

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES –OCTOBER 1, 2015**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:30 a.m. on the Brian Tesch, et al property, Town of Weyauwega; the Mark C. Worm property, Town of Lebanon; and the Arthur R. Schuelke & Sons, Inc. property, Town of Little Wolf.

Chm. Penney called the meeting to order at: 10:14 a.m. with the following members present: J. Penney, D. Kussmann, W. Wilfuer and D. Federwitz present. T. Murphy was excused

W. Wilfuer moved and D. Kussmann seconded the motion to change the agenda to 1) Shoreland Resolution concerning 2015 Wis. Act 55; 2) Tiny Houses; and 3) Directors Report. The motion was carried.

T. Murphy appeared at 10:18 a.m.

D. Federwitz moved and D. Kussmann seconded the motion to approve the minutes from the June 18, July 9 and July 30, 2015 meetings. The motion was carried.

Public Comment: There was none.

DISCUSSION & POSSIBLE ACTION:

- Ryan Brown, Planning & Zoning Director, explained the Shoreland Resolution concerning 2015 Wis. Act 55. D. Federwitz moved and D. Kussmann seconded the motion to approved the Shoreland Resolution and recommend it to the Waupaca County Board for their approval at their October 27, 2015 meeting. The motion was carried.

- Ryan Brown, Planning & Zoning Director, discussed Tiny Houses and possible regulations in the future.

PUBLIC HEARINGS:

The first public hearing was called to order at 10:30 a.m. by Chm. Penney. J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present. 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 Larrabee**. 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, explained that the comprehensive plan amendment is to allow SR (Sewered Residential) Districts where there is no public sewer to be zoned RR (Rural Residential) District and the Town of Larrabee adopting the more generalized planning maps.

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James Gas was sworn in to testify. Mr. Gas said he is in favor of the zone change and would like the properties to look like residential property. Mr. Gas said he has concerns about a neighboring property that has junk, possible contaminated soil and a burnt out house.

Ryan Brown, Planning & Zoning Director, said he will look into the concern.

Dennis Dunave was sworn in to testify. Mr. Dunave said he would like an explanation as to what the zone change means.

Ryan Brown, Planning & Zoning Director, explained the SR (Sewered Residential) District zoning classification.

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 W. Wilfuer seconded the motion to **APPROVE** the Comprehensive Plan Amendment for the Town of Larrabee. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to approve the amendment. D. Kussmann moved and D. Federwitz seconded the motion to close the hearing at 10:47 a.m. The motion was carried.

The second public hearing was called to order at 10:48 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present. Deb Giuffre said that all the names of persons notified of the hearing for all properties being rezoned in the Township of Larrabee are on file in the Planning & Zoning Department. In 2011, the **Township of Larrabee** went through a comprehensive rezone. At that time some properties, which were primarily wetlands, were assigned the Zoning District of Resource Protection (RP). Waupaca County has since changed the RP Zoning District to a wetlands overlay. This has left those properties without an actual zoning district. The Township of Larrabee has assigned Agriculture and Woodland Transition (AWT) as the Zoning District, to make it consistent with the surrounding area and the Comprehensive Plan. This does not eliminate the wetlands overlay. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Ryan Brown, Planning & Zoning Director, explained the RP (Resource Protection) overlay on the base districts. Mr. Brown gave an overview of the process for the rezones within the Town of Larrabee and the Town assigning the AWT (Agriculture and Woodland Transition) District.

Tim Dunlavy was sworn in to testify. Mr. Dunlavy said he is a landowner and the property is swamp. Mr. Dunlavy wanted to know why an agricultural zoning was assigned.

Ryan Brown, Planning & Zoning Director, explained the agriculture zoning districts and how the AWT (Agriculture and Woodland Transition) District is consistent to the surrounding area.

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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. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** these Petitions for Zoning Map Amendments due to the following: The Town Board of Larrabee has recommended approval of these requests and they are consistent with the Town’s Comprehensive Plan. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to grant the zone changes. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 10:54 a.m. The motion was carried.

The third public hearing was called to order at 10:55 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present. Deb Giuffre said that all the names of persons notified of the hearing for all properties being rezoned in the Township of Larrabee are on file in the Planning & Zoning Department. All properties in the **Township of Larrabee** that are not served by a public sewer and are currently zoned in the SR (Sewered Residential) District are being rezoned to the RR (Rural Residential) District. No public sewer currently exists or is being proposed in the foreseeable future. This rezone process is making the zoning consistent with its current use. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Ryan Brown, Planning & Zoning Director, explained that all parcels zoned SR (Sewered Residential) District that are not served by a public sewer are being rezoned. Mr. Brown said four (4) parcels are served by a public sewer and will remain SR (Sewered Residential) District.

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 D. Federwitz seconded the motion to **GRANT** these Petitions for Zoning Map Amendments due to the following: The Town Board of Larrabee has recommended approval of these requests and they are consistent with the Town’s Comprehensive Plan. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to grant the zone changes. D. Kussmann moved and D. Federwitz seconded the motion to close the hearing at 10:59 a.m. The motion was carried.

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The fourth public hearing was called to order at 11:00 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present. Deb Giuffre read the names of persons notified of the hearing for **Mark C. Worm**: Located in part of the SE ¼ of the NE ¼ of Sec. 27, Town of Lebanon, lying along Worm Road, Fire Number E8880, Waupaca County, Wisconsin; for an after the fact Conditional Use Permit application for the placement of a recreational vehicle intended for temporary living purposes in excess of 30 days in an RR (Rural Residential) District on approximately 3.6 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.

Gerald Worm was sworn in to testify. Mr. Worm said he is only at the property during the summer months and would like to build a home within two (2) years. Mr. Worm said he was unaware that he needed a permit for the recreational vehicle and that it has been on the property for two (2) years.

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.

Sue Worm was sworn in to testify. Ms. Worm said she had to obtain permits to build and was also told that temporary structures needed permits. Ms. Worm said that Gerald was aware that he needed a permit.

Debbie Quantice was sworn in to testify. Ms. Quantice asked if her son could put a camper on her property to live in. Ms. Quantice said she felt that a recreational vehicle is not a temporary place to live.

Ryan Brown, Planning & Zoning Director, explained the permitting process for a temporary situation prior to building a house.

Les Prochnow was sworn in to testify. Mr. Prochnow said he is the Chairman for the Town of Lebanon. Mr. Prochnow said the Town of Lebanon approved the Conditional Use Permit application with restrictions.

Deb Giuffre read one (1) from the Town of Lebanon recommending approval of the application with conditions.

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

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T. Murphy moved and D. Federwitz seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town Board of Lebanon recommended approval of this request and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: In order for the applicant to utilize the existing sanitary system that is currently on the property for this recreational vehicle, this system must be evaluated to make sure that it is sized and sited properly. If the building sewer is to be altered, then a Reconnect Permit must be obtained. As requested by the Town of Lebanon, the recreational vehicle will be allowed to be resided in from May 1st through October 31st in the years 2015 and 2016. A new residential structure is to be completed by May 1, 2017. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; D. Federwitz—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 11:14 a.m. The motion was carried.

The fifth public hearing was called to order at 11:15 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present. Deb Giuffre read the names of persons notified of the hearing for **Arthur R. Schuelke & Sons Inc:** Located in part of the NW ¼ of the SW ¼ and the NE ¼ of the SW ¼ of Sec. 24, Town of Little Wolf, lying along Cedar Springs Road, Fire Number E7005, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an RC-N (Rural Commercial-Neighborhood) District to an AR (Agriculture Retention) District with a Conditional Use Permit application for a Campground and Camping Resort (campground) on approximately 12.293 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.

Greg Schuelke was sworn in to testify. Mr. Schuelke said he is proposing to put in a campground with expanding in the future.

D. Kussmann was excused at 11:17 a.m.

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 Little Wolf recommending approval of the Conditional Use Permit application and Petition for Zoning Map Amendment.

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

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D. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Little Wolf Planning Commission and the Town Board of Little Wolf have recommended approval of these requests and they are consistent with the Town's Comprehensive Plan. Roll call vote was taken: J. Penney—yes; W. Wilfuer—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to grant the zone change.

D. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town of Little Wolf Planning Commission and the Town Board of Little Wolf both have recommended approval of this request and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: The applicant must have a Certified Survey Map completed on this 12.293 acre parcel. The applicant must obtain a Sanitary Permit from the Planning & Zoning Office for the sanitary facilities to be installed on the parcel. The applicant must meet all the requirements of the Waupaca County Zoning Ordinance in regards to campgrounds. The applicant must meet all the requirements of the Waupaca County Sanitarian, Jed Wohlt, in regards to campgrounds. The applicant must verify with the Building Inspector if a Building Permit will be required for the restroom structure. As requested by the Town of Little Wolf, the Town is hoping to ensure the safety of campers along the town road by suggesting the use of concrete stops along the North edge of the proposed sites, in case a vehicle would go off the road. Roll call vote was taken: J. Penney—yes; W. Wilfuer—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to grant the permit. T. Murphy moved and W. Wilfuer seconded the motion to close the hearing at 11:23 a.m. The motion was carried.

DISCUSSION & POSSIBLE ACTION:

- Conditional Use Permit (CP-016-11) for RNH Land Company LLC located in Sec. 27, Town of Waupaca for a Freight or Bus Terminal (Truck Freight Terminal) in an RI-I (Rural Industrial - Intensive) District on approximately 30.5 acres for a review at the request of the Town of Waupaca regarding the conditions. D. Federwitz moved and W. Wilfuer seconded the motion to postpone until the Planning & Zoning Office receives a recommendation from the Town of Waupaca. The motion was carried.
- Conditional Use Permit (CP-007-14) for Brian Tesch, et al located in Sec. 11, Town of Weyauwega for the placement of two (2) recreational vehicles intended for temporary living purposes in excess of 30 days (campground) in an PVRF (Private Recreation and Forestry) District and F-W (Flood Way) District for a review for the compliance of the gazebo located in the floodway of the floodplain. T. Murphy moved and W. Wilfuer seconded the motion to postpone this review in order to obtain a written opinion from the Department of Natural Resources concerning this gazebo. The motion was carried.
- Conditional Use Permit (CP-010-11) for George F. & Mary S. Krause located in Sec. 5, Town of Lind for the construction of a single family dwelling in an AE (Agriculture Enterprise) District and RP (Resource Protection) District on approximately 15.02 acres to review the condition for the removal of an existing dwelling. No one was present to speak on behalf of George F. & Mary S. Krause. The review will be put on the next Planning & Zoning Committee agenda scheduled for November 5, 2015.

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UPDATE: Director's Report

- Ford F-150 truck was sold
- Chain O'Lakes Parking Lot Informational Meeting will be on Friday, October 2, 2015 at the Farmington Town Hall
- Central Housing update

The next Planning and Zoning Committee meeting has been scheduled for Thursday, November 5, 2015.

T. Murphy moved and W. Wilfuer seconded the motion to adjourn the meeting at 12:48 p.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk