

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
PUBLIC HEARING
(Amended March 8, 2013)

January 29, 2013
6:30 P.M.
Lounge Room – Courthouse

PRESENT: Supervisors, Patrick Brennand, Chairman, Thomas Egan, Claud Thompson, Larry Kriescher. Cary Rowe, Zoning Administrator.
Guests present.

EXCUSED: Joanne Sievert
ABSENT: David Albrecht

The meeting was called to order by Patrick Brennand, Chairman at 6:30 P.M. Committee members introduced themselves and Zoning Administrator explained appeals procedure and stated that protests for rezoning must be made 24 hours prior to the County Board meeting.

1. LuVern Kienast – N & W of 2947 Jackson St, Town of Oshkosh – Zoning Map Amendment.
2. LuVern Kienast – N & W of 2947 Jackson St, Town of Oshkosh – Conditional Use.

Applicant is requesting a zoning map amendment from M-1 to M-2 and a conditional use permit for gravel crushing and soil pulverizing. Lee Kienast – 2131 Linway Ct, Oshkosh was sworn in. Mr. Kienast explained both of the requests. Jerry Fry – 4804 Island View Dr, Oshkosh was sworn in. Mr. Fry stated that the Town Board approved the zoning change with a modification to B-3 which also allows a trade and contractor's office. Mr. Fry said the Town Board felt that the B-3 zoning would be a better fit for the area. Mr. Fry also stated that the Town Board approved the conditional use request with the following conditions: 1) Allow six (6) months from time of approval for crushing what is there and no more brought in. 2) One period of fourteen (14) consecutive days to crush materials. 3) Material can be crushed Monday thru Friday not including holidays. 4) Crushing time 8 am to 4 pm. 5) Make sure 66 foot dedicated land on the west side of the parcel be free of the concrete and whatever else has been dumped in or on it. 6) After the crushing is done six (6) months to remove gravel with the option to come to the town board for a ninety (90) day extension. Mr. Kienast said that he was just speaking for Vern. LuVern Kienast – 765 N. Washburn St, Oshkosh was sworn in. Mr. Kienast stated that he wanted to bring in more concrete and asphalt. There was no additional testimony and this portion of the hearing was closed.

3. Harrison Sturgis Jr. – N of Rockwood Ln & W of County Rd CB, Town of Neenah – Zoning Change.

Applicant is requesting a zoning change from A-2 to R-4, R-2 & M-1 for development of single family dwellings, multi-family dwellings and mini-warehousing. Harrison Sturgis Jr – 167 Rockwood Ln, Neenah, was sworn in. Mr. Sturgis requested an adjournment for this public hearing item. Zoning Administrator stated that he had received a resolution from the Town of Neenah recommending denial of the zoning changes with the following findings: 1) The Town does have an adopted land use plan. 2) The requested zoning change does not agree with the adopted plan. 3) There are significant traffic control concerns at Rockwood Lane and County Highway CB and Oakridge. 4) There are significant neighbor concerns. 5) The intended use is not compatible with neighboring properties. 6) The Board and Plan Commission believe it is too soon to decide on this zoning due to County/Town Zoning issue still undecided. Jeremy Linsmeyer – 911 Irish Rd, Neenah was sworn in. Mr. Linsmeyer stated that he was planning on building a new home on a vacant lot at the end of Rockwood Ln. Mr. Linsmeyer was opposed to the proposed high density residential use because of increased traffic and the safety of children. Jim Tucherer – 215 County Rd CB, Neenah was sworn in. Mr. Tucherer stated that he was opposed to the proposed M-1 zoning. Harrison Sturgis stated that the application was incorrect in that no mini-warehousing was currently being proposed for lot 4 and that 1-2 bedroom apartments were being proposed in the requested R-4 zoning district. Zoning Administrator stated that the requested M-1 and R-2 zoning districts complied with the county's future land use plan and only the requested R-4 zoning district did not. Zoning Administrator also stated that since the Town of Neenah had not yet decided if they were going adopt county zoning and that part of the applicant's request did comply with the county's future land use plan, he would recommend adjourning this item and referring it back to the town for reconsideration in fairness to the applicant. Zoning Administrator also stated that the county's new ordinance will become effective at the end of April if adopted by the town. Motion by T. Egan, seconded by C. Thompson to adjourn this portion of the hearing for 90-days and refer back to the town for reconsideration. Motion carried 4-0-1 (Albrecht absent).

4. Harold Jacobsen – 9161 Riverview Ln, Town of Wolf River – Conditional Use.

Applicant is requesting a conditional use permit to erect a wind turbine which will be connected to the grid (major utility) in an R-1 zoning district (Rural Residential District). Zoning Administrator stated that the Wolf River Town Board requested that this item be adjourned for 30-days since the Town Board did not have enough information to make a recommendation to the county. Jason Johnson – 1421 Churchill St, Waupaca, was sworn in. Mr. Johnson explained the request and described the operation of the wind turbine in detail including noise levels and specifications. Mr. Johnson provided the committee with a comprehensive packet of information regarding the wind turbine. Supervisor Egan asked applicant if wind turbine affected TV reception. Applicant stated the wind turbine does not affect TV reception. Supervisor Kriescher asked applicant if wind turbine was a monopole type to which applicant stated it was. Zoning Administrator questioned setbacks.

Josh Levitas – 9171 Riverview Ln, Fremont, was sworn in. Mr. Levitas spoke in opposition of the conditional use request with concerns about effect on property values and setbacks to lot lines. Barbara Harmon – 8981 Riverview Ln, Fremont, was sworn in and spoke in opposition of the conditional use request. Frank Burnett – 9177 Riverview Ln, Fremont, was sworn in and spoke in opposition of the conditional use request. Audrey Glatz – 9185 Riverview Ln, Fremont, was sworn in and spoke in opposition of the conditional use request. Pat Frelichowski – 9177 Riverview Ln, Fremont, was sworn in and spoke in opposition to the conditional use request. Jason Johnson answered questions raised by those in opposition and stated that there is a 5-year warranty which included inspections on the wind turbine. Supervisor Brennand asked applicant if there were any other wind turbine installations nearby to which applicant stated that there were not. Motion by L. Kriescher, seconded by P. Brennand to adjourn this portion of the hearing for 60-days. Motion carried 4-0-1 (Albrecht absent).

5. Wyldeewood Baptist Church – 3030 Witzel Ave, Town of Algoma – Conditional Use

Applicant is requesting a conditional use permit to erect cell tower and supporting equipment in a P-1 zoning district (Institutional & Recreational Park District). Eric Lennington from Verizon Wireless was sworn in. Mr. Lennington explained the conditional use request and stated that the company's previous lease had expired on the Moon property nearby and could not be renewed. Pastor Randy King – 7921 State Rd 21, Omro, was sworn in. Pastor King stated that the proposed cell tower was not a problem with the neighbors after town meetings and subsequent conditions imposed. Charlotte Nelson – Algoma Town Clerk was sworn in. Ms. Nelson stated that the Algoma Town Board approved the conditional use request with the following conditions; 1) No horizontal light dispersion of the flag pole lights. 2) No more than three (3) users (carriers) on the tower without coming back through Town of Algoma's site plan process or conditional use permit process. 3) No scheduled generator runs from 7:00 pm to 7:00 am. Mr. Lennington stated that he was okay with conditions imposed. There was no additional testimony and this portion of the hearing was closed.

ADJOURNMENT

MOTION made by L. Kriescher to adjourn the meeting. Seconded by T. Egan. Motion carried 4-0-1 (D. Albrecht – absent). Meeting adjourned at 7:54 P.M.

Respectfully submitted,

Cary A. Rowe
Recording Secretary