

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING  
MINUTES – JULY 27, 2017**

**ON-SITE INSPECTIONS:** The Committee made on-site inspections starting at 8:00 a.m. on the Sandra B. Cobb Revocable Trust property, Town of Iola; the Wayne J. & Ronda K. Poppy property, Town of Mukwa and the Jerry C. Lyons et al property, Town of Dayton.

Chm. Penney called the meeting to order at 10:03 a.m. with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer, T. Murphy and D. Federwitz, all present.

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 April 20 and May 4, 2017 meetings. 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, D. Kussmann, W. Wilfuer, T. Murphy and D. Federwitz, all present. 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 Map are within the **Towns of Dayton and Wyoming**. The map amendments are 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.

**Town of Dayton, Comprehensive Plan Amendment.**

**Ryan Brown, Planning & Zoning Director**, said the comprehensive plan amendment is to take the planning district from the RR (Rural Residential) District to the RC-M (Rural Crossroads Mixed) District. The intension is to allow for the rezone from the AWT (Agriculture and Woodland Transition) District to the RC-N (Rural Commercial-Neighborhood).

**Daniel Osman was sworn in to testify.** Mr. Osman said he is confused on the Comprehensive Plan Amendment and Petition for Zoning Map Amendment for the two (2) townships.

**Ryan Brown, Planning & Zoning Director**, explained the process for the zone change and Comprehensive Plan Amendment.

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

**John Miller was sworn in to testify.** Mr. Miller said he is a Supervisor and Plan Commission Chairman for the Town of Dayton. Mr. Miller clarified the site that the Comprehensive Plan amendment and re-

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zone are referring to. Mr. Miller said the Town of Dayton’s Plan Commission and Township approved the amendment.

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

**Daniel Osman** said he owns the mini-warehouse business on the other parcel. Mr. Osman is concerned about the effect of property values with a residential area being zoned to a commercial use. He said that originally it was a condition that the property was to be a buffer between the commercial use and residential.

**John Miller** said he does not have the minutes but is not aware of any condition regarding the proposed property to be used as a buffer and to remain residential.

**David Clark was sworn in to testify.** Mr. Clark said that in 2007 the property was split and at that time there was a statement that one (1) parcel remain residential as a barrier.

**Thad Jelenski was sworn in to testify.** Mr. Jelenski said he is the proposed builder for the mini-warehouse and clarified the building site.

**Deb Giuffre** read one (1) letter form the Town of Dayton recommending approval of the amendment.

**Town of Wyoming, Comprehensive Plan Amendment.**

**Ryan Brown, Planning & Zoning Director,** said the Comprehensive Plan Amendment for the Town of Wyoming was town initiated and for a private party.

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.

- Resolution to adopt a Comprehensive Plan Amendment in the Towns of Dayton and Wyoming.

D. Kussmann moved and T. Murphy seconded the motion to **APPROVE** and sign the Resolution to adopt a Comprehensive Plan Amendment in the Towns of Dayton and Wyoming. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; T. Murphy—yes and D. Federwitz—yes, unanimous vote to approve the amendment. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 10:34 a.m. The motion was carried.

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The second 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, D. Kussmann, W. Wilfuer, T. Murphy and D. Federwitz, all present. Deb Giuffre read the names of persons notified of the hearing for Jerry C. Lyons et al: Located in part of the NW ¼ of the NE ¼ of Sec. 3, Town of Dayton, lying along Old Highway 22, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an RR (Rural Residential) District to an RC-N (Rural Commercial-Neighborhood) District for Mini-Warehouse on approximately 3.87 acres.

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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.

**Thad Jelenski was sworn in to testify.** Mr. Jelenski said he is the proposed buyer of the property and would like to put up mini-warehouses which requires a Petition for Zoning Map Amendment. He would like to build one (1) mini-warehouse with sixty (60) units with an asphalt entrance.

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.

**Daniel Osmon was sworn in to testify.** Mr. Osmon said he owns storage units on the neighboring property and several in the area. Mr. Osmon gave a history of the business operations. He is opposed to the application because of the nearby residential area.

**John Miller** clarified the RC-N (Rural Commercial-Neighborhood) District use.

**Ryan Brown, Planning & Zoning Director,** explained the Commercial Districts and their uses.

**Deb Giuffre** read six (6) letters, three (3) from the Town of Dayton recommending approval, one (1) from a neighboring property owner recommending approval and two (2) neighboring property owners opposed to the application.

**Jean Gliniecki, Zoning Administrator,** read from the Waupaca County Zoning Ordinance what uses are permitted in the RC-N (Rural Commercial-Neighborhood) District.

**Thad Jelenski came back for rebuttal.** Mr. Jelenski clarified and explained the building of a berm for a barrier from the residential area.

**Jean Gliniecki, Zoning Administrator,** said the Planning & Zoning Office recommends approval of the Petition for Zoning Map Amendment with final approval from the Waupaca County Board at their next meeting.

D. Kussmann moved and T. Murphy seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Dayton 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; D. Kussmann—yes; W. Wilfuer—yes; T. Murphy—yes and D. Federwitz—yes, unanimous vote to grant the zone change. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 11:09 a.m. The motion was carried.

