

MINUTES

PLANNING AND DEVELOPMENT

September 2, 2015

Members present: Ken Capelle, Steve Gueths, Marlin Noffke, Gene Hoppe and Tom Kautza

Members absent:

Others present: Zoning Administrator-Robert Jacobson, County Planner-Christa Hoffman, County Conservationist-Scott Frank and Land Use Inspector-Rebecca Fields.

Location & Time: Room A & B, Shawano County Courthouse at 8:30 AM

Chairman Capelle opened the public hearing at 8:30 AM

Shawano County Comprehensive Plan Amendment: Robert Jacobson explained this request involves an amendment to the Town of Wittenberg Comprehensive Plan Future Land Use Map. Jacobson stated the Town desires to change various future land use designations within the Highway 29 and US Highway 45 north corridors to the Commercial-General future land use designation within ¼-mile on each side of the highways. Jacobson noted this action will not affect any current zoning designation nor use of land but rather make future rezoning's easier to obtain. Questions from the Committee were answered. Jacobson read the Town decision sheet on file recommending approval. No other correspondence, either oral or written was presented at the public hearing.

Zone Change-3-15: Terry Hilgenberg, agent for Darlene Nueske, owner, appeared to request Zone Change on a 40-acre parcel from OAR, Open Lands/Agriculture/Residential to the CG, Commercial-General District located in Section 4 of the Town of Wittenberg. Hilgenberg stated the rezone would facilitate a future retail development that would complement the existing Ho Chunk Casino located immediately to the east of the property. Hilgenberg stated he thought some type of strip mall business may fit the area and the rezoning was necessary to take the next step in the planning process. Robert Jacobson commented that although there are many permitted uses in the Commercial-General District it could be possible that a conditional use permit would be necessary, depending the final proposal for development. Hilgenberg acknowledged that may be a possibility. Jacobson read the Town decision sheet recommending approval of this request. No other correspondence, either oral or written was presented at the public hearing.

Livestock Waste Management Conditional Use-3-15: Robert Schmidt appeared to request a Livestock Waste Management Conditional Use for the expansion of animal units in excess of 20% of existing animal unit numbers located in Section 36 of the Town of Pella. Schmidt explained he is building a new free stall barn to house his milking cows and also plans for a future manure storage facility. A site development plan was provided for review. Questions from the Committee were answered. Robert Jacobson read the Town decision sheet recommending approval. No other correspondence, either oral or written was presented at the public hearing.

Conditional Use -11-15: Matthew Szymanski appeared to request Conditional Use to establish an Agriculture Related Use located in Section 12 of the Town of Maple Grove. Szymanski

explained he is planning on establishing a meat processing facility involving chicken, turkey, rabbit and pork with slaughter of chicken and rabbit. Szymanski stated his business plans are to provide his product locally but not through a formal store front. He is aware of waste disposal requirements for wash water from the slaughter area and is looking into composting of the Offal matter. Szymanski stated an existing Single-Family Dwelling and attached garage would be converted for this purpose with slaughter and processing of chicken and rabbit occurring in the garage and whole meat processing from the dwelling area. Questions from the Committee were answered including the provision that other whole meats such as beef and lamb could be processed at the facility without the need to acquire another approval. Robert Jacobson read the Town decision sheet with 5 suggested conditions of approval. No other correspondence, either oral or written were presented at the public hearing.

Chairman Capelle closed the public hearing at 9:07 AM.

- 1) Chairman Capelle called the meeting to order at 9:08 AM
- 2) Motion by Gene Hoppe, second by Tom Kautza to deviate from order of items listed on agenda if deemed necessary. Motion carried.
- 3) Public comments: None.
- 4) Committee reviewed minutes from the July 30, 2015 and August 5, 2015 Planning, Development, and Zoning Committee meetings. Motion by Steve Gueths, second by Tom Kautza to approve the minutes as submitted. Motion carried.
- 5) Public hearing requests: Committee reviewed, discussed and took action as follows.
 - 1) **Shawano County Comprehensive Plan Amendment-Town of Wittenberg:** Motion by Steve Gueths, second by Gene Hoppe to recommend approval and forward to the County Board on September 23, 2015. Vote: 5 Yes 0 No.
 - 2) **Zone Change-3-15-Nueske:** Motion by Gene Hoppe, second by Steve Gueths to recommend approval and forward to the County Board on September 23, 2015. Vote: 5 Yes 0 No. Motion carried.
 - 3) **Livestock Waste Management Conditional Use-3-15-Schmidt:** Motion by Steve Gueths, second by Gene Hoppe to recommend approval with conditions. Vote: 5 Yes 0 No. Motion carried.

Conditions of approval for LWM-CU-3-15

- 1) Prior to the start of any construction activities a Livestock Waste Management Permit must be obtained from the County Planning & Development Department.
- 2) Landowner shall apply for a Wisconsin Pollution Discharge Elimination System permit from the Wisconsin Department of Natural Resources when the farm reaches 1,000 animal units.
- 3) Landowner shall submit a Nutrient Management Plan meeting Natural Resources Conservation Service standard 590 to the Land Conservation Department on an annual basis.

- 4) A formal Agriculture Trade & Consumer Protection 51 Livestock Facility Siting application will have to be filed with the Wisconsin Department of Agriculture Trade & Consumer Protection.
- 5) The earthen pastures identified in the Agriculture Trade & Consumer Protection 51 application shall be brought into compliance with Agriculture Trade & Consumer Protection 51.20 (2) by June 1, 2016.
- 6) Erosion control measures shall be used as required for all filling and grading activities and shall be maintained until such time as all disturbed ground has an established vegetative cover.
- 7) Up to 1,150 Animal Unit Numbers are allowed for this expansion as indicated on the owner's application.

4) **Conditional Use-11-15-Szymanski:** Motion by Tom Kautza, second by Marlin Noffke to recommend approval with conditions. Vote: 5 Yes 0 No. Motion carried.

Conditions of approval for CU-11-15

- 1) Must comply with State standards for Meat Processing Facilities.
 - 2) Must comply with State standards for disposal of all slaughter wastes.
 - 3) If signage is proposed compliance with County sign provisions is required.
 - 4) Compliance with County sanitary regulations is required.
 - 5) Any new structures associated with the business must procure appropriate permits from the County and Town.
- 6) Discuss and take possible action of two Health, Junk and Environmental Hazard Ordinance complaints in the Town of Washington: 1) N6896 Springbrook Road: The Zoning Department is to send the owner a letter acknowledging that some clean-up has occurred but that there is a ways to go yet and that an additional inspection will be occurring to monitor compliance, 2) W4956 Woodland Road: Robert Jacobson provided the Committee a letter from the property owner for review. The letter stated the owner has been absent from the property but that he will be back on September 11, 2015 and will begin cleaning things up. Consensus of the Committee is to monitor progress and report back at the October meeting agenda and to send a letter to the Town informing them of action taken by the County regarding these complaints.
- 7) Review and approve form letter for Health, Junk and Environmental Hazard Complaints: Robert Jacobson reviewed the letter he prepared. Consensus of the Committee is that the letter is good to use as presented. Committee also stated if circumstances dictate, a modification of the letter is permissible.
- 8) Review proposed amendments to the Livestock Waste Management Ordinance #5-13: County Conservationist, Scott Frank reviewed proposed amendments with the Committee. Frank indicated the amendments are specific to the Land Conservation Department taking over the administration and enforcement of the ordinance and that the Land Conservation Committee has reviewed the changes as well. Motion by Tom Kautza, second by Steve Gueths to recommend moving forward with a public hearing on the amendments at the Committees October meeting. Vote: 5 Yes 0 No. Motion carried.

- 9) Review proposed amendments to the County Citation Authority Ordinance #7-07: Robert Jacobson explained the amendments are specific to the Livestock Waste Management Ordinance giving the Land Conservation Department Citation Authority over that specific ordinance. Motion by Steve Gueths, second by Gene Hoppe to recommend moving forward with a public hearing on the amendments at the Committees October meeting. Vote: 5 Yes 0 No. Motion carried.
- 10) Review proposed amendments to the Ordinances and Service Fee Schedule Ordinance #2-10: Robert Jacobson explained the amendments are specific to noting what fees are going to be charged by the Land Conservation Department for the Livestock Waste Management Ordinance. Jacobson also noted a new fee for review and approval of Mound and At-Grade Private Sewage Systems which is the same fee currently charged by the State. Consensus of the Committee is to bring this back to the October meeting for final consideration.
- 11) Review of State requirements for the Private Onsite Wastewater Treatment System Maintenance Program: Committee reviewed the standards and commented on the language within the Statutes. Discussion was had regarding the need to pump a tank versus the need for an inspection on an every 3-year basis. Sanitary Inspector, Rebecca Fields, explained the difference between the retroactive maintenance program and the standard 3-year notice requirements and when pumping versus inspection of a treatment tank is required. Tom Kautza provided his opinions, as a service provider who works with these types of systems, on why this is required and the benefits of being proactive with your septic system. As a side note, Tom Kautza stated the Committee should set a policy for the review of Mound and At-Grade system plans by the Planning Department at an upcoming meeting.
- 12) Discuss requests for technical assistance through East Central Regional Planning Commission for 2016: County Planner, Christa Hoffman, noted the technical assistance requests are due by the end of October and the County can submit two request. Hoffman shared two possible requests as follows: 1) Highway 29 Corridor Planning and 2) Preservation overlay to track residential developments in the Farmland & Forest Preservation zoning district. Consensus of the Committee is to bring this back to the October meeting for final consideration.
- 13) Update on the 2016 Budget Planning process: Jacobson stated he met with the Finance Committee on August 27th and noted at that meeting the Finance Committee gave tentative approval with the following actions: 1) Approval of an increase to the surveyor salary, 2) Reduction of \$5,000 in consulting fees for conversion of the permitting software in the Zoning & Sanitation Department, and 3) Reestablishment of the Solid Waste Management Board Per Diems to be budgeted through the Committee and Commissions cost center. Jacobson noted this was a tentative approval and addition cuts may be requested. ***Ken Capelle was excused from the meeting at 11:40 AM and Vice Chair Steve Gueths took over the meeting agenda.***
- 14) New business that is requested for upcoming Committee consideration: Committee members discussed the information they requested (2014 Landfill Budget, current agreements between certain municipalities and the City and County, and letters sent to certain municipalities from the Solid Waste Management Board) regarding recent Solid Waste Management Board activities with respect to the current City/County Landfill. Further clarifications will be sought.

- 15) Review Department Accounts payable for the month of July: Motion by Tom Kautza, second by Gene Hoppe to recommend approval. Vote: 4 Yes 0 No 1 Absent (Capelle). Motion carried.
- 16) Discuss any operational issues within the Department as needed: None.
- 17) Committee comments: None.
- 18) The next scheduled meeting of the Planning, Development and Zoning Committee is set for Wednesday October 7, 2015 at 8:30 AM in Room A&B, Shawano Courthouse.
- 19) Motion by Tom Kautza, second by Gene Hoppe to adjourn the meeting at 12:00 PM. Motion carried.

Respectively submitted by,

Marlin Noffke, Secretary

Robert Jacobson, Acting

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