

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES – DECEMBER 1, 2016**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:30 a.m. on the Tanner C. Berg property, Town of Mukwa; the Edward W. & Kim M. Bertram property, Town of Larrabee and the Kerry A. & Michael C. Reese property, Town of Wyoming.

Chm. Penney called the meeting to order at 10:47 a.m. with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present.

W. Wilfuer moved and T. Murphy 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 October 27, 2016. The motion was carried.

Public Comment: There was none.

PUBLIC HEARINGS:

The first public hearing was called to order at 10:49 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 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 Mukwa**. 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 existing property was owned by the City of New London and the current proposed use of the property requires a Zone Change and Comprehensive Plan Amendment.

Lee Shaw was sworn in to testify. Mr. Shaw is a Town of Mukwa Supervisor. Mr. Shaw said the zoning of the property should have been changed when the current owner purchased it from the City of New London.

Cindy Bungert was sworn in to testify. Ms. Bungert said she is representing Tanner Berg the current owner of the property. She said that when Mr. Berg purchased the property he was not aware of the zoning of the property and the allowed uses. Ms. Bungert is the realtor and is involved in the current sale of the property for proposed Mini-Warehouse units.

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 Mukwa recommending approval.

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Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval of the Comprehensive Plan Amendment.

D. Federwitz moved and W. Wilfuer seconded the motion to **APPROVE** the Comprehensive Plan Amendment in the Town of Royalton. 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 11:06 a.m. The motion was carried.

The second public hearing was called to order at 11:07 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 **Tanner C. Berg**: Located in part of the SW ¼ of the NW ¼ of Sec. 19, Town of Mukwa, lying along County Highway X, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from a PURF (Public Recreation and Forestry) District to an AWT (Agriculture and Woodland Transition) District with a Conditional Use Permit application for a Mini-Warehouse on approx 15 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.

Cindy Bungert said the issues were covered in the previous Comprehensive Plan Amendment hearing for the proposed use for Mini-Warehouses.

Lee Shaw is the Town of Mukwa Supervisor and said the Town of Mukwa approves of two (2) Mini-Warehouses.

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 four (4) letters, two (2) from the Town of Mukwa recommending approval of the Petition for Zoning Map Amendment and the Conditional Use Permit application, one (1) from a neighboring property owner opposed to the Mini-Warehouses and one (1) from the Waupaca County Highway Department with recommendations.

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval of the Petition for Zoning Map Amendment and Conditional Use Permit with conditions.

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 Mukwa Planning Commission and the Town Board of Mukwa 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. The motion was carried.

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D. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit due to the following: The Town of Mukwa Planning Commission and the Town Board of Mukwa have both approved this request and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: This Conditional Use Permit allows for the construction of two (2) Mini-Warehouse structures. Any more than two (2) Mini-Warehouses would require another Conditional Use Permit to be issued. Must comply with the requirements of the letter dated November 22, 2016 that was sent from the Waupaca County Highway Department concerning access. The applicant must obtain a Land Use Permit from the Planning & Zoning Office prior to the construction of the Mini-Warehouses. The applicant must obtain a Building Permit from the local Building Inspector prior to the construction of the Mini-Warehouses. 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 11:19 a.m. The motion was carried.

The third public hearing was called to order at 11:20 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 **Edward W. & Kim M. Bertram**: Located in part of the SW ¼ of the SW ¼ of Sec. 16, Town of Larrabee, lying along Highway 45, Fire Number N11028, Waupaca County, Wisconsin; for a Conditional Use Permit application for Single Family Residence - Accessory to a Principal Commercial Use in an RC-N (Rural Commercial-Neighborhood) District on approximately 1.16 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.

Edward Bertram was sworn in to testify. Mr. Bertram said he converted the existing barn into living quarters 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 Larrabee recommending approval of the application.

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval and that an easement for the drainfield be recorded.

Edward Bertram came back for rebuttal. Mr. Bertram said he owns the parcel that the drainfield is on but would get an easement.

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D. Kussmann moved and T. Murphy seconded the motion to **GRANT** the application for Conditional Use Permit due to the following: The Town of Larrabee Planning Commission and the Town Board of Larrabee have both approved this request and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: The applicant must obtain a Land Use Permit from the Planning & Zoning Office for the dwelling as the accessory to the principal commercial use. The applicant must obtain a Building Permit from the local Building Inspector for the dwelling as the accessory to the principal commercial use. 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 11:26 a.m. The motion was carried.

The fourth public hearing was called to order at 11:27 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 **Kerry A. & Michael C. Reese**: Located in part of the NE ¼ of the SE ¼ of Sec. 31, Town of Wyoming, lying along West Hill Road, Fire Number N9859, 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 11.88 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.

Kerry Reese was sworn in to testify. Ms. Reese said there is a camper currently on the property that is for recreational use. Ms. Reese said they have plans to clean up the property and to tear down the existing house and rebuild in the future. Ms. Reese said there is an existing well and septic on the property and they currently use the water from the well.

Ryan Brown, Planning & Zoning Director, explained the process to use the current well and septic for a new 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 Wyoming recommending approval of the application.

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

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T. Murphy moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit due to the following: The Town of Wyoming Planning Commission and the Town Board of Wyoming have both approved this request and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: The recreational vehicle must have a code complying sanitary system. The old existing house must be removed from the property within two (2) years, which would be by December 1, 2018. The Committee is requesting to have a two (2) year review on this permit, which would be by December 1, 2018. 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 11:45 a.m. The motion was carried.

DISCUSSION AND POSSIBLE ACTION:

- Review the Conditional Use Permit (CP-016-11) for RNH Land Company LLC located in Sec. 27, Town of Waupaca. The Planning & Zoning Committee decided that the applicant must either request by June 1, 2017 to amend the current Conditional Use Permit to reflect the current business operations, which are not as productive as what was originally proposed at the public hearing on November 10, 2011; or The applicant must place two (2) staggered rows of spruce trees along the perimeter of the graveled area surrounding the work area by June 1, 2017. Mike Orr, Town of Waupaca Chairman, is in agreement with the Planning & Zoning Committee decision.
- Dennis Kussman was excused at 12:14 p.m.
- Proposal to include replacement of failing septic systems in budgeted money for junk clean up. T. Murphy moved and D. Federwitz seconded the motion to approve failing septic systems in budgeted money for junk clean up. The motion was carried.
- Resolution to adopt a Comprehensive Plan Amendment in the Town of Mukwa. D. Federwitz moved and W. Wilfuer seconded the motion to **APPROVE** the Resolution for the Comprehensive Plan Amendment for the Town of Mukwa and recommend it to the Waupaca County Board for their approval at their December 20, 2016 meeting. The motion was carried.
- Discussion on Ipads for the Committee. The Committee decided to have the Planning & Zoning Committee packet information emailed to them from now on and also mailed, until the Committee feels it is not necessary to be mailed.
- Schedule upcoming meetings.

The next Planning and Zoning Committee meeting has been scheduled for Thursday, December 15, 2016.

T. Murphy moved and W. Wilfuer seconded the motion to adjourn the meeting at 12:45 p.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk