

DATE: 07/20/21

**R E S O L U T I O N**

No. **013**

To The Board of Supervisors of Winnebago County, Wisconsin:

**AMENDATORY ORDINANCE 07/13/21**

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF Vinland in accordance with the petition of Gary Schneider/Roger Erdman et al and

WHEREAS, said request is in compliance with the adopted Winnebago County Land Use Plan.

NOW, THEREFORE, the County Board of Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the TOWN OF Vinland, be and the same, are amended to provide that the attached described property be changed from the classification of **A-1 (Agri-Business District)** of said ordinance, which it now and heretofore had, to the zoned district of **A-2 (General Farming District)**.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby  **ADOPTED** OR  **DENIED**.

\_\_\_\_\_  
County Board Supervisor  
(Town of Vinland)

PARCEL NO: **026-0204, 026-0205**; FROM **A-1** TO **A-2**

**COUNTY DISCLAIMER:**

County Board approval does not include any responsibility for County liability for the legality or effectiveness of the Town Zoning Amendment or the Town Zoning Ordinance.

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jon Doemel

County Board Supervisory district **30 - Farrey**



## Winnebago County

Zoning Department

*The Wave of the Future*

MEMO FOR P & Z MEETING AGENDA OF JULY 9, 2021

TO: Planning & Zoning Committee

FM: Zoning Administrator 

RE: Review of Town Zoning Change

1. Christie Prah - Town Zoning Change (Tax ID No: 026-0308-02-01 & 026-0308-02-03) – Town of Vinland.

The town zoning change for Christie Prah is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-2 / R-1 (Agricultural / Rural Residential) to R-1 (Rural Residential) and Winnebago County's future land use plan shows future land use as Residential.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *MG, BJ 2 4-0 approved*

2. Brad Starr - Town Zoning Change (Tax ID No: 026-0232, 026-0233-01, 026-0234, 026-0248-01, 026-0249 & 026-0250) – Town of Vinland.

The town zoning change for Brad Starr is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *RK, MG 2 4-0 approved*

3. Muttart Rev Tst - Town Zoning Change (Tax ID No: 026-0572 & 026-0573) – Town of Vinland.

The town zoning change for Muttart Rev Tst is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural, Rural & Non-residential.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*BT, MG 2 4-0 approved*

4. Wilde Farms Inc - Town Zoning Change (Tax ID No: 026-0487 & 026-0489) – Town of Vinland.

The town zoning change for Wilde Farms Inc is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan, which incorporates the City of Oshkosh' future land use plan, shows future land use as Agricultural and Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, RK 2 4-0 approved*

5. David Harness - Town Zoning Change (Tax ID No: 026-0001 & 026-0003) – Town of Vinland.

The town zoning change for David Harness is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, BT 2 4-0 approved*

6. Boss Real Estate Holding LLC & Jay R. Boss Rev Tst - Town Zoning Change (Tax ID No: 026-0501-03 & 026-0501-01) – Town of Vinland.

The town zoning change for Boss Real Estate Holding LLC & Jay R. Boss Rev Tst is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan, which incorporates the City of Oshkosh' future land use plan, shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, RK 2 4-0 approved*

7. Roydon Fahley - Town Zoning Change (Tax ID No: 026-0165 & 026-0201) – Town of Vinland.

The town zoning change for Roydon Fahley is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, BJz 4-0 approved*

8. Gary Schneider and Roger Erdman et al - Town Zoning Change (Tax ID No: 026-0204 & 026-0205) – Town of Vinland.

The town zoning change for Gary Schneider and Roger Erdman et al is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, RKz 4-0 approved*

9. Lee Kester, Mary Danke, Susan Krueger, Dennis Krueger, Pat Ruppel and Kay Home - Town Zoning Change (Tax ID No: 028-0106-02 (part) & 028-0106-03) – Town of Winchester.

The town zoning change for Lee Kester, Mary Danke, Susan Krueger, Dennis Krueger, Pat Ruppel and Kay Home is consistent with Winnebago County's Future Land Use Plan. The Town of Winchester approved the zoning change from A-2 (General Farming District) to R-1 (Rural Residential District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*RK, BJz 4-0 approved*

10. Estate of David Davies - Town Zoning Change (Tax ID No: 024-0525 & 024-0531) – Town of Utica.

The town zoning change for Estate of David Davies is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (General Farming District) to RR (Rural Residential Recreational Mixed Use District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*TE, BJz 4-0 approved*

11. Craig & Ashley Much - Town Zoning Change (Tax ID No: 024-0245) – Town of Utica.

The town zoning change for Craig & Ashley Much is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (General Farming District) to RR (Rural Residential Recreational Mixed Use District) and Winnebago County's future land use plan, which incorporates the City of Oshkosh' future land use plan shows future land use as Residential.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*BJ, RK<sub>2</sub> 4-0 approved*

12. Estate of David Davies - Town Zoning Change (Tax ID No: 024-0522) – Town of Utica.

The town zoning change for Estate of David Davies is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (General Farming District) to RR (Rural Residential Recreational Mixed Use District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*TE, MG<sub>2</sub> 4-0 approved.*

**TOWN OF VINLAND**  
**6085 COUNTY ROAD T**  
**OSHKOSH, WI. 54904**  
**PHONE: (920) 235-6953 \*\* FAX: (920) 235-6994**

**ZONING SUBMITTAL FORM**

Name of Property Owner: SCHNEIDER, GARY D. and ERDMANN, ROGER, et al.

Address of Owner: 3192 COUNTY RD G NEENAH, WI 54956

Name of Applicant: TOWN OF VINLAND

Address of Applicant: 6085 COUNTY RD T OSHKOSH, WI. 54904

Legal Description of Area to be Rezoned: Approx. 80 ACRES

Tax Parcel Numbers (if Existing Parcel): (026)0204 and 0205

**Section: 9                      Town 19N.                      Range 16E.**

Existing Zoning: A-1    Name of District: AGRI-BUSINESS DISTRICT.

Proposed Zoning: A-2    Name of District: GENERAL FARMING DISTRICT.

Town Board Action:                      **Approved: XX**                      **Denied:**

Findings:

1. Does the Town have an adopted land use plan? Yes
2. Does the request agree with the plan? Yes
3. Other findings (List). **Approved by Town Board vote 3-0**

I, Karen Brazee, Clerk/Treasurer of the Town of Vinland, hereby certify that a public hearing was conducted on May 10, 2021 and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Karen Brazee                      Dated: 5/28/21  
Clerk/Treasurer: Karen Brazee

Town of Vinland  
General Application Form

APPLICATION TYPE:

- ZONING CHANGE (~~\$300.00~~)
- VARIANCE (\$300.00)
- CONDITIONAL USE PERMIT (\$300.00)
- SWIMMING POOL PERMIT (\$40.00)
- POND PERMIT (\$40.00)
- SIGN PERMIT (\$50.00)
- CSM REVIEW (\$150.00)

SITE PLAN IS REQUIRED

PLEASE PRINT OR TYPE:

PROPERTY OWNER: Gary Schneider, Roger Erdmann, Et Al.

MAILING ADDRESS: 3192 County Rd G

CITY: Neenah STATE: WI ZIP CODE: 54956

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ DATE: \_\_\_\_\_

SIGNATURE: Jerry C. M. C. M. C. M.

APPLICANT'S NAME: Town of Vinland

MAILING ADDRESS: 6085 County Rd T

CITY: Oshkosh STATE: WI ZIP CODE: 54904

PHONE: (920) 235-6953 FAX: \_\_\_\_\_ DATE: \_\_\_\_\_

SIGNATURE: Karen Brazee

ADDRESS OF AFFECTED PROPERTY: 0260205 and 0260204 

TAX KEY/PARCEL NO. \_\_\_\_\_  
SECTION \_\_\_\_\_ RANGE: \_\_\_\_\_

1. ZONING: EXISTING A1 OVERLAY \_\_\_\_\_ PROPOSED A2

2. SEWER: EXISTING: \_\_\_\_\_ NEW \_\_\_\_\_ COUNTY PERMIT# \_\_\_\_\_

3. EXISTING USE OF PROPERTY: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Town of Vinland  
General Application Form

4. PROPOSED USE OF THE PROPERTY:

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5. ATTACH A COPY OF A DETAILED LEGAL DESCRIPTION OF THE PROPERTY.