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The third public hearing was called to order at 11:10 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer, T. Murphy and D. Federwitz, all present. Deb Giuffre read the names of persons notified of the hearing for **Sandra B. Cobb Revocable**

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**Trust:** Located in part of the SW ¼ of the SE ¼ of Sec. 9, Town of Iola, lying at the end of Johnson Lane, Fire Number N8945, Waupaca County, Wisconsin; for a Conditional Use Permit application for a Campground (family use only) in an AWT (Agriculture and Woodland Transition) District on approximately 5.318 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.

**Sandra Cobb was sworn in to testify.** Ms. Cobb said her family camps at the property and has been for years. She was recently notified that she needed a permit. Ms. Cobb said the campers share a septic system and all have electricity.

**Ryan Brown, Planning & Zoning Director,** explained the sanitary system has to be state certified and code compliant. The campground is not public and does not require licensing through environmental health.

**Jason Snyder, Deputy Zoning Administrator,** said the current system is sized for three (3) bedrooms and would need to be evaluated for the proposed campground.

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

**Roger Zahradnik was sworn in to testify.** Mr. Zahradnik said he is a camper at the property and the area is well kept and has no effect on the environment. It is just a nice place to go to spend time with the family.

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 Iola recommending approval of the application.

**Jean Gliniecki, Zoning Administrator,** said the Planning & Zoning Office recommends approval with code compliant sanitary facilities.

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 Iola 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 existing sanitary system must be evaluated to make sure that it will be able to accommodate the additional wastewater from the four (4) recreational vehicles. Persons utilizing the fifth (5<sup>th</sup>) recreational vehicle, which is a pop-up camper and does not have sanitary facilities inside of it, shall utilize the sanitary facilities inside the existing dwelling. If the fifth (5<sup>th</sup>) recreational vehicle becomes a camper with sanitary facilities, it must be hooked into the existing sanitary system or it shall utilize a porta-potty or a privy. The Committee is limiting the applicant to a maximum of five (5) recreational vehicles to be parked on the property in excess of thirty (30) calendar days. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; T. Murphy—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 10:26.

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The fourth public hearing was called to order at 10:27 a.m. by Chm. Penney. Roll call was taken with the following members present: J. Penney, D. Kussmann, W. Wilfuer, T. Murphy and D. Federwitz, all present. Deb Giuffre read the names of persons notified of the hearing for **Wayne J. & Ronda K. Poppy**: Located in part of the SE ¼ of the SW ¼ of Sec. 7, Town of Mukwa, lying along Faskell Road, Fire Number N4176, Waupaca County, Wisconsin; for a Petition for Zoning Map Amendment from an RC-N (Rural Commercial-Neighborhood) District to an AWT (Agriculture and Woodland Transition) District with a Conditional Use Permit application for an existing duplex, Minor Indoor Institutional (assembly room), Mini-Warehouse and to continue with the existing Airport and Contractor Shop (plumbing & heating business) on approximately 9 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.

**Wayne Poppy was sworn in to testify.** Mr. Poppy gave a history of the property and the multiple uses.

**Ryan Brown, Planning & Zoning Director**, explained the allowable uses in the RC-N (Rural Commercial-Neighborhood) District and some of the uses Mr. Poppy proposed are not allowed. Mr. Brown said to allow the proposed multiple uses to be in compliance with the ordinance, a Petition for Zoning Map Amendment and Conditional Use Permit are needed.

**Lee Shaw was sworn in to testify.** Mr. Shaw said he is a Supervisor for the Town of Mukwa. Mr. Shaw said the RC-N (Rural Commercial-Neighborhood) District does not allow for the airport. He said in order to get what Mr. Poppy wants, there needs to be a Petition for Zoning Map Amendment and 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 5 letters, four (4) from residents in the Poppy flying Acres gated Community in favor of the applications and one (1) from the Town of Mukwa recommending approval of the Petition for Zoning Map Amendment and Conditional Use Permit application.

**Jean Gliniecki, Zoning Administrator**, said the Planning & Zoning Office recommends approval with the following, if there is going to be plumbing in any of the buildings, there must be a code complying sanitary system installed. The applicant must obtain a Land Use Permit from the Planning & Zoning Office prior to any construction. The applicant must contact the local building inspector.

T. Murphy moved and D. Kussmann seconded the motion to **GRANT** the application for Petition for Zoning Map Amendment due to the following: The Town of Mukwa 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; D. Kussmann—yes; W. Wilfuer—yes; T. Murphy—yes and D. Federwitz—yes, unanimous vote to grant the zone change.

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 Mukwa Planning Commission and Town Board have both approved this request and it is consistent with the Town Comprehensive Plan. The following

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conditions MUST be met: The existing sanitary system for the duplex must be evaluated to make sure that it is sized and sited appropriately. The applicant must obtain a Land Use Permit from the Planning & Zoning Office prior to any construction. The applicant must obtain a Building Permit from the local Building Inspector prior to any construction. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; T. Murphy—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 12:07 p.m. The motion was carried.

**DISCUSSION AND POSSIBLE ACTION:**

- 2018 Budget was presented by Ryan Brown, Planning & Zoning Director. T. Murphy moved and D. Federwitz seconded to approve the 2018 Budget. The motion was carried.

D. Kussmann was excused at 12:25 p.m.

- Schedule upcoming meetings.

The next Planning and Zoning Committee meeting has been scheduled for Thursday, August 31, 2017.

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W. Wilfuer moved and D. Federwitz seconded the motion to adjourn the meeting at 12:40 p.m. The motion was carried.

Debra L. Giuffre  
Recording Secretary

cc: County Clerk