

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES – March 9, 2017**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:30 a.m. on the Dustin L. Nacius property, Town of Matteson; the Calvin L. Preuss property, Town of Helvetia; the James A. Thiel property, Town of Helvetia and the David E. & Rhonda K. Towne property, Town of Farmington.

Chm. Penney called the meeting to order at 10:36 a.m. with the following members present: J. Penney, D. Kussmann, W. Wilfuer and D. Federwitz, present. T. Murphy was excused.

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

D. Federwitz moved and W. Wilfuer seconded the motion to approve the minutes from the December 15, 2016 and January 5, 2017 meetings. The motion was carried.

Public Comment: There was none.

PUBLIC HEARINGS:

The first public hearing was called to order at 10:40 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer and D. Federwitz, present. T. Murphy was excused. Deb Giuffre read the names of persons notified of the hearing for **Dustin L. Nacius:** Located in part of the NE ¼ of the SE ¼ of Sec. 36, Town of Matteson, lying along County Highway I, Fire Number E12030, Waupaca County, Wisconsin; for an after the fact Conditional Use Permit application for a Commercial Animal Facility (dog breeding) and to exceed the allowable number of animal units in an AR (Agriculture Retention) District on approximately 10.60 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.

Dustin Nacius was sworn in to testify. Mr. Nacius said he would like to continue his dog breeding business and exceed the allowable number of animal units. Mr. Nacius would also like to have steers, goats and chickens. Mr. Nacius said the animal waste is spread and disposed of in a compost.

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.

Charles VanDaalwyk was sworn in to testify. Mr. VanDaalwyk owns neighboring property and has concerns about the dog barking.

Steve VanDaalwyk was sworn in to testify. Mr. VanDaalwyk owns neighboring property and has no concerns about the farm animals but does have concerns about the dog barking.

Gene Gorges was sworn in to testify. Mr. Gorges owns neighboring property that he uses for hunting. Mr. Gorges said the dog barking scares off the wildlife.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
March 9, 2017**

Deb Giuffre read four (4) letters, one (1) from the Town of Matteson recommending approval of the application with conditions, one (1) from the Waupaca County Highway department with no concerns and two (2) from neighboring property owners in opposition.

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

Dustin Nacius came back for rebuttal. Mr. Nacius said he has no complaints from his other neighbors regarding the dog barking. Mr. Nacius said he will look into some type of fencing to help with the barking.

Charles VanDaalwyk said the other neighbors don't complain about the barking because they all have their own dogs.

D. Federwitz moved and D. Kussmann seconded the motion to **GRANT** the application for Conditional Use Permit application due to the following: The Town of Matteson Planning Commission and the Town Board of Matteson recommended approval of this Conditional Use Permit. The following conditions **MUST** be met: The applicant has until **September 1, 2017** to complete a privacy fence that will be 6 feet in height around the dog run. The Planning & Zoning Committee will be reviewing this Conditional Use Permit in one (1) year from today's date, which would be **March 9, 2018**. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes, and D. Federwitz—yes, unanimous vote to grant the permit. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 11:23 a.m. The motion was carried.

The second public hearing was called to order at 11:24 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer and D. Federwitz, present. T. Murphy was excused. Deb Giuffre read the names of persons notified of the hearing for **Calvin L. Preuss**: Located in part of the SW ¼ of the NE ¼ of Sec. 25, Town of Helvetia, lying along Roland Road, Waupaca County, Wisconsin; for a Conditional Use Permit application for a Non-Metallic Mineral Extraction in an AWT (Agriculture and Woodland Transition) District on approximately 40 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.

Calvin Preuss was sworn in to testify. Mr. Preuss said he would like to extract sand for farm use from the existing pit.

Ron Engle was sworn in to testify. Mr. Engle said he is a professional geologist with Engel and Associates, Inc. Mr. Engel gave background and reclamation information of the proposed project.

Scott Konkle was sworn in to testify. Mr. Konkle is with East Central Planning Commission for Non-Metallic Mining. Mr. Konkle did a preliminary review of the proposed Non-Metallic Mining operation and it meets all requirements of the Ordinance.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
March 9, 2017**

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.

Lucy Raschke was sworn in to testify. Ms. Raschke owns neighboring property and is concerned with the setback from a well, safety with truck traffic and road maintenance.

