

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING  
MINUTES – DECEMBER 15, 2016**

**ON-SITE INSPECTIONS:** The Committee made on-site inspections starting at 8:30 a.m. on the John B. & Cindylee Harvey property, Town of Lebanon; the Robert D. & Kimberly A. Nass property, Town of Lebanon; the Clair A. Gorges property, Town of Caledonia and the Charles J. & Kathleen Hartzheim property, Town of Caledonia.

Chm. Penney called the meeting to order at 10:29 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: 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 **John B. & Cindylee Harvey:** Located in part of the SE ¼ of the SE ¼ and part of the NE ¼ of the SE ¼ of Sec. 12, Town of Lebanon, lying along Highway 45, Fire Number N6642, Waupaca County, Wisconsin; for an after the fact Conditional Use Permit application for a Commercial Animal Facility (equine business) and to exceed the allowable number of animal units in an AWT (Agriculture and Woodland Transition) District on approximately 30.91 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.

**John Harvey was sworn in to testify.** Mr. Harvey said they are submitting a Conditional Use Permit application for an equine animal facility. He said he was not aware of the need for the permit. Mr. Harvey said the horses are used for personal use.

**Ryan Brown, Planning & Zoning Director,** explained the need to exceed the allowable number of animal units based on the acreage being sufficient for animal use.

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 Lebanon recommending approval of the application.

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

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –  
DECEMBER 15, 2016**

D. Kussmann moved and T. Murphy seconded the motion to **GRANT** the application for Conditional Use Permit due to the following: The Town of Lebanon Planning Commission and the Town Board of Lebanon have recommended approval of this request. 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. Register your animals with the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises Registration by calling (888) 808-1910 or online at: <http://www.wiid.org/pdf/AH-LP-100-Premises-registration-form-2012.pdf> 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 10:46 a.m. The motion was carried.

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The second public hearing was called to order at 10:47 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 D. & Kimberly A. Nass**: Located in part of the SE ¼ of the SE ¼ of Sec. 12, Town of Lebanon, lying along Highway 45, Fire Number N6546, Waupaca County, Wisconsin; for an after the fact Conditional Use Permit application for a Contractor Shop (electrical contracting company), Commercial Animal Facility (equine business) and to exceed the allowable number of animal units in an AWT (Agriculture and Woodland Transition) District on approximately 11.66 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.

**Kimberly Nass was sworn in to testify.** Ms. Nass said she has a commercial equine business which is carried over from the neighboring property. She said she would like to exceed the allowable animal units for the boarding and training. Ms. Nass said they also have an electrical contracting business which consists mostly of storing materials for the business.

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 Lebanon recommending approval of the application.

**Jean Gliniecki, Zoning Administrator**, said the Planning & Zoning Office recommends approval with conditions for the Commercial Animal Facility and the Contractor Shop.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –  
DECEMBER 15, 2016**

D. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit due to the following: The Town of Lebanon Planning Commission and the Town Board of Lebanon have recommended approval of this request. The following conditions **MUST** be met: If there is going to be plumbing in the contractor’s shop building, there must be a code complying sanitary system installed for it. 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. Register your animals with the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises Registration by calling (888) 808-1910 or online at: <http://www.wiid.org/pdf/AH-LP-100-Premises-registration-form-2012.pdf> 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 10:57 a.m. The motion was carried.

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The third public hearing was called to order at 10:58 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 **Clair A. Gorges**: Located in part of the NW ¼ of the SW ¼ of Sec. 10, Town of Caledonia, lying along County Highway HH, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from a PVRF (Private Recreation and Forestry) District to an AWT (Agriculture and Woodland Transition) District to accommodate a boundary line adjustment between two adjoining parcels one being a PVRF (Private Recreation and Forestry) District and one being an AWT (Agriculture and Woodland Transition) District on approximately 0.383 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.

**Clair Gorges was sworn in to testify.** Mr. Gorges said when the land was surveyed years ago the neighboring property owner’s garage is partially on his property and they need to adjust the property line.

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

**Bette Gorges was sworn in to testify.** Ms. Gorges said she owns the neighboring property and when they first had the land surveyed it was suppose to go 10 feet to the north of the shed and instead they went 10 feet to the south.

Chm. Penney called three times for any testimony in opposition to the application. There was none.

**Deb Giuffre** read three (3) letters, one (1) from the Town of Caledonia recommending approval of the application, one (1) from the Waupaca County Highway Department with recommendations and one (1) from the property owner in favor with the rezone.

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

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –  
DECEMBER 15, 2016**

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 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; 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 11:11 a.m. The motion was carried.

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The fourth public hearing was called to order at 11:12 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 **Charles J. & Kathleen Hartzheim**: Located in part of the NW ¼ of the NW ¼ of Sec. 22, Town of Caledonia, lying along Pines Road, Fire Number N1222, Waupaca County, Wisconsin; for a Conditional Use Permit application to allow for Animal Husbandry (horses) and to exceed the allowable number of animal units in an RR (Rural Residential) District on approximately 15.03 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.

**Charles Hartzheim was sworn in to testify.** Mr. Hartzheim said he currently has horses for personal use. He said his intentions are to sell the property and in order to allow for horses he needs a Conditional Use Permit. Mr. Hartzheim said the property is set up for horses and is requesting to be allowed ten (10) 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.

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

D. Kussmann moved and W. Wilfuer seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town of Caledonia Planning Commission and the Town Board of Caledonia have recommended approval of this request. 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. Register your animals with the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises Registration by calling (888) 808-1910 or online at: <http://www.wiid.org/pdf/AH-LP-100-Premises-registration-form-2012.pdf> . 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 11:22 a.m. The motion was carried.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –  
DECEMBER 15, 2016**

**DISCUSSION AND POSSIBLE ACTION:**

- Future training for Town Chairs, Supervisors, Clerks, Building Inspectors, Assessors and Realtors on the procedures for issuance of permits in Waupaca County.
- Ordinance revisions process. All the Townships were invited to a public informational meeting on the proposed revisions to the Waupaca County Zoning & Subdivision Ordinances and it is scheduled for 9:00 a.m., Thursday, January 19, 2017.
- Vehicle maintenance. Ryan Brown, Planning & Zoning Director, gave an update on vehicle maintenance.
- Schedule upcoming meetings

The next Planning and Zoning Committee meeting has been scheduled for Thursday, January 5, 2017.

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D. Kussmann moved and T. Murphy seconded the motion to adjourn the meeting at 11:50 a.m. The motion was carried.

Debra L. Giuffre  
Recording Secretary

cc: County Clerk