

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES –APRIL 21, 2016**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:30 a.m. on the Daniel D. McFaul, Jr property, Town of Caledonia and the Dennis J. & Holly A. Jorgenson property, Town of Farmington.

Chm. Penney called the meeting to order at 10:00 a.m. with the following members present: J. Penney, D. Kussmann, T. Murphy and D. Federwitz, present. W. Wilfuer was excused.

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

D. Kussmann moved and T. Murphy seconded the motion to approve the minutes from the March 4, 2016 meeting. The motion was carried.

Public Comment: Robert Ellis, John Miller and Sharon Peterson.

PUBLIC HEARINGS:

The first public hearing was called to order at 10:13 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy and D. Federwitz, present. W. Wilfuer 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 Farmington**. 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 proposed Comprehensive Plan Amendment is to change the planning district of a parcel to make it the same as the adjoining parcel for the purpose of combining the two (2) parcels.

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 D. Kussmann seconded the motion to **APPROVE** the application for the Comprehensive Plan Amendment in the Town of Farmington. Roll call vote was taken: J. Penney—yes; D. Kussmann—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 10:17 a.m. The motion was carried.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
APRIL 21, 2016**

The second public hearing was called to order at 10:18 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy and D. Federwitz, present. W. Wilfuer was excused. Deb Giuffre read the names of persons notified of the hearing for **Dennis J. & Holly A. Jorgenson**: Located in part of the NE ¼ of the SE ¼ of Sec. 36, Town of Farmington, lying along King Road, Fire Number E2235, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an AWT (Agriculture and Woodland Transition) District to an RC-G (Rural Commercial-General) District for the combination of two (2) parcels and making them both the same zoning district on approximately .11 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.

Katie Jorgenson was sworn in to testify. Ms. Jorgenson said she is Dennis & Holly's daughter and is representing them for the Petition for Zoning Map Amendment. Ms. Jorgenson said they would like to combine two (2) parcels which require a Petition for Zoning Map Amendment to make them the same zoning district.

Jean Gliniecki, Zoning Administrator, said that this request should be for being rezoned to the RC-N (Rural Commercial - Neighborhood) District and not to the RC-G (Rural Commercial - General) District. Due to having an error on the map, the request is incorrect and this request should go through the process of the Town review again with the correct request to the RC-N (Rural Commercial - Neighborhood) District. After the Town has reviewed it, then it will go through the process of having it reviewed by the Planning & Zoning Committee with the correct request to RC-N (Rural Commercial - Neighborhood) District at their next meeting.

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, one (1) from the Town of Farmington Planning Commission and one (1) from the Town of Farmington Town Board recommending approval of the application.

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends that the process for correcting this request to the RC-N (Rural Commercial - Neighborhood) District be completed prior to approval by the Planning & Zoning Committee.

D. Federwitz moved and D. Kussmann seconded the motion to **CONTINUE** the application for the Petition for Zoning Map Amendment due to the following: The map had the property in the RC-G (Rural Commercial - General) District, but it should have been mapped in the RC-N (Rural Commercial - Neighborhood) District. So a corrected Notice of Public Hearing will need to be posted and published. Both the Town of Farmington and the Planning & Zoning Committee will once again review the application at their next meetings with the correct zoning district listed, which will be the RC-N (Rural Commercial - Neighborhood) District. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to continue the Petition for Zoning Map Amendment. The motion was carried at 10:27 a.m.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
APRIL 21, 2016**

The third public hearing was called to order at 10:28 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy and D. Federwitz, present. W. Wilfuer was excused. Deb Giuffre read the names of persons notified of the hearing for **Daniel D. McFaul, Jr:** Located in part of the NW ¼ of the NW ¼ of Sec. 11, Town of Caledonia, lying at the intersection of County Highway W and Kanaman Road, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from a PVRF (Private Recreation and Forestry) District to an RR (Rural Residential) District to create additional development rights for single family development for a total of not more than four (4) parcels inclusive of the original parent parcel on approximately 26.42 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.

Daniel McFaul Jr. was sworn in to testify. Mr. McFaul Jr. said he is proposing to split his property to create four (4) parcels for residential development.