Christopher Burkley was sworn in to testify. Mr. Burkley owns neighboring property and is concerned with dust, safety, property value and the volume of traffic.

Helen Kosmerchock was sworn in to testify. Ms. Kosmerchock said her mother lives close to the proposed project and has concerns regarding her children’s safety when visiting.

Patrick Kons was sworn in to testify. Mr. Kons owns property next to the proposed project and is concerned with the truck speed, safety, water contamination and the effects on the water table.

Jon Beyer was sworn in to testify. Mr. Beyer said he lives a ½ mile from the proposed project and is concerned with ground water and clay barrier.

Paul Kons was sworn in to testify. Mr. Kons read his letter that he submitted to the Planning & Zoning Committee in opposition of the proposed Non-Metallic Mineral Extraction.

Lee Rambo was sworn in to testify. Mr. Rambo is concerned with safety when farm equipment and trucks meet on the road.

Deb Giuffre read one (1) letter from the Town of Helvetia recommending approval of the application and seven (7) letters in opposition, are on file.

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

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 Helvetia Planning Commission and the Town Board of Helvetia have approved this request and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: Signage shall be provided on roads concerning truck traffic. The roads used shall be limited to the identified haul route in the operation plan. The road width along the haul route shall be addressed by Township. Section 21.4 of the Nonmetallic Mining Ordinance in regard to well testing of neighboring wells shall be followed. Operations and Reclamation shall be in compliance with all Federal, State, and Local regulations. Approval of this application is contingent upon the approval of a Reclamation plan. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes, and D. Federwitz—yes, unanimous vote to grant the permit. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 11:57 a.m. The motion was carried.

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
March 9, 2017**

The third public hearing was called to order at 11:58 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer and D. Federwitz, present. T. Murphy was excused. Deb Giuffre read the names of persons notified of the hearing for **James A. Thiel**: Located in part of the NW ¼ of the NW ¼ of Sec. 32, Town of Helvetia, lying along Netzler Road, Waupaca County, Wisconsin; for 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 40 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.

James Thiel was sworn in to testify. Mr. Thiel said his property is rented for hunting and the renters would like to keep the camper there.

Tom Christian was sworn in to testify. Mr. Christian rents Mr. Thiel's property for hunting purposes and would like to be able to keep the camper there for that use instead of moving it every thirty (30) days.

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.

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 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 obtain a fire number for the property. 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. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes, and D. Federwitz—yes, unanimous vote to grant the permit. W. Wilfuer moved and D. Kussmann seconded the motion to close the hearing at 1:12 a.m. The motion was carried.

The fourth public hearing was called to order at 1:13 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer and D. Federwitz, present. T. Murphy was excused. Deb Giuffre read the names of persons notified of the hearing for **David E. & Rhonda K. Towne**: Located in part of the SW ¼ of the NW ¼ of Sec. 23, Town of Farmington, lying along Frontage Road, Waupaca County, Wisconsin; for a Conditional Use Permit application for Mini-Warehouses in an AWT (Agriculture and Woodland Transition) District on approximately 8.13 acres. The Committee and

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING MINUTES –
March 9, 2017**

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.

Joel Bartel agent, was not present.

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.

Kieth Penney was sworn in to testify. Mr. Penney said he owns neighboring property and has a bee farm. Mr. Penney is concerned with runoff, fencing, lighting and number of units.

Lee Hemingson was sworn in to testify. Mr. Hemingson said he owns neighboring property and is concerned with drainage, number of units, the driveway being paved or graveled, type of storage, and increase in traffic and property value.

Caroline Murphy was sworn in to testify. Ms. Murphy is the Town Chair for Farmington. Ms. Murphy said that Mr. Bartel was vague about the project and that he will need to obtain permits through the Town of Farmington.

D. Kussmann moved and W. Wilfuer seconded the motion to **CONTINUE** the application for Conditional Use Permit application due to the following: No one being present at the public hearing to testify on behalf of the request as stated above. The Planning & Zoning Committee will continue the public hearing at their next regularly scheduled meeting on **Thursday, March 23, 2017**. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes, and D. Federwitz—yes, unanimous vote to continue the Conditional Use Permit application.

The next Planning and Zoning Committee meeting has been scheduled for March 23, 2017.

D. Federwitz moved and W. Wilfuer seconded the motion to adjourn the meeting at 1:28 a.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk