

WINNEBAGO COUNTY  
PLANNING & ZONING COMMITTEE  
**DELIBERATIVE HEARING**

August 9, 2019

7:30 A.M.

County Administration Building  
1st Floor Conference Room 119  
Oshkosh, WI

PRESENT: Supervisors, Tom Egan, Rob Keller, Maribeth Gabert, Ben Joas and Brian Defferding. Karen Fredrick – court reporter, Brian O'Rourke and Cary Rowe – Zoning Administrator. Guest present.

The meeting was called to order by Tom Egan at 7:30 A.M.

1. Winnebago County – Chapter 26 – Floodplain Zoning Code and Official Map – Text Amendment.

MOTION by T. Egan, seconded by B. Joas, to bring agenda item to the floor for discussion and approve with findings as submitted.

Supervisor Egan stated that he did not like how the process of conducting and adopting the floodplain study took place and that property owners in the Town of Utica were most impacted. Supervisor Defferding stated that he was concerned about the poor communication, property rights, FEMA's exercise of power and that he would vote against the floodplain study. Supervisor Joas suggested going through the process again since the original process was poorly done in that it did not reach out directly to the property owners of the flood storage areas. Supervisor Gabert stated that she didn't think it was appropriate for FEMA to threaten the county's participation in the NFIP when land from property owners was used for flood storage areas without their knowledge. Supervisor Keller concurred with Supervisor Gabert. Committee discussed adjourning its decision with Corporation Counsel and Zoning Administrator.

MOTION by B. Defferding to adjourn deliberative on this agenda item to August 23, 2019, after the viewing at which time, an invited representative from FEMA can clarify when the county would be suspended from the NFIP and if the property owners of the flood storage areas would be reimbursed for lands used in the study. MOTION by T. Egan, seconded by B. Joas, to rescind first motion for discussion and approval. Motion carried 5-0. Seconded by B. Joas. Motion carried 5-0.

2. Town of Oshkosh – Chapter 23, Article 15, section 15(1) - Text Amendment (reopen and supplement decision to include findings).

Supervisor Gabert presented the committee with findings she drafted for the committee's review. Findings are as follows:

1. WDNR presently allows 20,000 SF (100' x 200') of developed surface in local ordinances without stormwater retention. WDNR has used science criteria to reach their guidelines.
2. The proposed 15,000 SF (150' x 100') Winnebago County ordinance change is still more restrictive than WDNR rules.
3. This ordinance change would allow a small project or expansion without a retention pond.
4. Any significant land disturbance over 20,000 SF (100' x 200') would still require stormwater retention.
5. Towns meet their stormwater ordinance guidelines & enforcement as required by the WDNR.

MOTION by B. Defferding, seconded by R. Keller, to adopt findings as submitted. Motion carried 5-0.

3. Winnebago County – Chapter 16.05 – Sanitary Ordinance – Text Amendment.

Committee reviewed findings in order to take action on a text amendment to Section 16.05 of the Winnebago County Sanitary Ordinance.

MOTION by B. Joas, seconded by B. Defferding, to approve with findings as submitted. Motion carried 5-0.

4. Greg Kappell – 8078 County Rd B, Town of Poygan – Conditional Use.

Committee reviewed findings and conditions in order to take action on a conditional use permit for a pond in a residential district.

MOTION by B. Joas, seconded by M. Gabert, to approve with findings and conditions as submitted. Motion carried 5-0.

5. KBS Marine LLC – 7312 County Rd B, Town of Poygan – Conditional Use.

Committee reviewed findings and conditions in order to take action on a conditional use permit to expand a campground.

MOTION by B. Defferding, seconded by B. Joas, to approve with findings and conditions as submitted. Motion carried 5-0.

6. Craig Norlin – 5079 Washington St, Town of Winneconne – Zoning Map Amendment.

Committee reviewed findings in order to take action on a zoning map amendment to R-2 (Suburban Residential).

MOTION by B. Joas, seconded by M. Gabert, to approve with findings as submitted. Motion carried 5-0.

7. Victoria Murrell – 4505 Broderick Rd, Town of Omro – Zoning Map Amendment.

Committee reviewed findings in order to take action on a zoning map amendment to A-2 (General Agriculture) as a condition of certified survey map approval.

MOTION by B. Joas, seconded by M. Gabert, to approve with findings as submitted. Motion carried 5-0

8. Steve Swanson – 7320 Woodenshoe Rd, Town of Neenah – Rural Accessory Building Determination.

Committee reviewed findings in order to take action on a rural accessory building determination. The effect of a rural accessory building determination and lot size was briefly discussed between Supervisor Keller and Zoning Administrator.

MOTION by B. Joas, seconded by B. Defferding, to approve with findings as submitted. Motion carried 5-0

9. Jerry Jannusch et al – Committee review and action on request for modifications to Conditional Use permit 19-CU-4770.

Zoning Administrator explained the requested modification which was downsizing of the original request to the committee.

MOTION by M. Gabert, seconded by B. Joas, for discussion and approval. Motion carried 5-0

ADJOURNMENT

MOTION made by B. Joas to adjourn the meeting. Seconded by M. Gabert. Motion carried 5-0. Meeting adjourned at 8:13 A.M.

Respectfully submitted,

Cary A. Rowe  
Recording Secretary

CAR

Planning & Zoning Committee  
**PLANNING MEETING**  
County Administration Building – 1<sup>st</sup> Floor Conference Room  
August 9<sup>th</sup>, 2019  
8:00 A.M.

PRESENT: Supervisors Tom Egan – Chairman, Maribeth Gabert, Robert Keller, Brian Defferding, Ben Joas. Jerry Bougie – Planning Director, Brian O'Rourke – Land Use Planner, Cary Rowe – Zoning Administrator, Maryann Mueller – Corporation Counsel, Liz Nichols – Property Lister, Adam Dorn – G.I.S. Database Administrator, Beth Olson – DNR, Bill Nelson – DNR – Gary Kinkaid – DNR, Bill Hartman – P.H. Glatfelter Project Manager

1. Approval of minutes from July 5 (Deliberative), July 5 (Planning Meeting), July 26 (Viewing), and July 30, 2019 (Public Hearing).

Motion to approve the minutes by B. Defferding. Seconded by Ben Joas. Motion carried 5-0.

There was no further discussion of this item.

2. DNR presentation and committee discussion on Lower Fox/Green Bay Superfund Site Memo of Understanding for G.I.S. Services.

Beth Olson – Field Integration Leader – DNR, presented a power point presentation regarding the Lower Fox/Green Bay Superfund Site project, which covers 39 miles of the Fox River as well as Green Bay.

Maryann Mueller expressed concern with certain language in the Memorandum of Understanding with regard to the length of commitment by the County.

Bill Nelson, Counsel for the DNR, indicated that an additional document could be drafted clarifying how long the County would be involved with regard to G.I.S services.

A. Dorn suggested the County could provide a link to the DNR's website on the County's G.I.S. site with regard to this project.

There was a consensus of the Committee that staff would be able to come to an agreement with the DNR with regard to the concerns expressed by Corporation Counsel and the G.I.S. Department, therefore this item would not need to be placed on a future agenda of this Committee.

There was no further discussion of this item.

3. Review and Committee action on proposed sanitary permit fee change.

C. Rowe stated that staff will be acquiring Agent Status from the State and will then be allowed to review plans for mound and at-grade sanitary systems, which currently is only done by the State for Winnebago County. The current State fee for this review is \$250, however staff is proposing adding a \$200 fee increase to existing permit fees for these systems. He also indicated that County review of plans for these systems as opposed to the State will save property owners approximately two to three weeks for plan approval. The proposed increase would be included in the 2020 budget.

There was a discussion of the committee to increase the permit fees for these systems of the current State fee of \$250 as opposed to the proposed \$200 increase.

Motion to increase the existing permit fees for mound and at-grade systems by \$250 beginning in 2020 by T. Egan. Seconded by B. Defferding. Motion carried 5-0.

There was no further discussion of this item.

4. Review and discussion on proposed 2020 Department budget.

C. Rowe stated the only significant increase to the proposed budget was with regard to the telephone services, which is the result of the phone company increasing their fees.

A. Dorn stated that the Land Records Counsel has approved the proposed Land Records budget.

L. Nichols indicated the only increase to the Property Lister budget was due to a change in a health insurance from "single" to "family" status. She also stated that her Departments budget is paid by the municipalities within the County.

There was no further discussion of this item.

5. Review and Committee action to forward Town of Winneconne zoning change to County Board.

C. Rowe provided a memo recommending forwarding a Town of Winneconne zoning change for Mueller to County Board.

Motion to forward a Town of Winneconne zoning change for Mueller to County Board by B. Defferding. Seconded by M. Gabert. Motion carried 5-0.

There was no further discussion of this item.

Motion to adjourn by B. Defferding. Seconded by B. Joas. Motion carried 5-0.

Brian P. O'Rourke, AICP – Recording Secretary

WINNEBAGO COUNTY  
Planning and Zoning Committee Viewing  
Friday, August 23, 2019  
County Administration Building  
112 Otter Ave  
Oshkosh, WI


Present: Planning and Zoning Committee members: Thomas Egan, Maribeth Gabert, Robert Keller, Ben Joas, and Brian Defferding.  
Emmett Simkowski-Code Enforcement Officer

The Committee met at 7:30 a.m. at County Administration Building then departed to view the following properties:

1. **P & Q Oshkosh LLC** – East of 1687 Old Knapp Rd – Town of Nekimi – Conditional Use Review.
2. **April (Hicks)Becker** – 602 N 9<sup>th</sup> St. – Town of Winneconne – Zoning Map Amendment

The meeting was adjourned at 8:50 a.m.

Respectfully,

  
Emmett Simkowski  
Recording Secretary



WINNEBAGO COUNTY  
PLANNING & ZONING COMMITTEE  
**DELIBERATIVE HEARING**

August 23, 2019

9:00 A.M.

County Administration Building  
3rd Floor Conference  
Oshkosh, WI

PRESENT: Supervisors, Tom Egan, Rob Keller, Maribeth Gabert, Ben Joas and Brian Defferding. Jerry Bougie, Brian O'Rourke and Cary Rowe – Zoning Administrator. Guest present.

The meeting was called to order by Tom Egan at 9:00 A.M.

1. Winnebago County – Chapter 26 – Floodplain Zoning Code and Official Map – Text Amendment (Adjourned from the August 9, 2019 Deliberative).

MOTION by B. Joas, seconded by M. Gabert, to approve with findings as submitted as required by FEMA in order for the county to continue to participate in the NFIP.

Supervisor Joas stated that while he didn't like the process that took place for conducting and adopting the floodplain study, he realizes the importance of Winnebago County participating in the NFIP so that residents could get flood insurance and added that he would be voting yes. Supervisor Defferding stated that he would be voting no because of the process that took place for conducting and completing the floodplain study and he believes private flood insurance is still available to property owners. Supervisor Keller stated that he would be voting yes because of the importance of flood insurance but was also opposed to the process that took place for conducting and adopting the floodplain study. Supervisor Egan stated that he would be voting yes and that he did not like how the process of conducting and adopting the floodplain study took place but did not want residents of the county not able to get flood insurance. Supervisor Gabert stated that she was opposed to the process that took place for conducting and adopting the floodplain study but also was aware that the Town of Oshkosh has a lot of residents in the floodplain who need flood insurance. Motion carried 4-1.

ADJOURNMENT

MOTION made by B. Joas to adjourn the meeting. Seconded by B. Defferding.  
Motion carried 5-0. Meeting adjourned at 9:53 A.M.

Respectfully submitted,

Cary A. Rowe  
Recording Secretary

CAR

WINNEBAGO COUNTY  
PLANNING & ZONING COMMITTEE  
PUBLIC HEARING

August 27<sup>th</sup>, 2019  
6:30 P.M.

First Floor Conference Room – County Administration Building

PRESENT: Supervisors: Ben Joas, Brian Defferding, Robert Keller and Maribeth Gabert.  
Emmett Simkowski (Code Enforcement Officer) Brian O'Rourke (Land Use Planner) Karen Fredrick (Court reporter) and guests present.  
Absent: Thomas Egan.

The meeting was called to order by Maribeth Gabert, at 6:30 p.m. and the committee members introduced themselves.

1. April (Becker) Hicks, 602 N 9<sup>th</sup> St. - Town of Winneconne - Zoning Map Amendment.

Owner is requesting a zoning map amendment from the I-2 District (Heavy Industrial) on parcel # 030-0222-02 to the R-2 District (Suburban Residential) in order to create a conforming residential lot.

April Becker was sworn in and described the current use of the property is residential and the proposed use will remain residential.

No additional testimony was given and this portion of the hearing was closed.

2. Winnebago County, - Land Use Plan Amendment.

Applicant is requesting an amendment to the Winnebago County Comprehensive Future Land Use Plan in order to amend the Farmland Preservation Plan element.

Brian O'Rourke described the history and purpose of the amendment to the guests and Committee.

Ronald Bahn was sworn in and spoke in favor of the proposed amendment.

No additional testimony was given and this portion of the hearing was closed.

ADJOURNMENT

MOTION made by Brian Defferding to adjourn the meeting until the deliberative on September 6th. Seconded by Ben Joas. Motion carried 4-0. Meeting adjourned at 7:10 P.M.

Respectfully submitted,

  
Emmett Simkowski  
Recording Secretary

WINNEBAGO COUNTY  
PLANNING & ZONING COMMITTEE  
**PUBLIC HEARING**  
September 6<sup>th</sup>, 2019  
7:30 A.M.  
County Administration Building  
3<sup>rd</sup> Floor Conference Room  
Oshkosh, WI

PRESENT: Supervisors: Thomas Egan, Ben Joas, Brian Defferding, Robert Keller and Maribeth Gabert.  
Emmett Simkowski (Code Enforcement Officer) Brian O'Rourke (Land Use Planner) Karen Fredrick (Court reporter) and guests present.

1. Winnebago County - Land Use Plan Amendment.

The meeting was called to order by Tom Egan at 7:30 A.M. to adjourn the hearing that took place on August 27<sup>th</sup> 2019.

Tom Egan asked if anyone would like to make a statement, Brian O'Rourke stated that, if approved, the new plan would be implemented in January 2020 being the previous plan expires at the end of 2019.

No further testimony was given.

ADJOURNMENT

MOTION by Ben Joas, seconded by Maribeth Gabert, to adjourn the public hearing. Motion carried 5-0. Meeting adjourned at 7:33AM

Respectfully submitted,

  
Emmett Simkowski  
Recording Secretary

WINNEBAGO COUNTY  
PLANNING & ZONING COMMITTEE  
**DELIBERATIVE HEARING**

September 6, 2019

7:35 A.M.

County Administration Building  
3rd Floor Conference Room  
Oshkosh, WI

PRESENT: Supervisors, Tom Egan, Rob Keller, Maribeth Gabert, Ben Joas and Brian Defferding. Karen Fredrick – court reporter, Brian O'Rourke and Emmett Simkowski – Code Enforcement Officer.

The meeting for the Deliberative Hearing was called to order by Tom Egan at 7:35 A.M.

1. April (Hicks) Becker – 602 N 9<sup>th</sup> St – Town of Winneconne – Zoning Map Amendment.

The Board discussed the proposed map amendment and the staff report stating that the Town of Winneconne recommends approval, there were no objections, the proposed use is compatible with adjacent uses and the amendment is consistent with the county's comprehensive plan.

MOTION by Ben Joas, seconded by Brian Defferding for approval. Motion carried 5-0

2. Winnebago County – Land Use Plan Amendment.

Brian O'Rourke read the staff report and staff notes.

MOTION by Tom Egan, seconded by Maribeth Gabert for approval. Motion carried 5-0.

3. P & Q Oshkosh LLC – East of 1687 Old Knapp Rd – Town of Nekimi – Conditional Use Review.

The Committee had a discussion if previous requirements have been met and staff confirmed they have. Staff confirmed that there will be a 6 month interval for review of the conditional use.

ADJOURNMENT

MOTION by Rob Keller, seconded by Brian Defferding to adjourn the meeting. Motion carried 5-0. Meeting adjourned at 7:55AM

Respectfully submitted,



Emmett Simkowski  
Recording Secretary

WINNEBAGO COUNTY  
Planning and Zoning Committee Viewing  
Friday, September 20, 2019  
County Administration Building  
112 Otter Ave  
Oshkosh, WI

Present: Planning and Zoning Committee members: Thomas Egan, Robert Keller and Brian Defferding.  
Emmett Simkowski-Code Enforcement Officer  
Excused: Ben Joas and Maribeth Gabert.

**The Committee met at 7:30 a.m. at County Administration Building then departed to view the following properties:**

1. **Jeffrey Baldwin et al** – 8082 County Rd B – Town of Poygan – Conditional Use.
2. **Dennis Lang** – West of Lyngaas Rd – Town of Winneconne – Planned Development District.
3. **Dennis Lang** – West of Lyngaas Rd – Town of Winneconne – Zoning Map Amendment.
4. **Kevin Hoppe et al** – 7674 Center Rd – Town of Clayton – Zoning Map Amendment.

The meeting was adjourned at 9:15 a.m.

Respectfully,



Emmett Simkowski  
Recording Secretary

WINNEBAGO COUNTY  
PLANNING & ZONING COMMITTEE  
PUBLIC HEARING

September 24<sup>th</sup>, 2019  
6:30 P.M.

First Floor Conference Room – County Administration Building

PRESENT: Supervisors: Thomas Eagan, Ben Joas, Brian Defferding, Robert Keller and Maribeth Gabert.  
Emmett Simkowski (Code Enforcement Officer) Lynn Eagan (Court reporter) and guests present.

The meeting was called to order by Thomas Eagan, at 6:30 p.m. and the committee members introduced themselves.

1. Jeffrey Baldwin et al - 8082 County Rd. B – Town of Poygan – Conditional Use.

Owner is requesting a conditional use on parcel # 020-0018-07 in an R-1 (Rural Residential) zoned parcel for a pond.

Jeffrey Baldwin, 8082 County Rd. B - was sworn in and described his proposed project. Jeffrey stated his plan was to reconstruct the pond on their parcel into a D shaped pond approximately 40' X 70'. The North and West sides of the pond will have a 3 foot berm approximately 130' in overall length. There will be a 1 foot berm on the North and West property boundaries. Drain tile will be placed in the existing East – West ditch and it will be filled in. The intent of these measures is to prevent water from draining on the property in high water conditions.

No additional testimony was given and this portion of the hearing was closed.

2. Dennis Lang – West of Lyngaas Rd. – Town of Winneconne – Planned Development District.

Applicant is requesting a Planned Development District to create residential lots along a private road to be used as garage lots.

Dennis Lang was sworn in and described his proposal to create four garage lots to be sold to the owners across the street and to create more at a later date. Robert Keller questioned if these parcels could have a home constructed on the parcel and what would prevent someone from building a home. Dennis responded that the parcels will be deed restricted to the owner across the street and only a garages could be constructed.

Teresse Alderson 6194 Clark Point Rd. was sworn in and questioned how deep the proposed garage lots would be. Emmett Simkowski responded with 125 feet per the proposed certified survey map.

Gary Streich 6211 W. Lyngass Rd. was sworn in and was in opposition of the proposal. Concerns were brought up with snow removal with the proposed garage lots, possible decrease in property values and access with the garage lots.

Maureen Streich 6211 W. Lyngaas Rd. was sworn in and was in opposition of the proposal. The concerns brought up were access to the garage lots, possible decrease in property values and water run off with an increase in impervious surfaces.

Bill Basset, 6265 W. Lyngaas Rd. was sworn in and was in favor the proposal. Stated that there was no plans to build a garage lot on a parcel and if they did it would be out of sight. They would like the parcel to act as a buffer between any possible future land developments.

Steven Rieth, 6103 E. Lyngass Rd. was sworn in and proposed a question to Dennis Lang asking if he had any plans to pursue the same development on E. Lyngass Rd. Dennis responded that he had no plans to do the same on E. Lyngaas Rd.

No additional testimony was given and this portion of the hearing was closed.

3. Dennis Lang – West of Lyngaas Rd. – Town of Winneconne – Zoning Map Amendment.

Applicant is requesting a zoning map amendment from the current zoning of (A-2 General Agriculture) to the R-2 (Suburban Residential) to create garage lots.

Dennis Lang was sworn in and described his proposal to create garage lots along W. Lyngaas Rd. to be sold to the property owners across the street.

Mary Streich 6211 W. Lyngaas Rd. stated that her comments for the Planned Development District were applicable to this item as well.

No additional testimony was given and this portion of the hearing was closed.

4. Kevin Hoppe et al – 7674 Center Rd. – Town of Clayton – Zoning Map Amendment.

Applicant is requesting a zoning map amendment from the current zoning of (A-2 General Agriculture) to the R-1 (Rural Residential) zoning district.

Kevin Hoppe 7674 Center Rd. was sworn and explain his proposal for the Zoning Map Amendment.

No additional testimony was given and this portion of the hearing was closed.

ADJOURNMENT

MOTION made by Brian Defferding to adjourn the meeting. Seconded by Ben Joas. Motion carried 5-0. Meeting adjourned at 7:15 P.M.

Respectfully submitted,



Emmett Simkowski  
Recording Secretary