

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES – June 22, 2017**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:30 a.m. on the Larry Markman Holdings I, LLC property, Town of Mukwa and the BBSSP Investments LLC property, Town of Lind.

Chm. Penney called the meeting to order at 10:00 a.m. with the following members present: J. Penney, T. Murphy, W. Wilfuer, T. Murphy and D. Federwitz, present. D. Kussmann was excused.

D. Federwitz 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 April 6, 2017 meeting. The motion was carried.

Public Comment: There was none.

PUBLIC HEARINGS:

The first public hearing was called to order at 10:05 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, T. Murphy, W. Wilfuer and D. Federwitz present. D. Kussmann was excused. Deb Giuffre read the names of persons notified of the hearing for the Waupaca County Comprehensive Plan Amendments. The Waupaca County Comprehensive Plan was adopted by the Waupaca County Board of Supervisors on September 18, 2007. The proposed amendments to the Comprehensive Plan Preferred Land Use Maps are within the **Towns of Lebanon, Union and Lind**. The map amendments are to ensure that the Waupaca County Comprehensive Plan remains consistent with the locally adopted comprehensive plan. T. Murphy read the general procedure and Chm. Penney declared it a legal hearing.

Town of Lebanon, Comprehensive Plan Amendment

Ryan Brown, Planning & Zoning Director, explained that the proposed amendment within the Town of Lebanon are to accommodate properties to be included in Farmland Preservation.

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 amendment.

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

T. Murphy moved and D. Federwitz seconded the motion to **APPROVE** the Comprehensive Plan Amendment in the Town of Lebanon. Roll call vote was taken: J. Penney—yes W. Wilfuer—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to approve the amendment.

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Town of Union, Comprehensive Plan Amendment

Ryan Brown, Planning & Zoning Director, explained that this was an overhaul project for the Town of Union for updating the Comprehensive Plans to include Farmland Preservation.

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 amendment.

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

T. Murphy moved and D. Federwitz seconded the motion to **APPROVE** the Comprehensive Plan Amendment in the Town of Union. Roll call vote was taken: J. Penney—yes; W. Wilfuer—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to approve the amendment.

Town of Lind, Comprehensive Plan Amendment

Ryan Brown, Planning & Zoning Director, explained that the Comprehensive Plan Amendment is to accommodate a lot line adjustment and expand the parcel.

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 Lind recommending approval of the amendment.

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

T. Murphy moved and D. Federwitz seconded the motion to **APPROVE** the Comprehensive Plan Amendment in the Town of Lind. Roll call vote was taken: J. Penney—yes; W. Wilfuer—yes; D. Federwitz—yes and T. Murphy—yes, unanimous vote to approve the amendment. T. Murphy moved and W. Wilfuer seconded the motion to close the hearing at 10:10 a.m. The motion was carried.

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The second public hearing was called to order at 10:11 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, T. Murphy, W. Wilfuer and D. Federwitz present. D. Kussmann was excused. Deb Giuffre read the names of persons notified of the hearing for **Town of Lebanon:** Petitions for Zoning Map Amendments from RR (Rural Residential) District and AWT (Agriculture and Woodland Transition) District to AR (Agriculture Retention) District to be included in Farmland Preservation. The following properties are also being rezoned: Mathew M. & Shannon O'Brien from RR (Rural Residential) District to AWT (Agriculture and Woodland Transition) District on approximately 6.88 acres; Chrisanne R. Kraning from AWT (Agriculture and Woodland Transition) District to RC-G (Rural Commercial-General) District on approximately 2.24 acres; Jeffery S. & Karen L. Duch from RC-G (Rural Commercial-General) District to AWT (Agriculture Woodland Transition) District on approximately 2.24 acres and Lawrence D. & Patti A. Jensen from RR (Rural Residential) District to AWT (Agriculture and Woodland Transition) District on approximately 1.5 acres. T. Murphy read the general procedure and Chm. Penney declared it a legal hearing.

Les Prochnow was sworn in to testify. Mr. Prochnow said he is the Chairman for the Town of Lebanon. Mr. Prochnow said the Petition for Zoning Map Amendment is to accommodate the use of the land.

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 of the Petitions for Zoning Map Amendments and the final approval will be from the County Board at their next meeting on July 18, 2017.

D. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the applications for Petition for Zoning Map Amendments due to the following: The Town of Lebanon approved these requests and they are consistent with the Town's Comprehensive Plan. Roll call vote was taken: J. Penney—yes; T. Murphy—yes, W. Wilfuer—yes and D. Federwitz—yes unanimous vote to grant the zone change. T. Murphy moved and W. Wilfuer seconded the motion to close the hearing at 10:19 a.m. The motion was carried.

The third public hearing was called to order at 10:20 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, T. Murphy, W. Wilfuer and D. Federwitz present. D. Kussmann was excused. Deb Giuffre read the names of persons notified of the hearing for **Town of Union:** Petitions for Zoning Map Amendments from AWT (Agriculture and Woodland Transition) District to AR (Agriculture Retention) District to be included in Farmland Preservation. Murphy read the general procedure and Chm. Penney declared it a legal hearing.

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Ryan Brown, Planning & Zoning Director, explained that the Petition for Zoning Map Amendments for the Town of Union from AWT (Agriculture and Woodland Transition) District to AR (Agriculture Retention) is to allow those properties to be in Farmland Preservation.

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 of the Petitions for Zoning Map Amendments and the final approval will be from the County Board at their next meeting on July 18, 2017.

T. Murphy moved and W. Wilfuer seconded the motion to **GRANT** the application for Petitions for Zoning Map Amendments due to the following: The Town of Union approved these requests and they are consistent with the Town’s Comprehensive Plan. Roll call vote was taken: J. Penney—yes; T. Murphy—yes, W. Wilfuer—yes and D. Federwitz—yes unanimous vote to grant the zone change. T. Murphy moved and W. Wilfuer seconded the motion to close the hearing at 10:24 a.m. The motion was carried.

The fourth public hearing was called to order at 10:25 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, W. Wilfuer, T. Murphy and D. Federwitz, present. D. Kussmann was excused. Deb Giuffre read the names of persons notified of the hearing for **Larry Markman Holdings I, LLC**: Located in part of the SW ¼ of the NW ¼ of Sec. 14, Town of Mukwa, lying along Jennings Road, Fire Number E8954, Waupaca County, Wisconsin; for a Conditional Use Permit application for Animal Husbandry (chickens, domestic turkeys, ducks & goats) in an RR (Rural Residential) District on approximately 10.2 acres. The Committee, Ryan Brown, Planning & Zoning Director, and Jean Gliniecki, Zoning Administrator, made an on-site inspection of the property. T. Murphy read the general procedure and Chm. Penney declared it a legal hearing.

Mike Huzzar was sworn in to testify. Mr. Huzzar read his letter regarding the request for the Conditional Use Permit. (letter on file). Mr. Huzzar said he is in the process of purchasing the property and would like to have animals. The current zoning district does not allow for animal husbandry.

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 of the application.

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval with the condition that Mr. Huzzar abide by the Animal Density Unit Standards.

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D. Federwitz moved and W. Wilfuer seconded the motion to **GRANT** the Conditional Use Permit application due to the following: The Town of Mukwa Planning Commission and Town Board 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. Register your animals with the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises Registration. Roll call vote was taken: J. Penney—yes; T. Murphy—yes, W. Wilfuer—yes and D. Federwitz—yes unanimous vote to grant the Conditional Use Permit application. D. Federwitz moved and T. Murphy seconded the motion to close the hearing at 10:34 a.m. The motion was carried.

The fifth public hearing was called to order at 10:35 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, T. Murphy, W. Wilfuer and D. Federwitz present. D. Kussmann was excused. Deb Giuffre read the names of persons notified of the hearing for **BBSSP Investments LLC**: Located in part of the NE ¼ of the NE ¼ and part of the SE ¼ of the NE ¼ of Sec. 2, Town of Lind, lying at the intersection of Highway 10-49 and Vaughan Road, Fire Number N2467, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an AE (Agriculture Enterprise) District to an RI-G (Rural Industrial-General) on approximately 2.55 acres and a Petition for Zoning Map Amendment within Farmland Preservation from an AE (Agriculture Enterprise) District to RI-G (Rural Industrial-General) on approximately 3.14 acres with a Conditional Use Permit application for Heavy Industrial (metal/powder coating & manufacture foundry sand cores) on the entire property being a total of 10.69 acres. The Committee, Ryan Brown, Planning & Zoning Director, and Jean Gliniecki, Zoning Administrator, made an on-site inspection of the property. T. Murphy read the general procedure and Chm. Penney declared it a legal hearing.

Paul Mittlesteadt was sworn in to testify. Mr. Mittlesteadt said he would like to rezone the property for its current use. Mr. Mittlesteadt said they have a metal/powder coating & manufacture foundry sand cores business. He said they have had no complaints in regards to the trucks.

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.

Germaine Schoenhofen was sworn in to testify. Ms. Schoenhofen owns neighboring property and has concerns about the truck traffic.

Jean Gliniecki, Zoning Administrator, showed Ms. Schoenhofen a map of the property and explained the proposed parcel addition and the zoning.

Ryan Brown, Planning & Zoning Director, explained the process of the Petition for Zoning Map Amendment for the current use.

Deb Giuffre read one (1) letter from the Town of Lind recommending approval of the application.

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Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval of the Petition for Zoning Map Amendment and the final approval will be from the County Board at their next meeting on July 18, 2017. The applicant must have the existing parcel and the newly acquired parcels legally combined through a Deed and recording of the Deed.

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 Lind Planning Commission and Town Board have both recommended approval of this request and it is consistent with the Town’s Comprehensive Plan. Roll call vote was taken: J. Penney—yes; T. Murphy—yes, W. Wilfuer—yes and D. Federwitz—yes unanimous vote to grant the zone change

D. Federwitz moved and T. Murphy seconded the motion to **GRANT** the Conditional Use Permit application due to the following: The Town of Lind Planning Commission and Town Board 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 construction of the repairs to the existing structure from a fire. The applicant must obtain a Building Permit from the local Building Inspector for the construction of the repairs to the existing structure from a fire. The applicant must have the existing parcel and the newly acquired rezoned parcels legally combined. Required parking is one (1) space per each employee on the largest work shift. Roll call vote was taken: J. Penney—yes; T. Murphy—yes, W. Wilfuer—yes and D. Federwitz—yes unanimous vote to grant the permit. T. Murphy moved and W. Wilfuer seconded the motion to close the hearing at 10:48 a.m. The motion was carried.

The sixth continuation 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, W. Wilfuer, T. Murphy and D. Federwitz, present. D. Kussmann was excused. Deb Giuffre read the names of persons notified of the hearing for **Daniel S. & Effie Troyer (Sellers)/Henry D. Troyer (Buyer)**: Located in part of the SE ¼ of the NW ¼ of Sec. 24, Town of Wyoming, lying along County Highway G, Fire Number N10747, 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 on approximately 23 acres to acquire additional development rights for possible single family development. The Committee, Ryan Brown, Planning & Zoning Director, and Jean Gliniecki, Zoning Administrator, made an on-site inspection of the property on May 18, 2017. T. Murphy read the general procedure and Chm. Penney declared it a legal hearing.

Henry Troyer was sworn in to testify. Mr. Troyer said he would like to build a shop with living quarters near his parents’ house. The shop will have a well and septic.

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.

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John Heiman was sworn in to testify. Mr. Heiman said he is concerned as to where and what size the building will be. Also the driveway access because of traffic.

Jean Gliniecki, Zoning Administrator, said they will be sharing the driveway for access. And the building will be 36' x 76'.

Henry Troyer came back for rebuttal. Mr. Troyer said he does not plan on expanding the building due to the setback requirements.

Ryan Brown, Planning & Zoning Director, explained that in the future if Mr. Troyer was to move into his parent's dwelling, the living quarters would have to be removed from the shop.

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

Jean Gliniecki, Zoning Administrator, said the Planning & Zoning Office recommends approval of the Petition for Zoning Map Amendment and the final approval will be from the County Board at their next meeting on July 18, 2017. The applicant must have a Certified Survey Map done in order to divide the property and have it recorded with the Register of Deeds.

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 Wyoming Planning Commission and Town Board have both recommended approval of this request and it is consistent with the Town's Comprehensive Plan. Roll call vote was taken: J. Penney—yes; T. Murphy—yes, W. Wilfuer—yes and D. Federwitz—yes unanimous vote to grant the zone change. T. Murphy moved and W. Wilfuer seconded the motion to close the hearing at 11:06 a.m. The motion was carried.

The next Planning and Zoning Committee meeting has been scheduled for Thursday, July 13, 2017.

T. Murphy moved and W. Wilfuer seconded the motion to adjourn the meeting at 11:09 a.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk