

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES –JULY 9, 2015**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:00 a.m. on the Mark & Angela Zabel property, Town of Caledonia and the Rickey Pingel property, Town of Larrabee.

Chm. Penney called the meeting to order at: 10:05 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 W. Wilfuer seconded the motion to amend the agenda for the appearance of Eric Fowle, East Central Wisconsin Regional Planning Commission, to discuss his 2015 Work Program and Activities Annual Report prior to the Public Hearings. The motion was carried.

W. Wilfuer moved and T. Murphy seconded the motion to approve the minutes from the April 23, 2015 meeting. The motion was carried.

Public Comment: There was none.

APPEARANCE: Eric Fowle, East Central Wisconsin Regional Planning Commission, discussed and explained his 2015 Work Program and Activities Annual Report.

PUBLIC HEARINGS:

The first public hearing was called to order at 10:30 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy and W. Wilfuer. D. Federwitz was excused. Deb Giuffre read the names of persons notified of the hearing for the Waupaca County Comprehensive Plan Amendment. The Waupaca County Comprehensive Plan was adopted by the Waupaca County Board of Supervisors on September 18, 2007. The proposed amendment to the Comprehensive Plan Preferred Land Use Map is within the Town of Caledonia. The map amendment is to ensure that the Waupaca County Comprehensive Plan remains consistent with the locally adopted comprehensive plan. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Ryan Brown, Planning & Zoning Director said the rezone is to make the land consistent with the surrounding property.

Robert Reider was sworn in to testify. Mr. Reider said he is with Carow Land Surveying and is the representative for the landowners. Mr. Reider said he completed the survey for the sale of the property to the adjoining landowner.

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.

T. Murphy moved and W. Wilfuer seconded the motion to **APPROVE** the Comprehensive Plan Amendment for the Town of Caledonia. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes and T. Murphy—yes, unanimous vote to approve the amendment. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 10:36 a.m. The motion was carried.

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The second public hearing was called to order at 10:37 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy and W. Wilfuer. D. Federwitz was excused. Deb Giuffre read the names of persons notified of the hearing for **Mark & Angela Zabel:** Located in part of the NE ¼ of the SW ¼ and also being a part of the NW ¼ of the SE ¼ of Sec. 11, Town of Caledonia, lying off of Gorges Road, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an AR (Agriculture Retention) District to an AWT (Agriculture and Woodland Transition) District on approximately 17 acres to accommodate a sale/exchange between adjoining parcels making them all the same zoning district. 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.

Robert Reider said the rezone needs to occur for the sale of the property to the adjoining landowner.

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 one (1) letter from the Town of Caledonia recommending approval of the application.

Jean Gliniecki, Zoning Administrator said the Planning & Zoning Office recommends approval.

W. Wilfuer moved and T. Murphy seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Caledonia Planning Commission and the Town Board of Caledonia have both recommended approval of this request and it is consistent with the Town's Comprehensive Plan. 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 10:43 a.m. The motion was carried.

The third public hearing was called to order at 10:44 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy and W. Wilfuer. D. Federwitz was excused. Deb Giuffre read the names of persons notified of the hearing for **Rickey Pingel:** Located in part of the NE ¼ of the NW ¼ of Sec. 3, Town of Larrabee, lying along Swamp Road, Fire Number E8645, Waupaca County, Wisconsin; for a Conditional Use Permit application for an On-Site Agricultural Retail (winery) in an AWT (Agriculture and Woodland Transition) District on approximately 10.04 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.

Sharon Pingel was sworn in to testify. Ms. Pingel said she has a licensed production facility for a winery and would like to develop a full retail store, winery and spa.

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.

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

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval with the proper permits.

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 Larrabee Planning Commission and the Town Board of Larrabee have approved this request and it is consistent with the Town’s Comprehensive Plan. The following conditions **MUST** be met: Must contact the Planning & Zoning Office concerning obtaining a Sanitary Permit for a code complying sanitary system being installed on the property for the business. Must obtain a Land Use Permit from the Planning & Zoning Office prior to construction of any buildings on the property. Must contact the Commercial Building Inspector to obtain a Building Permit prior to construction of any buildings on the property. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes and T. Murphy—yes, unanimous vote to grant the Conditional Use Permit application. D. Kussmann moved and T. Murphy seconded the motion to close the hearing at 10:51 a.m. The motion was carried.

The fourth public hearing was called to order at 10:52 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy and W. Wilfuer. D. Federwitz was excused. Deb Giuffre read the names of persons notified of the hearing for the **Selected Revisions to the Waupaca County Zoning Ordinance, Waupaca County Code of Ordinances, Chapter 34; Farmland Preservation**. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Ryan Brown, Planning & Zoning Director explained the Planning and Zoning process for Farmland Preservation. Mr. Brown discussed the changes suggested by Department of Agriculture Trade Consumer Protection (DATCP) and went through the revisions.

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.

D. Kussmann moved and T. Murphy seconded the motion to **APPROVE** the selected revisions to the Waupaca County Zoning Ordinance, Waupaca County Code of Ordinances, Chapter 34; Farmland Preservation and recommend it to the Waupaca County Board for their approval at their July 21, 2015 meeting. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes and T. Murphy—yes, unanimous vote to approve the revisions. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 11:16 a.m. The motion was carried.

The fifth continuation public hearing was called to order at 11:17 a.m. by Chm. Penney for **Bradley T. & Karen A. Huven**: Located in part of the E ½ of the SE ¼ of Sec. 24, Town of Farmington, lying at the end of Serenity Lane, Waupaca County, Wisconsin; for an after the fact Conditional Use Permit

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application for a structure to be used for human habitation that doesn't meet the 22 foot minimum width requirement in an RR (Rural Residential) District on approximately 25.94 acres. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy and W. Wilfuer. D. Federwitz was excused. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Bradley Huven said the Town of Farmington recommended denial and the County asked for clarification.

Ryan Brown, Planning & Zoning Director said he spoke with the Town of Farmington's Chairman, Kevin Will and he is present.

Kevin Will was sworn in to testify. Mr. Will said he is the Chairman for the Town of Farmington. Mr. Will said the County has in their ordinance for a structure to be used for human habitation that doesn't meet the 22 foot minimum width requirement requires a Conditional Use Permit. He said that the Town of Farmington Planning Commission and the Town Board would leave it up to the County to determine what is allowed regarding the ordinance.

Ryan Brown, Planning & Zoning Director discussed the regulations for the driveway. Mr. Brown said the Planning & Zoning Office approves the Conditional Use Permit application with the proper permits and a copy of the easement for the driveway.

Jeff Henneman, Land Use/Code Enforcement Specialist said any improvements to the existing access needs U.S. Army Corps of Engineers and Department of Natural Resources approval.

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.

T. Murphy moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: Based on the facts and evidence presented, the following conditions **MUST** be met: The applicant must have a County approved sanitary system on the property. The applicant must obtain a Shoreland Permit from the Planning & Zoning Office for the construction of the cabin, with a double fee due to it being an after the fact permit. The applicant must submit to the Planning & Zoning Office a copy of the recorded easement that is currently located on the neighbor's property. The applicant must obtain a Building Permit from the local Building Inspector for the construction of the cabin. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes and T. Murphy—yes, unanimous vote to grant the Conditional Use Permit application. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 12:01 p.m. The motion was carried.

DISCUSSION AND POSSIBLE ACTION:

- Ryan Brown, Planning & Zoning Director discussed the Resolution to Repeal Paragraph 23 of Motion 520 to the State of Wisconsin 2015-2017 Budget Bill (SB21 & AB21) Relative to Shoreland Zoning Standards. D. Kussmann moved and T. Murphy seconded the motion to discontinue pursuing to repeal Paragraph 23 of Motion 520 to the State of Wisconsin 2015-2017 Budget Bill (SB21 & AB21) Relative to Shoreland Zoning Standards. The motion was carried.

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- Resolution to adopt Comprehensive Plan Amendment, Town of Caledonia. W. Wilfuer moved and T. Murphy seconded the motion to approve the Comprehensive Plan Amendment, Town of Caledonia and recommend it to the Waupaca County Board for their approval at their July 21, 2015 meeting. The motion was carried.

UPDATE: Director's Report

- Farmland Preservation update
- Status of the Krause & Theil Non-Metallic mining pits
- Ford F-150 truck on auction site

The next Planning and Zoning Committee meeting has been scheduled for Thursday, July 30, 2015.

D. Kussmann moved and T. Murphy seconded the motion to adjourn the meeting at 12:20 p.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk