



# MANITOWOC COUNTY

## PLANNING AND PARK COMMISSION

### MEETING NOTICE

DATE: MONDAY, JANUARY 28, 2013  
TIME: 4:00 PM  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
  - II. Approval of Minutes
  - III. Approval of Agenda - "Open Meeting Law Compliance"
  - IV. Public Input
  - V. Public Hearings – Discussion and possible action:
    1. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment to Manitowoc County Code Chapter 8 General Zoning and Land Use Regulations
    2. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment to Manitowoc County Code Chapter 21
    3. **Patrick and Paula Schuette**, ZMAR, SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 11, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Natural Area (NA).
    4. **Ford Thompson**, ZMAR, NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , & SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 25, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to General Agriculture (GA) and Rural Residential (RR)
    5. **United Vision Dairy LLC**, ZMAR, NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 29, T21N-R24E, Town of Mishicot, Exclusive Agriculture (EA) to General Agriculture (GA).
  - VI. Certified Surveys, Development Plans and Subdivisions – Discussion and possible action:
    1. **Brian Laurent**, Variance Request, SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 4, T19N-R24E, Town of Manitowoc
    2. **Merlyn & Ruth Kaufmann**, Variance Request, NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 12, T18N-R23E, Town of Newton
    3. **Jeff Westphalen**, Variance Request, NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 33, T18N-R21E, Town of Eaton
    4. **Ford Thompson**, Variance Request, NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  & SW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 25, T21N-R23E, Town of Gibson
  - VII. Discussion of Non-Metallic Mining Ordinance
  - VIII. Discussion and possible action regarding Large Wind Energy System draft
  - IX. Discussion and possible action regarding third party consultant for Wind Energy Systems review.
  - X. Miscellaneous:
    1. Staff Reports
    2. Personnel
    3. Correspondence
      - a. Letter and resolution from the Town of Mishicot along with support letter from Jeff Roberts, Anita Roberts, George Patek, Dean and Clare Pekarek regarding recommendations to the County for Large Wind Energy System Ordinance.
    4. Out of County Travel
      - a. Attendance to WLIA (Wisconsin Land Information Association) Conference – February 13-15, Lake Geneva – A. Raymakers – Discussion and possible action
  - XI. Adjournment
- Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Date: January 22, 2013

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE REGULAR JANUARY 28, 2013 MEETING

**CALL TO ORDER – ROLL CALL**

The Regular January 28, 2013 meeting of the Manitowoc County Planning and Park Commission was called to order by Chairperson Waack at 4:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Roll call of Commissioners present: Mr. Waack, Mr. Spurney, Mr. Hoffman, Mr. Korinek, Ms. Muench and Mr. Brey. Mr. Mueller was excused.

Staff present: Tim Ryan and Barb Stoker

**APPROVAL OF MINUTES – APPROVAL OF AGENDA – OPEN MEETING LAW COMPLIANCE**

Chairman Waack called for a motion to accept the Minutes of the regular December 11, 2012 meeting. Motion to accept the Minutes was made by Mr. Brey; seconded by Mr. Spurney. Motion passed upon a unanimous voice vote.

Motion to approve the Agenda was made by Mr. Hoffman and seconded by Ms. Muench to approve the Agenda. Motion passed upon unanimous voice vote.

Open Meeting Law Compliance – Mr. Ryan read the Open Meeting Law Compliance stating that the petition seeking a Zoning Map Amendment and Text Amendments being heard at this public meeting was referred from the County Clerk; published in the Herald-Times Reporter on January 17 and January 21, 2013; and reviewed by the Commission at a Commission Advisory Meeting held on January 28. The Commission will make a recommendation on this request to the County Board, who will take action at their February 26, 2013 meeting.

**PUBLIC INPUT**

Chairman Waack asked if there was anyone present who wished to address the Commission on any issues.

Mr. Fred Lemmens wondered if the Commission was going to request the State put a moratorium on windmills or if they would recommend to the whole County Board to do that. Mr. Waack stated that the Commission will discuss later in the meeting under X.3.a.

Mr. Jeff Roberts stated he read through the draft Wind Ordinance. He had concern about the conditional use process being removed. As a non-participating landowner, he would like to be able to submit questions for the applicant to the Planning and Zoning Department and have them either ask the questions or reject them and then reply with an answer or reason in writing to the non-participating landowner. Mr. Roberts was also in favor of a moratorium.

Ms. Anita Roberts had concern under 24.03 Purpose if all three had to be met or just one. It was thought that just one of the three needs to be met. She would like clarification of the word “substantial”. She stated under 24.16 Emergency Procedures, she would like to see the adjacent non-participating landowners included in the notification and what are the emergencies that they are being notified of. In 24.21 Noise, Ms. Roberts would like to see an independent third party conduct a noise study. Under 24.26 Studies, Ms. Roberts would like to see the owner cooperate and participate in any studies including County or local government. Under 24.34 Third-Party Construction Inspector, Ms. Roberts would like to see a third party inspector for after the construction is complete as well as during construction. Under 24.41 Complaint Monitoring, she feels a third party should be involved in the complaint monitoring and complaint resolution process. Also regarding noise, Ms. Roberts had a copy of a good neighbor agreement on file in Brown County that stated the owner agrees that wind turbines may emit sound from time to time in excess of specified levels and the neighbors could not complain. The owner got a lot of the neighbors to sign this agreement before the turbines were constructed. Ms. Roberts also supports a moratorium.

Mr. Doug Lindsey urged the Commission not to table this item. He stated that there are lots of studies going on at this point in time regarding infrasound which is a very complex matter and he feels this is being used as another delay tactic. The other issue being raised is electrical pollution—stray voltage, ground currents and perhaps other harmonics. That’s its own can of worms that has not been touched significantly. There are lots of other sources of stray voltage. Anything that would be done in both these areas would require a lot of base line data with the turbines on and with the turbines off. So far, there are no epidemiological studies showing any connection between the set of symptoms at Shirley and low frequency noise. The ability to actually screen applicants with nonwind turbine noise or low frequency noise might be very insightful and could learn a lot as to what is going on.

Mr. Bernie Starzewski stated that the WI Dept. of Health has made a determination that there are no health effects from wind power. He feels this is an important industry for Manitowoc County and feels there is no legitimate reason to send them packing. He is an environmentalist and would not support if he thought if they were detrimental to health.

Mr. Dean Anhalt stated that they are not dealing with an audible noise that you can hear but rather a noise that affects your inner ear and that resonates through your body. He has reviewed the draft ordinance and asks that the Commission support a moratorium or create a low-frequency noise ordinance. He would like the Commission to review the recommendations put forward by the Town of Mishicot Resolution. He is concerned with having some meat in the enforcement part of this ordinance. He would like to see more of the PSC128 language written in the County Ordinance so that he wouldn’t have to be looking back and forth between PSC 128 and the County Ordinance. He wants to see the conditional use process. He is concerned with land values, spacing of the turbines, and electrical pollution for the nearby farmers.

Mr. Waack asked if there was anyone else who wished to speak. Being none, he closed the public input.

## **PUBLIC HEARINGS**

- 1. Manitowoc County Planning and Park Commission – Ordinance Text**  
Amendment to Manitowoc County Code Chapter 8 General Zoning and Land Use Regulations. Mr. Ryan read the Agenda Commentary (copy on file).

Mr. Waack asked if there was anyone present to comment on this text amendment request.

Mr. Jeff Roberts questioned whether this has to do with removing the conditional use permit requirement. He feels the public will be missing the ability to get their questions asked and answered.

Ms. Anita Roberts questioned what was being taken away. Mr. Ryan stated that PSC128 doesn't allow for a conditional use permit. The County will create a process for the public to comment as required under PSC128. Comments will be accepted up to ten days after the public hearing. Ms. Roberts said sometimes when a conditional use permit is given; it can be pulled if it is not being followed. How will the public be protected? Mr. Ryan stated that the draft Ordinance does address enforcement and a lot of the concerns being presented, including the ability to pull a permit.

Mr. Dean Anhalt hopes that a forum would be created for retaining some of the abilities that were a part of the conditional use process. He also would like to see some type of time frame so that it doesn't end up to be an open ended process.

Mr. Waack asked if there was anyone else to comment on this text amendment for Chapter 8. Being none, he closed the public hearing.

A motion was made by Mr. Brey and seconded by Ms. Muench to adopt the Text Amendment for Manitowoc County Code Chapter 8. Mr. Brey stated that Mr. and Ms. Roberts and Mr. Anhalt all made valid points and stated that these can be addressed in a later ordinance. Mr. Korinek stated that there should be a process for addressing complaints and that he will be sure to discuss. Mr. Waack then called for a vote and the motion passed upon unanimous voice vote.

2. **Manitowoc County Planning and Park Commission - Ordinance Text**  
Amendment to Manitowoc County Code Chapter 21 Nonmetallic Mining Operations. Mr. Ryan read the Agenda Commentary (copy on file).

Mr. Waack asked if there was anyone who wished to comment. There being no one, Mr. Waack closed the Public Hearing.

Motion was made by Mr. Korinek and seconded by Mr. Spurney to adopt the text amendment to Manitowoc County Code Chapter 21. Motion passed upon unanimous voice vote.

3. **Patrick and Paula Schuette, ZMAR, SW¼ NW¼, Section 11, T21N-R23E, Town of Gibson, from Exclusive Agriculture (EA) to Natural Area (NA).** Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that he did receive a phone call from the Town of Gibson that they support the rezone from EA to NA for this parcel.

Mr. Waack asked if there was anyone present to comment on this zoning request.

Mr. Richard Wegner, Chair Town of Gibson, spoke in favor of the rezone.

There was no one else to speak and Mr. Waack closed the hearing. Motion was made by Ms. Muench and seconded by Mr. Korinek to approve this zoning change. Mr. Ryan read a letter in opposition to the rezone from Mr. and Mrs. Koenig. There was a question regarding the driveway width. Mr. Korinek stated that he was at the Town of Gibson meeting and that twenty-five feet easement has been secured. Motion passed upon unanimous voice vote.

4. **Ford Thompson**, ZMAR, NW¼, SW¼, & SW¼, NW¼, Section 25, T21N-R23E, Town of Gibson, from Exclusive Agriculture (EA) to General Agriculture (GA) and Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file).

Mr. Richard Wegner, Chair Town of Gibson, spoke in favor of the rezone.

Ms. Lynn Korinek spoke in favor of the rezone as they are looking at purchasing a portion of this property.

There was no one else to speak and Mr. Waack closed the hearing. Motion to approve this rezone was made by Mr. Spurney and seconded by Mr. Brey. Motion approved by Mr. Brey, Mr. Spurney, Ms. Muench, Mr. Hoffman, and Mr. Waack. Mr. Korinek abstained.

5. **United Vision Dairy LLC**, ZMAR, NE¼, SE¼, Section 29, T21N-R24E, Town of Mishicot, from Exclusive Agriculture (EA) to General Agriculture (GA). Mr. Ryan read the Agenda Commentary (copy on file).

There was no one to speak and Mr. Waack closed the hearing. Mr. Brey made a motion to approve this zone change and it was seconded by Mr. Hoffman. Mr. Hoffman gave some additional information regarding this request. Mr. Ryan stated that this was a unique situation involving a farm operation and that it will probably occur only a couple times in a year. Motion passed upon unanimous voice vote.

#### **CERTIFIED SURVEYS, DEVELOPMENT PLANS AND SUBDIVISIONS**

1. **Brian Laurent**, Variance Request, SE¼ SW¼, Section 4, T19N-R24E, Town of Manitowoc. Mr. Ryan read the Commentary (copy on file).

Mr. Waack asked if Mr. Laurent was present and had anything to add to the Commentary. He was present but did not have anything to add. There was no one else to speak. A motion was made by Mr. Brey and seconded by Ms. Muench to approve this variance request. Motion passed upon a unanimous voice vote.

2. **Merlyn & Ruth Kaufmann**, Variance Request, NE¼, SW¼, Section 12, T18N-R23E, Town of Newton. Mr. Ryan read the Commentary (copy on file). Mr. Ryan stated that he does not approve a survey without prior approval from the Town of Newton.

Attorney John Stangel spoke in favor of this variance request. Motion was made by Ms. Muench and seconded by Mr. Spurney to approve. Motion passed upon a unanimous voice vote.

3. **Jeff Westphalen**, Variance Request, NE¼, SW¼, Section 33, T18N-R21E, Town of Eaton. Mr. Ryan read the Commentary (copy on file).

Jeff Westphalen spoke in favor of this variance request.

Mr. Waack made a motion and seconded by Ms. Muench to approve. Motion passed upon a unanimous voice vote.

4. **Ford Thompson**, Variance Request, NW¼, SW¼ & SW¼, NE¼, Section 25, T21N-R23E, Town of Gibson. Mr. Ryan read the Commentary (copy on file).

Motion was made by Mr. Spurney and seconded by Ms. Muench to approve this variance. Mr. Brey questioned Mr. Ryan that if there was a problem with the zone change on this property at the County Board meeting, then would this variance be a mute point? Mr. Ryan stated that it would be. There was no more discussion and Mr. Brey, Mr. Spurney, Ms. Munech and Mr. Hoffman approved the motion. Mr. Korinek abstained.

**Discussion of Non-Metallic Mining Ordinance:** Mr. Ryan had given the Committee information regarding Non-Metallic Mining Ordinances and just wanted to keep the Committee informed of a good review of the County's Ordinance by the UW-Stevens Point. We are ranked 7<sup>th</sup> out of 72 counties. Mr. Ryan also recognized Mr. Rollins for his part in putting this Ordinance together.

**Discussion and possible action regarding Large Wind Energy System draft:** Mr. Waack stated that we heard a lot of comments from the public today. Mr. Brey asked that Mr. Rollins come forward to address how the public will have input into the project application. Mr. Ryan explained some of the process and timeline. Mr. Korinek had a question concerning the complaint process and if there is a procedure to record everything. Mr. Rollins gave an explanation of the complaint process. He also explained the reason for referring to PSC128 rather than copying the language into our Ordinance. If we would copy the language and the PSC would change, our Ordinance would become invalid. Mr. Hoffman questioned the decommissioning process in reference to having money set aside especially when there is a change in ownership. Mr. Rollins noted that there is a requirement to report all changes in ownership and there is also a provision for the financial assurance to be provided by the new owner. Mr. Korinek noted that there was no mention of shadow flicker in the Ordinance. Mr. Rollins stated that shadow flicker is controlled by PSC128. He also had a question regarding Soil and Drainage and wondered whether the Soil and Water Conservation Department would have any approval. Mr. Rollins stated that any manure spreading would be subject to the Animal Waste Ordinance. Mr. Korinek asked if there is going to be an appointed Monitoring Committee. Mr. Rollins stated that it is an option that is available but was not included because it not sure how many committees would be needed. Each wind project would need a separate committee and he did know if there would be enough resources to meet the need and the option that was thought to be better is to set up the system that has been included regarding dispute settlement. Mr. Korinek questioned if the owner pays the fees for the third party monitoring under the Compliance Monitoring section. Mr. Rollins stated that they do. Regarding the Decommissioning Review, Mr. Korinek asked if an annual report could be obtained. Mr. Rollins stated that a report is required. Mr. Korinek asked if a permit is issued and they do not build for a certain amount of time, is there a sunset on the permit and would they have to reapply. Mr. Ryan stated he would have to get back to him on that but that a typical permit for building a house does expire in one year. Mr. Rollins recollects that there is something in the Ordinance that addresses the reapplication process. Mr. Brey asked the question regarding the word "substantial". Mr. Rollins stated there is no way to give a definition for the word "substantial". It depends on the size of the project.

Mr. Ryan stated he would like to recognize Mr. Rollins for the amount of time spent on this Ordinance thus far. Mr. Brey asked if they could action tonight. Mr. Ryan stated that it is a draft copy but will have a final draft next month.

**Discussion and possible action regarding third party consultant for Wind Energy Systems**

**review:** Mr. Ryan stated this had come up a while ago and it was noted that a project of this scope is going to need some professional engineers to look at this and there are no professional engineers on staff. Hiring of such will be charged back to the owner. Mr. Ryan wanted to reiterate that some outside help will be needed. Mr. Brey questioned if that should be included in the Ordinance. Mr. Rollins stated that there are two provisions in the Ordinance which authorizes the Planning and Zoning Department to retain consultants and the second to contract with outside legal counsel. Mr. Rollins came back to the question on a sunset clause and stated that there is not one on the permit expiration but that there is a provision that while doing an application completeness review, if not provided with needed information within 90 days, the application dies and would need to be refilled and a new application fee would be required.

**Miscellaneous:**

**Correspondence:** Mr. Ryan stated that the Commission members were given a copy of the letter and resolution from the Town of Mishicot along with support letter from Jeff Roberts, Anita Roberts, George Patek, Dean and Clare Pekarek regarding recommendations to the County for Large Wind Energy System Ordinance. Motion was made by Mr. Hoffman and seconded by Mr. Korinek to put this item on the Agenda for next month's meeting. Mr. Hoffman, Mr. Brey, Mr. Korinek, Mr. Waack and Mr. Spurney voted yes; Ms. Muench voted no.

**Out of County Travel – Discussion and possible action**

a. Attendance to WLIA (Wisconsin Land Information Association) Conference – February 13-15, Lake Geneva - A. Raymakers. Motion was made by Mr. Waack and seconded by Mr. Brey to approve attendance to the WLIA Conference. Motion passed upon a unanimous voice vote.

**NEXT MEETING DATE**

Next meeting will be scheduled for February 25, 2013.

**ADJOURNMENT:** Motion was made by Ms. Muench and seconded by Mr. Spurney to adjourn at 5:25 p.m. Motion passed upon a unanimous voice vote.

Respectfully submitted,

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Jim Brey, Secretary

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Date



## MANITOWOC COUNTY PLANNING AND PARK COMMISSION ADVISORY MEETING NOTICE

DATE: MONDAY, January 28, 2013  
TIME: ► 3:30 P.M. ◀  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC WI

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes - Approval of Agenda  
"Open Meeting Law Compliance"
- III. Discussion Pertaining to Public Hearings of:
  1. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment to Manitowoc County Code Chapter 8 General Zoning and Land Use Regulations
  2. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment to Manitowoc County Code Chapter 21
  3. **Patrick and Paula Schuette**, ZMAR, SW ¼, NW ¼, Section 11, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Natural Area (NA).
  4. **Ford Thompson**, ZMAR, NW ¼, SW ¼, & SW ¼, NW ¼, Section 25, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to General Agriculture (GA) and Rural Residential (RR)
  5. **United Vision Dairy LLC**, ZMAR, NE ¼, SE ¼, Section 29, T21N-R24E, Town of Mishicot, Exclusive Agriculture (EA) to General Agriculture (GA).
- IV. Discussion of Certified Surveys, Development Plans and Subdivisions
  1. **Brian Laurent**, Variance Request, SE¼, SW¼, Section 4, T19N-R24E, Town of Manitowoc
  2. **Merlyn & Ruth Kaufmann**, Variance Request, NE¼, SW¼, Section 12, T18N-R23E, Town of Newton
  3. **Jeff Westphalen**, Variance Request, NE¼, SW¼, Section 33, T18N-R21E, Town of Eaton
  4. **Ford Thompson**, Variance Request, NW ¼, SW ¼ & SW ¼, NE ¼, Section 25, T21N-R23E, Town of Gibson
- V. Adjournment

Date: January 21, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.



MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE ADVISORY MEETING  
January 28, 2013

**CALL TO ORDER – ROLL CALL**

The Advisory Meeting of the Manitowoc County Planning and Park Commission was called to order January 28, 2013 by Chairperson Waack at 3:30 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Commissioners present were: Mr. Waack, Mr. Spurney, Ms. Muench, Mr. Korinek, Mr. Hoffman and Mr. Brey. Mr. Mueller was excused. Staff present: Tim Ryan

**DISCUSSION OF PUBLIC HEARING INFORMATION**

Mr. Ryan presented information for the following Zoning Map Amendment Requests and Ordinance Text Amendments for Commissioners' review.

1. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment to Manitowoc County Code Chapter 8 General Zoning and Land Use Regulations
2. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment to Manitowoc County Code Chapter 21
3. **Patrick and Paula Schuette**, ZMAR, SW ¼, NW ¼, Section 11, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Natural Area (NA).
4. **Ford Thompson**, ZMAR, NW ¼, SW ¼, & SW ¼, NW ¼, Section 25, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to General Agriculture (GA) and Rural Residential (RR)
5. **United Vision Dairy LLC**, ZMAR, NE ¼, SE ¼, Section 29, T21N-R24E, Town of Mishicot, Exclusive Agriculture (EA) to General Agriculture (GA).

IV. Discussion of Certified Surveys, Development Plans and Subdivisions

1. **Brian Laurent**, Variance Request, SE¼, SW¼, Section 4, T19N-R24E, Town of Manitowoc
2. **Merlyn & Ruth Kaufmann**, Variance Request, NE¼, SW¼, Section 12, T18N-R23E, Town of Newton
3. **Jeff Westphalen**, Variance Request, NE¼, SW¼, Section 33, T18N-R21E, Town of Eaton
4. **Ford Thompson**, Variance Request, NW ¼, SW ¼ & SW ¼, NE ¼, Section 25, T21N-R23E, Town of Gibson

**ADJOURNMENT** – Meeting adjourned at 3:56 p.m.



# MANITOWOC COUNTY

## PLANNING AND PARK COMMISSION

### MEETING NOTICE

DATE: MONDAY, FEBRUARY 25, 2013  
TIME: 4:00 PM  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes
- III. Approval of Agenda - "Open Meeting Law Compliance"
- IV. Public Input
- V. Public Hearings – Discussion and possible action:
  1. **William Bergner**, ZMAR, SW ¼, SE ¼, Section 32, T18N-R22E, Town of Liberty, Exclusive Agriculture (EA) to General Agriculture (GA)
  2. **Jeremy and Cheyenne LeClair**, ZMAR, SE ¼, NW ¼, Section 19, T21N-R24E, Town of Mishicot, Exclusive Agriculture (EA) to Large Estate (LE)
  3. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment to Manitowoc County Code Chapter 8 General Zoning and Land Use Regulations
  4. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment for an addition to Manitowoc County Code Chapter 24, Large Wind Energy System
  5. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment for an addition to Manitowoc County Code Chapter 25, Small Wind Energy System
  6. **Town Board of Mishicot** - Petition to enact a moratorium
- VI. Discussion and Action on Resolution Authorizing Manitowoc County to Enter into an Agreement With Bay-Lake Regional Planning Commission for Updating of the Hazard Mitigation Plan
- VII. Discussion and action on Lower Cato Falls Agriculture Lease
- VIII. Discussion and action on Walla Hi Rental House
- IX. Miscellaneous:
  1. Staff Reports
  2. Personnel
  3. **Correspondence**
    - a. Letter and resolution from the Town of Two Creeks and letters from Towns of Gibson and Cooperstown requesting a temporary moratorium to stop the permitting and installation of industrial wind turbines in Manitowoc County
    - b. Court of Appeals decision regarding DNR's appeal of Rebecca Rach's variance
  4. **Out of County Travel**
    - a. Attendance to WCCA (Wisconsin County Code Administrators) Conference – April 4 and 5, Wausau – T. Ryan, P. Tarnowski, and R. Gaedke - Discussion and possible action
    - b. ECWCCA (East Central Wisconsin County Code Administrators) Meeting – February 22 – Kewaunee County – 2 or 3 Staff
- X. Adjournment

Date: February 18, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE REGULAR FEBRUARY 25, 2013 MEETING

**CALL TO ORDER – ROLL CALL**

The Regular February 25, 2013 meeting of the Manitowoc County Planning and Park Commission was called to order by Chairperson Waack at 4:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Roll call of Commissioners present: Mr. Waack, Mr. Spurney, Mr. Hoffman, Mr. Korinek, Ms. Muench, Mr. Brey and Mr. Mueller.

Staff present: Tim Ryan, Pete Tarnowski, Adam Backus and Barb Stoker

**APPROVAL OF MINUTES – APPROVAL OF AGENDA – OPEN MEETING LAW COMPLIANCE**

Chairman Waack called for a motion to accept the Minutes of the regular January 28, 2013 meeting. Motion to accept the Minutes was made by Mr. Korinek; seconded by Mr. Hoffman. Motion passed upon a unanimous voice vote.

Motion to approve the Agenda was made by Ms. Muench and seconded by Mr. Mueller to approve the Agenda as presented. Motion passed upon unanimous voice vote.

Open Meeting Law Compliance – Mr. Ryan read the Open Meeting Law Compliance stating that the petition seeking a Zoning Map Amendment and Text Amendments being heard at this public meeting was referred from the County Clerk; published in the Herald-Times Reporter on February 11 and February 18, 2013; and reviewed by the Commission at a Commission Advisory Meeting held on February 25, 2013. The Commission will make a recommendation on each of these requests to the County Board, who will take action at their March 19, 2013 meeting.

**PUBLIC INPUT**

Chairman Waack asked if there was anyone present who wished to address the Commission on any issues.

Mr. Fred Lemmens addressed Agenda item 3a under IX Miscellaneous stating that he would like a moratorium to be considered until the study has been completed on the low frequency noises. Mr. Lemmens acknowledged receiving a letter from the County's Corporation Counsel regarding the moratorium but feels that a County wide moratorium is needed until more research is received on the low frequency noise and further setbacks.

Mr. Lee Stefaniak also spoke in favor of a moratorium. He stated some of the projected windmills are within a mile of the school system in Mishicot and noted that there are individuals that have different thresholds of hearing, such as ADHD or autistic children.

Mr. Lee Engelbrecht spoke in favor of the moratorium and feels that further study needs to be done.

Mr. Richard Wegner spoke in favor of the moratorium because he feels there are too many unanswered questions in regards to health problems. He also feels that the manufacturers of the turbines need to be looked into because some can eliminate the low frequency noise and some can't. This all needs to be looked into.

Mr. Dean Anhalt spoke regarding several concerns with the proposed Large Wind Energy Ordinance. He doesn't see the need for a 2-year time period to start; a 1-year time span should be sufficient. He also doesn't see anything regarding the line of sight communications which needs a 500-foot corridor and he is concerned that there is not anything spelled out in the ordinance concerning this buffer. The decision for renewing a permit or expanding a wind farm should be decided by a commission or board. It looks like this is going to be decided by the Department or probably one person, the County Code Administrator. A project of this scope needs to have a board of multiple people making the decision. Also the County always needs to have a third party review of the applications. There is no one on the staff who is qualified to read the noise studies and the documents they give us to show that the noise is going to be at the proper limits. Mr. Anhalt is looking for clarification of these items from Corporation Counsel if necessary. In the Ordinance, it talks of non-participant parties receiving a payout. To him, it sounds like the developer is going to determine whether people have to become a participant or not to receive a payout. Regarding signal interference for people's TV's and radios, what is the time frame of getting this resolved. He believes that it will be tied to the complaint process. This could be an 85-day process. He also has other concerns with the complaint process. He asks that the Commission supports the moratorium.

Mr. Waack asked if there was anyone else who wished to speak. Being none, he closed the public input.

## **PUBLIC HEARINGS**

1. **William Bergner**, ZMAR, SW ¼ , SE ¼ , Section 32, T18N-R22E, Town of Liberty, Exclusive Agriculture (EA) to General Agriculture (GA). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Liberty Town Board and Planning Commission in support of this rezone.

Mr. Waack asked if there was anyone present to comment on this rezone request.

Mr. William Bergner spoke in favor of the rezone request.

Mr. Joel Aulik spoke in favor of the rezone request.

Mr. Waack asked if there was anyone else to comment on this request. Being none, he closed the public hearing.

A motion was made by Mr. Brey and seconded by Ms. Muench to approve this rezone request. The motion passed upon unanimous voice vote.

2. **Jeremy and Cheyenne LeClair** - ZMAR, SE ¼ , NW ¼ , Section 19, T21N-R24E, Town of Mishicot, Exclusive Agriculture (EA) to Large Estate (LE). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Mishicot Town Board and Planning Commission that they approved this zoning change.

Mr. Waack asked if there was anyone who wished to comment on this zoning request. He noted that this is an Exclusive Ag district and if only five acres are rezoned, a certified survey would be required or if the whole parcel that they own is rezoned, a survey would not be required.

Mr. Jeremy LeClair stated that this had been the information that he received from the town. He understood what Mr. Waack had stated about the rezoning options.

Mr. Waack asked if there was anyone else to comment on this request. Being none, he closed the public hearing.

Motion was made by Mr. Mueller and seconded by Mr. Korinek to approve a rezone of the whole parcel to General Agriculture (GA). Motion passed upon unanimous voice vote.

**3. Manitowoc County Planning and Park Commission – Ordinance Text Amendment to Manitowoc County Code Chapter 8 General Zoning and Land Use Regulations.** Mr. Ryan read the Agenda Commentary (copy on file).

Mr. Waack asked if there was anyone present to comment on this zoning request.

Mr. Jeff Roberts wanted to clarify that this would apply to any zoning permit.

There was no one else to comment and Mr. Waack closed the hearing. Motion was made by Mr. Spurney and seconded by Mr. Mueller to approve this Text Amendment. Mr. Korinek questioned why this was brought to the Commission now. Was it because of the Wind Ordinance? Mr. Ryan stated that we wanted to clarify permit expiration dates in the Ordinance because they currently were not addressed. Mr. Brey questioned if they approve this text amendment, it would not prevent them from approving a different expiration period in the Wind Ordinance which would then cause them to add an exception to the Chapter 8 Ordinance such as 2-year expiration period except for wind turbines. Mr. Rollins nodded in concurrence. Mr. Hoffman stated that we do want an expiration period in Chapter 8. Motion passed upon unanimous voice vote.

**4. Manitowoc County Planning and Park Commission – Ordinance Text Amendment for an addition to Manitowoc County Code Chapter 24, Large Wind Energy System.** Mr. Ryan read the Agenda Commentary (copy on file).

Mr. Waack asked if there was anyone present to comment on this proposed Ordinance.

Mr. Jerome Hlinak spoke on PSC128 and the fact that the County cannot be more restrictive than the standards created by PSC 128. He stated that Manitowoc County's Wind Ordinance needs to have the ability to allow conditions or restrictions even though 128 does not allow it but he feels the contracts that landowners sign have variance of conditions in them. He's questioning how can the contracts be honored if the wind energy companies have developed their own State laws in PSC 128. He has reviewed other draft ordinances that state if an application is approved, a County could issue a permit with conditions or restrictions. He feels that this needs to happen. Mr. Hlinak also gave explanation of a study that he had previously emailed to the Zoning Administration.

Mr. Korinek questioned whether there is a standard that you could point to that someone credible says this is too much and would hold up in court. Mr. Hlinak stated yes that the Institute of Electrical Engineers but stated for 4 of 7 judges on the Supreme Court are owned by the utilities.

Ms. Anita Roberts talked about her concerns. Regarding the authority to restrict systems, she doesn't think the County's Ordinance clearly states that only one of the 3 conditions has to be satisfied to place restrictions on the installation or use of a wind energy system. She doesn't feel the setbacks are adequate to protect public health and safety. She feels the setback number is arbitrary. She found a report on the internet to the Heath Planning Board of Heath, Massachusetts on the siting of wind turbines which

included a study on low frequency waves that decay at half the rate of the high frequency waves. She stated that PSC 128 does not address low frequency waves at all. She stated that the Shirley Report does find that there is low frequency noise at sites in Shirley but the County Ordinance and PSC 128 do not address it. She read parts of other reports regarding infrasound compared to ultra-violet rays and sunburn. She doesn't believe the Ordinance goes far enough in defining placement of wind energy systems near or around communication towers. The Ordinance doesn't go far enough in defining flight for life and it doesn't address property values. She feels the low frequency noise is going to greatly affect her. She supports sound scientific solutions to meet renewable energy needs and wind power is not acceptable.

Mr. Lee Stefaniak stated that there are just so many unanswered questions. He doesn't want to happen in the Town of Mishicot what happened in the Town of Glenmore. He is asking for a moratorium until more studies can be done.

Mr. Jeff Roberts stated that he is speaking and submitting testimony for himself and George Patek and Dean and Clara Pekarek. They feel the Wind Ordinance created using Wisconsin Public Service Commission Siting Rules PSC 128 has inadequate setbacks, unacceptable noise criteria, an inadequate permitting process, unacceptable shadow flicker criteria, and unacceptable electrical ground current levels. They also feel that PSC128 is not created properly because it contains criteria that does not protect their health, safety and welfare. He explained some specific examples and also discussed low frequency noise, line of sight communication, and aerial spraying. He feels that these things and many others need to be incorporated in the Ordinance.

There was no one else to speak and Mr. Waack closed the hearing. Motion to approve the Ordinance was made by Mr. Brey and seconded by Mr. Mueller. Mr. Waack then asked for discussion. Mr. Ryan noted that it was brought to his attention by Mr. Korinek that on line 3 there is a typo and a correction is needed to change "one megawatt" to "a hundred megawatts". Mr. Brey noted that he would like to add this correction to his motion as a friendly amendment. Mr. Korinek stated that he was confused and thought it meant that it was describing the size of turbines regulated. He was thinking from 300 up would have been covered by this Ordinance. PSC 128 states what the cut off is for large and small. Mr. Waack stated that the motion is to approve with the friendly amendment and if there were no other questions, he called for the motion. Motion passed upon unanimous voice vote.

Mr. Waack moved on to Item 5, but Mr. Korinek interrupted stating he thought they were voting on only the change to the correction. Mr. Waack explained that it was an amendment added to Mr. Brey's original motion. Mr. Korinek stated that he had some other issues he wanted to discuss.

There was discussion between Corporation Council and the Commission as to the procedure to follow. Mr. Waack then stated that the motion stands.

Mr. Brey then stated that Mr. Korinek does have the opportunity at the County Board level to try to enact different amendments. Mr. Ryan stated that this is problematic due to time constraints. Mr. Ryan stated that in his opinion any amendments would then cause it to be referred back to the Commission for action which would put into April. The Ordinance must be approved by the end of March as we have an application pending.

5. **Manitowoc County Planning and Park Commission – Ordinance Text Amendment for an addition to Manitowoc County Code Chapter 25, Small Wind Energy System – Mr. Ryan read the Agenda Commentary (copy on file).**

Mr. Waack then opened the public hearing for the Small Wind Energy Systems.

Mr. Fred Lemens stated that he noticed there is not a range as to when a small cuts off to a large. He would like it clarified.

Mr. Jeff Roberts stated he was concerned about the setback and that typically OSHA standard wants to throw in some safety factor and he finds it a little strange that worrying about OSHA concerns vs. PSC 128 saying don't follow OSHA. He does not believe that great thought has been put into the Small Wind Turbine Ordinance from the standpoint of normal safety aspects that take place in the real working environment.

Ms. Anita Roberts spoke regarding the measuring of setbacks. What are the setbacks based on; are they going to protect her health and safety everywhere on her property? Mr. Ryan referred to section 25.22 quoting "A small wind energy system must be set back at 1.0 times the maximum blade tip height from any nonparticipating property line, nonparticipating residence, occupied community building, or overhead communication and electrical transmission line, not including utility service lines to individual houses or outbuildings." Ms. Roberts still had concerns regarding the setback distances and feels somebody has to start caring about their health and safety.

Mr. Waack asked if there were any other comments; being none he closed the hearing. A motion was made by Ms. Muench and seconded by Mr. Mueller to approve the Small Wind Energy System. Mr. Korinek questioned what the range is for the small wind turbines. Mr. Ryan noted that PSC 128 lists that you are allowed up to 3 – 100 kilowatt turbines. Mr. Waack asked if there was any more discussion. Vote was taken and motion Motion passed upon unanimous voice vote.

**6. Town Board of Mishicot – Petition to enact a moratorium. – Mr. Ryan read the Agenda Commentary (copy on file).**

Mr. Waack asked if there was anyone present who wished to comment on this hearing.

Mr. Jerome Hlinak stated that he could write a book about the things he hates about PSC 128 and why they need a moratorium. He noted that this wind project is going to be within a mile of the Village of Mishicot and the frequencies flow five to ten miles on line if they are not cleaned up properly. The school system is located about a half mile. He stated that what most wind projects lack is before testing. Mr. Hlinak is working with the Village of Mishicot and Town of Mishicot to bring in engineers to get some free noise testing done before the turbines are built. After the turbines go up, the electrical pollution comes into the schools and homes. He feels that the turbines are basically people killers and cow killers. Brown County has over 50 signed affidavits from doctors claiming that people do have health issues. The turbines will most definitely cause health issues. He feels a moratorium is definitely needed. He knows that the Ordinance needs to be passed but now he wants the Commission to tell the State it isn't right. Feels they must stand up and fight.

Ms. Anita Roberts thinks that a moratorium would be wonderful if the PSC would care about them and call one. She note that the Towns of Sherman and Holland received and application from Emerging Energies. The towns have petitioned the PSC for an Emergency Rule stating problems with the ground absorption co-efficient factor of 0.0. This petition is a docket item and is open for comments for support and has been accepted by the PSC.

Mr. Lee Stefaniak stated that at the Towns Association meeting last October it was drilled into them that their first and utmost responsibility is the health and well being of their residents. He said there are too many unanswered questions. He also spoke regarding the low frequency waves and also the size of the towers. He would like to slow down this process until some standards are set up to go by because there are none now.

Mr. Dean Anhalt stated that it's known worldwide that people are having issues with this and moving out of their houses. He feels that will happen here if the wind project is developed. If the Commission doesn't support the moratorium what are they going to do to protect them. What's going to happen? There are other counties and other municipalities looking to us to hopefully set a standard that we are not happy with this. We need to take care of the people and protect our health and safety.

Mr. Waack asked if there was anyone else to comment; being none he closed the hearing. Motion was made by Mr. Hoffman and seconded by Mr. Korinek to petition the County Board to have a moratorium. Mr. Waack then asked for discussion on the motion. Mr. Hoffman stated that due to a recent report by four acoustical consulting firms that was released December 28, 2012 to the Wisconsin Public Service Commission where low frequency noise was studied at the Shirley Wind Farm near Denmark, Wisconsin. The testing showed that low frequency noise created by the wind towers was found in neighboring homes and nearby residents have complained of health issues from the low frequency noise and infrasound. The researches felt more study was necessary and should be conducted as soon as possible to get resolution to this issue. The results of this study and the concerns of the Town Board of Mishicot that the negative health effects present at the Shirley Wind Farm will end up affecting the residents of the Town of Mishicot who live near the proposed Beautiful Hill Wind Farm. He feels that additional study is on an urgent need priority basis. Retesting at the Shirley Wind Farm will determine the decay rate of ultra low frequency wind turbine sound. He is urging the County Board, the Planning Commission, and Corporate Counsel to stop permitting installation of large industrial wind turbines in Manitowoc County until such study can be done. Remember the prime function of the County Board and Committees is to protect the health and safety of the citizens. There is proof that there is a problem here and he doesn't care if there is a rule stating that we can or can't do it, we need to set a precedence and we need to come up with a moratorium.

Mr. Korinek stated that according to the PSC, they have serious concerns with the partial study that was done. The reason the study could not be completed is because the wind company would not participate. So if you know there is an issue that could be potentially serious and the PSC is begging the legislature to allocate the money to finish the study, it seems to him that they are not doing their job unless we do a moratorium. He thinks that part of that moratorium would force the study. If it gets in the news that we're doing this because we want a study completed because there is potential negative impact to people in the area and we have people out of their homes now that have been impacted by something in the area that they say more study is definitely needed and that included noise acousticians from the wind industry said more studies should be done. All these facts coming together we're scared to be sued. He understands that but maybe at some point, people's lives are more important than that potential outlay of money. Calumet County and Newton have moratoriums in effect right now. These people have already decided there's a problem and we're not going to deal. If we give them open arms for something that we know there could be a potential damage to people, we're no better than them. We're putting profits of a company in Manitowoc over the lives of the people in our districts. He can't do it. He would like to pass it on to the



County Board and so they can make that decision. He thinks it's too important and too life changing for certain people to not bring this to the County Board to have the vote and let the discussion take place.

Mr. Waack stated that he feels our Corporation Counsel has done the best job he could with both of the ordinances that are here today with what is allowable to the PSC and also his memorandum that he sent summing it up with the conclusion was that the County Board does not have the authority to adopt a moratorium on the permitting or installation of a wind energy system that would extend beyond March 31, 2013. Mr. Waack stated that he would be voting no. Mr. Waack asked if there was any other discussion. Mr. Hoffman asked for a roll call vote. Mr. Waack called the question: Korinek – yes; Hoffman – yes; Waack – no; Brey – no; Mueller – no; Spurney – no; Muench – no. Mr. Waack stated the vote was 5 to 2, it does not pass.

Mr. Ryan stated that before the public hearings were closed he wanted to read the following: There was some confusion with Mr. Korinek's understanding of Mr. Brey's friendly amendment to the Large Wind Energy Ordinance. With Corporation Council present, there is a unique opportunity to receive advice on the motion and I recommend that we should request a recess and advice from Corporation Council to add clarity to the motion.

Motion made by Mr Korinek and seconded by Ms. Muench to take a recess to have Mr. Ryan meet with Corporation Council. Motion passed upon unanimous voice vote.

Mr. Waack reconvened the meeting. Mr. Ryan stated that he consulted with Corporation Council and you cannot reopen a closed hearing. We could publish another Class II Notice and have another hearing in the future. But the time line is tight. Advice from Corporation Council is that the motion stands.

**Discussion and Action on Resolution Authorizing Manitowoc County to Enter into an Agreement with Bay-Lake Regional Planning Commission for Updating of the Hazard Mitigation Plan** – Mr. Ryan stated that it's a 5-year update. Our Department coordinates the update with Nancy Crowley, Director Emergency Management and we use Bay-Lakes as the consultant. Motion to approve entering into an Agreement with Bay-Lakes and to forward the Agreement to the County Board was made by Mr. Hoffman and seconded by Mr. Korinek. Motion passed upon unanimous voice vote.

**Discussion and action on Lower Cato Falls Agriculture Lease** - Mr. Adam Backus stated that recently the DNR did an audit on all of the County parks that were purchased with Lawcon funds. Lawcon funds were available before Stewardship Funds. Back in 1973 Lower Cato Falls was purchased and at that time we received \$10,740. The audit identified that since 1974 we were leasing out the agricultural land of approximately 25 acres at the time. It is now about 15 acres since the development of the disc golf course about 3 years ago. Since 1974, we have been in noncompliance with the Lawcon guidelines that state all the land must be available for public use. As a requirement we need to terminate the lease. Public Works handles the County leases so they will need to notify the leaser. Motion by Mr. Mueller and seconded by Ms. Muench to have Public Works notify the leaser of the termination of lease. Motion passed upon unanimous voice vote.

**Discussion and action on the Walla Hi Rental House** – Mr. Adam Backus stated the situation at the rental house and that a new lease will need to be worked out with the renter at the house. When they purchased the park with Lawcon funds, the original leaser was also a park employee which met the Lawcon guidelines. That is no longer

the case and it was identified in the audit that the property and buildings not being used as a benefit to the park. The current lease will need to be expanded to cover more duties in lieu of paying full rent. The money that is generated from the lease will need to be put into a separate line item in the budget and those funds can only be used for development or improvements in the Park. He will have the new lease in the next month or so for the Commission's approval.

**Miscellaneous: 3. Correspondence -**

a. Letter and resolution from the Town of Two Creeks and letters from Towns of Gibson and Cooperstown requesting a temporary moratorium to stop the permitting and installation of industrial wind turbines in Manitowoc County. –

Mr. Ryan stated the Commissioners all received copies of the correspondence for their discretion.

b. Court of Appeals decision regarding DNR's appeal of Rebecca Rach's variance - Mr. Ryan stated the Commissioners were given a copy of the decision and that Mr. Rollins did a wonderful job representing the Board of Adjustment and the previous court decision was upheld on appeal.

**4. Out of County Travel –**

a. Attendance to WCCA (Wisconsin County Code Administrators) Conference – April 4 and 5, Wausau - T. Ryan, P. Tarnowski, and R. Gaedtke – Discussion and possible action. – Mr. Ryan stated that this is a bi-annual conference which helps staff to get credits to maintain their licenses. Motion was made by Mr. Spurney and seconded by Ms. Muench. Motion passed upon unanimous voice vote.

b. ECWCCA (East Central Wisconsin County Code Administrators) Meeting – February 22 – Kewaunee County – 2 to 3 staff - The February meeting was cancelled and has been rescheduled for March. Motion was made by Mr. Waack and seconded by Mr. Mueller to approve attendance to the ECWCCA meeting. Motion passed upon unanimous voice vote.

**NEXT MEETING DATE**

Next meeting will be scheduled for March 25, 2013.

**ADJOURNMENT:** Motion was made by Mr. Mueller and seconded by Mr. Brey to adjourn at 5:40 p.m. Motion passed upon a unanimous voice vote.

Respectfully submitted,

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Jim Brey, Secretary

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Date



## MANITOWOC COUNTY PLANNING AND PARK COMMISSION ADVISORY MEETING NOTICE

DATE: MONDAY, FEBRUARY 25, 2013  
TIME: ► 3:00 P.M. ◀  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes - Approval of Agenda  
"Open Meeting Law Compliance"
- III. Discussion Pertaining to Public Hearings of:
  1. **William Bergner**, ZMAR, SW ¼, SE ¼, Section 32, T18N-R22E, Town of Liberty, Exclusive Agriculture (EA) to General Agriculture (GA)
  2. **Jeremy and Cheyenne LeClair**, ZMAR, SE ¼, NW ¼, Section 19, T21N-R24E, Town of Mishicot, Exclusive Agriculture (EA) to Large Estate (LE)
  3. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment to Manitowoc County Code Chapter 8 General Zoning and Land Use Regulations
  4. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment for an addition to Manitowoc County Code Chapter 24, Large Wind Energy System
  5. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment for an addition to Manitowoc County Code Chapter 25, Small Wind Energy System
  6. **Town Board of Mishicot** - Petition to enact a moratorium
- IV. Discussion of Certified Surveys, Development Plans and Subdivisions
- V. Adjournment

Date: February 18, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE ADVISORY MEETING  
February 25, 2013

**CALL TO ORDER – ROLL CALL**

The Advisory Meeting of the Manitowoc County Planning and Park Commission was called to order February 25, 2013 by Chairperson Waack at 3:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Commissioners present were: Mr. Waack, Mr. Spurney, Ms. Muench, Mr. Korinek, Mr. Hoffman, Mr. Brey, and Mr. Mueller. Staff present: Tim Ryan.

**DISCUSSION OF PUBLIC HEARING INFORMATION**

Mr. Ryan presented information for the following Zoning Map Amendment Requests and Text Amendments for Commissioners' review.

1. **William Bergner**, ZMAR, SW ¼, SE ¼, Section 32, T18N-R22E, Town of Liberty, Exclusive Agriculture (EA) to General Agriculture (GA)
2. **Jeremy and Cheyenne LeClair**, ZMAR, SE ¼, NW ¼, Section 19, T21N-R24E, Town of Mishicot, Exclusive Agriculture (EA) to Large Estate (LE)
3. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment to Manitowoc County Code Chapter 8 General Zoning and Land Use Regulations
4. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment for an addition to Manitowoc County Code Chapter 24, Large Wind Energy System
5. **Manitowoc County Planning and Park Commission** – Ordinance Text Amendment for an addition to Manitowoc County Code Chapter 25, Small Wind Energy System
6. **Town Board of Mishicot** - Petition to enact a moratorium

**ADJOURNMENT** – Meeting adjourned at 3:54 p.m.



# MANITOWOC COUNTY

## PLANNING AND PARK COMMISSION

### MEETING NOTICE

DATE: MONDAY, MARCH 25, 2013  
TIME: 4:00 PM  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE  
MANITOWOC, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes
- III. Approval of Agenda - "Open Meeting Law Compliance"
- IV. Public Input
- V. Public Hearings – Discussion and possible action:
  1. **Patricia Schwerma**, ZMAR, SW ¼, SW ¼ , Section 30, T21N-R25E, Town of Two Creeks, Large Estate (LE) to Rural Residential (RR)
  2. **David Schuh**, ZMAR, SW ¼, NE¼, Section 10, T20N-R23E, Town of Kossuth, General Agriculture (GA) to Small Estate (SE)
  3. **Michael Holschbach**, ZMAR, SW¼ and NW¼, NW¼, Section 1 and part of the NE¼, Rural Residential (RR) to General Agriculture (GA)
  4. **Dorothy Bries**, ZMAR, SW¼, SE¼, Section 8, T21N-R23E, Town of Gibson, Large Estate (LE) to Small Estate (SE).
  5. **Patrick and Paula Schuette**, ZMAR, SW¼, NW¼, Section 11, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Natural Area (NA)
- VI. Discussion of Department fee schedule
- VII. Horseshow Lake Boat Ramp Resolution – Discussion and Possible Action
- VIII. 2013-14 Snowmobile Resolution – Discussion and Possible Action
- IX. Miscellaneous:
  1. Staff Reports
  2. Personnel
  3. Correspondence
  4. Out of County Travel
- X. Adjournment

Date: March 18, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE REGULAR MARCH 25, 2013 MEETING

**CALL TO ORDER – ROLL CALL**

The Regular March 25, 2013 meeting of the Manitowoc County Planning and Park Commission was called to order by Chairperson Waack at 4:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Roll call of Commissioners present: Mr. Waack, Mr. Spurney, Mr. Hoffman, Mr. Korinek, Mr. Brey and Mr. Mueller. Ms. Muench was excused.

Staff present: Tim Ryan, Adam Backus and Barb Stoker

**APPROVAL OF MINUTES – APPROVAL OF AGENDA – OPEN MEETING LAW COMPLIANCE**

Chairman Waack called for a motion to accept the Minutes of the regular February 25, 2013 meeting. Motion to accept the Minutes was made by Mr. Brey; seconded by Mr. Korinek. Motion passed upon a unanimous voice vote.

Motion to approve the Agenda was made by Mr. Mueller and seconded by Mr. Spurney to approve the Agenda as presented. Motion passed upon unanimous voice vote.

Open Meeting Law Compliance – Mr. Ryan read the Open Meeting Law Compliance stating that the petitions seeking Zoning Map Amendments being heard at this public meeting were referred from the County Clerk; published in the Herald-Times Reporter on March 13 and March 18, 2013; and reviewed by the Commission at a Commission Advisory Meeting held on March 25, 2013. The Commission will make a recommendation on each of these requests to the County Board, who will take action at their April 9, 2013 meeting.

**PUBLIC INPUT**

Chairman Waack asked if there was anyone present who wished to address the Commission on any issues. There was no one. Mr. Waack closed Public Input.

**PUBLIC HEARINGS**

1. **Patricia Schwerma**, ZMAR, SW ¼ , SW ¼ , Section 30, T21N-R25E, Town of Two Creeks, Large Estate (LE) to Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Two CreeksTown Board and Planning Commission in support of this rezone.

Mr. Waack asked if there was anyone present to comment on this rezone request.

Mr. Lee Engelbrecht, Town Chairman, spoke in favor of the rezone request.

Mr. Waack asked if there was anyone else to comment on this request. Being none, he closed the public hearing.

A motion was made by Mr. Hoffman and seconded by Mr. Korinek to approve this rezone request. The motion passed upon unanimous voice vote.

2. **David Schuh** - ZMAR, SW ¼ , NE ¼ , Section 10, T20N-R23E, Town of Kossuth, General Agriculture (GA) to Small Estate (SE). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Kossuth Town Board and Planning Commission that they approved this zoning change.

Mr. Waack asked if there was anyone who wished to comment on this zoning request.

Mr. Tom Lenz made note of a small correction needed on the Zoning Map Amendment Fact Sheet and also spoke in favor of the zoning change.

Mr. Dave Schuh spoke in favor of the zoning request.

Mr. Waack asked if there was anyone else to comment on this request. Mr. Korinek questioned the spreading of manure on the land involved. Mr. Schuh stated he has a letter from the farmer regarding the spreading of manure. Being no other comments, Mr. Waack closed the public hearing.

Motion was made by Mr. Brey and seconded by Mr. Spurney to approve this rezone request. Motion passed upon unanimous voice vote.

3. **Michael Holschbach** – ZMAR, SW¼ and NW¼, NW¼, Section 1 and part of the NE¼, NE¼, NE¼, Section 2, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) and Rural Residential (RR) to General Agriculture (GA). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that communication was received from the Town of Manitowoc Rapids requesting that this request be postponed for further Town review.

Mr. Waack asked if there was anyone present to comment on this zoning request. There was no one to speak and Mr. Waack closed the hearing. Motion was made by Mr. Hoffman and seconded by Mr. Korinek to postpone this request until next meeting. Motion passed upon unanimous voice vote.

4. **Dorothy Bries**, ZMAR, SW¼, SE¼, Section 8, T21N-R23E, Town of Gibson, Large Estate (LE) to Small Estate (SE). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Gibson Town Board and Planning Commission that they approved this zoning change.

Mr. Waack asked if there was anyone present to comment on this request.

Mr. Richard Wegner, Town Chairman, spoke in support of this zone request.

Mr. Waack asked if there was anyone else to comment on this request. Being no one, Mr. Waack closed the hearing. Motion was made by Mr. Mueller and seconded by Mr. Hoffman to approve this request. Motion passed upon unanimous voice vote.

5. **Patrick and Paula Schuette**, ZMAR, SW¼, NW¼, Section 11, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Natural Area (NA). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that this hearing is to add clarity

to the requested area for rezoning which had been approved last month. Mr. Ryan stated that communication was received from the Gibson Town Board and Planning Commission that they approved this zoning change.

Mr, Richard Wegner, Town Chairman, spoke in support of this rezone request.

Mr. Waack asked if there was anyone present to comment on this request. No one else wished to speak. Mr. Hoffman commented that they need to make sure that the driveway is large enough for emergency vehicles. Mr. Wegner stated that this has been taken care of. Mr. Korinek made a motion to approve this request. It was seconded by Mr. Brey. Motion passed upon unanimous voice vote.

**Discussion of Department Fee Schedule:** Mr. Ryan noted that he gave the Commissioners a copy of the proposed fee schedule for informational purposes. It will be reviewed and acted upon at the next meeting in April. He stated that this is the result of a lot of staff time comparing other counties' fees and assembling the pertinent information. The staff suggestions were forwarded to Todd Reckelberg for his comment and Todd has informed Bob Ziegelbauer of our proposal. Mr. Brey questioned why it is being brought up now rather than at budget time. Mr. Ryan stated it was a matter of staff having time now to conduct the study and gather other counties' fees. Mr. Ryan had this as an item on his position goals to be completed. Mr. Korinek questioned the Annual Active Acreage Fee for Nonmetallic Mining. Mr. Ryan gave an explanation of the reason behind the various fees on the schedule.

**Horseshoe Lake Boat Ramp Resolution:** Discussion and Possible Action - Mr. Adam Backus explained the resolution to update the ramp to the concrete style. Motion was made by Mr. Brey and seconded by Mr. Mueller to approve the Resolution to apply for a matching grant. Motion passed upon unanimous voice vote.

**2013-14 Snowmobile Resolution:** Discussion and Possible Action – Mr. Adam Backus stated that the applications are due by April 15 for next year's grant cycle. He explained how the grant money works and that this year it will be necessary to apply for supplemental funds because it was such a good year for snowmobiles. A motion was made by Mr. Mueller and seconded by Mr. Korinek to approve the 2013-14 Snowmobile Resolution. Motion passed upon unanimous voice vote.

#### **NEXT MEETING DATE**

Next meeting will be scheduled for April 22, 2013.

**ADJOURNMENT:** Motion was made by Mr. Hoffman and seconded by Mr. Brey to adjourn at 4:30 p.m. Motion passed upon a unanimous voice vote.

Respectfully submitted,

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Jim Brey, Secretary

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Date





## MANITOWOC COUNTY PLANNING AND PARK COMMISSION ADVISORY MEETING NOTICE

DATE: MONDAY, MARCH 25, 2013  
TIME: ► 3:00 P.M. ◀  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC WI

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes - Approval of Agenda  
"Open Meeting Law Compliance"
- III. Discussion Pertaining to Public Hearings of:
  1. **Patricia Schwerma**, ZMAR, SW ¼, SW ¼, Section 30, T21N-R25E, Town of Two Creeks, Large Estate (LE) to Rural Residential (RR)
  2. **David Schuh**, ZMAR, SW ¼, NE¼, Section 10, T20N-R23E, Town of Kossuth, General Agriculture (GA) to Small Estate (SE)
  3. **Michael Holschbach**, ZMAR, SW¼ and NW¼, NW¼, Section 1 and part of the NE¼, NE¼, NE¼, Section 2, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) and Rural Residential (RR) to General Agriculture (GA)
  4. **Dorothy Bries**, ZMAR, SW¼, SE¼, Section 8, T21N-R23E, Town of Gibson, Large Estate (LE) to Small Estate (SE).
  5. **Patrick and Paula Schuette**, ZMAR, SW¼, NW¼, Section 11, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Natural Area (NA)
- IV. Adjournment

Date: March 18, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE ADVISORY MEETING  
March 25, 2013

**CALL TO ORDER – ROLL CALL**

The Advisory Meeting of the Manitowoc County Planning and Park Commission was called to order March 25, 2013 by Chairperson Waack at 3:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Commissioners present were: Mr. Waack, Mr. Spurney, Mr. Korinek, Mr. Hoffman, Mr. Brey, and Mr. Mueller. Ms. Muench was excused. Staff present: Tim Ryan.

**DISCUSSION OF PUBLIC HEARING INFORMATION**

Mr. Ryan presented information for the following Zoning Map Amendment Requests for Commissioners' review.

1. **Patricia Schwerma**, ZMAR, SW ¼, SW ¼, Section 30, T21N-R25E, Town of Two Creeks, Large Estate (LE) to Rural Residential (RR)
2. **David Schuh**, ZMAR, SW ¼, NE ¼, Section 10, T20N-R23E, Town of Kossuth, General Agriculture (GA) to Small Estate (SE)
3. **Michael Holschbach**, ZMAR, SW ¼ and NW ¼, NW ¼, Section 1 and part of the NE ¼, NE ¼, NE ¼, Section 2, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) and Rural Residential (RR) to General Agriculture (GA)
4. **Dorothy Bries**, ZMAR, SW ¼, SE ¼, Section 8, T21N-R23E, Town of Gibson, Large Estate (LE) to Small Estate (SE)
5. **Patrick and Paula Schuette**, ZMAR, SW ¼, NW ¼, Section 11, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Natural Area (NA)

**ADJOURNMENT** – Meeting adjourned at 3:50 p.m.



# MANITOWOC COUNTY

## PLANNING AND PARK COMMISSION

### MEETING NOTICE

DATE: MONDAY, APRIL 29, 2013  
TIME: 4:00 PM  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes
- III. Approval of Agenda - "Open Meeting Law Compliance"
- IV. Public Input
- V. Public Hearings – Discussion and possible action:
  1. **Pamela Kachelmeier**, ZMAR, SE ¼, NE ¼, Section 25, T17N-R21E, Town of Schleswig, Large Estate (LE) to General Agriculture (GA).
  2. **Lowell and David Holdorf**, ZMAR, SE ¼, NE 1/4, Section 16, T18N-R21E, Town of Eaton, Exclusive Agriculture (EA) and Rural Residential (RR) to Small Estate (SE).
  3. **Glen Riesterer**, ZMAR, SW¼, NE¼, Section 32, Section 32, T18N-R21E, Town of Eaton, Exclusive Agriculture (EA) and Natural Area (NA) to Large Estate (LE).
  4. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapters 4, 8, 13, 20, 24, and 25 of the Manitowoc County Code with respect to fees.
  5. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapter 24 of the Manitowoc County Code titled "Large Wind Energy Systems" to incorporate technical corrections.
  6. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapter 25 of the Manitowoc County Code titled "Small Wind Energy Systems" to incorporate technical corrections.
- VI. Tabled Item:
  1. **Michael Holschbach**, ZMAR, SW ¼, and NW ¼ of the NW ¼, Section 1, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) and Rural Residential (RR) to General Agriculture (GA).
- VII. Certified Surveys, Development Plans and Subdivisions – Discussion and possible action:
  1. **Joe Neuser**, Variance Request, SE¼, NE¼, Section 33, T121-R24E, Town of Mishicot.
- VIII. Discussion of TV monitors at entrances.
- IX. Discussion of Proposed Scanning Project.
  - X. Discussion and Action on a request to camp at Cherney Maribel Caves on May 11<sup>th</sup> and 12<sup>th</sup> by Denmark Boy Scout Troop 1052.
  - XI. Discussion and Action on a request to camp at Cherney Maribel Caves on May 25<sup>th</sup> by NEW OM.
  - XII. Discussion and Action on a Resolution to apply for grant funding for a new walking bridge at Maribel Caves County Park.
- XIII. Miscellaneous:
  1. Staff Reports
  2. Personnel
  3. Correspondence
  4. Out of County Travel
- XIV. Adjournment

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Date: April 24, 2013

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE REGULAR APRIL 29, 2013 MEETING

**CALL TO ORDER – ROLL CALL**

The Regular April 29, 2013 meeting of the Manitowoc County Planning and Park Commission was called to order by Chairperson Waack at 4:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Roll call of Commissioners present: Mr. Waack, Mr. Hoffman, Mr. Korinek, Mr. Brey and Mr. Mueller. Ms. Muench and Mr. Spurney were excused.

Staff present: Tim Ryan, Adam Backus and Barb Stoker

**APPROVAL OF MINUTES – APPROVAL OF AGENDA – OPEN MEETING LAW COMPLIANCE**

Chairman Waack called for a motion to accept the Minutes of the regular March 25, 2013 meeting. Motion to accept the Minutes was made by Mr. Hoffman; seconded by Mr. Korinek. Motion passed upon a unanimous voice vote.

Mr. Waack noted that item number VI on the Agenda is listed as Tabled when it should be listed as a Postponed item. Motion to approve the Agenda as amended was made by Mr. Brey and seconded by Mr. Spurney to approve the Agenda as presented. Motion passed upon unanimous voice vote.

Open Meeting Law Compliance – Mr. Ryan read the Open Meeting Law Compliance stating that the petitions seeking Zoning Map Amendments and Text Amendments being heard at this public meeting were referred from the County Clerk; published in the Herald-Times Reporter on April 17 and April 22, 2013; and reviewed by the Commission at a Commission Advisory Meeting held on April 29, 2013. The Commission will make a recommendation on each of these requests to the County Board, who will take action at their May 21, 2013 meeting.

**PUBLIC INPUT**

Chairman Waack asked if there was anyone present who wished to address the Commission on any issues.

Mr. Mike Holschbach spoke regarding his rezoning request explaining the reason for his request.

Ms. Anita Roberts spoke regarding the Large and Small Wind Energy System Ordinance Amendment. She feels the application fee should be greater and if the Commission and PSC can increase that, why not look at increasing setbacks. She also objects to taking out signal interference sec. 25 (3) and (4). Also she is disappointed in the Commission at the public hearing when the Ordinance was passed. There was no discussion at all and no intelligent decision. It was such a major issue and she was disappointed in the lack of action. She discussed the modeling accuracy of the noise and feels health and safety should come first. She feels there are more items that need to be looked at other than low frequency noise.

## PUBLIC HEARINGS

1. **Pamela Kachelmeier**, ZMAR, SE ¼ , NE ¼ , Section 25, T17N-R21E, Town of Schleswig, Large Estate (LE) to General Agriculture (GA). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Schleswig Town Board and Planning Commission in support of this rezone.

Mr. Waack asked if there was anyone present to comment on this rezone request.

Ms. Sandra Garleib Grapentine questioned the rezoning because there is a request for a conditional use permit. She felt that this rezone should wait until the conditional use permit has been determined.

Ms. Pamela Kachelmeier stated that the property was originally zoned GA and had been changed to LE without her knowledge.

Ms. Sandra Garlieb Grapentine spoke again regarding the type of business that is being proposed. She stated that she is working with the Town to stipulate regulations that haven't been set yet with the Township.

Mr. Ryan read a letter dated March 20, 2013 from the Schleswig Planning Committee and Town Board in support of the rezone of the property owned by Pamela Kachelmeier and also support granting her a conditional use permit to operate a horse counseling business at that location. Mr. Ryan also read a letter from a neighbor David Moerke stating that he does not object to Pamela's business.

Mr. Waack asked if there was anyone else to comment on this request. Being none, he closed the public hearing.

Mr. Brey had a question regarding General Ag as to what businesses are allowed if she would not operate the business she intended. Mr. Ryan state that most businesses in General Ag are conditional uses.

After some further discussion, Mr. Brey made a motion to approve the rezone of this property. It was seconded by Mr. Mueller. Motion passed upon a unanimous voice vote.

2. **Lowell and David Holdorf**- ZMAR, SE ¼ , NW ¼ , Section 16, T18N-R21E, Town of Eaton, Exclusive Agriculture (EA) and Rural Residential (RR) to Small Estate (SE). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Town of Eaton indicating that the Town Board and Planning Commission approve this zoning change.

Mr. Waack asked if there was anyone who wished to comment on this zoning request.

Mr. Dan Christopherson, Chairperson-Town of Eaton, spoke in favor of the rezone.

Mr. Waack asked if there was anyone else to comment on this request. Being no other comments, Mr. Waack closed the public hearing.

Motion was made by Mr. Mueller and seconded by Mr. Hoffman to approve this rezone request. Motion passed upon unanimous voice vote.

3. **Glen Riesterer – ZMAR, SW¼, NE¼, Section 32, T18N-R21E, Town of Eaton, Exclusive Agriculture (EA) and Natural Area (NA) to Large Estate (LE).** Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Town of Eaton indicating that the Town Board and Planning Commission approve this zoning change.

Mr. Waack asked if there was anyone present to comment on this zoning request.

Mr. Dan Christopherson, Chairperson-Town of Eaton, spoke in favor of the rezone.

Mr. Waack asked if there was anyone else to comment on this request. Being no other comments, Mr. Waack closed the public hearing.

Motion was made by Mr. Hoffman and seconded by Mr. Brey to approve this rezone request. Motion passed upon unanimous voice vote.

4. **Manitowoc County Planning and Park Commission Ordinance Amendment to Chapters 4, 8, 13, 20, 24, and 25 of the Manitowoc County Code with respect to fees.** Mr. Ryan stated that they are looking at adjusting Manitowoc County's fees to be more comparable with those of the surrounding counties. General consensus of staff and Comptroller is that we tried to stay middle of the road or lower compared to others.

Mr. Waack asked if there was anyone to comment on this fee request. Being no one, Mr. Waack closed the hearing.

Mr. Brey questioned if someone had attended the Towns Association Meeting. Mr. Ryan said that it was scheduled for May 21<sup>st</sup>. Mr. Hoffman suggested that the fee schedule be reviewed every year. Mr. Waack stated that the last changes to the fee schedule were in 2008 and some are even 10 years ago. Motion was made by Mr. Hoffman and seconded by Mr. Brey to approve the proposed fee schedule and that it be looked at annually. Motion passed upon unanimous voice vote.

5. **Manitowoc County Planning and Park Commission Ordinance Amendment to Chapter 24 of the Manitowoc County Code titled "Large Wind Energy Systems" to incorporate technical corrections.** Mr. Ryan stated that the Public Service Commission advised of a couple changes to be made to the original Ordinance.

Mr. Waack asked if there was anyone present to comment on the Large Wind Energy Systems Ordinance changes. Being no one, Mr. Waack closed the hearing.

A motion was made by Mr. Brey and seconded by Mr. Korinek to approve the Large Wind Energy Systems Ordinance technical corrections. Motion passed upon unanimous voice vote.

6. **Manitowoc County Planning and Park Commission Ordinance Amendment to Chapter 25 of the Manitowoc County Code titled "Small Wind Energy Systems" to incorporate technical corrections.**

Mr. Waack asked if there was anyone present to comment on the Small Wind Energy Systems Ordinance changes. Being no one, Mr. Waack closed the hearing.

Mr. Korinek made a motion and seconded by Mr. Hoffman to approve the Small Wind Energy Systems Ordinance technical corrections.

Mr. Brey wanted to speak to Ms. Roberts's comments. He respects her opinion but he does not agree with everything. What concerned him in her public input was talking about this Commission or that the County Board did not discuss anything. He stated that no matter what side you're on there has been a lot of discussion. Sometimes they need to agree to disagree. A lot of these rules are being forced upon us by the Public Service Commission whether we agree with them or not. We don't have a choice. To say that they are not discussing is not true. He has been involved with the County Board for 18 years and the City Council for the last 20, and he stated he is not afraid to speak. Sometimes when there is no discussion, it doesn't mean they are not interested or have not had discussion before. It just means we don't need to speak anymore.

Motion passed upon unanimous voice vote.

Mr. Waack made a comment regarding the sheet that the Town of Eaton Planning Commission uses for a rezoning request evaluation that requires the individual requesting a rezone go to neighbors within a quarter of a mile to get their signature that they have been notified.

#### **POSTPONED ITEM:**

**Michael Holschbach**, ZMAR, SW ¼, and NW ¼ of the NW ¼, Section 1, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) and Rural Residential (RR) to General Agriculture (GA)

Mr. Waack stated that this item had been postponed last month by the request of the Town of Manitowoc Rapids. Mr. Waack stated that we have received a copy of their minutes and they have approved the rezoning request. Mr. Waack asked if there were any other questions on this issue at this time.

Mr. Brey made a motion to approve and it was seconded by Mr. Mueller. Motion passed upon unanimous voice vote.

#### **CERTIFIED SURVEY:**

Joe Neuser, Variance Request, SE ¼ NE ¼, Section 33, T21N-R24E, Town of Mishicot. Mr. Ryan read the Agenda Commentary (copy on file).

Mr. Joe Neuser gave an explanation and was in favor of this variance. Mr. Waack asked if there were any questions.

Motion was made by Mr. Hoffman and seconded by Mr. Korinek to approve. Motion passed upon unanimous voice vote.

**Discussion of TV Monitors at Entrances:** Mr. Ryan just wanted to update the Commissioners on the TV monitor project. Mr. Bob Blashe contacted the departments in this building to determine interest. They would be used for meeting or program announcements. Mr. Ryan stated that the dollars would come from our Technology Account, maybe not this year but by next year, there will be enough to cover it.

**Discussion of Proposed Scanning Project:** Mr. Ryan explained that staff has been slowly scanning in the sanitary permits. There are about 10,000 of them. When there is an emergency on the weekend such as a septic tank collapsing or a pump going out, the plumbers have no way of calling in to check to see what was in the original plan. Mr. Blashe said we could get a portal on the County website so that the public could get access to septic records. It is a pro-business maneuver and would save staff time involved with physically pulling permits. It would cost about \$9,000 and would allow five people to go online and check at one time. This would be a good move for business with the public and expedite repair to the failing septic system. Mr. Ryan will keep the Commissioners updated on this project.

**Discussion and action on a request to camp at Cherney Maribel Caves on May 11<sup>th</sup> and 12<sup>th</sup> by Denmark Boy Scout Troop 1052:** Mr. Adam Backus gave a summary of their proposed activities. Motion was made by Mr. Korinek and seconded by Mr. Mueller to approve. Motion passed upon unanimous voice vote

**Discussion and action on a request to camp at Cherney Maribel Caves on May 25<sup>th</sup> by NEW OM:** Mr. Backus explained that this group is the Northeast Wisconsin Off-Road Mountain Bikers. They will be doing some trail work and trail runs along with an overnight. Motion was made by Mr. Mueller and seconded by Mr. Hoffman to approve their use of the Park area. Motion passed upon unanimous voice vote.

**Discussion and action on a Resolution to apply for grant funding for a new walking bridge at Maribel Caves County Park:** Mr. Backus explained the need for a new bridge and that the cost would be approximately \$3,500. Half would be covered by the grant and rest from their donation fund. There would be no cost to the County. Motion was made by Mr. Waack and seconded by Mr. Korinek to approve. Motion passed upon unanimous voice vote

Mr. Brey had a question concerning the status of the hunting issue in Walli Hi Park. Mr. Backus stated that that issue has been postponed for now. He has been extremely busy and all the towns and villages surrounding the area will need to be notified. He has already started getting phone calls.

Mr. Backus also stated that power will be going in at Maribel Caves in approximately 3 weeks.

**Staff Reports: Correspondence –** Mr. Ryan stated that he has given the Commissioners information regarding a Plan Commission Workshop on May 30<sup>th</sup> in Green Bay. If there is interest, Mr. Ryan will take the County van. Commissioners should let Barb know in the next week if interested in attending.

Mr. Ryan also gave the Commissioners a non-metallic mining map that Ms. Andrea Raymakers has put together for their information.

#### **Next Meeting Date**

Next meeting will be scheduled for May 28, 2013.

**Adjournment:** Motion was made by Mr. Mueller and seconded by Mr. Korninek to adjourn at 4:55 p.m. Motion passed upon a unanimous voice vote.

Respectfully submitted,

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Jim Brey, Secretary

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Date





## MANITOWOC COUNTY PLANNING AND PARK COMMISSION ADVISORY MEETING NOTICE

DATE: MONDAY, APRIL 29, 2013  
TIME: ► 3:30 P.M. ◀  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC WI

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

I. Call to Order - Roll Call

II. Approval of Minutes - Approval of Agenda  
"Open Meeting Law Compliance"

III. Discussion Pertaining to Public Hearings of:

1. **Pamela Kachelmeier**, ZMAR, SE ¼, NE ¼, Section 25, T17N-R21E, Town of Schleswig, Large Estate (LE) to General Agriculture (GA)
2. **Lowell and David Holdorf**, ZMAR, SE ¼, NE 1/4, Section 16, T18N-R21E, Town of Eaton, Exclusive Agriculture (EA) and Rural Residential (RR) to Small Estate (SE)
3. **Glen Riesterer**, ZMAR, SW¼, NE¼, Section 32, Section 32, T18N-R21E, Town of Eaton, Exclusive Agriculture (EA) and Natural Area (NA) to Large Estate (LE).
4. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapters 4, 8, 13, 20, 24, and 25 of the Manitowoc County Code with respect to fees.
5. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapter 24 of the Manitowoc County Code titled "Large Wind Energy Systems" to incorporate technical corrections.
6. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapter 25 of the Manitowoc County Code titled "Small Wind Energy Systems" to incorporate technical corrections.

IV. Tabled:

1. **Michael Holschbach**, ZMAR, SW ¼, and NW ¼ of the NW ¼, Section 1, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) and Rural Residential (RR) to General Agriculture (GA)

V. Adjournment

Date: April 22, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE ADVISORY MEETING  
April 29, 2013

**CALL TO ORDER – ROLL CALL**

The Advisory Meeting of the Manitowoc County Planning and Park Commission was called to order April 29, 2013 by Chairperson Waack at 3:30 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Commissioners present were: Mr. Waack, Mr. Korinek, Mr. Hoffman, Mr. Brey, and Mr. Mueller. Ms. Muench and Mr. Spurney were excused. Staff present: Tim Ryan.

**DISCUSSION OF PUBLIC HEARING INFORMATION**

Mr. Ryan presented information for the following Zoning Map Amendment Requests for Commissioners' review.

1. **Pamela Kachelmeier**, ZMAR, SE ¼, NE ¼, Section 25, T17N-R21E, Town of Schleswig, Large Estate (LE) to General Agriculture (GA)
2. **Lowell and David Holdorf**, ZMAR, SE ¼, NE ¼, Section 16, T18N-R21E, Town of Eaton, Exclusive Agriculture (EA) and Rural Residential (RR) to Small Estate (SE)
3. **Glen Riesterer**, ZMAR, SW ¼, NE ¼, Section 32, T18N-R21E, Town of Eaton, Exclusive Agriculture (EA) and Natural Area (NA) to Large Estate (LE).
4. **Manitowoc County Planning and Park Commission** – Ordinance to amend Chapters 4, 8, 13, 20, 24, and 25 of the Manitowoc County Code with respect to fees.
5. **Manitowoc County Planning and Park Commission** – Ordinance to amend Chapter 24 of the Manitowoc County Code titled "Large Wind Energy Systems" to incorporate technical corrections.
6. **Manitowoc County Planning and Park Commission** – Ordinance to amend Chapter 25 of the Manitowoc County Code titled "Small Wind Energy Systems" to incorporate technical corrections.

Postponed Item:

1. **Michael Holschbach**, ZMAR, SW ¼ and NW ¼ of the NW ¼, Section 1, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) and Rural Residential (RR) to General Agriculture (GA).

**ADJOURNMENT** – Meeting adjourned at 3:50 p.m.



# MANITOWOC COUNTY

## PLANNING AND PARK COMMISSION

### MEETING NOTICE

DATE: WEDNESDAY, JUNE 26, 2013  
TIME: 4:00 PM  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes
- III. Approval of Agenda - "Open Meeting Law Compliance"
- IV. Public Input
- V. Public Hearings – Discussion and possible action:
  1. **Nathan Behnke**, ZMAR, NE ¼, NE ¼, Section 29, T19N-R21E, Town of Rockland, Exclusive Agriculture (EA) to Rural Residential (RR)
  2. **Jeffrey and Pamela Klotz**, ZMAR, NE ¼, SE ¼, Section 20, T17N-R21E, Town of Schleswig, General Agriculture (GA) to Rural Residential (RR)
  3. **River Central, LLP**, ZMAR, NW¼, NW¼, Section 5, T19N-R23E, Town of Manitowoc Rapids, Large Estate (LE) to Rural Residential (RR).
  4. **Michael Burgau**, ZMAR, NW ¼, SW ¼, Section 34, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Small Estate (SE).
  5. **Kevin and Carol Kleinert**, ZMAR, NE ¼, NE ¼, Section 16, T18N-R21E, Town of Eaton, General Agriculture (GA) to Large Estate (LE).
  6. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 20, Wireless Communication Facilities, for the purpose of updating emergency communication tower locations and corridors.
  7. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 24, Large Wind Energy Systems, for the purpose of updating emergency communication tower locations and corridors.
  8. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 25, Small Wind Energy Systems, for the purpose of updating emergency communication tower locations and corridors.
- VI. Certified Surveys, Development Plans and Subdivisions – Discussion and possible action:
  1. **River Central LLP**, Variance Request, NW¼, NW¼, Section 5, T19N-R23E, Town of Manitowoc Rapids
- VII. Discussion regarding Statement of Qualifications (SOQ) for Large Wind Energy Systems Technical Services
- VIII. Discussion and possible action on Resolutions Authorizing Commencement of Suit for Private Sewage System Ordinance Violations for:
  1. David Beine
  2. Dan Draheim
  3. Todd & Donna Rabe
  4. Jamie Tisler
- IX. Request by Herbert Krueger and Sperber Living Trust for an access easement at Walla Hi County Park
- X. Miscellaneous:
  1. Staff Reports
  2. Personnel
  3. Correspondence
  4. Out of County Travel
- XI. Adjournment

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Date: June 17, 2013

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE REGULAR JUNE 26, 2013 MEETING

**CALL TO ORDER – ROLL CALL**

The Regular June 26, 2013 meeting of the Manitowoc County Planning and Park Commission was called to order by Chairperson Waack at 4:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Roll call of Commissioners present: Mr. Waack, Mr. Hoffman, Mr. Korinek, Mr. Brey, Mr. Mueller and Ms. Muench. Mr. Spurney was excused.

Staff present: Tim Ryan, Kaila Voelker, Adam Backus and Barb Stoker

**APPROVAL OF MINUTES – APPROVAL OF AGENDA – OPEN MEETING LAW COMPLIANCE**

Chairman Waack called for a motion to accept the Minutes of the regular April 29, 2013 meeting. Motion to accept the Minutes was made by Mr. Mueller; seconded by Mr. Korinek. Motion passed upon a unanimous voice vote.

Open Meeting Law Compliance – Mr. Ryan read the Open Meeting Law Compliance stating that the petitions seeking Zoning Map Amendments and Text Amendments being heard at this public meeting were referred from the County Clerk; published in the Herald-Times Reporter on June 12 and June 19, 2013; and reviewed by the Commission at a Commission Advisory Meeting held on June 26, 2013. The Commission will make a recommendation on each of these requests to the County Board, who will take action at their July 16, 2013 meeting.

**PUBLIC INPUT**

Chairman Waack asked if there was anyone present who wished to address the Commission on any issues. There was no one.

**PUBLIC HEARINGS**

1. **Nathan Behnke**, ZMAR, NE ¼ , NE ¼ , Section 29, T19N-R21E, Town of Rockland, Exclusive Agriculture (EA) to Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Rockland Town Board in support of this rezone.

Mr. Waack asked if there was anyone present to comment on this rezone request.

Mr. Nathan Behnke and Mr. Brian Haese spoke in favor of the proposed zone change. There was no one else to speak. Mr. Waack closed the public hearing.

Motion was made by Mr. Brey and seconded by Mr. Mueller to approve the rezone of this property. Motion passed upon a unanimous voice vote.

2. **Jeffrey and Pamela Klotz**- ZMAR, NE ¼ , SE ¼ , Section 20, T17N-R21E, Town of Schleswig, General Agriculture (GA) to Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Town of Schleswig indicating that the Town Board and Planning Commission recommended approval of this zoning change.

Mr. Waack asked if there was anyone who wished to comment on this zoning request.

Ms. Pamela Klotz spoke in favor of the rezone.

Mr. Waack asked if there was anyone else to comment on this request. Being no other comments, Mr. Waack closed the public hearing.

Motion was made by Ms. Muench and seconded by Mr. Mueller to approve this rezone request. Motion passed upon unanimous voice vote.

3. **River Central, LLP**, ZMAR, NW¼, NW¼, Section 5, T19N-R23E, Town of Manitowoc Rapids, Large Estate (LE) to Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Town of Manitowoc Rapids indicating the Town Planning Commission and Town Board recommend postponing this request for one more month.

Mr. Waack asked if there was anyone present to comment on this rezoning request. There was no one. Mr. Ryan stated that he had received an email from the applicant indicating he would not be at the meeting and that he would like the hearing postponed.

Mr. Waack closed the public hearing. Motion was made by Mr. Hoffman and seconded by Mr. Korinek to postpone this rezone request. Motion passed upon unanimous voice vote.

4. **Michael Burgau**, ZMAR, NW ¼ SW ¼ , Section 34, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Small Estate (SE). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Town of Cooperstown indicating the Town Planning Commission and Town Board in support of this rezone.

Mr. Waack asked if there was anyone to comment on this rezone request.

Nick Pantzlaff, an adjoining landowner, spoke in favor of this rezone.

Mr. Waack asked if there was anyone else to speak. Being no one, Mr. Waack closed the public hearing.

Motion was made by Mr. Korinek and seconded by Ms. Muench to approve this rezone request. Motion passed upon unanimous voice vote.

5. **Kevin and Carol Kleinert**, ZMAR, NE ¼, NE ¼, Section 16, T18N-R21E, Town of Eaton, General Agriculture (GA) to Large Estate (LE). Mr. Ryan stated he received a letter from the applicant stating they would like to withdraw their application request as they have a buyer for the entire parcel. Mr. Ryan recommends that it be denied.

Motion was made by Mr. Mueller and seconded by Ms. Muench to deny this request to rezone. Motion passed upon unanimous voice vote.

6. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 20, Wireless Communication Facilities, for the purpose of updating emergency communication tower locations and corridors.

Mr. Waack asked if there was anyone to comment on this text amendment. There being no one, Mr. Waack closed the hearing.

Motion was made by Mr. Mueller and seconded by Mr. Brey to approve the text amendment to Manitowoc County Code Chapter 20. Motion passed upon unanimous voice vote.

7. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 24, Large Wind Energy Systems, for the purpose of updating emergency communication tower locations and corridors.

Mr. Waack asked if there was anyone to comment on this text amendment. There being no one, Mr. Waack closed the hearing.

A motion was made by Ms. Muench and seconded by Mr. Mueller to approve the text amendment to the Manitowoc County Code Chapter 24. Motion passed upon unanimous voice vote.

8. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 25, Small Wind Energy Systems, for the purpose of updating emergency communication tower locations and corridors.

Mr. Waack asked if there was anyone to comment on this text amendment. There being no one, Mr. Waack closed the hearing.

Mr. Brey made a motion and seconded by Mr. Korinek to approve the text amendment to the Manitowoc County Code Chapter 25. Motion passed upon unanimous voice vote.

#### **CERTIFIED SURVEY:**

1. **River Central LLP**, Variance Request, NW ¼ NW ¼, Section 5, T19N-R23E, Town of Manitowoc Rapids. Mr. Waack stated that this was on the same property as the rezone request which has been postponed.

Motion was made by Mr. Mueller and seconded by Ms. Muench to postpone the Variance Request. Motion passed upon unanimous voice vote.

**Discussion regarding Statement of Qualifications (SOQ) for Large Wind Energy Systems Technical Services:** Mr. Ryan explained the process and the results of the SOQ search. He stated Ayres Associates has been selected and is looking forward to working with them.

#### **Discussion and possible action on Resolutions Authorizing Commencement of Suit for Private Sewage System Ordinance Violations:**

1. **David Beine** – Mr. Beine stated his circumstances and that he is in the process of looking for financial assistance. Mr. Brey made a motion to adopt the Resolution to refer the ordinance violation to Corporation Counsel for enforcement. It was seconded by Mr. Korinek. Motion passed upon unanimous voice vote.
2. **Dan Draheim** – Mr. Waack asked if there was anyone to comment on this violation. He stated that this violation has been ongoing since 2006. Motion was made by Mr. Hoffman and seconded by Mr. Mueller to adopt the Resolution. Motion passed upon unanimous voice vote.
3. **Todd and Donna Rabe** – Mr. Todd Rabe and Ms. Donna Rabe spoke explaining their situation and stated that the system will be replaced. Motion was made by Ms. Muench and seconded by Mr. Waack to adopt the Resolution. Motion passed upon unanimous voice vote.

4. **Jamie Tisler** - Mr. Waack asked if there was anyone who wished to speak. There was no one. Motion was made by Mr. Brey and seconded by Mr. Mueller to adopt the Resolution. Motion passed upon unanimous voice vote.

**Request by Herbert Krueger and Sperber Living Trust for an access easement at Walla Hi County Park** - Mr. Adam Backus gave a history of the situation and stated that they had been audited by the DNR because of the use of Lawcon funds when purchased. The use of these funds require that the area be open for access by everyone. If an easement were to be granted, the County would have to pay back the \$50,000 plus interested that was given the County to purchase this property then that would take the guidelines away. Mr. Backus has asked Corporation Counsel for an opinion but has not heard from him yet. Two options asked of Corporation Counsel are: 1) Lock up the road and no longer allow anyone to use the road with vehicles or 2) Keep the road open to the public. Mr. Waack made a motion to table this matter until a response is received from Corporation Counsel. It was seconded by Mr. Brey.

**Staff Reports:** No staff reports

**Next Meeting Date**

Next meeting will be scheduled for July 22, 2013.

**Adjournment:** Motion was made by Mr. Mueller and seconded by Mr. Korinek to adjourn at 4:40 p.m. Motion passed upon a unanimous voice vote.

Respectfully submitted,

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Jim Brey, Secretary

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Date



## MANITOWOC COUNTY PLANNING AND PARK COMMISSION ADVISORY MEETING NOTICE

DATE: WEDNESDAY, JUNE 26, 2013  
TIME: ► 3:00 P.M. ◀  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC WI

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes - Approval of Agenda  
"Open Meeting Law Compliance"
- III. Discussion Pertaining to Public Hearings of:
  1. **Nathan Behnke**, ZMAR, NE ¼, NE ¼, Section 29, T19N-R21E, Town of Rockland, Exclusive Agriculture (EA) to Rural Residential (RR)
  2. **Jeffrey and Pamela Klotz**, ZMAR, NE ¼, SE ¼, Section 20, T17N-R21E, Town of Schleswig, General Agriculture (GA) to Rural Residential (RR)
  3. **River Central, LLP**, ZMAR, NW¼, NW¼, Section 5, T19N-R23E, Town of Manitowoc Rapids, Large Estate (LE) to Rural Residential (RR).
  4. **Michael Burgau**, ZMAR, NW ¼, SW ¼, Section 34, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Small Estate (SE).
  5. **Kevin and Carol Kleinert**, ZMAR, NE ¼, NE ¼, Section 16, T18N-R21E, Town of Eaton, General Agriculture (GA) to Large Estate (LE).
  6. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 20, Wireless Communication Facilities, for the purpose of updating emergency communication tower locations and corridors..
  7. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 24, Large Wind Energy Systems, for the purpose of updating emergency communication tower locations and corridors.
  8. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 25, Small Wind Energy Systems, for the purpose of updating emergency communication tower locations and corridors..
- IV. Update on Hunting in County Parks
- V. Update on Horses on Devils River State Recreation Trail
- VI. Adjournment

Date: June 17, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.



MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE ADVISORY MEETING  
June 26, 2013

**CALL TO ORDER – ROLL CALL**

The Advisory Meeting of the Manitowoc County Planning and Park Commission was called to order June 26, 2013 by Chairperson Waack at 3:30 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Commissioners present were: Mr. Waack, Mr. Korinek, Mr. Hoffman, Mr. Brey, Mr. Muelle and Ms. Muench. Mr. Spurney was excused. Staff present: Tim Ryan and Adam Backus

**DISCUSSION OF PUBLIC HEARING INFORMATION**

Mr. Ryan presented information for the following Zoning Map Amendment Requests for Commissioners' review.

1. **Nathan Behnke**, ZMAR, NE ¼, NE ¼, Section 29, T19N-R21E, Town of Rockland, Exclusive Agriculture (EA) to Rural Residential (RR)
2. **Jeffrey and Pamela Klotz**, ZMAR, NE ¼, SE ¼, Section 20, T17N-R21E, Town of Schleswig, General Agriculture (GA) to Rural Residential (RR).
3. **River Central, LLP**, ZMAR, NW ¼, NW ¼, Section 5, T19N-R23E, Town of Manitowoc Rapids, Large Estate (LE) to Rural Residential (RR).
4. **Michael Burgau**, ZMAR, NW ¼, SW ¼, Section 34, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Small Estate (SE).
5. **Kevin and Carol Kleinert**, ZMAR, NE ¼, NE ¼, Section 16, T18N-R21E, Town of Eaton, General Agriculture (GA) to Large Estate (LE).
6. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 20, Wireless Communication Facilities, for the purpose of updating emergency communication tower locations and corridors.
7. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 24, Large Wind Energy Systems, for the purpose of updating emergency communication tower locations and corridors.
8. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance text amendment to the Manitowoc County Code Chapter 25, Small Wind Energy Systems, for the purpose of updating emergency communication tower locations and corridors.

**Update on Hunting in County Parks** was given by Mr. Backus.

**Update on Horses on Devils River State Recreation Trail** was given by Mr. Backus.

**ADJOURNMENT** – Meeting adjourned at 3:40 p.m.



# MANITOWOC COUNTY

## PLANNING AND PARK COMMISSION

### MEETING NOTICE

DATE: **MONDAY, JULY 22, 2013**  
TIME: 4:00 PM  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes
- III. Approval of Agenda - "Open Meeting Law Compliance"
- IV. Public Input
- V. Public Hearings – Discussion and possible action:
  1. **Raymond and Susan Bubolz**, ZMAR, NE ¼, NW ¼, Section 35, T20N-R21E, Town of Maple Grove, Exclusive Agriculture (EA) to Small Estate (SE)
  2. **Chris Kordiyak**, ZMAR, SW ¼, NW ¼, Section 10, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) to Rural Residential (RR)

Postponed Item

  1. **River Central, LLP**, ZMAR, NW ¼, NW ¼, Section 5, T19N-R23E, Town of Manitowoc Rapids, Large Estate (LE) to Rural Residential (RR)
- VI. Certified Surveys, Development Plans and Subdivisions – Discussion and possible action:
  1. **David and Pamela Neuser**, Variance Request, SW ¼ Section 5, T18N-R24E, Town of Manitowoc Rapids

Postponed Item:

  1. **River Central LLP**, Variance Request, NW¼, NW¼, Section 5, T19N-R23E, Town of Manitowoc Rapids
- VII. Tabled item: Request by Herbert Krueger and Sperber Living Trust for an access easement at Walla Hi County Park
- VIII. Copy of Technical Services Agreement with Ayres Associates – Discussion only
- IX. Hours at Cherney Maribel Caves County Park – Discussion and possible action
- X. Election of Planning and Park Commission officers – Discussion and possible action
- XI. Miscellaneous:
  1. Staff Reports
  2. Personnel
  3. Correspondence
    - a. Letter from Richard and Melanie Anhalt
  4. Out of County Travel
    - a. Planning Directors Meeting, July 26, Stevens Point

#### XII. Adjournment

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Date: July 16, 2013

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**MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE REGULAR JULY 22, 2013 MEETING**

**CALL TO ORDER – ROLL CALL**

The Regular July 22, 2013 meeting of the Manitowoc County Planning and Park Commission was called to order by Chairperson Waack at 4:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Roll call of Commissioners present: Mr. Waack, Mr. Hoffman, Mr. Korinek, Mr. Brey, Mr. Mueller, Ms. Muench and Mr. Spurney.

Staff present: Tim Ryan, Adam Backus and Barb Stoker

**APPROVAL OF MINUTES – APPROVAL OF AGENDA – OPEN MEETING LAW COMPLIANCE**

Chairman Waack called for a motion to accept the Minutes of the regular June 26, 2013 meeting. Motion to accept the Minutes was made by Mr. Brey; seconded by Ms. Muench. Motion passed upon a unanimous voice vote.

Chairman Waack called for a motion to approve the Agenda. Motion was made by Mr. Spurney and seconded by Mr. Mueller to approve the Agenda as presented. Motion passed upon a unanimous voice vote.

Open Meeting Law Compliance – Mr. Ryan read the Open Meeting Law Compliance stating that the petitions seeking Zoning Map Amendments and Text Amendments being heard at this public meeting were referred from the County Clerk; published in the Herald-Times Reporter on July 8 and July 15, 2013; and reviewed by the Commission at a Commission Advisory Meeting held on July 22, 2013. The Commission will make a recommendation on each of these requests to the County Board, who will take action at their August 20, 2013 meeting.

**PUBLIC INPUT**

Chairman Waack asked if there was anyone present who wished to address the Commission on any issues.

Mr. Glen Groeschel spoke regarding road access on the north side of Walla Hi Park. He is requesting that the road remain open with unrestricted access.

Mr. Larry Krueger, representing Herb Krueger, Krueger Lumber Company, and as a Board Member of the United States Lumber Association, spoke requesting that the road remain open for everyone to access.

Mr. Phil Stuebs spoke in favor of the rezone of the Ray Bubolz property.

Mr. Waack asked if there was anyone else to speak. Being no one, he closed the public input.

## **PUBLIC HEARINGS**

1. **Raymond Bubolz** , ZMAR, NE ¼ , NW ¼ , Section 35, T20N-R21E, Town of Maple Grove, Exclusive Agriculture (EA) to Small Estate (SE). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Maple Grove Town Board in support of this rezone.

Mr. Waack asked if there was anyone present to comment on this rezone request.

There was no one else to speak. Mr. Waack closed the Hearing for the rezone of the Bubolz property.

Motion was made by Mr. Brey and seconded by Mr. Korinek to approve the rezone of this property. Motion passed upon a unanimous voice vote.

2. **Chris Kordiyak** - ZMAR, SW ¼ , NW ¼ , Section 10, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) to Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated that a letter was received from the Town of Manitowoc Rapids indicating that the Town Board and Planning Commission recommended approval of this zoning change.

Mr. Waack asked if there was anyone who wished to comment on this zoning request.

Mr. Chris Kordiyak spoke in favor of the rezone.

Mr. Waack asked if there was anyone else to comment on this request. Being no other comments, Mr. Waack closed the public hearing.

Motion was made by Mr. Hoffman and seconded by Ms. Muench to approve this rezone request. Motion passed upon unanimous voice vote.

2. **River Central, LLP**, ZMAR, NW¼, NW¼, Section 5, T19N-R23E, Town of Manitowoc Rapids, Large Estate (LE) to Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated the Town of Manitowoc Rapids indicated that they supported this rezone request.

Mr. Waack asked if there was anyone who wished to comment on this zoning request.

Mr. Kevin Ramminger spoke in favor of this rezone request.

Mr. Waack asked if there was anyone else to speak. Being no one, he closed the public hearing.

A motion was made by Mr. Waack and seconded by Mr. Hoffman to approve the rezone request for River Central LLP. Motion passed upon unanimous voice vote.

## **CERTIFIED SURVEY:**

1. **David and Pamela Neuser**, Variance Request, SW ¼ Section 5, T18N-R24E, Town of Manitowoc. Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the City of Manitowoc in support of this request. Mr. Ryan noted that he received a call from Mr. Marquardt, Chair of the Town of Manitowoc stating that the Town had no objection to this request.

Motion was made by Mr. Mueller and seconded by Mr. Korinek to approve this Variance. Motion passed upon unanimous voice vote.

2. **River Central LLP**, Variance Request, NW ¼ NW ¼, Section 5, T19N-R23E, Town of Manitowoc Rapids. Mr. Waack stated that this was on the same property as the rezone request. Mr. Ryan read the Agenda Commentary (Copy on file).

Motion was made by Ms. Muench and seconded by Mr. Mueller to approve the Variance Request for this property. Motion passed upon unanimous voice vote.

**Tabled item: Request by Herbert Krueger and Sperber Living Trust for an access easement at Walla Hi County Park**

Mr. Adam Backus gave an update of his conversation with Mr. Rollins, Corporation Counsel, however, Mr. Backus has not received anything in writing concerning this issue. Mr. Backus stated that Mr. Rollins recommends taking the cable down and not exclude anyone and allow the road to be used for recreational purposes. If there is another request for logging, an agreement would need to be made in case any damage is done. The County is not going to maintain the road. The tenant will be charged with overseeing the road to make sure no one is doing any grading, cutting trees, etc. and to notify Adam if activity is observed.

Motion was made by Mr. Brey and seconded by Ms. Muench to remove this request for an access easement at Walla Hi County Park from the table. Motion passed upon a unanimous voice vote.

Discussion followed regarding the existence of an easement. Mr. Backus stated that he had checked with Tax Listing and Register of Deeds and was told none existed. Mr. John Pawasarat and Ms. Lois Quinn claim to have an easement but would not produce a copy for the Commission to view. Until the issue of a possible easement existing is cleared up, it was decided to table this item again.

**Copy of Technical Services Agreement with Ayres Associates** – Mr. Ryan gave the Commissioners a copy of the Technical Agreement for their review. After discussion, it was decided to send a copy of the Richard and Melanie Anhalt letter to Ayres Associates.

**Hours at Cherney Maribel Caves County Park** – Mr. Backus explained to the Commissioners the history of the closing times at the Park. He is requesting that the hours be changed to 6 am to 9 pm and be posted as such. Motion was made by Mr. Korinek and seconded by Mr. Hoffman to approve the request for change in the hours. Motion passed upon unanimous voice vote.

**Election of Officers** – The current officers are Mr. Waack, Chairperson; Mr. Mueller, Vice-Chair; and Mr. Brey, Secretary.

Mr. Waack opened nominations for Chairperson. Ms. Muench nominated Mr. Waack and it was seconded by Mr. Mueller. Motion was made by Mr. Mueller and seconded by Ms. Muench to close nominations and cast a unanimous vote for Mr. Waack. Motion passed upon unanimous voice vote.

Nominations for Vice-Chair – Mr. Brey nominated Mr. Mueller. Motion was made by Mr. Brey and seconded by Ms. Muench to close nominations and cast a unanimous vote for Mr. Mueller. Motion passed upon unanimous vote.

Nominations for Secretary – Mr. Mueller nominated Mr. Brey. Motion was made by Mr. Mueller and seconded by Ms. Muench to close nominations and cast a unanimous vote for Mr. Brey. Motion passed upon unanimous vote.

**Miscellaneous** – Out of County Travel: Mr. Ryan stated the Planning Directors Meeting scheduled for July 26 has been postponed to August 23<sup>rd</sup> in Stevens Point. Motion was made by Ms. Muench and seconded by Mr. Brey to approve the attendance of Mr. Ryan to the Planning Directors Meeting in Stevens Point on August 23<sup>rd</sup>. Motion passed upon unanimous voice vote.

**Next Meeting Date**

Next meeting will be scheduled for August 26, 2013.

**Adjournment:** Motion to adjourn was made at 4:45 p.m.

Respectfully submitted,

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Jim Brey, Secretary

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Date



## MANITOWOC COUNTY PLANNING AND PARK COMMISSION ADVISORY MEETING NOTICE

DATE: MONDAY, JULY 22 2013  
TIME: ► 3:30 P.M. ◀  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC WI

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes - Approval of Agenda  
"Open Meeting Law Compliance"
- III. Discussion Pertaining to Public Hearings of:
  1. **Raymond and Susan Bubolz**, ZMAR, NE ¼, NW ¼, Section 35, T20N-R21E, Town of Maple Grove, Exclusive Agriculture (EA) to Small Estate (SE)
  2. **Chris Kordiyak**, ZMAR, SW ¼, NW ¼, Section 10, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) to Rural Residential (RR)
- IV. Postponed Item
  1. **River Central, LLP**, ZMAR, NW ¼, NW ¼, Section 5, T19N-R23E, Town of Manitowoc Rapids, Large Estate (LE) to Rural Residential (RR)
- V. Adjournment

Date: July 15, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE ADVISORY MEETING  
July 22, 2013

**CALL TO ORDER – ROLL CALL**

The Advisory Meeting of the Manitowoc County Planning and Park Commission was called to order July 22, 2013 by Chairperson Waack at 3:30 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Commissioners present were: Mr. Waack, Mr. Korinek, Mr. Hoffman, Mr. Brey, Mr. Mueller, Ms. Muench and Mr. Spurney was excused. Staff present: Tim Ryan

**DISCUSSION OF PUBLIC HEARING INFORMATION**

Mr. Ryan presented information for the following Zoning Map Amendment Requests for Commissioners' review.

1. **Raymond and Susan Bubolz**, ZMAR, NE ¼, NW ¼, Section 35, T20N-R21E, Town of Maple Grove, Exclusive Agriculture (EA) to Small Estate (SE)
2. **Chris Kordiyak**, ZMAR, SW ¼, NW ¼, Section 10, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) to Rural Residential (RR).

Postponed Item:

1. **River Central, LPP, ZMAR**, NW ¼, NW ¼, Section 5,, T19N-R23E, Town of Manitowoc Rapids, Large Estate (LE) to Rural Residential (RR).

**ADJOURNMENT** – Meeting adjourned at 3:45 p.m.



MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE REGULAR AUGUST 26, 2013 MEETING

**Call to Order – Roll Call**

The Regular August 26, 2013 meeting of the Manitowoc County Planning and Park Commission was called to order by Chairperson Waack at 4:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Roll call of Commissioners present: Mr. Waack, Mr. Hoffman, Mr. Korinek, Mr. Brey, Ms. Muench and Mr. Spurney. Mr. Mueller was excused

Staff present: Tim Ryan, Adam Backus and Barb Stoker

**Approval of Minutes – Approval of Minutes – Open Meeting Law Compliance**

Chairman Waack called for a motion to accept the Minutes of the regular July 22, 2013 meeting. Motion to accept the Minutes was made by Ms. Muench; seconded by Mr. Spurney. Motion passed upon a unanimous voice vote.

Chairman Waack stated that before approval of the Agenda, it was requested to move item VII Discussion and possible action on public use of road in Walla Hi County Park to right after item IV Public Input. Motion was then made to approve the Agenda as amended by Mr. Brey and seconded by Mr. Korinek. Motion passed upon a unanimous voice vote.

Open Meeting Law Compliance – Mr. Ryan read the Open Meeting Law Compliance stating that the petitions seeking Zoning Map Amendments and Text Amendment being heard at this public meeting were referred from the County Clerk; published in the Herald-Times Reporter on August 12 and August 19, 2013; and reviewed by the Commission at a Commission Advisory Meeting held on August 26, 2013. The Commission will make a recommendation on each of these requests to the County Board, who will take action at their September 17, 2013 meeting.

**Public Input**

Chairman Waack asked if there was anyone present who wished to address the Commission on any issues.

Mr. Glen Groeschel spoke regarding road on the north side of Walla Hi Park. He is requesting that the road remain open with unrestricted access.

Mr. Larry Krueger, representing Herb Krueger, spoke requesting that the road remain open for everyone to access. If the road is closed, they would actively pursue redress as Herb Krueger, Krueger Lumber Company and also as a representative of the forestry industry.

Mr. Waack asked if there was anyone else to speak. Being no one, he closed the public input.

**Discussion and possible action on public use of road in Walla Hi County Park**

Mr. Adam Backus recommended to the Commission that the road be left open for the public and recreational use and that the cable be taken down. Mr. Brey made the motion to have the road in Walla Hi County Park remain open to the public for recreational and other uses. It was seconded by Mr. Korinek. Motion passed upon a unanimous voice vote.

**Public Hearings – Discussion and possible action:**

1. **Paul and Sandra Radue**, ZMAR, SW ¼, SE ¼ & SE ¼, SE ¼, Section 9, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA). Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Cooperstown indicating that the Town Planning Commission and the Town Board support a rezoning from GA (General Agriculture) and SE (Small Estate) to EA (Exclusive Agriculture).

Mr. Waack asked if there was anyone present to comment on this rezone request.

Mr. Paul Radue spoke in favor of the rezone request in order to participate in the Farmland Preservation Program.

There was no one else to speak. Mr. Waack closed the Hearing for the rezone of the Radue property.

Motion was made by Mr. Korinek and seconded by Mr. Brey to approve the rezone of this property. Motion passed upon a unanimous voice vote

2. **Paul and Sandra Radue** – ZMAR, NW ¼, SE ¼, Section 9, T21N- R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA) . Mr. Ryan read the Agenda Commentary (copy on file).

Mr. Waack asked if there was anyone who wished to comment on this zoning request. There was no one. Mr. Waack closed the public hearing.

Motion was made by Ms. Muench and seconded by Mr. Korinek to approve this rezone request. Motion passed upon unanimous voice vote.

3. **Paul and Sandra Radue** – ZMAR SW ¼, NW ¼ , Section 10, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA).

Mr. Waack asked if there was anyone who wished to comment on this zoning request. There was no one. Mr. Waack closed the public hearing.

Motion was made by Mr. Spurney and seconded by Ms. Muench to approve this rezone request. Motion passed upon unanimous voice vote.

4. **Paul and Sandra Radue** – ZMAR SE ¼, NW ¼, Section 15, T21N-R22E, Town of Cooperstown, Small Estate (SE) to Exclusive Agriculture (EA).

Mr. Waack asked if there was anyone who wished to comment on this zoning request. There was no one. Mr. Waack closed the public hearing.

Motion was made by Mr. Hoffman and seconded by Mr. Korinek to approve this rezone request. Motion passed upon unanimous voice vote.

5. **Mark Paral**, ZMAR NE ¼, SE ¼, Section 23, T21N-R24E, Town of Two Creeks, Large Estate (LE) to Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Two Creeks indicating that the Town Board supports this rezoning request.

Mr. Waack asked if there was anyone who wished to comment on this zoning request.

Mr. Lee Engelbrecht , Chair Town of Two Creeks, stated that the Town of Two Creeks was in favor of the rezone request.

Mr. Mark Paral spoke in favor of rezone request.

Mr. Waack asked if there was anyone else who wished to comment. Being none, he closed the public hearing.

Motion was made by Mr. Brey and seconded by Mr. Hoffman to approve the rezone of this property. Motion passed upon unanimous voice vote.

6. **Victoria Valenta** – ZMAR, NE ¼, SE ¼, Section 1, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Gibson indicating that the Town Board supports this rezone from Exclusive Agriculture to Rural Residential.

Mr. Waack asked if there was anyone to comment on this request.

Mr. Darrell Valenta spoke in favor with some comments and questions.

There was no one else to speak and Mr. Waack closed the public hearing. A motion was made by Mr. Korinek and seconded by Ms. Muench to approve this rezone request. Motion passed upon unanimous voice vote.

7. **Darrell Valenta**, ZMAR, NW ¼, SW ¼, Section 6, T21N-R24E, Town of Mishicot, General Agriculture (GA) to Small Estate (SE). Mr. Ryan read the Agenda Commentary (copy on file). Mr. Ryan stated a letter was not received but Mr. Hoffman stated that the Town of Mishicot did approve it and that a letter was in the mail.

Mr. Waack asked if there was anyone who wished to comment on this rezone. Being none, he closed the public hearing. Motion was made by Mr. Hoffman and seconded by Mr. Spurney to approve this rezone request. Motion passed upon unanimous voice vote.

8. **Michael Mayer**, ZMAR, NE ¼, NW ¼, Section 36, T18N-R22E, Town of Liberty, Exclusive Agriculture (EA) to Small Estate (SE). Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Liberty in support of this rezoning request.

Mr. Waack asked if there was anyone present to comment on this request.

Mr. Tom Lenz, representing the buyer spoke in favor of this request.

Mr. David Ruppel, representing the selling family, spoke in favor of this request.

Motion was made by Ms. Muench and seconded by Mr. Spurney to approve this rezoning request. Motion passed upon unanimous voice vote.

9. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapter 25 of the Manitowoc County Code titled "Small Wind Energy Systems" to incorporate technical corrections. Mr. Ryan read the Agenda Commentary (copy on file).

There was no one to comment on this petition. Mr. Waack closed the public hearing. Motion was made by Mr. Hoffman and seconded by Mr. Korinek to approve this ordinance amendment. Motion passed upon unanimous voice vote.

**CERTIFIED SURVEY:**

1. **Joseph Wagner Revocable Trust**, Variance Request, SW ¼, SW ¼, Section 18, T17N-R21E, Town of Schleswig. Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Schleswig in support of this variance request.

Motion was made by Mr. Waack and seconded by Mr. Brey to approve this variance request. Motion passed upon unanimous voice vote.

**Discussion and possible action on Silver Lake County Park lease** – Mr. Adam Backus provided maps of the area and gave a history of the changes that have taken place at the Park. The lease is due in January and it is a 20-year lease. There has been ongoing discussion as to who is responsible for the maintenance of the diversion property. The Town does help with some of the work now but it is a lot of work. The new lease will need to specify who is responsible for what maintenance. Mr. Backus requested that the Commissioners give this some thought as he needs to start working on the new lease to present to the County Board before January.

**Update on storm damage at Cherney Maribel Caves County Park:** Mr. Backus stated that the Park will be closed for the rest of the year for sure. He is in the process of working with the loggers to get a contract. He hopes to have the logging done by November. Most of the buildings and staircases were smashed and road was damaged. Some of it is insured. The power did go in. He is hoping that the Park will be open by mid-summer.

**Next Meeting Date**

Next meeting will be scheduled for September 23, 2013.

**Adjournment:** Motion to adjourn was made by Ms. Munech and seconded by Mr. Korinek at 4:40 p.m.

Respectfully submitted,

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Jim Brey, Secretary

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Date



# MANITOWOC COUNTY

## PLANNING AND PARK COMMISSION

### 2<sup>nd</sup> AMENDED MEETING NOTICE

DATE: **MONDAY, AUGUST 26, 2013**  
TIME: 4:00 PM  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes
- III. Approval of Agenda - "Open Meeting Law Compliance"
- IV. Public Input
- V. Public Hearings – Discussion and possible action:
  1. **Paul and Sandra Radue**, ZMAR, SW ¼, SE ¼ & SE ¼, SE ¼, Section 9, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA)
  2. **Paul and Sandra Radue**, ZMAR, NW ¼, SE ¼, Section 9, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA).
  3. **Paul and Sandra Radue**, ZMAR, SW ¼, NW ¼, Section 10, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA).
  4. **Paul and Sandra Radue**, ZMAR, SE ¼, NW ¼, Section 15, T21N-R22E, Town of Cooperstown, Small Estate (SE) to Exclusive Agriculture (EA).
  5. **Mark Paral**, ZMAR, NE ¼, SE 1/4, Section 23, T21N-R24E, Town of Two Creeks, Large Estate (LE) to Rural Residential (RR).
  6. **Victoria Valenta**, ZMAR, NE ¼, SE ¼, Section 1, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Rural Residential (RR).
  7. **Darrell Valenta**, ZMAR, NW ¼, SW ¼, Section 6, T21N-R24E, Town of Mishicot, General Agriculture (GA) to Small Estate (SE)
  8. **Michael Mayer**, ZMAR, NE ¼, NW ¼, Section 36, T18N-R22E, Town of Liberty, Exclusive Agriculture (EA) to Small Estate (SE).
  9. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapter 25 of the Manitowoc County Code titled "Small Wind Energy Systems" to incorporate technical corrections.
- VI. Certified Surveys, Development Plans and Subdivisions – Discussion and possible action:
  1. **Joseph Wagner Revocable Trust**, Variance Request, SW ¼, SW ¼ Section 18, T17N-R21E, Town of Schleswig
- ~~VII. The Commission may convene in closed session pursuant to Wis. Stat. § 19.85(1)(g) to confer with legal Counsel regarding the following litigation matter:~~  
~~Claimed prescriptive easement over land located in Walla Hi County Park.~~  
~~The Commission will reconvene in open session if it has met in closed session.~~
- ~~VII. Discussion and possible action on public use of road in Walla Hi County Park.~~
- VIII. Discussion and possible action on Silver Lake County Park Lease?
- IX. Update on storm damage at Cherney Maribel Caves County Park
- X. Miscellaneous:
  1. Staff Reports
  2. Personnel
  3. Correspondence
  4. Out of County Travel
- XI. Adjournment

Date: August 20, 2013

Date: August 23, 2013

Date: August 23, 2013 @ 2:40 p.m.

Melvin Waack, Commission Chair

By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.



**MANITOWOC COUNTY**  
**PLANNING AND PARK COMMISSION**  
**AMENDED ADVISORY MEETING NOTICE**

DATE: MONDAY, AUGUST 26, 2013  
TIME: ► 3:00 P.M. ◀  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC WI

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes - Approval of Agenda  
"Open Meeting Law Compliance"
- III. *The Commission may convene in closed session pursuant to Wis. Stat. § 19.85(1)(g) to confer with legal counsel regarding the following litigation matter:  
Claimed prescriptive easement over land located in Walla Hi County Park.  
The Commission will reconvene in open session if it has met in closed session.*
- IV. Discussion Pertaining to Public Hearings of:
  1. **Paul and Sandra Radue**, ZMAR, SW ¼, SE ¼ & SE ¼, SE ¼, Section 9, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA).
  2. **Paul and Sandra Radue**, ZMAR, NW ¼, SE ¼, Section 9, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA).
  3. **Paul and Sandra Radue**, ZMAR, SW ¼, NW ¼, Section 10, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA).
  4. **Paul and Sandra Radue**, ZMAR, SE ¼, NW ¼, Section 15, T21N-R22E, Town of Cooperstown, Small Estate (SE) to Exclusive Agriculture (EA).
  5. **Mark Paral**, ZMAR, NE ¼, SE 1/4, Section 23, T21N-R24E, Town of Two Creeks, Large Estate (LE) to Rural Residential (RR).
  6. **Victoria Valenta**, ZMAR, NE ¼, SE ¼, Section 1, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Rural Residential (RR).
  7. **Darrell Valenta**, ZMAR, NW ¼, SW ¼, Section 6, T21N-R24E, Town of Mishicot, General Agriculture (GA) to Small Estate (SE).
  8. **Michael Mayer**, ZMAR, NE ¼, NW ¼, Section 36, T18N-R22E, Town of Liberty, Exclusive Agriculture (EA) to Small Estate (SE).
  9. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapter 25 of the Manitowoc County Code titled "Small Wind Energy Systems" to incorporate technical corrections.
- V. Adjournment

Date: August 20, 2013  
*Date: August 23, 2013*

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE ADVISORY MEETING  
August 26, 2013

**CALL TO ORDER – ROLL CALL**

The Advisory Meeting of the Manitowoc County Planning and Park Commission was called to order August 26, 2013 by Chairperson Waack at 3:30 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Commissioners present were: Mr. Waack, Mr. Korinek, Mr. Hoffman, Mr. Brey, Ms. Muench and Mr. Spurney. Mr. Mueller was excused. Staff present: Tim Ryan

The Commission convened in closed session pursuant to Wis. Stat. § 19.85(1)(g) to confer with legal counsel regarding the following litigation matter:

Claimed prescriptive easement over land located in Walla Hi County Park.

The Commission then reconvened in open session.

**DISCUSSION OF PUBLIC HEARING INFORMATION**

Mr. Ryan presented information for the following Zoning Map Amendment Requests for Commissioners' review.

1. **Paul and Sandra Radue**, ZMAR, SW ¼, SE ¼ & SE ¼, SE ¼, Section 9, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA)
2. **Paul and Sandra Radue**, ZMAR, NW ¼, SE ¼, Section 9, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA).
3. **Paul and Sandra Radue**, ZMAR, SW ¼, NW ¼, Section 10, T21N-R22E, Town of Cooperstown, General Agriculture (GA) to Exclusive Agriculture (EA).
4. **Paul and Sandra Radue**, ZMAR, SE ¼, NW ¼, Section 15, T21N-R22E, Town of Cooperstown, Small Estate (SE) to Exclusive Agriculture (EA).
5. **Mark Paral**, ZMAR, NE ¼, SE 1/4, Section 23, T21N-R24E, Town of Two Creeks, Large Estate (LE)  
to Rural Residential (RR).
6. **Victoria Valenta**, ZMAR, NE ¼, SE ¼, Section 1, T21N-R23E, Town of Gibson, Exclusive Agriculture (EA) to Rural Residential (RR).
7. **Darrell Valenta**, ZMAR, NW ¼, SW ¼, Section 6, T21N-R24E, Town of Mishicot, General Agriculture  
(GA) to Small Estate (SE)
8. **Michael Mayer**, ZMAR, NE ¼, NW ¼, Section 36, T18N-R22E, Town of Liberty, Exclusive Agriculture  
(EA) to Small Estate (SE).
9. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment  
to Chapter 25 of the Manitowoc County Code titled "Small Wind Energy Systems" to incorporate technical corrections.

**ADJOURNMENT** – Meeting adjourned at 3:45 p.m.



# MANITOWOC COUNTY

## PLANNING AND PARK COMMISSION

### MEETING NOTICE

DATE: **MONDAY, OCTOBER 28, 2013**  
TIME: 4:00 PM  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order – Roll Call
- II. Approval of Minutes
- III. Approval of Agenda - "Open Meeting Law Compliance"
- IV. Public Input
- V. Public Hearings – Discussion and possible action:
  1. **John Reynolds and Daniel Miller**, ZMAR, NW ¼ NW ¼, Section 10, T21N-R24E, Town of Two Creeks, Exclusive Agriculture (EA) to General Agriculture District (GA)
  2. **David Klunker**, ZMAR, SW ¼, NW ¼, Section 11, T19N-R23E, Town of Manitowoc Rapids, General Agriculture (GA) to Rural Residential District (RR)
  3. **Tom Dirkman, Jr.**, ZMAR, SE ¼, NW ¼, Section 31, T19N-R22E, Town of Cato, Exclusive Agriculture (EA) to Small Estate District (SE)
  4. **Manitowoc County Planning and Park Commission** - petition for ordinance text amendment to County Code Chapter 12, Subdivision Regulations
  5. **Manitowoc County Planning and Park Commission** – petition for ordinance text amendment to County Code Chapter 8, General Zoning Ordinance (Community Living Arrangements)
- VI. Certified Surveys, Development Plans and Subdivisions – Discussion and possible action:
  1. **Dennis Brost**, Variance Request, NE ¼, NW ¼ Section 17, T17N-R22E, Town of Meeme
- VII. Discussion and possible action on a Resolution Authorizing Commencement of Suit for Ordinance Violation for Doris Evenson
- VIII. Discussion and possible action on a Resolution Authorizing Commencement of Suit for Ordinance Violation for Dawn Haen
- IX. Discussion and possible action on a Resolution Authorizing Application for and Acceptance of Farmland Preservation Program Planning Grant.
- X. Update on the Private Onsite Wastewater Treatment System Grant Program
- XI. Discussion and possible action on Snowmobile Grooming Bids
- XII. Discussion on Silver Lake County Park Lease with Franciscan Sisters of Christian Charity
- XIII. Discussion on Walla Hi County Rental Agreement
- XIV. Discussion and possible action on hunting in County parks
- XV. Miscellaneous:
  1. Staff Reports
  2. Personnel
  3. Correspondence
    - A. Note from Judith Perlman
  4. Out of County Travel
- XVI. Adjournment

Date: October 21, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.



MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE REGULAR OCTOBER 28, 2013 MEETING

**Call to Order – Roll Call**

The Regular October 28, 2013 meeting of the Manitowoc County Planning and Park Commission was called to order by Chairperson Waack at 4:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Roll call of Commissioners present: Mr. Waack, Mr. Korinek, Mr. Brey, Ms. Mueller and Mr. Spurney. Mr. Hoffman and Ms. Muench were excused

Staff present: Tim Ryan, Reed Gaedtke, Adam Backus and Barb Stoker

**Approval of Agenda:** Motion made by Mr. Korinek and seconded by Mr. Brey to approve the Agenda as presented. Motion passed upon a unanimous voice vote.

**Approval of Minutes – Open Meeting Law Compliance**

Chairman Waack called for a motion to accept the Minutes of the regular August 26, 2013 meeting. Motion to accept the Minutes was made by Mr. Brey seconded by Mr. Korinek. Motion passed upon a unanimous voice vote.

Open Meeting Law Compliance – Mr. Ryan read the Open Meeting Law Compliance stating that the petitions seeking Zoning Map Amendments and Text Amendments being heard at this public meeting were referred from the County Clerk; published in the Herald-Times Reporter on October 14 and October 21, 2013; and reviewed by the Commission at a Commission Advisory Meeting held on October 28, 2013. The Commission will make a recommendation on each of these requests to the County Board, who will take action at their November 19, 2013 meeting.

**Public Input**

Chairman Waack asked if there was anyone present who wished to address the Commission on any issues.

Ms. Tonya Dvorak spoke concerning hunting in County Parks. She and her siblings own property adjacent to Walla Hi Park that they lease out. They are not in favor of allowing hunting but if it is allowed, they want to make sure that proper procedures are in place.

Ms. Jayne Birkholz spoke on behalf of the Plymouth Trail Riders. The group is very committed to improving and maintaining Walla Hi Park and are not in favor of allowing hunting in this area.

Mr. Robert Pragalz spoke concerning hunting in the Fischer Creek. He is not in favor of any hunting in this area because of safety concerns.

Mr. Donald Pirrung stated that he was involved with the original planning of the Fischer Creek Park and said that hunting was discussed at that time and it was decided to not allow because of the various types of activities that take place in the Park. His concern was that of safety.

Dr. Ron Schaper is very concerned with the safety in the area. He has noticed that many of the signs that are put up in that area over the years for various reasons do not last and disappear within a short time and feels the same would happen to hunting signs.

Mr. Russ Tooley is very concerned with hunting in Fischer Creek Park because of its size and closeness to residents.

Mr. Bob Domagalski commented on Fischer Creek being one of the major migration areas for birds and people from all over the State come to bird there. Weekly surveys are done in this area and feels it would be unsafe to have hunting in this area.

Mr. Waack asked if there was anyone else to speak. Being no one, he closed the public input.

**Public Hearings – Discussion and possible action:**

1. **John Reynolds and Daniel Miller**, ZMAR, NW ¼, NW ¼, Section 10, T21N-R24E, Town of Two Creeks, Exclusive Agriculture (EA) to General Agriculture (GA). Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Two Creeks indicating that the Town Planning Commission and the Town Board support a rezoning of these parcels from EA (Exclusive Agriculture) to GA (General Agriculture).

Mr. Waack asked if there was anyone present to comment on this rezone request.

Mr. John Reynolds spoke in favor of the rezone request.

There was no one else to speak. Mr. Waack closed the Hearing for the rezone of the Reynolds-Miller property.

Motion was made by Mr. Brey and seconded by Mr. Mueller to approve the rezone of this property. Motion passed upon a unanimous voice vote.

2. **David Kleunker** – ZMAR, SW ¼, NW ¼, Section 11, T19N- R23E, Town of Manitowoc Rapids, General Agriculture (GA) to Rural Residential (RR) . Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Manitowoc Rapids in favor of this rezoning request.

Mr. Waack asked if there was anyone who wished to comment on this zoning request. There was no one. Mr. Waack closed the public hearing.

Motion was made by Mr. Korinek and seconded by Mr. Spurney to approve this rezone request. Motion passed upon unanimous voice vote.

3. **Tom Dirkman, Jr.** – ZMAR SE ¼, NW ¼ , Section 31, T19N-R22E, Town of Cato, Exclusive Agriculture (EA) to Small Estate (SE). A letter was received from the Town of Cato indicating the Town Board supports this rezone request.

Mr. Waack asked if there was anyone who wished to comment on this zoning request.

Mr. Tom Dirkman spoke in favor of the rezone.

Mr. Waack asked if there was anyone else to speak. Being no one, Mr. Waack closed the public hearing.

Motion was made by Mr. Spurney and seconded by Mr. Brey to approve this rezone request. Motion passed upon unanimous voice vote.

4. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to Chapter 12 of the Manitowoc County Code titled "Subdivision Regulations". Mr. Ryan gave a summary of the request and stated that the Ordinance has not been updated in many years and the proposed changes will more closely match surrounding counties and State guidelines.

There was no one to comment on this petition. Mr. Waack closed the public hearing. Motion was made by Mr. Waack and seconded by Mr. Mueller to approve this Ordinance amendment. Motion passed upon unanimous voice vote.

5. **Manitowoc County Planning and Park Commission** have petitioned for an ordinance amendment to County Code Chapter 8, General Zoning Ordinance (Community Living Arrangements). Mr. Ryan stated the amendment is to add clarity to the Ordinance by adding reference to Wis. State. 59.69(15).

Mr. Waack asked if there was any one to comment on this petition. There being no one, Mr. Waack closed the public hearing. Motion was made by Mr. Mueller and seconded by Mr. Korinek to approve this Ordinance amendment. Motion passed upon unanimous voice vote.

#### **CERTIFIED SURVEY:**

1. **Dennis Brost**, Variance Request, NE ¼, NW ¼, Section 17, T17N-R22E, Town of Meeme. Mr. Ryan read the Agenda Commentary (copy on file).

Motion was made by Mr. Mueller and seconded by Mr. Spurney to approve this variance request. Motion passed upon unanimous voice vote.

**Discussion and possible action on a Resolution Authorizing Application for and Acceptance of Farmland Preservation Program Planning Grant:** Mr. Ryan stated it is time to update the Farmland Preservation Plan which is required every 10 years. Landowners in the County receive approximately \$900,000 in tax credits by the County having this Plan. The Planning & Zoning Department would receive \$30,000 in funding to help update the plan with the assistance of Bay Lakes Regional Planning. The Department would be contributing about \$30,000 of in-kind service including the assistance of Corporation Counsel. Motion was made by Mr. Brey and seconded by Mr. Korinek to approve the Resolution. Motion passed upon unanimous voice vote.

**Discussion and possible action on a Resolution Authorizing Commencement of Suit for Ordinance Violation for Doris Evenson:** Mr. Reed Gaedtke stated that the Town requested that Planning and Zoning Department proceed with this suit. He explained the procedure to the Commission of sending the resolution to Corporation Counsel for additional meetings with the landowner and if not resolved, the suit proceeds to Court where the judge also will meet with them to try and resolve. If no resolution is found, the judge can fine them. Motion to approve the Resolution was made by Mr. Korinek and seconded by Mr. Brey. Motion passed upon unanimous vote.

**Discussion and possible action on a Resolution Authorizing Commencement of Suit for Ordinance Violation for Dawn Haen:** Mr. Reed Gaedtke gave a summary of this violation and stated that the Health Department had also been involved with this situation. Mr. Waack stated that Ms. Haen had shown up at the Advisory meeting but was told she could not speak at that time. She wrote a short note which was given to the Commissioners and included with her information for this meeting. Motion was made by Mr. Brey and seconded by Mr. Korinek to proceed with the resolution. Motion passed upon unanimous vote.

**Update on the Private Onsite Wastewater Treatment System Grant Program:** Mr. Ryan summarized the information which was sent to the Commissioners noting that Manitowoc County is the second highest recipient of funds in the State just behind Dane County at \$3,527,228. The County has received these dollars over approximately 20 years of participating in the program. This money goes directly back to homeowners replacing their septic systems.

**Letter from Judith Perlman:** Mr. Ryan stated that he had included a copy of a letter that was received from Judith Perlman from the Fischer Creek area thanking the County, mostly Adam Backus, for putting up a sign along the beach area.

**Discussion and possible action on Snowmobile Grooming Bids:** Mr. Backus stated that bids were received from nine clubs and that they all meet the criteria. Motion was made by Mr. Mueller and seconded by Mr. Spurney to approve the submitted bids. Motion carried upon unanimous voice vote.

**Discussion on Silver Lake County Park Lease with Franciscan Sisters of Christian Charity:** Mr. Backus stated that the Silver Lake Association asked that this item be tabled until next meeting. Motion was made by Mr. Korinek and seconded by Mr. Mueller to table this item until the next meeting. Motion passed upon unanimous voice vote.

**Discussion on Walla Hi County Rental Agreement:** Mr. Backus stated this is for the rental house at Walla Hi. He needs to write a letter to the tenant cancelling the lease and that he and Corporation Counsel will be drafting a new lease to include duties that the tenant will be responsible for in the future. Motion was made by Mr. Brey and seconded by Mr. Waack to have Mr. Backus send a letter cancelling the current lease. Motion passed upon unanimous voice vote.

**Discussion and possible action on hunting in County parks:** Mr. Waack stated prior to today's meeting he had received several communications against hunting in County parks. There was additional discussion and clarification of procedures to follow if hunting was to be allowed. Mr. Waack stated that he would not be supporting hunting in County parks. Mr. Brey stated based on the testimony he has heard he will not support hunting at this time. Mr. Korinek stated he would not be adverse to bow hunting in the proper areas. Mr. Spurney would not support hunting in County parks. Mr. Mueller would not support hunting. No action will be taken and the Ordinance will not be changed.

**Miscellaneous:**

**Staff Reports –** Mr. Backus stated that Algoma Lumber has the contract for the logging in Maribel Caves. DNR Forester Steve Kaufman is helping with the scaling. Timber sales will probably in the area of \$80,000. The logger will probably be in the Park for another 3 – 4 weeks.

**Next Meeting Date**

Next meeting will be scheduled for December 2, 2013.

**Adjournment:** Motion to adjourn was made by Mr. Mueller and seconded by Mr. Korinek. Motion was upon unanimous voice vote.

Respectfully submitted,

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Jim Brey, Secretary

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Date



## MANITOWOC COUNTY PLANNING AND PARK COMMISSION ADVISORY MEETING NOTICE

DATE: MONDAY, OCTOBER 28, 2013  
TIME: ► 3:00 P.M. ◀  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC WI

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes - Approval of Agenda  
"Open Meeting Law Compliance"
- III. Discussion Pertaining to Public Hearings of:
  1. **John Reynolds and Daniel Miller**, ZMAR, NW ¼, NW ¼ Section 10, T21N-R24E, Town of Two Creeks, Exclusive Agriculture (EA) to General Agriculture (GA)
  2. **David Kluenker**, ZMAR, SW ¼, NW ¼ Section 11, T19N-R23E, Town of Manitowoc Rapids, General Agriculture (GA) to Rural Residential (RR)
  3. **Thomas Dirkman, Jr.**, ZMAR, SE ¼, NW ¼ Section 31, T19N-R22E, Town of Cato, Exclusive Agriculture (EA) to Small Estate (SE)
  4. **Manitowoc County Planning and Park Commission** - petition for ordinance text amendment to County Code Chapter 12, Subdivision Regulations
  5. **Manitowoc County Planning and Park Commission** – petition for ordinance text amendment to County Code Chapter 8, General Zoning Ordinance (Community Living Arrangements)
- IV. Discussion regarding hunting in County parks
- V. Adjournment

Date: October 21, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE ADVISORY MEETING  
October 28, 2013

**Call to Order – Roll Call**

The Advisory Meeting of the Manitowoc County Planning and Park Commission was called to order October 28, 2013 by Chairperson Waack at 3:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Commissioners present were: Mr. Waack, Mr. Korinek, Mr. Brey, Mr. Spurney, and Mr. Mueller. Mr. Hoffman and Ms. Muench were excused. Staff present: Tim Ryan

**Discussion of Public Hearing Information**

Mr. Ryan presented information for the following Zoning Map Amendment Requests for Commissioners' review.

1. **John Reynolds and Daniel Miller**, ZMAR, NW ¼, NW ¼ Section 10, T21N-R24E, Town of Two Creeks, Exclusive Agriculture (EA) to General Agriculture (GA)
2. **David Klunker**, ZMAR, SW ¼, NW ¼ Section 11, T19N-R23E, Town of Manitowoc Rapids, General Agriculture (GA) to Rural Residential (RR)
3. **Thomas Dirkman, Jr.**, ZMAR, SE ¼, NW ¼ Section 31, T19N-R22E, Town of Cato, Exclusive Agriculture (EA) to Small Estate (SE)
4. **Manitowoc County Planning and Park Commission** - petition for ordinance text amendment to County Code Chapter 12, Subdivision Regulations
5. **Manitowoc County Planning and Park Commission** – petition for ordinance text amendment to County Code Chapter 8, General Zoning Ordinance (Community Living Arrangements)

**ADJOURNMENT** – Meeting adjourned at 3:45 p.m.



# MANITOWOC COUNTY

## PLANNING AND PARK COMMISSION

### MEETING NOTICE

DATE: **MONDAY, DECEMBER 2, 2013**  
TIME: 4:00 PM  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Minutes
- III. Approval of Agenda - "Open Meeting Law Compliance"
- IV. Public Input
- V. Public Hearings – Discussion and possible action:
  1. **Greg Riederer**, ZMAR, NW ¼ NE ¼, Section 9, T19N-R22E, Town of Cato, Exclusive Agriculture (EA) to Rural Residential District (RR)
  2. **Kathryn Dewane**, ZMAR, SW ¼, SE ¼, Section 17, T19N-R23E, Town of Manitowoc Rapids, General Agriculture (GA) to Large Estate (LE) and Exclusive Agriculture (EA)
  3. **Herman Fredericks**, ZMAR, SE ¼ NE ¼, Section 5, T21N-R22E, Town of Cooperstown, Natural Area (NA) to Large Estate (LE) and General Agriculture (GA)
  4. **Keith Gauthier and Charles Heinzen**, ZMAR, SW ¼, SW ¼, Section 21, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) to General Agriculture (GA) District
- VI. Certified Surveys, Development Plans and Subdivisions – Discussion and possible action:
  1. **Marvin and Kay Braun**, Develop. Plan, NE ¼, SE ¼ and SE ¼, S.14, T19N-R22E, Town of Cato
- VII. Discussion and possible action on Resolutions Authorizing Commencement of Suit for Private Sewage System Ordinance Violations for:
  1. David Chupita
  2. Michael Curry
  3. Justin and Rebecca Krueger
  4. Mark Stanzel
- VIII. Tabled Item: Discussion and possible action on Silver Lake Park Lease with Franciscan Sisters of Christian Charity
- IX. Miscellaneous:
  1. Staff Reports
  2. Personnel
  3. Correspondence
  4. Out of County Trips –
    - a. Wisconsin Land Surveyors Conference – January 22-24, 2014, Kalahari Resort, Wisconsin Dells --- T. Ryan

#### X. Adjournment

Date: November 25, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this commission, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE REGULAR DECEMBER 2, 2013 MEETING

**Call to Order – Roll Call**

The Regular December 2, 2013 meeting of the Manitowoc County Planning and Park Commission was called to order by Chairperson Waack at 4:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Roll call of Commissioners present: Mr. Waack, Mr. Korinek, Mr. Brey, Mr. Hoffman, Mr. Spurney, and Ms. Muench. Mr. Mueller was excused

Staff present: Tim Ryan, Kaila Voelker and Barb Stoker

**Approval of Agenda:** Motion made by Mr. Hoffman and seconded by Mr. Spurney to approve the Agenda as presented. Motion passed upon a unanimous voice vote.

**Approval of Minutes – Open Meeting Law Compliance**

Chairman Waack called for a motion to accept the Minutes of the regular October 2013 meeting. Motion to accept the Minutes was made by Ms. Muench seconded by Mr. Korinek. Motion passed upon a unanimous voice vote.

Open Meeting Law Compliance – Mr. Ryan read the Open Meeting Law Compliance stating that the petitions seeking Zoning Map Amendments and Text Amendments being heard at this public meeting were referred from the County Clerk; published in the Herald-Times Reporter on November 18 and November 25, 2013; and reviewed by the Commission at a Commission Advisory Meeting held on December 2, 2013. The Commission will make a recommendation on each of these requests to the County Board, who will take action at their December 17, 2013 meeting.

**Public Input**

Chairman Waack asked if there was anyone present who wished to address the Commission on any issues. Being no one, he closed the public input.

**Public Hearings – Discussion and possible action:**

1. **Greg Riederer**, ZMAR, NW ¼, NE ¼, Section 9, T19N-R22E, Town of Two Cato, Exclusive Agriculture (EA) to Rural Residential (RR). Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Cato indicating that the Town Board supports a rezoning of this parcel from EA (Exclusive Agriculture) to RR (Rural Residential).

Mr. Waack asked if there was anyone present to comment on this rezone request.

Mr. Greg Riederer spoke in favor of the rezone request.

There was no one else to speak. Mr. Waack closed the Hearing for the rezone of the Reiderer property.

Motion was made by Mr. Brey and seconded by Ms. Muench to approve the rezone of this property. Motion passed upon a unanimous voice vote.



2. **Kathryn Dewane** – ZMAR, SW ¼, SE ¼, Section 17, T19N- R23E, Town of Manitowoc Rapids, General Agriculture (GA) to Large Estate (LE) and Exclusive Agriculture (EA). Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Manitowoc Rapids indicating that the Land Use Committee and the Town Board are in favor of this rezoning request.

Mr. Waack asked if there was anyone who wished to comment on this rezoning request. There was no one. Mr. Waack closed the public hearing.

Motion was made by Mr. Waack and seconded by Mr. Korinek to approve this rezone request. Motion passed upon unanimous voice vote.

3. **Herman Fredericks** – ZMAR SE ¼, NE ¼, Section 5, T21N-R22E, Town of Cooperstown, Natural Area (NA) to Large Estate (LE) and General Agriculture (GA). A letter was received from the Town of Cooperstown indicating the Town Board supports this rezone request.

Mr. Waack asked if there was anyone who wished to comment on this rezoning request. There was no one. Mr. Waack closed the public hearing.

Motion was made by Mr. Spurney and seconded by Ms. Muench to approve this rezone request. Motion passed upon unanimous voice vote.

4. **Keith Gauthier and Charles Heinzen**, ZMAR, SW ¼ , SW ¼, Section 21, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) to General Agriculture (GA). A letter was received from the Town of Manitowoc Rapids, Exclusive Agriculture (EA) to General Agriculture (GA). A letter was received from the Town of Manitowoc Rapids indicating that the Land Use Committee and the Town Board are in favor of this rezoning request.

Mr. Waack asked if there was anyone who wished to comment on this rezoning request.

Ms. Gauthier and Mr. Heinzen spoke in favor of this rezone request.

Mr. Waack asked if there was anyone else who wished to comment. There being no one, he closed the public hearing.

Motion was made by Mr. Brey and seconded by Mr. Hoffman to approve this rezone request. Motion passed upon unanimous voice vote.

#### **CERTIFIED SURVEY:**

1. **Marvin and Kay Braun**, Development Plan, NE ¼, SE ¼, and SE ¼, SE ¼, Section 14, T19N-R22E, Town of Cato. Mr. Ryan read the Agenda Commentary (copy on file).

After a short discussion, a motion was made by Ms. Muench and seconded by Mr. Korinek to approve this Development Plan. Motion passed upon unanimous voice vote.

**Discussion and possible action on Resolutions Authorizing Commencement of Suit for Private Sewage System Ordinance Violations for:**

1. **David Chupita** – Motion was made by Mr. Brey and seconded by Mr. Korinek to approve the resolution authorizing commencement of suit. Motion passed upon unanimous voice vote.

2. **Michael Curry** – Motion was made by Ms. Muench and seconded by Mr. Spurney to approve the resolution authorizing commencement of suit. Motion passed upon unanimous voice vote.

3. **Justin and Rebecca Krueger** - Motion was made by Mr. Waack and seconded by Mr. Korinek to approve the resolution authorizing commencement of suit. Motion passed upon unanimous voice vote.

4. **Mark Stanzel** – Motion was made by Ms. Muench and seconded by Mr. Hoffman to approve the resolution authorizing commencement of suit. Motion passed upon unanimous vote.

**Tabled Item: Discussion and possible action on Silver Lake Park Lease with Franciscan Sisters of Christian Charity.** This item will remain on the table.

**Miscellaneous:**

**Out of County Trips:** Motion was made by Mr. Hoffman and seconded by Ms. Muench to approve Tim Ryan's attendance at the Wisconsin Land Surveyors Conference, January 22-24 in Wisconsin Dells. Motion passed upon a unanimous voice vote.

Motion was made by Ms. Muench and seconded by Mr. Spurney to approve Pete Tarnowski's and Andrea Raymakers' attendance to a Non-Metallic Mining Conference in Stevens Point on December 3<sup>rd</sup>. Motion passed upon a unanimous voice vote.

**Next Meeting Date**

Next meeting will be scheduled for January .

**Adjournment:** Motion to adjourn was made by Mr. Korinek and seconded by Ms. Muench to adjourn at 4:24 pm. Motion passed upon a unanimous voice vote.

Respectfully submitted,

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Jim Brey, Secretary

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Date



## MANITOWOC COUNTY PLANNING AND PARK COMMISSION ADVISORY MEETING NOTICE

DATE: MONDAY, DECEMBER 2, 2013  
TIME: ► 3:00 P.M. ◀  
PLACE: MANITOWOC COUNTY OFFICE COMPLEX  
4319 EXPO DRIVE, MANITOWOC WI

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the commission may convene in closed session. The following matters may be considered at the meeting:

- I. Call to Order - Roll Call
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"Open Meeting Law Compliance"
- III. Discussion Pertaining to Public Hearings of:
  1. **Greg Riederer**, ZMAR, NW ¼ NE ¼, Section 9, T19N-R22E, Town of Cato, Exclusive Agriculture (EA) to Rural Residential District (RR)
  2. **Kathryn Dewane**, ZMAR, SW ¼, SE ¼, Section 17, T19N-R23E, Town of Manitowoc Rapids, General Agriculture (GA) to Large Estate (LE) and Exclusive Agriculture (EA)
  3. **Herman Fredericks**, ZMAR, SE ¼ NE ¼, Section 5, T21N-R22E, Town of Cooperstown, Natural Area (NA) to Large Estate (LE) and General Agriculture (GA)
  4. **Keith Gauthier and Charles Heinzen**, ZMAR, SW ¼, SW ¼, Section 21, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) to General Agriculture (GA) District.
- IV. Adjournment

Date: November 25, 2013

Melvin Waack, Commission Chair  
By: Tim Ryan, Director

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

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MANITOWOC COUNTY PLANNING AND PARK COMMISSION  
MINUTES OF THE ADVISORY MEETING  
December 2, 2013

**Call to Order – Roll Call**

The Advisory Meeting of the Manitowoc County Planning and Park Commission was called to order, December 2, 2013 by Chairperson Waack at 3:00 p.m. in the County Offices Complex, 4319 Expo Drive, Manitowoc, WI.

Commissioners present were: Mr. Waack, Mr. Korinek, Mr. Brey, Mr. Spurney, Mr. Hoffman and Ms. Muench. Mr. Mueller was excused. Staff present: Tim Ryan

**Discussion of Public Hearing Information**

Mr. Ryan presented information for the following Zoning Map Amendment Requests for Commissioners' review.

1. **Greg Riederer**, ZMAR, NW ¼, NE ¼ Section 9, T19N-R22E, Town of Cato, Exclusive Agriculture (EA) to Rural Residential District (RR).
2. **Kathryn Dewane**, ZMAR, SW ¼, SE ¼ Section 17, T19N-R23E, Town of Manitowoc Rapids, General Agriculture (GA) to Large Estate (LE) and Exclusive Agriculture District (EA).
3. **Herman Fredericks**, ZMAR, SE ¼, NE ¼ Section 5, T21N-R22E, Town of Cooperstown, Natural Area (NA) to Large Estate (LE) and General Agriculture (GA).
4. **Keith Gauthier and Charles Heinzen**, ZMAR, SW ¼, SW ¼, Section 21, T19N-R23E, Town of Manitowoc Rapids, Exclusive Agriculture (EA) to General Agriculture (GA) District.

**ADJOURNMENT** – Meeting adjourned at 3:40 p.m.