

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES –AUGUST 4, 2016**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:30 a.m. on the Robert A. & Cynthia J. Zills Revocable Trust property, Town of Union, Jose A. & Amy P. K. Anaya property, Town of Union and the Laurence P. Winnen property, Town of Farmington.

Chm. Penney called the meeting to order at: 10:15 a.m. with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present.

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

Public Comment: Carolyn Murphy, Mike Jameson, Dave Baker, Jeff Maiman and Richard Arndt.

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, W. Wilfuer and D. Federwitz, all present. Deb Giuffre read the names of persons notified of the hearing for **Robert A. & Cynthia J. Zills Revocable Trust:** Located in part of the NW ¼ of the SW ¼ of Sec. 16, Town of Union, lying along Ferg Road, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment within Farmland Preservation from an AE (Agriculture Enterprise) District to an AR (Agriculture Retention) District to accommodate a sale/exchange between two adjoining parcels making them both the same zoning district on approximately 15.67 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.

Rick Wirth was sworn in to testify. Mr. Wirth said he is the neighbor and would like to purchase 15 acres of woods that adjoin his land which requires a 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) letter from the Town of Union recommending approval of the application.

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

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 Union Planning Commission and the Town Board of Union 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 10:38 a.m. The motion was carried.

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The second public hearing was called to order at 10:39 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 **Jose A. & Amy P. K. Anaya:** Located in part of the NW ¼ of the NW ¼ of Sec. 32, Town of Union, lying along Much Road, Fire Number E5312, 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 two (2) 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 two (2) 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.

The applicants were not present. The Planning & Zoning Committee decided to hold till next hearing.

The third public hearing was called to order at 10:42 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 **Laurence P. Winnen:** Located on Lot #10 of Pryse Plat of Sec. 35, Town of Farmington, lying along Richard Street, Fire Number N2729, Waupaca County, Wisconsin; for an after the fact Conditional Use Permit application for a two family residence in an SR (Sewered Residential Single-Family) 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.

Laurence P. Winnen was sworn in to testify. Mr. Winnen said he uses the apartment for occasional occupancy and accepts money for utilities.

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

Phil Botenheimer was sworn in to testify. Mr. Botenheimer said he has no objections to the application.

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 proper permits.

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D. Kussmann moved and D. Federwitz 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 request. The following conditions **MUST** be met: The applicant must obtain a Land Use Permit from the Planning & Zoning Office for the two family residence. The applicant must obtain a Building Permit from the local Building Inspector for the two family residence. 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 10:54 a.m. The motion was carried.

Jose A. & Amy P. K. Anaya continued at 10:39 a.m.

Jose & Amy Anaya were sworn in to testify. Ms. Anaya said they would like to split the property into two (2) separate parcels.

Jose Anaya said he would like to keep the two (2) acre parcel with the dwelling and outbuildings. Mr. Anaya said he would like to be allowed to have chickens and a pig.

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 Union recommending approval of the Petition for Zoning Map Amendment and Conditional Use Permit.

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

T. Murphy moved and D. Kussmann seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Union Planning Commission and the Town Board of Union 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. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town of Union Planning Commission and the Town Board of Union have recommended approval of this request. The following conditions **MUST** be met: Must follow the Animal Density Unit Standards as required by the Wisconsin Department of Agriculture, Trade and Consumer Protection Agency. Must complete the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises Registration. Must have a Certified Survey Map completed on the property to create the two (2) acre parcel. 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 11:04 a.m. The motion was carried.

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The fourth continuation public hearing was called to order at 11:05 a.m. by Chm. Penney for **John R. Thomack**: Located in Sec. 29 & Sec. 32, Town of Bear Creek, lying along Nicholson Road, Fire Number N7706, Waupaca County, Wisconsin; for a continuation of 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. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Kyle Fischer was sworn in to testify. Mr. Fischer said he is the Surveyor and is here representing Mr. Thomack. Mr. Fischer said Mr. Thomack is creating a 2 acre parcel with the dwelling and outbuildings. The plan at this time is not for animal husbandry but possibly in the future.

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 Bear Creek recommending approval of the Petition for Zoning Map Amendment and Conditional Use Permit.

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

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 Bear Creek Planning Commission and the Town Board of Bear Creek 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.

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 Bear Creek Planning Commission and the Town Board of Bear Creek have recommended approval of this request. The following conditions **MUST** be met: The applicant must follow the Animal Density Unit Standards as required by the Wisconsin Department of Agriculture, Trade and Consumer Protection Agency. Must complete the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises Registration. Must inform the Town Board of Bear Creek when the animals are going to be placed on this property. The applicant must have a Certified Survey Map completed on the property to create the 2.001 acre parcel. 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 11:16 a.m. The motion was carried.

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REVIEW/DISCUSSION:

- 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. D. Federwitz moved and D. Kussmann second to rescind the Conditional Use Permit application due to the applicant not pursuing the Outdoor Maintenance Service (automotive repair shop).
- Update on the Wheelhouse Employee Parking Lot, Town of Farmington
- 2017 Budget. D. Federwitz moved and D. Kussmann seconded to accept the 2017 budget projection with a 28 hour per week average new position. The motion was carried.
- Wis. Act 391 Private Property Rights Bill
- Department Update – Safety Committee

APPEARANCE: Christopher Anderson, Intern Program Presentation

The next Planning and Zoning Committee meeting has been scheduled for September 1, 2016.

T. Murphy moved and W. Wilfuer seconded the motion to adjourn the meeting at 12:40 p.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk