

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES –NOVEMBER 5, 2015**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:00 a.m. on the Nathan W. Drath property, Town of Little Wolf; the Michael L. & Mandi R. Salter property, Town of Lind; the Dennis Hansen/Waupaca County property, Town of Lind; and the Jason & Nicole E. Johnson property, Town of Lind.

Chm. Penney called the meeting to order at 9:30 a.m. with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present.

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

D. Federwitz moved and W. Wilfuer seconded the motion to approve the minutes from the August 2 and September 3, 2015 meetings. The motion was carried.

Public Comment: There was none.

PUBLIC HEARINGS:

The first public hearing was called to order at 9:34 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 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 Lind**. 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 the proposed Comprehensive Plan Amendment is in regards to a former salvage project and planned Commercial use. Mr. Brown said that the current use of the property is residential and the Comprehensive Plan is consistent with the use.

George Krause was sworn in to testify. Mr. Krause said he is with the Town of Lind's Planning Commission and there was no problem with the proposed amendment.

Deb Giuffre read two letters; one (1) from the Town of Lind's minutes and one (1) from the Town of Lind's Planning Commission minute's recommending approval of the proposed amendment.

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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D. Federwitz moved and W. Wilfuer seconded the motion to **APPROVE** the Comprehensive Plan Amendment for the Town of Lind. 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 W. Wilfuer seconded the motion to close the hearing at 9:41 a.m. The motion was carried.

The second public hearing was called to order at 9:42 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 **Michael L. & Mandi R. Salter**: Located in part of the NE ¼ of the NW ¼ of Sec. 21, Town of Lind, lying along Lind Center Road, Fire Number E3426, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an RI-I (Rural Industrial - Intensive) District to an RR (Rural Residential) District to be consistent with the Town’s Comprehensive Plan and existing land use on approximately 1.01 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.

Ryan Brown, Planning & Zoning Director, said that the property owners are not present and that they had received notification. Mr. Brown said that the proposed Zoning Map Amendment is currently residential use, and there are no objections to the proposed Petition for Zoning Map Amendment.

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) from the Town of Lind Planning Commission minutes recommending approval of the application.

D. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the application for the Petition for Zoning Map Amendment due to the following: The Town of Lind Planning Commission and the Town Board of Lind have 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; D. Federwitz—yes and T. Murphy—yes, unanimous vote to grant the zone change. D. Kussmann moved and T. Murphy seconded the motion to close the hearing at 9:45 a.m. The motion was carried.

The third public hearing was called to order at 9:46 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 **Dennis Hansen/Waupaca County**: Located in part of the NE ¼ of the NW ¼ of Sec. 21, Town of Lind, lying along Lind Center Road, Fire Number E3428, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from

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an RI-I (Rural Industrial - Intensive) District to an AR (Agriculture Retention) District to be consistent with the Town’s Comprehensive Plan and existing land use on approximately 4.50 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.

Ryan Brown, Planning & Zoning Director, said this is the second part of the salvage property that is going from RI-I (Rural Industrial-Intensive) to the AR (Agriculture Retention) and it is consistent with the current use.

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) from the Town of Lind Planning Commission minutes recommending approval of the application.

D. Federwitz moved and T. Murphy seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Lind Planning Commission and the Town Board of Lind have 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; D. Federwitz—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 9:48 a.m. The motion was carried.

The fourth public hearing was called to order at 9:49 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 **Jason & Nicole E. Johnson**: Located in part of the S ½ of the NE ¼ of the SW ¼ of Sec. 30, Town of Lind, lying along Bags Hill Road, Fire Number E2614, Waupaca County, Wisconsin; for a Conditional Use Permit application for a Contractor Shop (Solar Energy) in an AWT (Agriculture and Woodland Transition) District on approximately 5 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.

Jason Johnson was sworn in to testify. Mr. Johnson said he has a solar energy business and the building will be used for storage for the business and personal use. Mr. Johnson said there will be no industrial type traffic and there is no manufacturing for the business.

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) letter from the Town of Lind recommending approval of the application with conditions.

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

Jason Johnson came back for rebuttal. Mr. Johnson said that the permit from the building inspector has been issued and the other permits will be obtained. Mr. Johnson said he doesn't have any issues with the restrictions.

T. Murphy moved and D. Kussmann seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town of Lind Planning Commission and the Town Board of Lind recommended approval of this permit and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: If there will ever be plumbing in the building, there must be a code complying sanitary system installed for it. Required parking is one (1) parking space per each employee on the largest work shift. Any outside storage shall be screened from the road and neighboring properties. Any outside lighting shall be screened. No delivery trucks/semis shall be allowed to be parked overnight. Any industrial noise shall be limited between the hours of 8 a.m. – 5 p.m., Monday – Friday, and no weekends or holidays. Must obtain a Land Use Permit from the Planning & Zoning Office for the accessory structures and the deck addition to the dwelling. Must obtain a Building Permit from the Town of Lind Building Inspector for the accessory structures and the deck addition to the dwelling. The Committee will be reviewing this Conditional Use Permit in one (1) year from today's date, which would be by November 5, 2016. 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 10:08 a.m. The motion was carried.

The fifth public hearing was called to order at 10:09 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 **Nathan W. Drath**: Located in part of the SE ¼ of the SW ¼ of Sec. 10, Town of Little Wolf, lying along Progress Road, Fire Number E6268, Waupaca County, Wisconsin; for a Conditional Use Permit application for a Contractor Shop (Plumbing Business) in an AE (Agriculture Enterprise) District on approximately 3 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.

Karla Lorge was sworn in to testify. Ms. Lorge said she is the lessee of the property and would like to move their current plumbing business to the proposed property which requires a Conditional Use Permit.

Jackie Beyer was sworn in to testify. Ms. Beyer said she is representing the Town of Little Wolf. Ms. Beyer said she is the Planning Commission Chair and there was no opposition to the proposed Conditional Use Permit application.

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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.

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

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval with the proper permits and the existing sanitary system be evaluated.

D. Federwitz moved and T. Murphy 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 recommended approval of this permit and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: The applicant must have the existing sanitary system 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. Required parking is one (1) parking space per each employee on the largest work shift. 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 T. Murphy seconded the motion to close the hearing at 10:15 a.m. The motion was carried.

DISCUSSION & POSSIBLE ACTION:

- 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. D. Kussmann moved and W. Wilfuer seconded the motion that since the new dwelling is near completion, the old existing dwelling **SHALL** be removed from the property within one (1) year from today's date, which would be by November 5, 2016. The motion was carried.

~ The Committee took a break at 10:23 a.m. ~

- Scott Konkle, East Central Wisconsin Regional Planning Commission, for NR 135 Program – 2016 Budget/Fee Calculation Update. D. Kussmann moved and T. Murphy seconded the motion to maintain the fee of \$40.00 per acre for the 2016 budget. The motion was carried.
- Resolution to adopt Comprehensive Plan Amendments in the Town of Larrabee and Town of Lind. D. Kussmann moved and T. Murphy seconded the motion to approve the Comprehensive Plan Amendments in the Town of Larrabee and Town of Lind and recommend it to the Waupaca County Board for their approval at their December 15, 2015 meeting. The motion was carried.

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UPDATE: Director's Report

- Intern Program update
- Town of Lebanon Farmland Preservation
- Township's 10-year Comprehensive Plan review.

D. Kussmann moved and W. Wilfuer seconded the motion to adjourn the meeting at 11:06 a.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk