

**WAUPACA COUNTY PLANNING & ZONING COMMITTEE MEETING
MINUTES – OCTOBER 19, 2017**

ON-SITE INSPECTIONS: The Committee made on-site inspections starting at 8:15 a.m. on the Christopher A. Hansen & Kaitlyn Keehn property, Town of Caledonia.

Chm. Penney called the meeting to order at: 9:30 a.m. with the following members present: J. Penney, D. Kussmann, T. Murphy, W. Wilfuer and D. Federwitz, all present.

D. Kussmann moved and D. Federwitz 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 June 22, 2017 meeting. The motion was carried.

Public Comment: There was none.

PUBLIC HEARINGS:

The first public hearing was called to order at 9:33 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 **Christopher A. Hansen & Kaitlyn Keehn:** Located in part of the NE ¼ of the NW ¼ of Sec. 22, Town of Caledonia, lying along Pine Valley Lane, Fire Number E8643, Waupaca County, Wisconsin; for a Conditional Use Permit application for Animal Husbandry (two horses) in an RR (Rural Residential) District on approximately 5 acres. The Committee 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.

Kaitlyn Hansen was sworn in to testify. Ms. Hansen said she would like to have two (2) horses on her five (5) acre property, with shelter and food provided. Ms. Hansen said the manure will be removed from the property.

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 with conditions.

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

T. Murphy 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 Town Board have both recommended approval of this request and it is consistent with the Town Comprehensive Plan. The following conditions **MUST** be met: Owners shall follow the standard 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 an adequate shelter consisting of a minimum of three walls and a roof. The applicant must maintain adequate pasturing area. As testified, the applicant must remove the waste from the property every two weeks. Must honor required setbacks from all property lines. 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> The applicant must obtain

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a Land Use Permit from the Planning & Zoning Office for the construction of any structures on the property. The applicant must contact the local Building Inspector to verify if a Building Permit is necessary for the construction of any structures. 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 9:42 a.m. The motion was carried.

The second public hearing was called to order at 9:43 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 **Richard W. Christianson**: Located in part of the SW ¼ of the SE ¼ of Sec. 36, Town of Caledonia, lying along Marsh Road, Fire Number N102, Waupaca County, Wisconsin; for a review of a Conditional Use Permit application to allow for animal husbandry (two horses) in an RR (Rural Residential) District on approximately 5 acres. (an on-site inspection was done on this property October 20, 2016.) Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Richard Christianson was sworn in to testify. Mr. Christianson said there was a review of the property and everything was good.

Jean Gliniecki, Zoning Administrator, said there have been no complaints and Jason Snyder, Deputy Zoning Administrator did an inspection on the property.

Jason Snyder, Deputy Zoning Administrator said the Conditional Use Permit is compliant.

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.

D. Kussmann moved and W. Wilfuer seconded to **APPROVE** this review unless the Planning and Zoning Office receives any complaints, this permit does not need to come back for any further review. T J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; T. Murphy—yes and D. Federwitz—yes unanimous vote to approve the review. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 9:47 a.m. The motion was carried.

The third public hearing was called to order at 9:48 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 **Ronald Davies & Kelly Wichman**: Located in part of the SE ¼ of the SE ¼ of Sec. 5, Town of Caledonia, lying along Weiland Road, Fire Number E8010, Waupaca County, Wisconsin; for a review of a Conditional Use Permit application to allow for animal husbandry (six miniature horses) in an RR (Rural Residential) District on approximately 5 acres. (an on-site inspection was done on this property October 20, 2016.) Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

No one was present to represent.

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Jason Snyder, Deputy Zoning Administrator said he did an on-site inspection of the property and the Conditional Use Permit is compliant except for registering the animals with the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises Registration.

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.

T. Murphy moved and D. Kussmann second the motion that failure to register your animals with the Wisconsin Department of Agriculture, Trade and Consumer Protection Livestock Premises Registration within six (6) months from today's date, which will be by **April 19, 2018**, will result in another review being held before the Planning & Zoning Committee. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; T. Murphy —yes and D. Federwitz—yes unanimous vote. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 9:50 a.m. The motion was carried.

The fourth public hearing was called to order at 9:51 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 **Ryan P. & Carrie A. Hofferber**: Located in part of the NW¼ of the SW ¼ of Sec. 16, Town of Weyauwega, lying along Little River Road, Fire Number E5710, Waupaca County, Wisconsin; for a review of a Conditional Use Permit application for a Major Indoor Institutional (banquet hall) in an AWT (Agriculture and Woodland Transition) District on approximately 5.596 acres. (an on-site inspection was done on this property January 26, 2017.) Vice-Chm. Kussmann read the general procedure and Chm. Penney declared it a legal hearing.

Carrie Hofferber was sworn in to testify,

Ryan Brown, Planning & Zoning Director, explained the reason for the review of this Conditional Use Permit as a request by the Town of Weyauwega.

Carrie Hofferber said she does not have any additional information to give at this time. Ms. Hofferber was going to abandon the Conditional Use Permit but has since hired a new Architect for the commercial things that are being asked for.

Jim Biddison was sworn in to testify, said he is the Town of Weyauwega Chairman. Mr. Biddison said some of the issues of the Conditional Use Permit have not been met and is concerned with safety. Mr. Biddison discussed some of the requirements from the Commercial Building Inspector. Also the Town of Weyauwega has received complaints regarding the facility operations.

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.

Richard Meidl was sworn in to testify, Mr. Meidl owns neighboring property and said the business is impacting their lifestyle and property values. Also he is concerned with traffic and noise.

Carrie Hofferber came back for rebuttal. Ms. Hofferber said she is attempting to remedy the noise and other concerns.

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D. Kussmann moved and W. Wilfuer second the motion to hold another review of this Conditional Use Permit in six (6) months from today’s date, which would be by **April 19, 2018**, to determine the viability of the business. Roll call vote was taken: J. Penney—yes; D. Kussmann—yes; W. Wilfuer—yes; T. Murphy —yes and D. Federwitz—yes unanimous vote. D. Kussmann moved and W. Wilfuer seconded the motion to close the hearing at 10:14 a.m. The motion was carried.

DISCUSSION AND POSSIBLE ACTION:

- *Farming Forward AEA. Ryan presented the Town of Lind, and 9 landowners petitioners to DATCP for the designation of AE (Agriculture Enterprise) District.
- Planning and Zoning issues demanding an inordinate amount of time.
 - Education/Consultation
 - Permit Review/Issuance
 - Permit Field Inspection
 - Violations/complaints/citations

Ryan Brown, Planning & Zoning Director, and Jason Snyder, Deputy Zoning Administrator, explained and discussed the office operations.

- *Cynthia Ferg requesting that an after the fact Land Use Permit application fee for a shed be waived located in Sec. 15, Town of St. Lawrence. D. Kussmann moved and D. Federwitz seconded to deny the request to waive the after the fact fee. The motion was carried.
- Schedule upcoming meetings.

The next Planning and Zoning Committee meeting has been scheduled for November 16, 2017.

D. Kussmann moved and W. Wilfuer seconded the motion to adjourn the meeting at 10:59 a.m. The motion was carried.

Debra L. Giuffre
Recording Secretary

cc: County Clerk