

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
PUBLIC HEARING

March 26, 2019
6:30 P.M.

First Floor Conference Room – County Administration Building

PRESENT: Supervisors, Thomas Egan, Chairman, Rob Keller, Maribeth Gabert, Ben Joas and Brian Defferding. Cary Rowe - Zoning Administrator, Lynn Egan - court reporter and guests present.

The meeting was called to order by Thomas Egan, Chairman at 6:30 P.M. Committee members introduced themselves and Zoning Administrator explained appeals procedure.

1. Tony Welnicke – 6449 Paulson Rd, Town of Winneconne - Zoning Map Amendment.

Applicant is requesting a zoning change from R-1, floodplain district to R-1 without floodplain. Jim Smith - Surveyor with Martenson & Eisele, Inc., was sworn in. Mr. Smith explained the request along with the surveying and engineering that was conducted on the property. Supervisor Gabert asked Mr. Smith how drainage would be handled. Mr. Smith stated that swales and a retaining wall would be used to intercept and divert most of the runoff to the lake. Kari Welnicke – 5000 Plummers Point Rd, Oshkosh, was sworn in. Ms. Welnicke stated that her neighbors to the North agreed to share a swale since the neighbor's grade was already higher and would match her property's grade. Zoning Administrator stated that he had received a resolution from the Town Board of Winneconne recommending approval of the zoning map amendment with the following finding: 1) Map amendment does agree with the adopted plan. There was no additional testimony and this portion of the hearing was closed.

2. Winnebago County – Floodplain Map Amendment.

Applicant is requesting an amendment to the Sawyer Creek floodplain maps to include the Letter of Map Revision (LOMR) for the Sawyer Creek Floodplain Study effective March 27, 2019. Mathew Yentz – Project Manager from Strand and Associates was sworn in. Mr. Yentz explained the study which was intended to lower the base flood elevation for Sawyer Creek. New flood storage areas in the unincorporated area within the drainage basin were also identified and included in the study. Supervisor Egan asked Mr. Yentz why the county should adopt the Sawyer Creek Floodplain Study. Mr. Yentz stated that benefits to adopting the new study include: lowering the base flood elevation of Sawyer Creek, protection of existing floodplain areas by adopting flood storage districts, county control of over

400 acre feet of existing flood storage, additional protection of downstream property owners from property damage and additional protection of access routes to EMS facilities. Michelle Hase – P.E. from the Department of Natural Resources was sworn in. Ms. Hase stated that the Sawyer Creek Floodplain Study was approved with the understanding that the county would adopt and map the flood storage districts and that the county signed a letter that stated such. Zoning Administrator stated that he had signed a letter referenced by Ms. Hase and later found out that the proposed LOMR is more restrictive than state standards and that the county is not required to adopt standards more restrictive than the state. Zoning Administrator then read an e-mail he received from Carol and Denis Radloff as follows: "Dear Cary Rowe, I am writing in response to the proposed amendment to the sawyer creek floodplain. We have land in this floodplain and we would prefer there be no amendment to this floodplain map as we feel additional regulation is unnecessary and not to our benefit. We farm this land and plan to continue to farm this land for years to come. Thank you for your help, Dennis and Carol Radloff". Zoning Administrator also stated that he had received resolutions from the following towns: 1) Town Board of Neenah recommending approval of the floodplain map amendment. 2) Town Board of Nekimi recommending denial of the floodplain map amendment with the following finding: a) The Nekimi Town Board has determined there is not a benefit to this change but will be for the City of Oshkosh. 3) Town Board of Omro recommending denial of the floodplain map amendment with the following finding: a) There is no benefit to our residents but a definite new burden. 4) Town Board of Utica recommending denial of the floodplain map amendment. 5) Town Board of Vinland recommending denial of the floodplain map amendment with the following findings: a) Does not comply with the Winnebago County Ordinance. b) Did not comply with State Statute Chapter 19 ie: Due Process. 6) Town Board of Winneconne recommending denial of the floodplain map amendment. 7) Town Board of Rushford recommending denial of the floodplain map amendment with the following finding: a) This does not affect the Town of Rushford and it could affect rural people in time to come. 8) Town Board of Wolf River recommending approval of the floodplain map amendment. Zoning Administrator added that town action is advisory only. There was no additional testimony and this portion of the hearing was closed.

ADJOURNMENT

MOTION made by B. Defferding to adjourn the meeting. Seconded by M. Gabert. Motion carried 5-0. Meeting adjourned at 6:48 P.M.

Respectfully submitted,

Cary A. Rowe
Recording Secretary