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, one (1) from the Town of Caledonia recommending approval of the application and one (1) from the Waupaca County Highway Department with recommendations.

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval of the zone change so that they are able to acquire the additional development rights in order to create the four (4) parcels for single family development. And this will require a four (4) lot Certified Survey Map to be completed in order to create the parcels.

D. Federwitz moved and T. Murphy seconded the motion to **GRANT** the application for the Petition for Zoning Map Amendment due to the following: The Town of Caledonia Planning Commission and the Town Board of Caledonia have both approved this request and it is consistent with the Town's Comprehensive Plan. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to grant the Petition for Zoning Map Amendment. D. Kussmann moved and T. Murphy seconded the motion to close the hearing at 10:35 a.m. The motion was carried.

The fourth continuation public hearing was called to order at 10:36 a.m. by Chm. Penney for **Clair A. Gorges:** Located in Sec. 10, Town of Caledonia, lying along County Highway W, Waupaca County, Wisconsin; for the continuation of a Conditional Use Permit application for a Telecommunications Tower in an AWT (Agriculture and Woodland Transition) District on approximately 17 acres. Roll call was taken with the following members present: J. Penney, D. Kussmann, T. Murphy and D. Federwitz, present. W. Wilfuer was excused. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES – APRIL 21, 2016

Alex Novak was sworn in to testify. Mr. Novak said he is the representative for SBA towers and has been in communication with the Waupaca County Highway Department regarding access points. Mr. Novak said they will abide by the recommendations of the Waupaca County Highway Department.

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 Waupaca County Highway Department regarding access from the lower class roads (either Gruetzmacher or Red Pine) and recommendations.

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

D. Kussmann moved and T. Murphy seconded the motion to **GRANT** the Conditional Use Permit application 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 Comprehensive Plan. The following conditions **MUST** be met: **MUST** be in accordance with all of the regulations in the Mobile Service Facilities and Support Structures Ordinance. All required setbacks/fall zone must be met for the communications tower and the related Verizon equipment. As requested by the Waupaca County Highway Department, if traffic accessing the tower site after the construction of the tower is seen using the access on County Trunk W, the owner/applicant may be required to relocate or remove the County Trunk W driveway. The applicant must obtain a Land Use Permit from the Planning & Zoning Office prior to the construction of the communications tower and related Verizon equipment. The applicant must contact the local Building Inspector to see if a Building Permit is necessary for the construction of the communications tower and related Verizon equipment. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to grant the Conditional Use Permit. D. Kussmann moved and D. Federwitz seconded the motion to close the hearing at 10:45 a.m. The motion was carried.

DISCUSSION:

- Discussion with the Town Officials from the Town of Farmington concerning Section 6.05(1)(c)(1) of the Waupaca County Zoning Ordinance. Kevin Will, Chairman from the Town of Farmington explained the Town of Farmington's concerns.
- Discuss an After the Fact fee on the Paul & Dawn Millard property located in Sec. 35, Town of Little Wolf. D. Federwitz moved and D. Kussmann seconded the motion to **DENY** the request to waive the After the Fact Land Use Permit due to the following: The Committee felt that the Planning & Zoning Office must be consistent with regards to construction projects being started without first obtaining the proper permits in accordance with Section 14.03(5)(a)(5) of the Waupaca County Zoning Ordinance. The applicant shall proceed with obtaining a Land Use Permit for the project with a fee of \$150. The motion was carried.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
APRIL 21, 2016**

- Discuss an After the Fact permit on the Robert Marks property located in Sec. 35, Town of Dayton. D. Kussmann moved and T. Murphy seconded the motion to DENY the request to lower the Land Use Permit fee from the current price of \$75, but is waiving the double fee for the After the Fact Land Use Permit due to the following: The Committee felt that the Planning & Zoning Office must be consistent with regards to construction projects being started without first obtaining the proper permits. The applicant shall proceed with obtaining a Land Use Permit for the project with a fee of \$75. The motion was carried.

The next Planning and Zoning Committee meetings have been scheduled for Thursday, May 5 and Wednesday, May 25, 2016.

D. Kussmann moved and T. Murphy seconded the motion to adjourn the meeting at 11:41 a.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk