupaca County Emergency Management. Approved by Wisconsin Department of Natural Resources. (On file at the Waupaca County Emergency Management Department and the Waupaca County Planning and Zoning Office.)

***EFFECTIVE DATE***

Approval of the Planning & Zoning Committee and upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each town as provided in Section 59.69(5)e, Wis. Stats.

Supr. Jonely moved and Supr. Flease seconded the motion to adopt the amendments to Chapter 36 of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015.

**AMENDMENT TO THE WAUPACA COUNTY CODE OF ORDINANCES  
CHAPTER 37—WAUPACA COUNTY SUBDIVISION ORDINANCE**

**The Waupaca County Board of Supervisors does hereby ordain and enact the following amendments to the Waupaca County Subdivision Ordinance, Chapter 37:**

**Add definition to Sec. 2.02(1):**

**(1) Access:** The description and descriptions which identify in writing the physical location of the nonexclusive vehicular access rights to a public street as provided in a

recorded document. The minimum width for a legal access, including easements, shall be a minimum of thirty-three (33) feet.

**Delete Sec. 2.02(37):**

**Amend Sec. 2.02(48):**

48. **Minor Subdivision:** The division of land by the owner or subdivider resulting in the creation of not more than four (4) parcels or building sites, inclusive of the original parent parcel, any one (1) of which is twenty (20) acres or less in size; or the division of a block, lot or outlot within a recorded subdivision plat into not more than four (4) parcels or building sites, inclusive of the original parent parcel, without changing the exterior boundaries of said block or outlot.

**Amend Sec. 2.02(55):**

55. **Outlot:** A parcel of land not to be used for building purposes, so designated on the Plat or Certified Survey Map which is any of the following:

- a. A parcel of land left over at the time of platting which does not meet the requirements of a lot.
- b. *A platted parcel which is intended for open space or other use and which is held in common ownership or which is transferred to a public agency or utility.*
- c. A platted parcel which is intended to be used for access purposes only.

**Amend Sec. 2.02(69):**

69. **Subdivision:** The division of a lot, parcel or tract of land by the owner thereof, or his agent, for the purpose of transfer of ownership or building development, including condominium development, where the act of division creates five (5) or more parcels or building sites, inclusive of the parent parcel, any one (1) of which is twenty (20) acres or less in area by division or successive divisions of any part of the parent property within a five (5)-year period.

**Amend Sec. 3.02(4)(c):**

- (c) **Sale or Exchange/Combinations** of parcels of land between owners of adjoining property if additional lots are not thereby created. A preliminary site plan including distances and acreages must be approved by the Planning & Zoning Director for such exchanges for the purpose of verifying that additional lots are not thereby created and that the resultant lots are not reduced below the minimum lot sizes required by these regulations, the County Zoning Ordinance, or other applicable laws or ordinances. Maximum lot size shall not apply. Sale or exchange/combinations of parcels require a new Deed to be recorded with a new legal description defining the exterior boundary of the whole parcel. Also included on the Deed shall be a statement that these parcels are intended to be combined to create one parcel. Said parcels shall not be conveyed separately in the future without complying with Waupaca County Zoning & Subdivision Ordinances.

**Amend Sec. 3.02(4)(f):**

(f) **Division** of lots greater than twenty (20) acres in area or when a quarter-quarter is split evenly in half.

**Amend Sec. 3.04(1) & (2):**

1. **Floodplains:** Lots in a subdivision shall have at least fifty percent (50%) of the minimum required lot area, based upon the respective zoning district, or one-half (½) acre, whichever is less, located outside of the Special Flood Hazard Area inundated by the one hundred (100)-year flood as shown on the latest FEMA Flood Insurance Rate Maps (FIRM) unless proven to be above the one hundred (100)-year flood elevation through a flood elevation study prepared by a licensed engineer and/or surveyor.
2. **Wetlands.** Lots in a subdivision shall have at least fifty percent (50%) of the minimum lot area, based upon the respective zoning district, or one half (1/2) acre, whichever is less, located outside of a wetland as depicted on the most precise Wisconsin Department of Natural Resources mapping or a wetland delineation completed by a qualified professional Wetland Delineator.

**Amend Sec. 4.09:**

**4.09 Minor Subdivision**

When it is proposed to divide land into not more than four (4) parcels or building sites inclusive of the original parent parcel, any one (1) of which is twenty (20) acres or less in size; or the division of a block, lot, or outlot within a recorded subdivision plat into not more than four (4) parcels or building sites, inclusive of the original parent parcel, without changing the exterior boundaries of said block or outlot, the subdivider shall subdivide by use of a Certified Survey Map prepared in accordance with Section 7.0 of this Ordinance and shall file a copy of the Map with the Planning & Zoning Director. In addition to the required paper copy, an electronic submittal of the preliminary map in original format to the County is encouraged.

**Add to Sec. 7.01:**

**12.** The purpose of an outlot must be defined on the Certified Survey Map, as defined in Sec. 2.02(55).

**Amend Sec. 7.01(12):**

**13.** Access easements must be defined on the Certified Survey Map and by accompanied Deed or by a separate recorded document as required by Section 8.09(3).

**Amend Sec. 8.07(3):**

**3. Access.** For access servicing one (1) to four (4) lots, every lot shall front or abut on a public road for a distance of at least thirty-three (33) feet owned or by easement [as required in Sec. 8.09(3)], except lots located on a curved street or cul-de-sac which shall front or abut on a road for a distance of at least thirty (30) feet. Each lot shall have legal nonexclusive vehicular access to a public street. Access servicing five (5) or more lots would be defined as a Subdivision as described in Section 2.02(69) or brought up to Town road standards as required by Section 82.50, Wisconsin Statutes.

**Amend Sec. 8.07(5):**

5. Maximum Lot Sizes shall only pertain to the parcel(s) being created by Certified Survey Map and does not include the remnant parcel. In the event of combining parcels or a sale/exchange, maximum lot size shall not apply. Maximum lot sizes are defined through Town developed overlays which are referenced in Section 8.02 in the Waupaca County Zoning Ordinance.

**Amend Sec. 8.09(3):**

3. **Access Easements.** Must be defined on the Certified Survey Map and by accompanied Deed or by a separate recorded document.

***EFFECTIVE DATE***

Approval of the Planning & Zoning Committee and Upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

Supr. Penney moved and Supr. Peterson seconded the motion to adopt the amendments to Chapter 37 of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015.

**AMENDMENT TO THE WAUPACA COUNTY CODE OF ORDINANCES  
CHAPTER 48—WAUPACA COUNTY SUBDIVISION ORDINANCE**

**The Waupaca County Board of Supervisors does hereby ordain and enact the following amendments to the Waupaca County Mobile Services Facilities and Support Structures Ordinance, Chapter 48:**

**Amend Sec. 1(a):**

a. Purpose and Intent. The purpose of this ordinance is to regulate by conditional use permit (1) the siting and construction of any new mobile service support structure and facilities; (2) with regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities by conditional use permit; and (3) with regard to a class 2 collocation, collocation on an existing support structure which does not require the substantial modification of an existing support structure and mobile service facilities also by land use permit.

**Amend Sec. 1(d)(1)(a):**

a. A conditional use permit is required for the siting and construction of any new mobile service structure and facilities and for Class 1 Collocation.

**Amend Sec. 1 (d)(1)(b)(v):**

v. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including all initial antennas on the tower

being enumerated on the application, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.

**Amend Sec. 1(d)(5):**

**(5) Application of Set Back/Fall Zone.** In all zoning districts, any building or structure that exceeds one hundred (100) feet in height must be set back from all parcel, property lines and lot lines a distance equal to the height of the building or structure. If an applicant provides the Planning and Zoning Department with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the set back or fall zone area required in a zoning ordinance, that zoning ordinance does not apply to such a structure unless the Planning and Zoning Department provides the applicant with substantial evidence that the engineering certification is flawed.

**Amend Sec. 1(d)(7):**

7. Limitations. Conditional Use Permits for Siting and Construction of any new mobile service support structure and facilities and Class 1 Collocations shall only be granted provided the following conditions exist:

***EFFECTIVE DATE***

Approval of the Planning & Zoning committee and upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each town as provided in Section 59.69(5)e, Wis. Stats.

Supr. Handrich moved and Supr. Kussmann seconded the motion to adopt the amendments to Chapter 48 of the Waupaca County Code of Ordinances. Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015.

**WAUPACA COUNTY PLANNING & ZONING FEE SCHEDULE**  
For informational purposes only

<b>WAUPACA COUNTY PLANNING AND ZONING FEE SCHEDULE</b>
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Land Use Permits:

New Mobile Service Support Structure and Facilities and Class 1 Collocation .....	\$3000.00
Class 2 Collocation.....	100.00
Dwelling/1 <sup>st</sup> Structure on Property (Accessory Structure prior to Principal) .	150.00
Home Occupation.....	150.00
Initial/Additional/Alteration or Addition to Commercial Structure .....	150.00
Addition/Alteration to Residential Dwelling.....	100.00
Accessory Structure/Addition to Access. Structure (125 sq. ft. or greater in size) .....	75.00
Accessory Structure/Addition to Access. Structure (less than 125 sq. ft. in size)	25.00

(All Land Use Permit Fees shall be doubled if project begins prior to issuance of the proper permits.)

Public Hearings:

Conditional Use Application/Modification .....	\$400.00
Conditional Use Application (Non-Metallic Mining – 20 acres or less).....	400.00
Conditional Use Application (Non-Metallic Mining – over 20 acres) .....	1,000.00
Zoning Map Amendment .....	400.00
Zoning Map Amendment with Conditional Use Application .....	600.00
Variance Petition/Appeal .....	400.00
Comprehensive Plan Amendment .....	400.00
Comprehensive Plan Amendment with Zoning Map Amendment .....	600.00
Comp. Plan Amend., with Zoning Map Amend. & Conditional Use Application .....	800.00

(All Public Hearing Fees shall be doubled if project begins prior to the Public Hearing.)

Shoreland Permits:

Non-waterfront property.....	\$150.00
Waterfront property (within 300 feet) .....	300.00
Mitigation fees – Impervious Surface: 15 – 20% .....	500.00
20 – 25%.....	750.00
25 – 30%.....	1,000.00

(Note: An escrow account would need to be secured for the amount one step higher than the Initial percentage determination to allow for a possible increase after the fact.)

Points of Mitigation: 0 – 2 Points .....	500.00
3 Points .....	750.00
4 Points .....	1,000.00

(All Shoreland Permit Fees shall be doubled if project begins prior to issuance of the proper permits.)

Sanitary Permits:

Conventional (includes drainfield only) .....	\$ 400.00
Holding Tanks/Holding Tank Plan Review .....	625.00
Mound Systems, At-Grade Systems, In-Ground Pressure .....	500.00
Systems including aeration or recirculating tanks or sand filters .....	500.00
Septic tank replacement .....	300.00
Privies .....	200.00
Repairs (includes aeration tanks for rejuvenation), Reconnections .....	200.00
Transfers .....	35.00
Renewals .....	100.00
Return Inspections.....	40.00
Wisconsin Fund Application.....	100.00
Maintenance Program Fee .....	\$15.00/ 3 years or \$5.00/year
Violation Fee .....	\$35.00

(All Sanitary Permit Fees shall be doubled if project begins prior to issuance of the proper permits.)

Land Division Fees:

Certified Survey Map Review .....	\$100.00
Preliminary Plat Review (plus \$20.00 each lot).....	200.00
Final Plat Review (plus \$10.00 each lot).....	100.00

Condominium Plat Review..... 100.00

Ordinances:

Zoning Ordinance (includes tax)..... \$10.00  
Shoreland Zoning, Subdivision or Floodplain Ordinance (includes tax)..... 5.00

Copies:

Copies (black & white)..... \$ .25  
Aerial photos (colored) 8 ½ X 11 ..... 2.00  
Aerial photos (colored) 11 X 17 ..... 3.00  
CD's ..... 5.00

*All Fees effective May 7, 2015*

**RESOLUTION NO. 7 (2015-2016)**

**SUBJECT:** The Health and Human Services Board is recommending the reorganization of the current CCS (Comprehensive Community Services) Coordinator position to require a licensed therapist.

**WHEREAS,** with the 2015 Budget, the DHHS requested a new position of CCS Coordinator paid at Labor Grade Level 9; and,

**WHEREAS,** the DHHS has not yet recruited for filling this position; and,

**WHEREAS,** after meetings with various contracted and State personnel, the CCS Coordinator position will require the credentials of a licensed therapist; and,

**WHEREAS,** the position will be graded at the same level as current licensed therapists within DHHS at Labor Grade Level 12; and,

**WHEREAS,** the position of CCS Coordinator will be billable to third party insurance and other fiscal resources, and reimbursement will cover the full cost of the position.

**NOW, THEREFORE, LET IT BE RESOLVED** that the Waupaca County Board of Supervisors authorizes the Health and Human Services Department to change the CCS Coordinator position to a licensed therapist at Labor Grade Level 12, as set by the JDQ of similar positions.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD AND WAUPACA COUNTY FINANCE AND HUMAN RESOURCES COMMITTEE:** /s/ Gerald M. Murphy, Carl Kietzmann, Dona Gabert, Mary Kay Poehlman, Steve Goedderz, Don Aasen, Judy Muck, David S. Neumann, Jan L. Lehrer, DuWayne Federwitz, Gary Barrington, John F. Penney, G. Robert Flease, Patricia Craig, Dick Koeppen



ATTEST:  
/s/ Mary A. Robbins  
Waupaca County Clerk

APPROVED AS TO FORM:  
/s/ Diane Meulemans  
Corporation Counsel

Supr. G. Murphy moved and Supr. Poehlman seconded the motion to approve Resolution No. 7 (2015-2016). Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015

**RESOLUTION NO. 8 (2015-2016)**

**SUBJECT:** 2015 Budget Amendment

**FISCAL NOTE: \$22,923.00 from Fund Balance Restricted – Jail Improvements**

**WHEREAS**, it has become necessary to provide for additional expenditures not anticipated at the time of establishing the 2015 budget for the replacement of HVAC Controls at the Law Enforcement Center; and

**WHEREAS**, the County has restricted funds for the purpose of Jail Improvements; and

**WHEREAS**, this expenditure will be \$22,923 for the replacement of the HVAC Control at the Law Enforcement Center.

**NOW, THEREFORE, BE IT RESOLVED** that the following transfers be made to replace HVAC Controls at the Law Enforcement Center:

**Transfer from:**

Fund Balance Restricted – \$741,355.00	
Jail Improvements	\$22,923.00

**Transfer to:**

Corrections – Outlay	\$22,923.00
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**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE AND HUMAN RESOURCES COMMITTEE:** /s/ DuWayne Federwitz, Gary Barrington, John F. Penney, G. Robert Flease, Patricia Craig, Dick Koeppen. Gerald M. Murphy, David S. Neumann

ATTEST:  
/s/ Mary A. Robbins  
Waupaca County Clerk

APPROVED AS TO FORM:  
/s/ Diane Meulemans  
Corporation Counsel

Supr. Craig moved and Supr. Jonely seconded the motion to approve Resolution No. 8 (2015-2016). Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015.

**RESOLUTION NO. 9 (2015-2016)**

**Subject:** 2015 Budget Amendment

**FISCAL NOTE:** Fund Balance Assigned – Lakeview Manor Road Improvements  
\$45,000.00

**WHEREAS**, it has become necessary to provide for additional expenditures not anticipated at the time of establishing the 2015 budget for the upgrade of the Lakeview Manor Road Access; and

**WHEREAS**, the Finance and Human Resources has assigned a fund balance for the Lakeview Manor Road Access Improvements; and

**WHEREAS**, this expenditure will be \$45,000.00 of the total amount budgeted for the Lakeview Manor Road Access.

**NOW, THEREFORE, BE IT RESOLVED** that the following transfers be made to upgrade the Lakeview Manor Road Access improvement:

**Transfer from:**

Fund Balance Assigned – \$76,140.00	
Lakeview Manor Road Improvements	\$50,000.00

**Transfer to:**

Enterprise Fund – Lakeview Manor	\$50,000.00
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**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE AND HUMAN RESOURCES COMMITTEE:** /s/ DuWayne Federwitz, Gary Barrington, John F. Penney, G. Robert Flease, Patricia Craig, Dick Koeppen. Gerald M. Murphy, David S. Neumann

ATTEST:  
/s/ Mary A. Robbins  
Waupaca County Clerk

APPROVED AS TO FORM:  
/s/ Diane Meulemans  
Corporation Counsel

Supr. Spierings moved and Supr. Handrich seconded the motion to approve Resolution No. 9 (2015-2016). Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015.

**RESOLUTION NO. 10 (2015-2016)**

**SUBJECT:** The Waupaca County Highway Committee recommends replacing six (6) Equipment Operator I positions with six (6) Equipment Operator II positions.

**WHEREAS**, the Highway Department has completed an extensive process developing a Vision, Mission, and Value statement;

**WHEREAS**, the Highway Department has developed a comprehensive Strategic Plan to achieve the Vision;

**WHEREAS**, planning for the future includes a comprehensive reorganization of the current table of organization;

**WHEREAS**, this action is one of several steps in the reorganization;

**WHEREAS**, the Highway Department seeks the most cost effective means to manage the division's responsibilities;

**WHEREAS**, the financial impact to the Highway Budget/Unassigned Fund is anticipated to be \$8,933.12;

**NOW, THEREFORE, LET IT BE RESOLVED** that the Waupaca County Board of Supervisors approves replacing six (6) Equipment Operator I positions with six (6) Equipment Operation II positions.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY HIGHWAY COMMITTEE AND WAUPACA COUNTY FINANCE AND HUMAN RESOURCES COMMITTEE:** /s/ G. Robert Flease, William Jonely, Joe McClone, Lee Much, Don Aasen, DuWayne Federwitz, Gary Barrington, John F. Penney, G. Robert Flease, Patricia Craig, Dick Koeppen. Gerald M. Murphy, David S. Neumann

ATTEST:  
/s/ Mary A. Robbins  
Waupaca County Clerk

APPROVED AS TO FORM:  
/s/ Diane Meulemans  
Corporation Counsel

Supr. Flease moved and Supr. McClone seconded the motion to approve Resolution No. 10 (2015-2016). Motion carried 26-0. Passed the 19<sup>th</sup> day of May, 2015.

### **RESOLUTION NO. 11 (2015-2016)**

**Subject:** Coroner Cremation Fee Increase and Disinterment Fee

**WHEREAS**, the Waupaca County Coroner is required by state statute to provide cremation permits and approve cremations done within Waupaca County; and

**WHEREAS**, the Coroner incurs expenses to his office as part of fulfilling his duties with regards to cremations performed within Waupaca County; and

**WHEREAS**, the increase in the cremation fee from \$150.00 to \$200.00 and the creation of a fee for any disinterment of \$100.00 will recoup some of the costs incurred by the Coroner in providing these mandated services.

**NOW, THEREFORE, BE IT RESOLVED** that the Waupaca County Board of Supervisors does hereby authorize the Waupaca County Coroner to increase the fee for each cremation permit/approval issued by his office and to set the fee for any disinterment request as stated above.

**RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE AND HUMAN RESOURCES COMMITTEE:** /s/ DuWayne Federwitz, Gary Barrington, John F. Penney, G. Robert Flease, Patricia Craig, Dick Koeppen. Gerald M. Murphy, David S. Neumann

ATTEST:  
/s/ Mary A. Robbins  
Waupaca County Clerk

APPROVED AS TO FORM:  
/s/ Diane Meulemans  
Corporation Counsel

Supr. Zaug moved and Supr. Handrich seconded the motion to approve Resolution No. 11 (2015-2016). Motion carried 24-2 with Suprs. Poehlman and Craig voting no. Passed the 19<sup>th</sup> day of May, 2015.

#### **ANNOUNCEMENTS AND CORRESPONDENCE**

Chair Koeppen placed the following correspondence for May on file in the County Clerk's Office: WCEDC Monthly Report and Department of Health & Human Services Public Hearing notice.

Supr. Aasen moved and Supr. Much seconded the motion to adjourn. Motion carried 26-0. Chair Koeppen declared the meeting adjourned at 11:10 a.m.

Mary A. Robbins  
Waupaca County Clerk