PLEASE MAKE ALL CHECKS PAYABLE TO THE TOWN OF VINLAND

PLEASE SEND THE REQUIRED INFORMATION TO:

TOM SPIEROWSKI  
6085 County Rd. T  
Oshkosh, WI 54904

IF YOU HAVE ANY QUESTIONS, PLEASE CALL TOM AT:  
920-428-3361

**REMEMBER! ALL APPLICATIONS MUST BE RECEIVED A MINIMUM OF TWENTY-ONE (21) DAYS PRIOR TO MONTHLY TOWN BOARD MEETINGS WHICH ARE HELD THE SECOND MONDAY OF EACH MONTH.**

PARCEL #	STATED AC.	OWNER NAME	OWNER NAME 2	POSTAL ADDRESS	POSTAL CITY/STATE/ZIP
260204	40.00	SCHNEIDER, GARY D	ERDMANN, ROGER	3192 COUNTY RD G	NEENAH WI 54956
260205	40.00	SCHNEIDER, GARY D	ERDMANN, ROGER	3192 COUNTY RD G	NEENAH WI 54956

**PUBLIC HEARING MINUTES**  
**Monday, May 10, 2021 @ 6:45 PM**

DISCUSSION ON THE FOLLOWING:

- Rezoning for portion of parcel# 026-03080203 for James Pahlow and Christine & Eric Prah. l.

The meeting was called to order at 6:45 pm by Chairman O'Connell. This public hearing was to rezone the portion of the Pahlow property that was sold to the Prah. l's to match their zoning of R1.

The public was invited to comment, in which there was none.

A motion to adjourn was made by Devens/Frakes seconded. Motion carried and meeting was adjourned at 6:52 pm.

**Town Board Meeting Minutes**  
**Monday, May 10, 2021 @ 7:00 PM**

The Vinland Town Board held its monthly meeting in the Vinland Town Hall, 6085 County Road T Oshkosh, WI 54904 on Monday, May 10, 2021 @ 7:00 PM. Present were Chairman Don O'Connell, Supervisors Todd Devens & Stacy Frakes, Clerk/Treasurer Karen Brazee, Building Inspector Tom Spierowski and 15 others.

Chairman O'Connell called the meeting to order asking all present to join in the pledge of allegiance.

Review/Comment: Fire Department minutes of May 4, 2021: O'Connell asked for comments from any FD members on the offer presented by the snowmobile club to split of cost on a UTV purchase. Fireman Maxwell and Phillips indicated that no action was taken by the Fire Department. Would need to look into further for more input as no discussion on housing the UTV and the insurance liability. **No other comments.**

Approval of Minutes:

1. Discuss/Take Action: Town Board Meeting minutes of April 12 and workshop of April 29, 2021. **A motion to approve both minutes was made by Devens/seconded by Frakes. Motion carried.**

Financial report for April 2021:

1. Clerk/Treasurer's report on all accounts held by the Town. Total of all accounts \$328,670.63, reserve accounts= \$116,556.04, outstanding checks= \$2921.28, receipts= \$36,168.10. Reconciliation has been made with both financial institutions. **Motion to approve was made by Devens/seconded by Frakes. Motion carried.**
2. Authorization to pay all bills submitted by the Clerk/Treasurer. Chairman O'Connell addressed the billing from McMahan and Assoc to be held until clarification is received if the MS4 report has been filed on our behalf. Devens addressed the need for new animal control due to mileage from our current rep. **Motion to approve bills with hold on McMahan & Assoc billing made by Frakes/seconded by Devens. Motion carried.**

County Supervisor report: Currently there is a resolution to reduce the County Board size due to the

census. County Supervisor Farrey is asking for support to not reduce the size as it's important to keep rural representation.

County is also focusing on Sawyer Creek as City of Oshkosh wants part of it, which goes into the Town of Nekimi. City wants to restrict farmers in that area on their use of the land and take away the farmers' rights. City is looking to have better image to the federal government due to the MS4 restrictions. New County Executive will be getting approached again on the focus and the County is hoping to defeat the proposal.

Chairman O'Connell questioned when the boat docks will be put in at Grundman landing. Farrey will check into timeframe and get back to us.

#### Public input:

- Deputy Clerk/Treasurer Maggie Starr brought up Community Blood Center is having a blood drive at the Community Church on Ryf Road on Thursday. Please contact the Center to schedule an appointment as they are in great need of blood donations.
- Resident Candace Leach questioned why mask mandate/policy was on the agenda. Chairman O'Connell responded that he wanted public input on the policy as it was in effect since Sept 2020 with no ending date.

