

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES –OCTOBER 20, 2016**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:00 a.m. on the Richard W. Christianson property, Town of Caledonia; the Ronald Davies & Kelly Wichman property, Town of Caledonia and the Gerald P. Galovic property, Town of Helvetia.

Chm. Penney called the meeting to order at 10:45 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.

D. Federwitz moved and T. Murphy seconded the motion to approve the minutes from the July 21, 2016 and August 4, 2016 meetings. The motion was carried.

Public Comment: There was none.

PUBLIC HEARINGS:

The first 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 read the names of persons notified of the hearing for **Richard W. Christianson:** Located in part of the SW ¼ of the SE ¼ of Sec. 36, Town of Caledonia, lying along Marsh Road, Fire Number N102, Waupaca County, Wisconsin; for a Conditional Use Permit application to allow for animal husbandry (horses) in an RR (Rural Residential) District on approximately 5 acres. The Committee and Ryan Brown, Planning & Zoning Director, made an on-site inspection of the property. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Richard Christianson was sworn in to testify. Mr. Christianson said he would like to build a barn on the existing slab for two (2) horses which requires a Conditional Use Permit.

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 Caledonia recommending approval of the application.

Jason Snyder, Deputy Zoning Administrator, said the Planning & Zoning Office recommends approval of the application with conditions.

D. Kussmann moved and W. Wilfuer seconded the motion to GRANT the application for Conditional Use Permit due to the following: The Town of Caledonia Planning Commission and the Town Board of Caledonia have recommended approval of this request with conditions. The following conditions MUST be met: Owners shall follow the standards found in the 2011 (or successor copy) edition of the “Good Horse Keeping Best Practices Manual for Protecting the Environment.” Horses shall be provided with a shelter consisting of a minimum of three walls, a roof and adequate size to provide shelter for the number of animals on site. Animal waste shall be properly disposed of. Horses shall be provided with an adequate food supply since the parcel lacks adequate pasture land. There shall be an adequate water supply for the horses. Must register the animals with the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises

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Registration. There shall be a review of the Conditional Use Permit by the Planning & Zoning Committee after one (1) year, which would be by **October 20, 2017**, as requested by the Town to ensure that conditions are complied with. 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 10:56 a.m. The motion was carried.

The second public hearing was called to order at 10:57 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 **Ronald Davies & Kelly Wichman**: Located in part of the SE ¼ of the SE ¼ of Sec. 5, Town of Caledonia, lying along Weiland Road, Fire Number E8010, Waupaca County, Wisconsin; for a Conditional Use Permit application to allow for animal husbandry (miniature horses) in an RR (Rural Residential) District on approximately 5 acres. The Committee and Ryan Brown, Planning & Zoning Director, made an on-site inspection of the property. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Kelly Wichman was sworn in to testify. Ms. Wichman said her husband and her plan to have a small operation for showing miniature horses which requires a Conditional Use Permit. Ms. Wichman said she would like to have six (6) miniature horses.

Jason Snyder, Deputy Zoning Administrator, explained the animal density units as it pertains to miniature horses.

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 Caledonia recommending approval of the application with conditions.

Jason Snyder, Deputy Zoning Administrator, said the Planning & Zoning Office recommends approval with conditions.

T. Murphy moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit due to the following: The Town of Caledonia Planning Commission and the Town Board of Caledonia have recommended approval of this request with conditions. The following conditions **MUST** be met: Owners shall follow the standards found in the 2011 (or successor copy) edition of the “Good Horse Keeping Best Practices Manual for Protecting the Environment.” Horses shall be provided with a shelter consisting of a minimum of three walls, a roof and adequate size to provide shelter for the number of animals on site. Animal waste shall be properly disposed of. Horses shall be provided with an adequate food supply since the parcel lacks adequate pasture land. There shall be an adequate water supply for the horse. Must register the animals with the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises Registration. There shall be a review of the Conditional Use Permit by the Planning & Zoning Committee after one (1) year, which would be by **October 20, 2017**, as requested by the Town to ensure that conditions are complied with. 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 third public hearing was called to order at 11:05 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 **Gerald P. Galovic**: Located in part of the NW ¼ of the SW ¼ of Sec. 17, Town of Helvetia, lying along Lutz Road, Fire Number N8696, Waupaca County, Wisconsin; for a 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 14 acres. The Committee and Ryan Brown, Planning & Zoning Director made an on-site inspection of the property. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Gerald Galovic was sworn in to testify. Mr. Galovic said he would like to place the recreational vehicle on the property to use for the summer and during the winter they live in Florida. Mr. Galovic said that possibly in the future they would like to build a dwelling.

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 Helvetia recommending approval of the application.

Jason Snyder, Deputy Zoning Administrator, said the Planning & Zoning Office recommends approval of the application with conditions.

T. Murphy moved and D. Federwitz seconded the motion to **GRANT** the application for Conditional Use Permit due to the following: The Town of Helvetia Planning Commission and the Town Board of Helvetia recommended approval of this Conditional Use 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. This recreational vehicle shall not be used for occupancy after the proposed dwelling has been constructed, other than on a temporary basis which is for a period of thirty (30) calendar days. 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 fourth continuation 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 **CSM DVLPT Inc**: Located in part of the E ½ of the SE ¼ of Sec. 11, Town of Helvetia, lying along County Highway E, Fire Number N9097, Waupaca County, Wisconsin; for the continuation of an after the fact Conditional Use Permit application for a structure to be used for human habitation that doesn't meet the 22 foot minimum width requirement in a PVRF (Private Recreation and Forestry) District on approximately 28 acres. The Committee, Ryan Brown, Planning & Zoning Director, and Jason Snyder, Deputy Zoning Administrator, made an on-site inspection of the property on September 15, 2016. Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

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Jay Jankowski was sworn in to testify. Mr. Jankowski said the shed was there when he purchased the property. Mr. Jankowski said they use the shed during hunting to warm up. The shed does not have running water or electricity and they have a porta potty.

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

Jason Snyder, Deputy Zoning Administrator, said the Planning & Zoning Office recommends approval of the application with conditions.

D. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the application for an after the fact Conditional Use Permit due to the following: The Town of Helvetia Planning Commission and the Town Board of Helvetia recommended approval of this Conditional Use 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. The applicant must obtain a Land Use Permit from the Planning & Zoning Office for the cabin. The applicant must obtain a Building Permit from the local Building Inspector for the cabin. The applicant must obtain an Access Permit from the Waupaca County Highway Department. Before any improvements are made to the driveway, the applicant must receive approval from the Department of Natural Resources to ensure that any proposed improvement is not in a wetland area. The Committee decided that the applicant will not be refunded the after the fact Conditional Use Permit fee of \$400. 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 11:27 a.m. The motion was carried.

DISCUSSION & POSSIBLE ACTION:

- Scheduling upcoming meetings. The upcoming meetings will be: October 27, 2016; November 17, 2016; December 1, 2016 and possibly December 15, 2016.

The next Planning and Zoning Committee meeting has been scheduled for Thursday, October 27, 2016.

D. Kussmann moved and W. Wilfuer seconded the motion to adjourn the meeting at 11:29 a.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk