

DATE: 07/17/18

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

No. 6

To The Board of Supervisors of Winnebago County, Wisconsin:

### AMENDATORY ORDINANCE 6

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF UTICA in accordance with the petition of JEFF HUNTER 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 UTICA, be and the same, are amended to provide that the attached described property be changed from the classification of **A-2 GENERAL AGRICULTURAL DISTRICT** of said ordinance, which it now and heretofore had, to the zoned district of **RR RURAL RESIDENTIAL RECREATIONAL MIXED USE**.

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

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County Board Supervisor  
(Town of CLAYTON)

PARCEL NO: 024-0416, 024-0416-01, 024-0413-02; FROM A-2 TO RR

### 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 \_\_\_\_\_, 2018.

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Mark Harris

County Board Supervisory district **33**



## Winnebago County

### Zoning Department

*The Wave of the Future*

#### MEMO FOR P & Z MEETING AGENDA OF JULY 6, 2018

TO: Planning & Zoning Committee

FM: Zoning Administrator 

RE: Review of Town Zoning Changes

1. Versteegh - Town Zoning Change (Tax ID No: 004-0305-02-02) – Town of Black Wolf.

The town zoning change for Versteegh is consistent with Winnebago County's Land Use Plan. The Town of Black Wolf approved the zoning change from A-2 (General Farming District) to R-1 (Rural Residential District) and Winnebago County's land use plan shows future land use as agricultural and rural under the extra-territorial jurisdiction of the City of Oshkosh.

**RECOMMENDATION:** Approve a motion to forward zone change to County Board for action. *BD, BT2 5-0*

2. Erdmann - Town Zoning Change (Tax ID No: 006-0834(P)) – Town of Clayton.

The town zoning change for Erdman is consistent with Winnebago County's Land Use Plan. The Town of Clayton approved the zoning change from A-1 (Agribusiness Business District) to A-2 (General Agricultural District) and Winnebago County's land use plan shows future land use as Agricultural and Rural.

**RECOMMENDATION:** Approve a motion to forward zone change to County Board for action. *M6, BD2 5-0*

3. Hunter - Town Zoning Change (Tax ID No: 024-0416, 024-0416-01 & 024-0413-02) – Town of Utica.

The town zoning change for Hunter is consistent with Winnebago County's Land Use Plan. The Town of Utica approved the zoning change from A-2 (General Agricultural District) to RR (Rural Residential Recreational Mixed Use) and

Winnebago County's land use plan shows future land use as Agricultural and Rural.

**RECOMMENDATION:** Approve a motion to forward zone change to County Board for action. *BJ, BD, 5-0*

4. Kolasinski - Town Zoning Change (Tax ID No: 028-0839) – Town of Winchester.

The town zoning change for Kolasinski is consistent with Winnebago County's Land Use Plan. The Town of Winchester approved the zoning change from R-1 (Rural Residential District) to A-2 (General Agricultural District) and Winnebago County's land use plan shows future land use as Non-residential.

**RECOMMENDATION:** Approve a motion to forward zone change to County Board for action. *BD, MG 5-0*



Town of Utica ~ Jenny Sonnleitner, Clerk  
6570 Bradley Ave. Pickett, WI 54964 ~ 920-410-0347 ~ utica1730@gmail.com

*A2 to RR FLU: Ag & Rural*  
*024-0416*  
*024-0416-01*  
*024-0413-02*

## SUBMITTAL FORM

Name of Property Owner: Jeff Hunter

Address of Owner: 6770 Banville Road Pickett, WI 54964

Name of Applicant: same as above

Address of Applicant: same as above

Legal Description of Area to be Rezoned (attach CSM, if applicable):

024-0416-01: Section 20, T17N-R15E; NE NW EXC N 2018.71 FT OF E 2018.71 FT 39.00 A

024-0413-02: Section 20, T17N-R15E; PT NW NE DESC AS OUTLOT 1 OF CSM-5471 0.02 A

024-0416-00: Section 20, T17N-R15E; N 2018.71 FT OF E 208.71 FR OF NE NW 1.00 A

Tax Parcel Number, if existing parcels: 024-0413-02, 024-0416-00, 024-0416-01,

Section 12 Town 17N Range R15E

Existing Zoning: A2 Name of District: Agricultural District (General Farming)

Proposed Zoning: RR Name of District: Rural Residential Recreational Mixed Use

Town Board Action: X Approval        Denial

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:

Approved by the Town Board vote 3-0

I, Jenny Sonnleitner, Clerk of the Town of Utica, hereby certify that a public hearing was conducted on May 3, 2018 and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Jenny Sonnleitner

Date: 5-22-2018

## LISTING OF PARCELS SURROUNDING SUBJECT PARCEL FOR REZONING CHANGE

Subject Parcels: 024-0413-02, 024-0416-00, 024-0416-02

Owner: Jeff Hunter

Applicant: same as above

OWNER(S)	MAILING ADDRESS
Dusty Banville	6682 Banville Road Pickett, WI 54964
Hunter Family Trust	6690 Weelaunee Drive Pickett, WI 54964
Michael Hunter & Jessica Repka-Hunter	1196 County Road M Pickett, WI 54964

# TOWN OF UTICA

## Plan Commission Meeting Agenda

Notice is hereby given that a Town Plan Commission meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

**Thursday, May 3, 2018**

**7:30 pm**

1. Call the Meeting to Order
2. Take Roll Call:
  - A. *Members:* Terry Beck, Darwin Briggs, Ralph Kalies, Tim Oliver, Ken Schmick, Grant Stettler, Tom Thiel
  - B. *Alternates:* Chad Bowman, Eric Whiting
3. Approve April 5, 2018 Plan Commission Meeting Minutes
4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign
5. Public Forum
6. Discuss/Recommend to the Town Board: approval of CSM Parcel Parcels:  
024-0416-01 (39 acres), 024-0413-02 (.02 acres) and 024-0416-00 (1 acre).  
Currently zoned A2 and owned by Jeff Hunter at 6770 Banville Road Pickett, WI 54964.  
The purpose is to combine the three parcels and split off Lot 1 for 10.001 acres and Lot 2 for 22.284 acres, rezoning both to RR for Single Family Residence and General Ag use.
7. Future Agenda Items
8. Adjournment

Jenny Sonnleitner, Clerk  
Posted: 4/30/2018

The Plan Commission meets as needed on the FIRST THURSDAY OF EACH MONTH AT 7:30PM (unless otherwise noted). All meetings are open to the public. Discussion and action may occur on any of the above agenda items.

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Commission Chairman Tom Thiel at 920-579-3025 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action based on the above agenda.

Posted at: [townofutica.org](http://townofutica.org), Town Hall, Co-op, and Jasper's. To receive email updates, e-mail the Clerk at [utica1730@gmail.com](mailto:utica1730@gmail.com).



# TOWN OF UTICA

## Plan Commission Notice

Notice is hereby given that a public meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town. Town Board members may be present.

**Thursday, May 3, 2018**

**7:30 pm**

To hear testimony for approval of a CSM (certified survey map).

Parcels: 024-0416-01 (39 acres), 024-0413-02 (.02 acres), 024-0416-00 (1 acre).

Currently zoned A2 and owned by Jeff Hunter at 6770 Banville Road Pickett, WI 54964.

The purpose is to combine the three parcels and split off Lot 1 for 10.001 acres and Lot 2 for 22.284 acres, rezoning both to RR for Single Family Residence and General Ag use.

The properties within 300' for notification in the Town of Utica, Winnebago County, Wisconsin are:

OWNER(S)	MAILING ADDRESS
Dusty Banville	6682 Banville Road Pickett, WI 54964
Hunter Family Trust	6690 Weelaunee Drive Pickett, WI 54964
Michael Hunter & Jessica Repka-Hunter	1196 County Road M Pickett, WI 54964

Public testimony will be taken at the time of the hearing. All written testimony must be received prior to the hearing and can be sent to Thomas Thiel, 1209 County Road M Pickett, WI 54964. For further information, contact Thomas Thiel (920) 589-3005.

Jenny Sonleitner, Clerk & Planning/Zoning Secretary  
Posted: 4/19/2018

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Chairman Tom Thiel at 920-579-3025 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action.

Posted at: Town Hall, Co-op, and Jasper's. To receive email updates, e-mail the Clerk at [utica1730@gmail.com](mailto:utica1730@gmail.com).

**TOWN OF UTICA  
RE-ZONING PERMIT APPLICATION**

Please print or type your responses to the questions on this application.  
A non-refundable application fee of \$400.00 is required for each permit application.  
The fee is payable to the Town of Utica and is due at the time the application is submitted.

Filing Fee: \$400.00

Date Received: APR 17 2018

Office Use

Property Address: 6770 BANVILLE ROAD

Name of Owner(s): JEFF HUNTER

Address, if different than above: SAME

Home Phone: 920 460-9661 Daytime Phone, if different: SAME

Name of Applicant(s): JEFF HUNTER

Address, if different than above: SAME

Home Phone: SAME Daytime Phone, if different: SAME

Name & Address of professional in charge of proposed development (architect, builder, contractor, engineer, etc):

JAMES E. SMITH MARTINSON & ELSE 101 W. MAIN ST

Legal Description of Property: PT SEC 20, T17N, R15E OMEO

AS LOT 1 OF ATTACHED CSM &

AS LOT 2 OF " "

Tax Parcel Number(s) (REQUIRED): 024041601, 024041302, 024041600

**NOTE:** Please attach a copy of the Certified Survey Map for the property.

Location of the property in relation to nearby roadways, building, or other landmarks:

N. OF CTH "M" W OF BANVILLE ROAD

1. What is the current use of the property? GENERAL AG

2. What is the intended use of this property? SINGLE FAMILY RES &  
GENERAL AG



3. Please mark the current zoning for the property:

\_\_\_\_\_ Single-Family Residence  
\_\_\_\_\_ Two-Family Residence  
\_\_\_\_\_ Multiple-Family Dwelling  
X \_\_\_\_\_ Agricultural  
\_\_\_\_\_ Rural Recreational

\_\_\_\_\_ Industrial  
\_\_\_\_\_ Commercial  
\_\_\_\_\_ Institutional & Recreational  
\_\_\_\_\_ Planned Residential Development  
\_\_\_\_\_ Residential Mixed Use

4. What is the requested zoning for the property? \_\_\_\_\_

5. Please explain the reason for this rezoning request: SPLIT OFF LOT 1  
OF ATTACHED CSM. TOWN REQUIRES PROPERTY  
BETWEEN 39.99 AC & 4.99 AC TO BE REZONED TO RR

6. If this is a Rural Recreational rezoning request, please specify what type of conditions are being requested: \_\_\_\_\_

SINGLE FAMILY RES & GENERAL AG

7. Please explain why this is the best proposed use for this property: \_\_\_\_\_

LAND IS PRESENTLY USED AS GENERAL AG &  
SINGLE FAMILY

8. Please explain the compatibility of the proposed use(s) with the surrounding land uses: \_\_\_\_\_

SURROUNDING LAND USE IS MIX OF  
GENERAL AG & SINGLE FAMILY RES

9. List all property owners within 300 feet and their mailing addresses: \_\_\_\_\_

1) MIKE HUNTER  
1196 CTH "M"  
PICKETT, WI 54964

4)

2) DUSTY FANVILLE  
6087 BANVILLE ROAD  
PICKETT, WI 54964

5)

3) GLEN HUNTER  
6990 WHEELAUNSE DR

6)

Twelve (12) copies of the application and all attachments shall be submitted to the Town Clerk, Town Zoning Administrator or other designed representative no later than twenty-one (21) days prior to the meeting.

[Signature]  
Signature of Owner

4-11-18  
Date

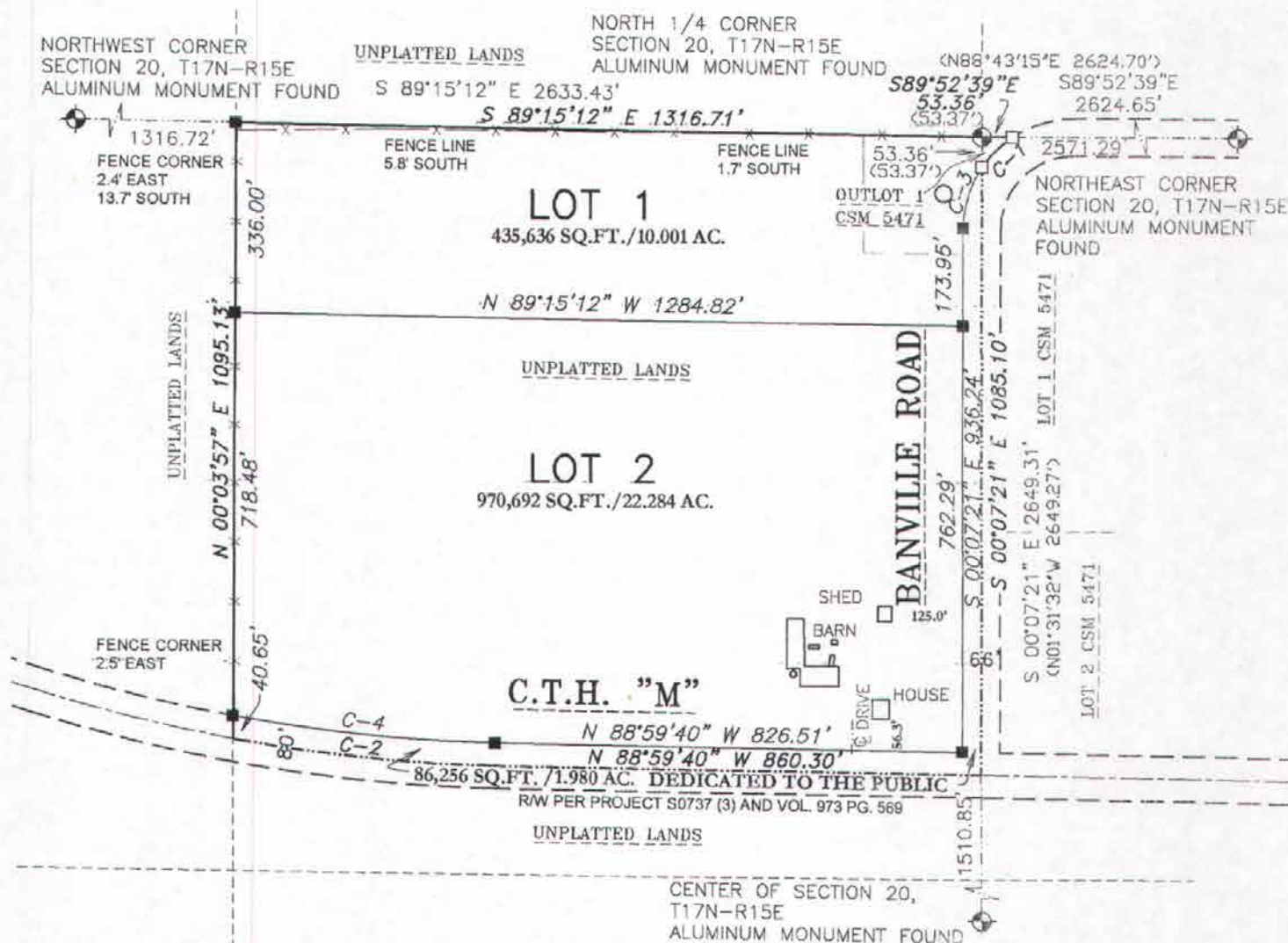
\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

ALL OF OUTLOT 1 OF CERTIFIED SURVEY MAP 5471,  
BEING PART OF THE NORTHWEST 1/4 OF THE  
NORTHEAST 1/4, AND PART OF THE NORTHEAST 1/4  
OF THE NORTHWEST 1/4, ALL IN SECTION 20,  
TOWNSHIP 17 NORTH, RANGE 15 EAST, TOWN OF  
UTICA, WINNEBAGO COUNTY, WISCONSIN.

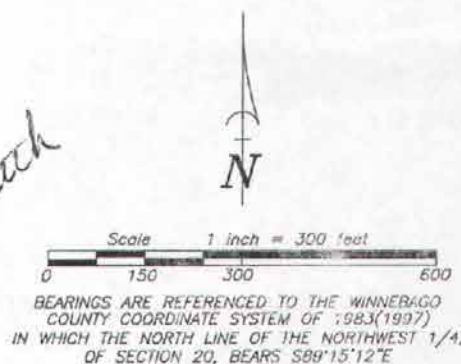
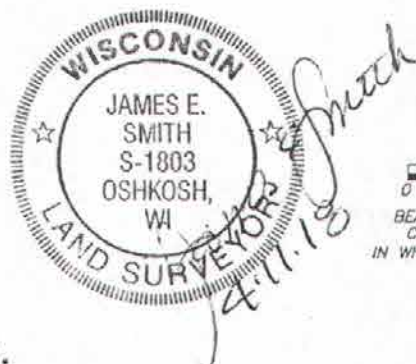
SURVEY FOR:  
JEFF HUNTER  
6770 BANVILLE ROAD  
PICKETT, WI 54964



Curve	Radius	Delta	Length	Chord Bearing	Chord
1	193.87'	022°23'52"	75.79'	S 45°00'00.0" W	75.31'
2	2864.93'	009°15'24"	462.86'	N 84°21'58.0" W	462.35'
3	193.87'	033°55'25"	114.79'	S 16°50'21.5" W	113.12'
4	2824.93'	009°24'10"	463.60'	N 84°17'35.0" EW	463.08'

## LEGEND

- 1-1/4" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
- 1-1/4" O.D. IRON PIPE FOUND
- ⊙ GOVERNMENT CORNER FOUND
- ×× FENCE LINE
- ( ) RECORDED AS



Martenson & Eisele, Inc.



101 West Main Street  
Omro, WI 54963  
www.martenson-eisele.com  
P 920.685.6240 F 920.685.6340

Planning  
Environmental  
Surveying  
Engineering  
Architecture

PROJECT NO. 0-2249-001

FILE 2249001CSM SHEET 1 OF 3

This instrument was drafted by: DSL



# TOWN OF UTICA

## Plan Commission Meeting ~ Minutes

Thursday, May 3, 2018

7:00 pm

DRAFT

### 1. Call the Meeting to Order

This meeting was called to order by Chairman Tom Thiel at 7:30pm at the Utica Town Hall; 8 present

### 2. Roll Call:

- A. *Members Present:* Terry Beck, Darwin Briggs, Ralph Kalies, Ken Schmick, Grant Stettler, Tom Thiel
- B. *Alternates Present:* Eric Whiting
- C. *Members Absent:* Tim Oliver
- D. *Alternates Absent:* Chad Bowman
- E. *Board Members Present:* Leonard Schmick
- F. *Board Members Absent:* Chuck Kuhrt

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information please contact the clerk or a town board member."

### 3. Approve April 5, 2018 Plan Commission Meeting Minutes

Darwin Briggs motions to accept as presented, seconded by Tom Thiel. Carried

### 4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign

### 5. Public Forum

6. Discuss/Recommend to the Town Board & to hear testimony for approval of a CSM (certified survey map). Parcels: 024-0416-01 (39 acres), 024-0413-02 (.02 acres), 024-0416-00 (1 acre). Currently zoned A2 and owned by Jeff Hunter at 6770 Banville Road Pickett, WI 54964. The purpose is to combine the three parcels and split off Lot 1 for 10.001 acres and Lot 2 for 22.284 acres, rezoning both to RR for Single Family Residence and General Ag use. All the property will change from A2 to RR.

Jim Smith from Martenson & Eisele said the Hunter's property is a 40 acre tract and bisected by County Road M. There is a small piece of the same Parcel # that is south of County Road M. The normal procedure to survey that is bisected by a road is to survey everything north of road and leaving other remnant. County recognizes this as a separate parcel, but prior has been one Parcel. After this CSM, little sliver south of County Road M will get a separate Parcel #, so will the other two lots. The Parcel south of County Road M will come along with it as zoned RR. Tom Thiel said the piece south of County Road M is unbuildable and can be used as Ag. Jim Smith said that parcel can maybe be combined later with another parcel. This happens a lot, there are many parcels bisected by roads. Public Session closed.

Ralph Kalies motions to change the parcel zoning from A2 to RR, seconded by Tom Thiel. Carried  
Now to split off into the two lots; Tom Thiel recommends that the CSM for Lot 1 and Lot 2 and the unplotted land south of County Road M to be RR. Seconded by Darwin Briggs. Carried

### 7. Future Agenda Items

None mentioned

### 8. Adjournment

Adjourned at 7:36pm

Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

\_\_\_\_\_  
Thomas Thiel, Plan Chairman

\_\_\_\_\_  
Jenny Sonnleitner, Clerk & Planning/Zoning Secretary



# TOWN OF UTICA

## Town Board Meeting ~ Minutes

Monday, May 14, 2018

7:00pm – Review Invoices  
7:30pm – Town Board Meeting

Notice is hereby given that a Town Board meeting in the Town of Utica, Winnebago County, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

1. CALL THE MEETING TO ORDER

This meeting was called to order by Chairman Schmick at 7:30pm at the Utica Town Hall.

PRESENT: Chairman Leonard Schmick, Supervisor #1 Chuck Kuhrt, Supervisor #2 Grant Stettler **DRAFT**  
Clerk Jenny Sonnleitner, Treasurer Brenda Morrell; 8 citizens present

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA:

A) APPROVE APRIL 5, 2018 TOWN BOARD MEETING MINUTES

B) AFFIDAVIT OF POSTING/PUBLICATION

C) APPROVE PAYMENT OF BILLS FOR MAY

Chairman Schmick made a motion to approve the Consent Agenda, seconded by Supervisor Stettler. Carried

4. TREASURER'S REPORT FROM APRIL; BMO HARRIS BANK

Receipts: \$36,544.99; Disbursements: \$61,628.80; Total Balance: \$342,609.33

Total cash on hand including Fire/EMS account: \$367,896.27

5. PUBLIC FORUM (Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board))  
County Sheriff Officers were present and they are trying to do more proactive patrols and traffic stops on speed enforcement.

Chairman Schmick said there is a concern on Mahlke Road that is posted as a Class B. Semis are driving from the Rosendale Dairy and worries they are carrying a full load. Officer asked if we would reclassify the road? Chairman said we asked them if they were willing to participate in upgrading the road and there was no desire to help upgrade the road. Asking if officers can monitor that road as it is being used as a short-cut. Officer said there are officers trained to inspect commercial vehicles and can address this concern.

6. DISCUSS/ACT ON POSSIBLE BUDGET AMENDMENTS

No amendments needed this month.

7. DISCUSS/APPROVE TEMP LICENSE FOR "KICK OFF TO SUMMER CONCERT" AND HERMAN BERNDT

Chairman Schmick motions to approve the Temp License for the Kickoff, seconded by Supervisor Kuhrt. Carried

8. DISCUSS/ACT ON DOG ISSUES IN IMPERIAL HILLS, REVISE CURRENT ORDINANCE

Chairman Schmick motions to table this and discuss at the next month, seconded by Supervisor Kuhrt. Carried

9. DISCUSS/APPROVE SOMEONE TO MOW THE DITCHES JUNE AND SEPTEMBER, 10 DAYS FOR EACH TIME; OR OTHER OPTIONS

Daniel Hoerig is interested in mowing the Town's ditches. He is a heavy equipment operator and runs farm equipment. Chairman Schmick motions to hire Daniel Hoerig to mow the ditches, seconded by Supervisor Stettler. Carried

10. ORDINANCES: APPOINT BOARD OF REVIEW ALTERNATE MEMBERS, CONFIDENTIAL INCOME & EXPENSES RECORDS, AND TO ESTABLISH PROCEDURE AND CRITERIA FOR ALLOWING ALTERNATIVE FORMS OF SWORN TESTIMONY AT BOR HEARINGS EVERYONE WHO GETS PAID BY THE TOWN NEEDS TO KEEP TRACK OF THEIR HOURS AND NOTIFY CLERK SONNLEITNER.

Chairman Schmick motions Darwin Briggs to be an Alternate, seconded by Supervisor Stettler. Carried

Chairman Schmick motions for the Confidentiality Ordinance Section 6 penalty not to be less than \$5 and not more than \$5, seconded by Supervisor Stettler. Carried

Chairman Schmick motions that we adopt a phone-in option by Ordinance for Board Of Review, seconded by Supervisor Kuhrt.

Supervisor Kuhrt says only if absolutely necessary and only alternative. Carried

11. DISCUSS/APPROVE AMENDING RESOLUTION 2012-03 ALLOWING THE CLERK TO PERFORM BACKGROUND CHECKS FOR OPERATOR LICENSES

Chairman Schmick motions to amend Resolution 2012-03 for the Clerk to perform the background checks instead of the County, seconded by Supervisor Stettler. Carried

12. ROADS:

A) DISCUSS/ACT ON BIG GRAIN TRUCKS USING MAHLKE ROAD TRAVELING BOTH DIRECTIONS

This was discussed during the Public Forum while the Officers were present.

B) DISCUSS/APPROVE ROAD MAINTENANCE OPTIONS FROM FAHRNER ASPHALT

Chairman Schmick compared and did not find any options that were less than what the County provided.

C) DISCUSS/APPROVE ANY ROAD REPAIRS FROM SPRING ROAD INSPECTION

If we do all the road repairs as suggested, it would cost \$319,000. Chairman Schmick motions to accept the Highway Commission bid on the road list after inspection, seconded by Supervisor Kuhrt. Carried

Pave/shoulder/patch/overlay/seal coat/skin coat: Shea, Bonnie View, Banville, James, Winter, Hillside, Kings, Peppler, Bradley, Hay, Weelaunee, Mountain, Sportsman, Hollander, Imperial, James, Ripple, Knott, Burr Oak, Elo roads.

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information please contact the clerk or a town board member."



13. TOWN HALL:

A) DISCUSS/ACT ON TOWN HALL LAWN CARE WITH BRIAN TREBIATOWSKI

Supervisor Kuhrt motions to accept the bid as proposed, seconded by Chairman Schmick. Carried

B) DISCUSS/ACT ON NORTH WALL REPAIRS UNDER WINDOW

Chairman Schmick will contact Yellow Van Handyman and will discuss next month.

C) DISCUSS/ACT ON PAINTING STRIPES ON THE PARKING LOT

\$660 to stripe the lot for parking and fire truck use. Supervisor Kuhrt is not concerned about having parking stripes painted, but for the fire trucks and buildings. Chairman Schmick feels the Fire Dept can have the needed striping and handicap parking stripes done. See 12C for approval as was discussed with the road bid.

14. DISCUSS/APPROVE CSM FOR PROPERTY OWNED BY ART DUMKE 5382 ANGLE ROAD; CONSOLIDATING 7 PARCELS INTO TWO PARCELS: LOT 1 OF 130 ACRES AND LOT 2 OF 83 ACRES, CURRENTLY A2 AND NO ZONE CHANGE

DNR has an overriding easement over the top of the whole property for wildlife habitat restoration that has been in place for a while. One home could be built on the property and is staying under the current ownership. Chairman Schmick motions to allow this CSM, seconded by Supervisor Kuhrt. Carried. Tom Thiel was concerned about being land-locked. Jim Smith said there is frontage on both parcels.

15. PLAN COMMISSION:

A) Discuss/Approve recommendation from the Plan Commission: 024-0416-01 (39 acres), 024-0413-02 (.02 acres) and 024-0416-00 (1 acre); currently zoned A2 and owned by Jeff Hunter at 6770 Banville Road Pickett, WI 54964. The purpose is to combine the three parcels and split off Lot 1 for 10.001 acres and Lot 2 for 22.284 acres, rezoning both to RR for Single Family Residence and General Ag use.

Chairman Schmick motions to agree with the Plan Commission recommendation, seconded by Supervisor Stettler. Carried

B) Discuss Farmland Preservation Plan

DATCP is trying to get the Towns to circumvent the County, but that won't happen because it needs to be a County plan/approved. Town of Nepeuskun is the only town that A2 is more strict than A1 and they are using a consultant. In October, individual Towns can, with the county's blessing, petition DATCP to accept them as being a Winnebago County plan. In most towns in Winnebago County, Farmland Preservation may cease to exist. Credits will still be available for this year, and possibly next year. DATCP wants 80% participation, Utica isn't at 20%. It's the owner's choice in Winnebago County. In other counties, property owners are forced to be in the plan, or not to participate.

16. RUSH LAKE:

A) SUPERVISOR KUHRT TO DISCUSS INFORMATION FROM THE PREVIOUS TWO MEETINGS

Endeavoring into a lake management plan. Within the next few weeks, will meet with 2 different companies to develop this plan, as well as right for grants. Trying to manage cattails and for the bulrushes to return. New launch on the North landing is a success, south landing will have a portable boat ramp. Trying to maintain the water level of 1.4, it is much higher than that.

B) DISCUSS/REAPPOINT TOM DAVIS TO THE RUSH LAKE STEERING COMMITTEE FOR A 3 YEAR TERM

Chairman Schmick motions to reappoint Tom Davis for a 3 year term, seconded by Supervisor Stettler. Carried

17. BOARD OF APPEALS – Discuss/Approve reappointing someone for a 3-year term, replacing Nelson Hinz

Brian Trebiatowski would be willing to be a member as long as there is not conflict with having the lawn contract. Chairman Schmick motions to allow Brian Trebiatowski to be on the Board of Appeals, seconded by Supervisor Stettler. Carried

18. RECYCLING: DISCUSS COMPLIANCE PLAN NEEDED TO RECEIVE RECYCLING GRANT

Chairman Schmick motions to table this for next month. He will find out if we create a Compliance Plan, if Advanced Disposal would charge us extra to help comply with it; seconded by Supervisor Stettler. Carried

19. FIRE DEPARTMENT / EMS – APRIL CALLS: 5 Fire / 5 EMS / 3 Mutual Aid

A) APPROVE TIM OLIVER AS UTICA'S FIRE CHIEF

Chairman Schmick motions to approve Tim Oliver as Utica's Fire Chief, seconded by Supervisor Kuhrt. Carried

B) WHO WILL ATTEND MTG TO UPDATE CITY OF OSHKOSH AMBULANCE AGREEMENT-5/23/18 AT 6:30PM OMRO FIRE HOUSE

Supervisor Kuhrt could attend if there is not a Rush Lake meeting and if unable to attend, will contact Fire Chief Tim Oliver.

20. ITEMS FOR INCLUSION IN NEWSLETTER

A) Board of Review – May 22, 2018; 7pm-9pm. Board of Review requires you, as the land owner, to prove to the Board why your property should be changed; burden of proof is solely on the land owner. Notify the Clerk if you plan to attend.

B) Town Board Meeting – June 11, 2018; 7:30pm at the Utica Town Hall

C) 2018 ELECTIONS: Aug 14 / Nov 6 - Interested working during elections? Contact Clerk Sonnleitner at utica1730@gmail.com or 410-0347. Training and meals provided; Poll Workers \$9/hour, Chief Inspectors \$12.50/hour

D) Contact Chairman Leonard Schmick for your Fireworks Permit, it is FREE and required

E) Radon kits are available for \$5 each. Contact Clerk Sonnleitner.

21. CORRESPONDENCE RECEIVED (Discuss & Act on, if needed):

A) WI Towns Association Monthly Mailing; Property Transfers; Oshkosh Public Library Minutes 3/29/18; Bitco Insurance closing workers comp claim

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information please contact the clerk or a town board member."

22. ADJOURNMENT

Adjournment 8:31pm

Jenny Sonnleitner, Clerk

Leonard Schmick – Chairman		Brenda Morrell – Treasurer	
Chuck Kuhrt – Supervisor #1		Jenny Sonnleitner - Clerk	
Grant Stettler – Supervisor #2			





# Resolution

Date: \_\_\_\_\_

To the Board of Supervisors of Winnebago County, Wisconsin:

## **Amendatory Ordinance**

Whereas, it is desirable to amend the Zoning Ordinance and the Zoning Map of the Town of Utica in accordance with the petition of Jeff Hunter;

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

Now, therefore, the County Board Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the Town of Utica, be and the same, are amended to provide that the attached described property be changed from the classification of Three (3) parcels zoned A2 of said ordinance, which it now and heretofore had, to the zoned district of combine the parcels and split off Lot 1 for 10.001 acres and Lot 2 for 22.284 acres, rezoning both to RR for Single Family Residence and General Ag use.

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

Parcel Nos: 024-0416-01, 024-0413-02, 024-0416

## **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 \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mark Harris

County Board Supervisory District