#### Discussion/Action Items:

1. Discuss/Take Action: Operator's license for Mark Dethardt. No concerns on issuance. **Motion made by Devens to approve license/seconded by Frakes. Motion carried.**
2. Discuss/Take Action: Address/911 sign replacement options: Chairman O'Connell noted that the signs have been up for over 15 years. Wants options for the Board to consider and wants input from residents on how to proceed. Input from residents included:
  - replace all signs regardless of being faded or not
  - use grant money from the American Rescue Plan Act (ARPA)/ Local Fiscal Recovery Funds (LFRF) to purchase
  - not to buy from the same distributor that the faded ones came from
  - keep layout the same, so if we do them all- residents can save their good one for future use
  - fed relief is not clear when it's avail, rather not wait for those funds
  - grant money "may be" available this summer, but not much info has been released yet
  - if there's only 200 faded out of 800+ signs, why do all?
  - other town's do not have faded signs, our town had to have received a bad batch
  - likes idea of FD installing, but residents should be notified, so others can help
  - cannot rely on grant money to cover cost of signs, as it's still unclear
  - board has been kicking around the idea for a long time, a decision needs to be made
  - cannot leave sign install up to the residents, cause it may not get done
  - wants advance notice on install, so residents can be aware of people on their property to ensure safety of installers from dogsChairman O'Connell thanked everyone for input and advised decision will be made. **Motion made to table this topic and discuss/take action at the June board meeting made by Devens/seconded by Frakes. Motion carried.**
3. Discuss/Take Action: Appointment opportunities to the Board of Appeals and the Plan Commission. Plan Commission is in need of 2 alternates and the Board of Appeals is in need of one member and alternate if Chairman Matt Kirkman and Member Bob Weber decide to stay on. Chairman O'Connell asked for job descriptions and noted that the appointments will be made at the June board meeting. **Motion made by Frakes to post open positions on the website along with job descriptions/seconded by Devens. Motion carried.**

4. Discuss/Take Action: Town of Vinland Mask Mandate/policy: Chairman O'Connell began discussion that it is not a mandate, but actually a town policy which started in Sept 2020. Statewide mandate is gone and about 50% of population has been vaccinated. Appreciates everyone's concerns and wants input from attendees:
- would be in favor of eliminating, time to put an end to the policy
  - County is not enforcing, Vinland has 1-4 cases of covid
  - make masks optional
  - personal health decision/choice
  - would ask to be revisited if covid cases rise
- Chairman O'Connell asked the residents that were present if anyone would have not attended the board meeting, if we didn't require masks. No residents noted such. **Motion made by Frakes to remove mask policy and revisit if covid numbers increase. Mask non-requirement effective immediately/seconded by Devens. Motion carried.**

#### Zoning:

1. Discuss/Take Action: Zoning on Pahlow/Hanson-Prahl property, involving portion of tax parcel#: 026-03080203. Per ZA Spierowski- change is straight forward with adding frontage and meets zoning ordinance. **Motion to approve zoning change made by Devens/seconded by Frakes. Motion carried.**
2. Discuss/Take Action: Rezoning of Gary Schneider, Roger Erdmann, et. al/026-0204 and 026-0205: Per ZA- these parcels were missed at the last board meeting from the removal of farmland preservation. Owners of parcel were not aware that their property was zoned A1 and would like it changed to A2. **Motion to approve zoning change made by Devens/seconded by Frakes. Motion carried.**
3. Discuss/Take Action: CSM review for James Pahlow/Christie Prahl: ZA Spierowski sees no concern on the CSM. **Motion to approve CSM made by Deven/seconded by Frakes. Motion carried.**
  - Discuss/Take Action: Site plan for Kwik Trip/ parcel# 026-051902: ZA Spierowski indicated that Kwik Trip is adding a walk in freezer/frig which is going on the back side of the building. Not disturbing any impervious surface. **Motion to approve site plan made by Devens/seconded by Frakes. Motion carried.**

#### Town of Vinland Board/Road Report:

Chairman O'Connell noted that the Board has recently done the annual road survey and noticed a few frost heaves. Will be getting itemization from Dan w/ Winnebago County on repair recommendations and costs. Supervisor Devens picked up a TV that was dumped in a town ditch. Annual road survey was informative and will get details to the public soon.

#### Sharing of Correspondence.

- Retirement party/gather for Chuck Farrey and Ray Batley is scheduled for June 12<sup>th</sup>. Please watch website for timeframe TBD.
- Maggie Starr, Deputy Clerk/Treasurer was granted scholarship by UW-GB for the Clerk/Treasurer's institute for free classes this year, which saves the Town almost \$500
- Any interested parties for becoming Animal Control person should contact the town.

A motion to adjourn was made by Devens/seconded by Frakes. Motion carried. Meeting adjourned at 8:16 pm.

Respectfully submitted,

Karen Brazee, Clerk/Treasurer

A handwritten signature in black ink, appearing to read "Don O'Connell". The signature is written in a cursive style with a large initial "D" and "O".

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Don O'Connell, Chairman