

WINNEBAGO COUNTY  
PLANNING & ZONING COMMITTEE  
**PUBLIC HEARING**  
March 1<sup>st</sup>, 2012  
4:00 P.M.  
Lounge Room - Courthouse

PRESENT: Supervisors Pat Brennand, Chairman, Joanne Sievert, Jeanette Diakoff, Tom Egan, Claud Thomson, Jerry Bougie, Planning Director, Cary Rowe, Zoning Administrator, Brian P. O'Rourke, Associate Planner, Karen Frederick, Court Reporter.

The meeting was called to order by P. Brennand, Chairperson, at 4:00 P.M.

1. Town/County Zoning Ordinance.

\* P. Brennand opened all three agenda items for testimony and discussion.

B. O'Rourke entered the following items and recommendations into the public record:

- 1: Two documents received from Civi-Tek Consulting listing those changes made to the proposed code after the public hearing draft had been posted online.
- 2: Two letters received from Mr. Michael Vickerman, Program and Policy Director for "Renew Wisconsin", and Mr. James K. Funk, NABCEP Certified Solar PV Installer for "Energize, LLC", expressing opposition to the proposed language addressing solar energy systems.
- 3: Separate documents listing various zoning changes to parcels for the Towns of Clayton, Nekimi, Omro, Rushford, Utica, Winchester, and Wolf River.
- 4: A letter received from Tom Blake, Shoreland Zoning Specialist for the Wisconsin Department of Natural Resources, stating that the proposed chapter 27 - "Shoreland and Shoreland-Wetland Management" is in compliance with Chapter NR 115 Wisconsin's Shoreland Management Program. The letter also suggested four changes to the proposed language.
- 5: Recommendation from staff to remove proposed section 23.8-87 "Limitation on retail sale or rental of specified" as requested by Corporation Counsel.
- 6: Recommendation from staff to remove sections 23.8-479 "Solar energy system, building" and 23.8-480 "Solar energy system, free standing" and all associated definitions located in proposed Article 3 of proposed chapter 23, in order to allow Corporation Counsel to fully review the proposed text and verify compliance with State Statutes.
- 7: Recommendation from staff to adjourn proposed chapter 26 "Floodplain Zoning Code" to the Committee's March public hearing, as Dick Koch of the DNR has not completed his review.
- 8: Recommendation from staff to keep the public hearing portion for agenda items one and three open to the deliberative in order to allow additional testimony and/or entries of items into the record, if needed.

James Funk, 6725 Sunset Trail, was sworn in and provided his background as an install of solar panels. He stated that he would like to keep the sections addressing solar panel installation out of the proposed code temporarily in order for verification that the text is in compliance with state statutes.

George Dearborn, Menasha Community Development Director, was sworn in and expressed appreciation with regard to the County and the steering committee that conducted the ordinance review. He also requested that the language addressing solar panel installation be kept out temporarily, and stated that he strongly supports the adoption of the proposed code.

Harrison Sturgis Jr., 167 Rockwood Ln, was sworn in. He stated he was concerned about the ordinance creating non-conforming uses, and he was opposed to the proposed M-1 (mixed use) and I-1 (light industrial) districts and the uses allowed in each.

B. O'Rourke stated that it was not the intent to create any non-conforming use and he did not see a large number of uses and/or structures becoming non-conforming as a result of the proposed code. A worst case scenario would be the requirement to apply for a conditional use permit to expand an existing use and/or conduct a new use in the proposed district(s).

Jim Erdman, 2492 Hickory Ln, was sworn in. He reiterated George Dearborn's comments, and stated that now towns can opt out of County Zoning.

H. Sturgis reiterated his objection to the proposed I-1 district and all of the allowable uses in that district.

Thomas Powell, 3952 County Rd N, was sworn in. He stated he was in favor of the proposed code, but had questions about the proposed buffer yard(s).

C. Rowe stated that the proposed buffer yard matrix showed that the more intense the use(s) the more vegetation was required, to which Mr. Powell stated he now understood.

Motion to adjourn this item to the March 5<sup>th</sup> deliberative by J. Diakoff.  
Seconded by J. Sievert. Motion carried 5-0.

No further testimony was given.

## 2. Floodplain Zoning Ordinance.

Motion to adjourn this item to the March public hearing per staff request by J. Sievert. Seconded by T. Egan. Motion carried 5-0.

No further testimony was given.

## 3. Shoreland and Shoreland/Wetland Ordinance.

H. Sturgis questioned the wetland designations and if there were provisions for the County to change them.

C. Rowe stated that any change to the DNR's wetland map would require a zoning change, which included a public hearing, at the applicant's expense.

Motion to adjourn this item to the March 5<sup>th</sup> deliberative by T. Egan. Seconded by J. Sievert. Motion carried 5-0.

No further testimony was given.

#### ADJOURNMENT

Motion to adjourn by T. Egan. Seconded by J. Sievert. Motion carried 5-0.  
Meeting adjourned at 4:45 P.M.

Respectfully submitted,

Brian P. O'Rourke, AICP  
Recording Secretary