

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

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:00 a.m. on the Anthony G. Young property, Town of Bear Creek; the John R. Thomack property, Town of Bear Creek; the Waupaca Christian Church property, Town of Farmington; the Michael T. Oehler & Daniel R. Wachsmuth property, Town of Dayton and the Lamar & Jane Wilson property, Town of Dayton.

Chm. Penney called the meeting to order at: 10:28 a.m. with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present.

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

D. Kussmann moved and W. Wilfuer seconded the motion to approve the minutes from the April 21, 2016 meetings. The motion was carried.

Public Comment: There was none.

PUBLIC HEARINGS:

The first public hearing was called to order at 10:31 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 Dayton**. 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 required for the proposed use of the property.

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.

Arnold Abel was sworn in to testify. Mr. Abel is opposed to the proposed storage units. Mr. Abel presented examples of other storage units pertaining to rummage and estate sales. Mr. Able is concerned about the effect on taxes and property values.

John Miller was sworn in to testify. Mr. Miller is a Town of Dayton Supervisor and the Town reviewed the plan and it is appropriate with the Town plan.

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Dan Wachsmuth was sworn in to testify. Mr. Wachsmuth is the owner of one of the proposed lots to be rezoned. Mr. Waschmuth said the proposed storage units will be used for his business and personal storage.

David Armstrong was sworn in to testify. Mr. Armstrong is the Chairman for the Town of Dayton. Mr. Armstrong said there was no opposition to the proposed use and it is consistent with the area and Town plan.

Michael Oehler was sworn in to testify. Mr. Oehler said he is the owner of the second lot and his plans are for a personal storage unit and his intent is not for commercial storage units.

D. Federwitz moved and T. Murphy seconded the motion to **APPROVE** the Comprehensive Plan Amendment in the Town of Dayton. 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 10:58 a.m. The motion was carried.

The second public hearing was called to order at 10:59 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 T. Oehler & Daniel R. Wachsmuth:** Located in part of the NE ¼ of the NE ¼ of Sec. 2, Town of Dayton, lying along Polly Road, Fire Number E2002 & E2016, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an RR (Rural Residential) District to an RC-G (Rural Commercial-General) District for the construction of Mini-Warehouses on two (2) separate parcels being approximately 1.10 & 1.110 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 Wachsmuth said he is proposing to build a storage unit for his business and personal use and two 10 foot units to see if they will rent.

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

Michael Oehler said he is in agreement with the proposed zone change and his intention is for personal storage, also the proposed zone change would be flexible with the use.

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 Dayton recommending approval of the application.

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

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D. Kussmann moved and D. Federwitz seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Dayton Planning Commission and the Town Board of Dayton 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; 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 11:09 a.m. The motion was carried.

The third public hearing was called to order at 11:10 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 **Waupaca Christian Church**: Located in part of the NE ¼ of the SE ¼ of Sec. 36, Town of Farmington, lying along King Road, Fire Number E2249, Waupaca County, Wisconsin; for a Conditional Use Permit application for a Group Day Care Center Facility - Accessory to a Principal Use (Church) in an AWT (Agriculture and Woodland Transition) District on approximately 7.540 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.

Pastor Carl Ferguson was sworn in to testify. Pastor Ferguson is proposing a daycare center at the church to provide a service to the community.

Walter Janis was sworn in to testify. Mr. Janis is a member of the church and is on the Board. Mr. Janis is the leasee of the space and will be operating and financing the daycare center.

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 Farmington recommending approval of the application.

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval with the condition for required parking and permits.

D. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town Board of Farmington has recommended approval of this permit and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: Required parking is one (1) parking space per every six (6)-person capacity of the center, plus one (1) space for each employee on the largest working shift. The applicant must contact the Commercial Building Inspector to obtain a Building Permit for the Group Day Care Center Facility. 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 D. Federwitz seconded the motion to close the hearing at 11:21 a.m. The motion was carried.

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The fourth public hearing was called to order at 11:22 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 **Lamar & Jane Wilson:** Located in part of the SW ¼ of the NE ¼ of Sec. 13, Town of Dayton, lying along East Road, Fire Number N1478, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an AWT (Agriculture and Woodland Transition) District to an RR (Rural Residential) District on approximately 7.270 acres to acquire additional development rights in order to create a two (2) acre parcel for a single family residence. 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.

Lamar Wilson was sworn in to testify. Mr. Wilson is requesting a zone change to allow his son to build a dwelling on the proposed property.

John Miller was sworn in to testify. Mr. Miller is a Supervisor for the Town of Dayton and the proposed zone change is consistent with the Town's plan.

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 Dayton recommending approval of the application.

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

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 Dayton Planning Commission and the Town Board of Dayton 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; 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 11:29 a.m. The motion was carried.

The fifth public hearing was called to order at 11:30 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 **John R. Thomack:** Located in part of the SW ¼ of the SE ¼ of Sec. 29 & part of the NW ¼ of the NE ¼ of Sec. 32, Town of Bear Creek, lying along Nicholson Road, Fire Number N7706, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an AE (Agriculture Enterprise) District to an RR-O (Rural Residential-Overlay) District to create a 2.001 acre parcel for a non-farm residence with a Conditional Use Permit application to allow for animal husbandry in a residential district. This property is within Farmland Preservation and will use one (1) development right to create the 2.001 acre parcel. 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.

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Jean Gliniecki, Zoning Administrator, said the Surveyor was representing as the agent and was notified. Ms. Gliniecki explained the request for the Petition for Zoning Map Amendment and Conditional Use Permit application.

D. Kussmann moved and D. Federwitz seconded the motion to **CONTINUE** the public hearing due to no one being present at the public hearing to testify on behalf of the requests as stated above. The Planning & Zoning Committee will continue the public hearing at their next regularly scheduled meeting on Thursday, August 4, 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 continue the zone change. The motion was carried.

The sixth public hearing was called to order at 11:35 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 **Anthony G. Young**: Located in part of the NE ¼ of the SW ¼ of Sec. 24, Town of Bear Creek, lying along Highway 45, Fire Number N8252, 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 AR (Agriculture Retention) District on approximately 2.325 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.

Jean Gliniecki, Zoning Administrator, said she was notified and the applicant was unable to attend because of emergency with his job replacement. Ms. Gliniecki explained the after the fact Conditional Use Permit and that the use is for a limited time as a condition by the Town of Bear Creek.

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 Bear Creek recommending approval of the application with conditions.

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

D. Kussmann moved and D. Federwitz seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town of Bear Creek Planning Commission and the Town Board of Bear Creek have recommended approval of this permit and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: The applicant must have a County approved sanitary system on the property. As requested by the Town of Bear Creek, this recreational vehicle must be removed from the property by December 1, 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 11:38 a.m. The motion was carried.

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RESOLUTION: Resolution to adopt a Comprehensive Plan Amendment in the Town of Dayton. D. Federwitz moved and W. Wilfuer seconded the motion to APPROVE the Resolution for the Comprehensive Plan Amendment for the Town of Dayton and recommend it to the Waupaca County Board for their approval at their August 16, 2016 meeting. The motion was carried.

REVIEW:

Two year review on the Conditional Use Permit (CP-009-14) for Hillside Salvage & Repair LLC located in Sec. 3, Town of Caledonia for an Outdoor Maintenance Service (automobile repair and continue the existing used automobile sales) in an RI-I (Rural Industrial - Intensive) District on approximately 4.75 acres. **Diane Meulemans, Corporation Counsel**, said the review was not posted on the agenda as a requirement of the open meeting law. The review to be continued.

DIRECTOR'S REPORT:

- Update on Comprehensive Plan Overhaul Project
- Update on Campgrounds

The next Planning and Zoning Committee meeting has been scheduled for August 4, 2016.

W. Wilfuer moved and T. Murphy seconded the motion to adjourn the meeting at 12:02 a.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk