

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES –FEBRUARY 15, 2018**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:15 a.m. on the June A. Coe property, Town of Union; the Scott A. & Debra A. Ellei property, Town of Wyoming and the Wisconsin & Northern Michigan District Assemblies of God property, Town of Lind.

Chm. Penney called the meeting to order at: 10:30 a.m. with the following members present: J. Penney, D. Kussmann, T. Murphy and W. Wilfuer present. D. Federwitz, was excused.

D. Kussmann moved and T. Murphy seconded the motion to approve the agenda as presented. The motion was carried.

T. Murphy moved and W. Wilfuer seconded the motion to approve the minutes from the October 19, November 16 and December 14, 2017 meetings. The motion was carried.

Public Comment: There was none.

PUBLIC HEARINGS:

The first public hearing was called to order at 10:32 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer and T. Murphy, present. D. Federwitz, was excused. Deb Giuffre read the names of persons notified of the hearing for **June A. Coe:** Located in part of the NE ¼ of the NE ¼ of Sec. 35, Town of Union, lying along Highway 22, Fire Number E6815, Waupaca County, Wisconsin; for an after the fact Petition for Zoning Map Amendment from an AE (Agriculture Enterprise) District to an RR (Rural Residential) District to acquire a lesser setback for an addition to an existing structure on approximately .6 acres. The Committee, Ryan Brown, Planning & Zoning Director, and Jean Gliniecki, Zoning Administrator, made an on-site inspection of the property. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Kenneth Coe was sworn in to testify. Mr. Coe said he built a lean to his storage shed and it doesn't meet the setbacks. Mr. Coe said he needs a zone change to meet the setbacks.

Chm. Penney called three times for any testimony in favor to the application.

Gary Schoen was sworn in to testify. Mr. Schoen said is the Chairman for the Town of Union and is in favor of the zone change to comply with the setbacks.

Chm. Penney called three times for any testimony in opposition to the application. There was none.

Deb Giuffre read one (1) from the Town of Union recommending approval of the application.

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval with final approval from the Waupaca County Board at their next meeting.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
FEBRUARY 15, 2018**

T. Murphy moved and W. Wilfuer seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Union Planning Commission and Town Board have both recommended approval of this request and it is consistent with the Town's Comprehensive Plan. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes and T. Murphy —yes unanimous vote to grant the zone change. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 10:40 a.m. The motion was carried.

The second public hearing was called to order at 10:41 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer and T. Murphy, present. D. Federwitz, was excused. Deb Giuffre read the names of persons notified of the hearing for **Scott A. & Debra A. Ellei**: Located in part of the NW ¼ of the SE ¼ of Sec. 13, Town of Wyoming, lying along County Highway G, Fire Number N11002, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from a PVRF (Private Recreation and Forestry) District to an AWT (Agriculture and Woodland Transition) District to acquire additional development rights to create a parcel for a single family development with an after the fact Conditional Use Permit application for the placement of two (2) recreational vehicles intended for temporary living purposes in excess of 30 days on approximately 23.93 acres. The Committee, Ryan Brown, Planning & Zoning Director, and Jean Gliniecki, Zoning Administrator, made an on-site inspection of the property. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Scott Ellei was sworn in to testify. Mr. Ellei said he would like a zone change for additional development rights to build a dwelling. A Conditional Use Permit for two (2) recreational vehicles, one (1) to remain on the property. The other recreational vehicle will be removed when the dwelling is complete.

Chm. Penney called three times for any testimony in favor to the application. There was none

Chm. Penney called three times for any testimony in opposition to the application. There was none.

Deb Giuffre read two (2) letters from the Town of Wyoming recommending approval of the Petition for Zoning Map Amendment and Conditional Use Permit with conditions.

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval with final approval from the Waupaca County Board for the Petition for Zoning Map Amendment and a certified survey map. Approval for the Conditional Use Permit with the following conditions: There shall be a County approved sanitary system on the property for recreational vehicles. In order to create a two (2) acre parcel for the applicant to construct a dwelling, there shall be a Certified Survey Map completed for that two (2) acres. The applicant must obtain a Sanitary Permit from the Planning & Zoning Office for the installation of a sanitary system prior to the construction of the dwelling. The applicant must obtain a Land Use Permit from the Planning & Zoning Office prior to the construction of the dwelling. The applicant must obtain a Building Permit from the local Building Inspector prior to the construction of the dwelling. The existing recreational vehicle on the proposed building site shall be removed from the property within six (6) months of occupancy of the new dwelling.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
FEBRUARY 15, 2018**

D. Kussmann moved and T. Murphy seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Wyoming Planning Commission and Town Board have both recommended approval of this request and it is consistent with the Town’s Comprehensive Plan. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes and T. Murphy —yes unanimous vote to grant the zone change.

D. Kussmann moved and T. Murphy seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town of Wyoming Planning Commission and Town Board have both approved this request and it is consistent with the Town’s Comprehensive Plan. The following conditions **MUST** be met: There shall be a County approved sanitary system on the property for recreational vehicles. In order to create a two (2) acre parcel for the applicant to construct a dwelling, there shall be a Certified Survey Map completed for that two (2) acres. The applicant must obtain a Sanitary Permit from the Planning & Zoning Office for the installation of a sanitary system prior to the construction of the dwelling. The applicant must obtain a Land Use Permit from the Planning & Zoning Office prior to the construction of the dwelling. The applicant must obtain a Building Permit from the local Building Inspector prior to the construction of the dwelling. The existing recreational vehicle on the proposed building site shall be removed from the property within six (6) months of occupancy of the new dwelling. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes and T. Murphy —yes unanimous vote to grant the permit. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 11:03 a.m. The motion was carried.

The third public hearing was called to order at 11:04 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer and T. Murphy, present. D. Federwitz, was excused. Deb Giuffre read the names of persons notified of the hearing for **Wisconsin & Northern Michigan District Assemblies of God**: Located in part of the SE ¼ of the SW ¼ of Sec. 18, Town of Lind, lying along Locust Lane, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from a PVRF (Private Recreation and Forestry) District to an RR (Rural Residential) District with a Conditional Use Permit application for a Multi-Family Residence (4-plex) on approximately 1 acre. The Committee, Ryan Brown, Planning & Zoning Director, and Jean Gliniecki, Zoning Administrator, made an on-site inspection of the property. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Reverend Liebe was sworn in to testify. Reverend Liebe said the current mobile homes are inhabitable. They would like to construct a 4-plex for staff housing during the summer and other times throughout the year. The septic system will be upgraded.

Chm. Penney called three times for any testimony in favor to the application. There was none

Chm. Penney called three times for any testimony in opposition to the application. There was none.

Deb Giuffre read two (2) letters from the Town of Lind recommending approval of the Petition for Zoning Map Amendment and Conditional Use Permit with conditions.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
FEBRUARY 15, 2018**

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval with final approval from the Waupaca County Board for the Petition for Zoning Map Amendment and a certified survey map. Approval for the Conditional Use Permit with the following conditions: In order to create the one (1) acre parcel for the applicant to construct the four-plex, there shall be a Certified Survey Map completed for that one (1) acre parcel. The property is limited to the four (4) units with no additions being allowed on the four (4) units. The applicant must obtain a Sanitary Permit from the Planning & Zoning Office for the installation of a sanitary system prior to the construction of the four-plex. The applicant must obtain a Land Use Permit from the Planning & Zoning Office prior to the construction of the four-plex. The applicant must obtain a Building Permit from the local Building Inspector prior to the construction of the four-plex. The required parking is two (2) spaces per dwelling unit.

Steve Gall was sworn in to testify. Mr. Gall said he is the Chairman for the Town of Lind. Mr. Gall has some concerns regarding the septic system and the 4-plex being used year round.

Jason Snyder, Deputy Zoning Administrator, said the septic system is sized appropriately.

Ryan Brown, Planning & Zoning Director, said the Planning & Zoning office can't enforce occupancy.

T. Murphy moved and W. Wilfuer seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Lind Planning Commission and Town Board have both recommended approval of this request and it is consistent with the Town's Comprehensive Plan. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes and T. Murphy —yes unanimous vote to grant the zone change.

T. Murphy moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town of Lind Planning Commission and Town Board have both approved this request and it is consistent with the Town's Comprehensive Plan. The following conditions **MUST** be met: In order to create the one (1) acre parcel for the applicant to construct the four-plex, there shall be a Certified Survey Map completed for that one (1) acre parcel. The property is limited to the four (4) units with no additions being allowed on the four (4) units. The applicant must obtain a Sanitary Permit from the Planning & Zoning Office for the installation of a sanitary system prior to the construction of the four-plex. The applicant must obtain a Land Use Permit from the Planning & Zoning Office prior to the construction of the four-plex. The applicant must obtain a Building Permit from the local Building Inspector prior to the construction of the four-plex. The required parking is two (2) spaces per dwelling unit. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes and T. Murphy —yes unanimous vote to grant the permit. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 11:22 a.m. The motion was carried.

The fourth public hearing was called to order at 11:23 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer and T. Murphy, present. D. Federwitz, was excused. Deb Giuffre read the names of persons notified of the hearing for **Joshua B. Franchuk et al**: Located in part of the NE ¼ of the NE ¼ of Sec. 33, Town of Iola, lying along Johnson Road, Fire Number E1256, Waupaca County, Wisconsin; for a review of a Conditional Use Permit application for a Commercial Animal Facility (dog boarding/daycare/grooming business) in an AWT (Agriculture and

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
FEBRUARY 15, 2018**

Woodland Transition) District on approximately 5.01 acres. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Joshua Franchuk was sworn in to testify. Mr. Franchuk said the fence is completed, the barn is being used and he meets the thirty (30) dog requirement. Mr. Franchuk said he has implemented a new computer system that tracks the number and history of dogs to help with compliance.

Candace Bauer, Land Use/Code Enforcement Specialist, gave a staff report and recommends closure of the review of the Conditional Use Permit. In the future, the Committee may review the Conditional Use Permit again or alter the Conditional Use Permit, after a public hearing, if the Committee finds that the review criteria of the ordinance or the conditions attached to the permit are not in compliance or if the Planning and Zoning Office receives any complaints.

Chm. Penney called three times for any testimony in favor to the application. There was none

Chm. Penney called three times for any testimony in opposition to the application. There was none.

Ryan Brown, Planning & Zoning Director, spoke with the Town of Iola's Chairman and there has been no complaints and is compliant with the conditions.

D. Kussmann moved and W. Wilfuer seconded the motion that no further reviews will be held by the Committee unless complaints of the facility are received. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 11:31 a.m.. The motion was carried.

The fifth public hearing was called to order at 11:32 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer and T. Murphy, present. D. Federwitz, was excused. Deb Giuffre read the names of persons notified of the hearing for **Keith A. & Karen L. Larson:** Located in part of the SW ¼ of the SW ¼ of Sec. 16, Town of Union, lying along School Section Lane, Fire Number E5742, Waupaca County, Wisconsin; for a review of a Conditional Use Permit application for a Commercial Animal Facility (dog breeding) in an AR (Agriculture Retention) District on approximately 25 acres. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Keith & Karen Larson were sworn in to testify.

Jason Snyder, Deputy Zoning Administrator, gave a staff report on the onsite findings.

Karen Larson said the dogs are at the limit number of 24. There is a bark sensor and dogs with the bark collars to help with the barking. The dogs on the outside of the fence have been moved. State license is pending.

Keith Larson said the construction is in process but due to work and the weather he hasn't made much progress.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
FEBRUARY 15, 2018**

Gary Schoen was sworn in to testify. Mr. Schoen said he is the Chairman for the Town of Union and is representing the people, the Board and Planning Commission. Mr. Schoen said there are concerns with the number of dogs, vaccinations and barking. The Town of Union gave a recommendation that all improvements be done by November 1, 2017, which was extended by the County. The Town of Union is opposed to an extension.

Milly Lehman was sworn in to testify. Ms. Lehman owns a cottage nearby the Larson's and visits from April through September. Ms. Lehman's main concern is the barking. The barking has gotten better since the fence was put up.

Joshua Franchuk said he is from Dee O Gee dog boarding, grooming and daycare facility. Mr. Franchuk gave information and suggestions for the Larson's facility.

Jason Snyder, Deputy Zoning Administrator, said the Planning and Zoning Office recommends an extension for the conditions to be met by **June 1, 2018**. If the conditions are not met by this time it is recommended that the matter again be reviewed and revocation of the approval be considered.

Deb Giuffre read one (1) letter from a neighboring property owner in opposition to the Conditional Use Permit.

Keith & Karen Larson came back for rebuttal. Mr. Larson gave an update on the work needed to be done and asked for an extension to June 1, 2018.

Karen Larson said the barking should be minimized when the dogs are in the kennel area that is being constructed.

D. Kussmann moved and T. Murphy seconded that the deadline to meet the conditions of Conditional Use Permit CP-031-17 has been extended until **May 1, 2018**. The owners shall provide a written progress report to the Planning and Zoning Office as to the status of the conditions on **March 15, 2018** and **April 13, 2018**. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 12:20 p.m. The motion was carried.

DISCUSSION AND POSSIBLE ACTION:

- Discuss the Waupaca County Planning & Zoning Fee Schedule. Ryan Brown, Planning & Zoning Director, presented the changes to the Fee Schedule. D. Kussmann moved and W. Wilfuer seconded to adopt the changes to the Waupaca County Planning & Zoning Fee Schedule. The motion was carried.
- Update on the Zoning Administrator position. Jason Snyder, Deputy Zoning Administrator has accepted the Zoning Administrator position.
- Schedule Upcoming Meetings

The next Planning and Zoning Committee meeting has been scheduled for March 8, 2018.

D. Kussmann moved and W. Wilfuer seconded the motion to adjourn the meeting at 12:25 p.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk