

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
PUBLIC HEARING

January 26, 2010
6:30 P.M.
Lounge Room – Courthouse

PRESENT: Supervisors, Patrick Brennand, Chairman, Joanne Sievert, Jeanette Diakoff, Thomas Egan and Claud Thompson. Cary Rowe, Zoning Administrator. Guests present.

The meeting was called to order by Patrick Brennand, Chairman at 6:30 P.M. Committee members introduced themselves and Zoning Administrator explained appeals procedure and stated that protests for rezoning must be made 24 hours prior to the County Board meeting.

1. Winnebago County Planning & Zoning Committee – Land Use Plan Amendment (Adjourned from December PH).

Zoning Administrator gave a brief explanation of the land use plan amendment and described how the land use plan is used for land use decisions. He then stated the following Towns approved: Algoma, Black Wolf, Clayton, Menasha, Neenah, Nepeuskun, Omro, Poygan, Utica, Vinland, Winneconne and Wolf River. There was no response from the Towns of Nekimi, Oshkosh, Rushford and Winchester. There was no additional testimony and this portion of the hearing was closed.

2. Winnebago County Planning & Zoning Committee, Renewable Energy – Text Amendment (adjourned from September PH).

Zoning Administrator requested that this item be adjourned for six months due to pending legislation. Motion by J. Sievert, seconded by T. Egan to adjourn this item for six months. Motion carried unanimously.

3. Town of Menasha, 899 N. Lake St (Fritse Park), Town of Menasha – Zoning Change (Adjourned from the December PH).

George Dearborn - Town of Menasha Community Development Director was sworn in. He stated that the Town had received additional correspondence which the county did not receive. He requested that this item be adjourned for 30-days in order to provide the Committee with the correspondence related to the zoning change. Motion by J. Sievert, seconded by C. Thompson to adjourn this item for 30-days. Motion carried unanimously.

4. Kay Mark, 3796 Leonard Point Rd, Town of Algoma – Zoning Change (Adjourned from the December PH).

5. Kay Mark, 3796 Leonard Point Rd, Town of Algoma – Conditional Use (Adjourned from the December PH).

Public hearing items four and five were opened up at the same time since both apply to the same property. Dave Schmalz - 1445 McMahon Dr, Neenah, was sworn in. He explained the re-zoning request and the conditional use request. He stated that a road agreement had been drafted for the re-configured private road. Zoning Administrator stated that the Algoma Town Board approved the zoning change with the following findings; 1) The Town does have an adopted land use plan. 2) The requested zoning change does agree with the adopted plan. 3) Approved with all notes on concept CSM dated Dec. 2009. 4) Create three lots; lot 1 to be the same shape and size, lot 3 being an outlet for the use of a private road, lot 2 remains the same as on concept CSM dated Dec 2009. Zoning Administrator also stated that the Algoma Town Board approved the conditional use with the following findings and condition; 1) The Town does have an adopted land use plan. 2) The requested conditional use does agree with the adopted plan. Condition: 1) Contingent upon the applicant complying with the R-5 zoning category 17.08 of the Town / County Zoning Ordinance. Supervisor Sievert asked Zoning Administrator if Committee could condition the permit to limit the type of structures to single family dwellings only. Zoning Administrator said Committee could approve permit with reasonable conditions. There was no additional testimony and this portion of the hearing was closed.

6. Tom Foth, 104 County Rd CB, Town of Neenah – Zoning Change.

Tom Foth – 703 W. Bent Ave, Oshkosh, was sworn in. He explained his re-zoning request and stated that the structure will be used as a single family dwelling only. Harrison Sturgis Jr – 167 Rockwood Ln, Neenah, was sworn in. He stated that there was supposed to be commercial zoning along County Rd CB according to the Town of Neenah's future land use map. Zoning Administrator stated that the Neenah Town Board approved the zoning change with the following findings; 1) The Town does have an adopted land use plan. 2) The requested zoning change does agree with the adopted plan. 3) Majority of neighbors agree. 4) Proposed use is compatible with adjacent use. 5) The building was a home at one time. There was no additional testimony and this portion of the hearing was closed.

7. Michael Poole / Duane Howard, 9351 Maple Ln & 9420 Manu Rd, Town of Winchester – Conditional use

Zoning Administrator stated that the Town requested a 60-day delay in order for the applicant to provide the Town with a reclamation plan and more extraction details about the site. Motion by T. Egan, seconded by J. Diakoff to adjourn this item for 60-days. Motion carried unanimously. Steve Olson – 9316 Maple Ln, Larsen, was sworn in. He was opposed to the conditional use request because of concerns about his well as a result of the large volume of material that will be removed from

the site. There was no additional testimony and this portion of the hearing was closed.

8. Winnebago County Planning & Zoning Committee, Stormwater Ordinance – Text Amendment.

Zoning Administrator stated that the text amendment was necessary to shift permit issuing authority and enforcement authority to the Land and Water Conservation Department (LWCD). Supervisor Egan asked why the Stormwater / Erosion Control program was being transferred to LWCD. Zoning Administrator stated that the zoning department felt the day to day activities such as permit issuance and inspections could be handled more efficiently by the LWCD and more convenient for the public. Harrison Sturgis Jr – 167 Rockwood Ln, Neenah, was sworn in. Mr. Sturgis asked if there would be more enforcement following inspections. Zoning Administrator said the LWCD will be doing the necessary enforcement. George Dearborn - Town of Menasha Community Development Director was sworn in. He supported the ordinance amendment. Zoning Administrator stated that the following Towns approved the text amendment: Algoma, Black Wolf, Clayton, Menasha, Neenah, Nepeuskun, Omro, Poygan, Utica, Vinland, Winneconne and Wolf River. No response was received from the Towns of Nekimi, Oshkosh, Rushford and Winchester. There was no additional testimony and this portion of the hearing was closed.

ADJOURNMENT

MOTION made by C. Thompson to adjourn the meeting. Seconded by J. Diakoff. Motion carried unanimously. Meeting adjourned at 7:00 P.M.

Respectfully submitted,

Cary A. Rowe
Recording Secretary