

WINNEBAGO COUNTY
PLANNING AND ZONING COMMITTEE
PUBLIC HEARING

Tuesday, January 31, 2012

6:30 P.M.

Lounge Room – Courthouse

Present: Supervisors: Pat Brennand – Chairman, Claud Thompson, Joanne Sievert, Jeanette Diakoff, Tom Egan; Karen Frederick – Court Reporter, Candace Zeinert – Code Enforcement Officer; and guests

The meeting was called to order by Patrick Brennand, Chairman at 6:30 P.M. The Committee and staff introduced themselves and C. Zeinert read the appeals process.

1. Thomas Rusch, E of 2960 Clairville Rd, Town of Algoma – Conditional Use.

The request is for a conditional use permit to stockpile top soil in a shoreland district.

Tim Rusch, on behalf of the applicant, was sworn in and informed the Committee that the pile of dirt was stockpiled on the property 7 years ago for the nearby subdivision development. The dirt was removed initially to bring the subdivision to grade and is used as topsoil for the subdivision once development starts. Mr. Rusch also said that Egbert Excavating was hired to remove the dirt within the 75 ft shore yard setback. J. Sievert asked if the dirt was also sold to outside entities. Mr. Rusch answered that yes, some of the dirt was sold for use elsewhere, but the majority of dirt would be used for the subdivision. T. Egan asked how long they thought the pile would be there and Mr. Rusch replied that because of the economy it could be 3 to 4 years.

C. Zeinert read the Town of Algoma's resolution and recommendation for approval with conditions.

2. Kevin Abitz, 8835 Umland Rd, Town of Clayton – Zoning Change.

The request is for a zoning change to A-2 (General Farming) to create an agricultural lot.

Kevin Abitz, applicant and property at 8835 Umland Rd was sworn in and explained that he has purchased 4 acres of land from his neighbor to add to his current property. He has future plans for the larger agricultural property that may include an outbuilding.

C. Zeinert read the Town of Clayton's resolution of approval.

3. 4C Storage, 202 Rockwood La, Town of Neenah – Conditional Use.

C. Zeinert read a letter from Mr. Paul Coenen of 4C Storage to Mr. Cary Rowe, Zoning Administrator requesting a postponement on the agenda item to allow more time with the

Town of Neenah. Also read was a letter from Christopher A. Baldwin, resident at 1575 Oakridge Rd stating his opposition to the conditional use permit request.

MOTION made by J. Sievert, seconded by C. Thompson, to adjourn the agenda item for the next public hearing, February 29, 2012. Motion carried unanimously.

Christopher Baldwin was sworn in to reiterate some of the points he had made in his letter. Mr. Baldwin pointed out that the original conditional use was for 20 trailers and that the property has exceeded that amount for several months. He questioned why enforcement took so long and why would the Committee grant another permit for more trailers.

Committee members asked staff what the violation process was. C. Zeinert informed the Committee of the typical process to gain compliance and stated that it largely depends on the type of violation and the ways in which it can be resolved.

Harrison Sturgis Jr. of 167 Rockwood La was sworn in. He stated that he was opposed to the request and that this application was only an attempt to legalize a current illegal operation. Mr. Sturgis presented the Committee with the previous conditional use permit.

Jennie Dederling of 167 County Rd CB was sworn in and stated that she was for the conditional use request. She offered that the campers were not in disrepair and were neatly organized. She mentioned that there is no room for a berm (to work in hiding the storage from view) and that a berm would only cause drainage issues.

Donald Pansy of 1854 Oakridge Rd was sworn in and informed the Committee that he was against and opposed to the conditional use permit request. He stated that the outside storage was an eye sore, especially across from the attractive and productive industrial district. He mentioned that the applicant has already broken conditions of the original conditional use permit. Mr. Pansy also stated that storing campers/RVs and the like may leak liquids that could be hazardous.

4. William Cronin Estate, 6306 Paynes Point Rd, Town of Vinland – Conditional Use.

James Cotter, on behalf of the applicant, was sworn in. He described that the applicant wishes to continue her home based business. Mr. Cotter presented a petition signed by fellow Paynes Point neighbors stating their support for the home business. Mr. Cotter mentioned that the application was approved by the Town of Vinland, but brought to the Committee's attention a condition of the resolution that he disagreed with.

C. Zeinert read the resolution of the Town of Vinland recommending approval with conditions. The condition in question states: "Complaints by neighbors regarding traffic problems or excessive speed shall be cause for termination of the CUP by the Town". There was discussion regarding the private status of Paynes Point Rd and how traffic/traffic speed is dealt with.

Linda Calkins, applicant, was sworn in. She explained that her business was more than just massage, and that it also included medicinal oils, hypnosis, and counseling. Ms. Calkins mentioned that she has been in the business for almost 5 years.

Raymond Batley, Town of Vinland Chairperson was sworn in. Mr. Batley explained that the condition was added to the resolution because the Town would like to do something about the issue if they do receive complaints regarding traffic speed of the vehicles traveling to Ms. Calkins' business. Mr. Batley pointed out that it is difficult to get people to stop speeding.

Allison Weyenberg of 6322 Paynes Point Rd was sworn in. She stated that she has seen speeding vehicles going to and from Linda's home. She mentioned that there are "15 MPH" speed limit signs on the road and that speed and regulation of speeds are her main concern.

There was further discussion between the Committee and guests in regards to the private road and allegations of clients speeding.

Timothy Shandonay of 6286 Paynes Point Rd was sworn in. He told the Committee that he lived on Paynes Point Rd for 22 years and there are always people speeding, driving golf carts, or suing 4-wheelers on the private road. He explained that there is no way to enforce the speed limit and did not like that Linda was being blamed for the speeders.

5. Grundy Farms Inc, E of 1801 W. County Rd Y, Town of Oshkosh – Zoning Change.

David Yurk, of Omnni Associates and on the behalf of the applicant, was sworn in. He described to the Committee that the rezoning was required to adjust property lines in order for the applicant to construct a garage addition.

C. Zeinert read a statement made by Carol Salvinski, Zoning Secretary, that Mr. Jim Erdman, Town of Oshkosh Chairperson stopped into the Zoning office and informed the Department that the Town of Oshkosh approved the zoning change.

ADJOURNMENT

MOTION made by J. Sievert to adjourn meeting. Seconded by C. Thompson. Motion carried unanimously. Meeting adjourned at 7:30 P.M.

Respectfully submitted,

Candace Zeinert
Recording Secretary