

MANITOWOC COUNTY PLANNING AND PARK COMMISSION
MINUTES OF THE REGULAR AUGUST 22, 2016 MEETING

Call to Order – Roll Call

The Regular August 22, 2016 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. Vogt, Ms. Muench, Mr. Hoffman, Mr. Korinek and Mr. Falkowski.

Commissioners absent: Mr. Zimmer

Staff present: Tim Ryan, Gary Robinson, Pete Tarnowski and Aprille Calewarts

Approval of Minutes – Open Meeting Law Compliance

Chairman Waack called for a motion to accept the Minutes of the regular June 27, 2016 meeting. Motion to accept the Minutes was made by Ms. Muench and seconded by Mr Vogt. Motion passed upon a unanimous voice vote.

Approval of Agenda: Mr. Waack addressed items numbered 7; 8; 9 and 10 stated on the agenda as tabled will be addressed as postponed. Motion made by Mr. Hoffman and seconded by Mr. Falkowski 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 and Ordinance Amendments being heard at this public meeting were referred from the County Clerk; published in the Herald-Times Reporter on August 8 and August 15, 2016; and reviewed by the Commission at a Commission Advisory Meeting held on August 22, 2016. The Commission will make a recommendation on each of these requests to the County Board, who will take action at their September 20, 2016 meeting.

Public Comment: Mr. Waack asked if there was anyone who wished to speak on any topic other than the public hearings.

There was no one to speak. Mr. Waack closed Public Comment.

Public Hearings – Discussion and possible action:

1. **Manitowoc County Planning and Park Commission** - Town of Manitowoc Rapids petitioned for a revision to the Manitowoc Rapids Town Zoning Map.

Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Manitowoc Rapids indicating the Town Board supports this rezone request.

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

Michael Check, Plan Commission Chair for the Town of Manitowoc Rapids, spoke and gave an overview of the reason for rezoning multiple parcels.

There was no one else to speak; Mr. Waack closed the Public Hearing.

Motion was made by Ms. Muench and seconded by Mr. Vogt to approve the rezone request. Motion passed upon a unanimous voice vote.

2. **Manitowoc County Planning and Park Commission** – petition for an ordinance amendment to Chapter 4 of the Manitowoc County Code titled “Finance”.

Mr. Ryan read the Agenda Commentary (copy on file).

Mr. Waack asked if there was anyone to comment.

There was no one to speak; Mr. Waack closed the Public Hearing.

Motion was made by Mr. Hoffman and seconded by Ms. Muench to approve the updated fee schedule as proposed by staff, effective January 1, 2017. Motion passed upon a unanimous voice vote.

3. **Fredrick and Hannah Beachy** – ZMAR, NW1/4, SE1/4, Section 28, T21N-R24E, Town of Mishicot, from Small Estate (SE) to Rural Residential (RR).

Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Mishicot indicating the Town Board supports this rezone request.

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

Fred Beachy, owner of the property, spoke and stated he is looking to rezone in order to build and sell cabinets by obtaining a conditional use permit.

There was no one else to speak; Mr. Waack closed the Public Hearing.

Motion was made by Mr. Vogt and seconded by Mr. Falkowski to approve the rezone request. Motion passed upon a unanimous voice vote.

4. **Joseph and Susan Resch** – ZMAR, NE1/4 & SE1/4, Section 19, T20N-R23E, Town of Kossuth, from General Agriculture (GA) and Natural Area (NA) to Exclusive Agriculture (EA).

Mr. Ryan read the Agenda Commentary (copy on file). A letter was received from the Town of Kossuth indicating the Town Board supports this rezone request.

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

Joe Resch, owner of the property, spoke and gave an overview of the reason for rezoning.

There was no one else to speak; Mr. Waack closed the Public Hearing.

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

Certified Surveys, Development Plans and Subdivisions – Discussion and possible action:

Kay Mueller - Variance Request, NE¼, SW¼, Section 25, T17N-R21E, Town of Schleswig.

Mr. Ryan read a summary of the request (copy on file).

Dave Amel, realtor for Ms. Mueller, spoke and explained why the variance is being requested.

There was no one else to speak.

A motion was made by Mr. Waack to approve and seconded by Mr. Falkowski. Motion passed upon a unanimous voice vote.

Thomas Bouc – Variance Request, SE¼, NE¼, Section 23, T18N-R23E, Town of Newton.

Mr. Ryan read a summary of the request (copy on file).

Mr. Ryan read a letter from the Town of Newton plan commission in favor of the variance request (copy on file).

Mr. Bouc, owner of the property, spoke and gave an overview of the variance request.

There was no one else to speak.

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

Postponed: Discussion and possible action on Comprehensive Ordinance Revision for Chapter 9 of the Manitowoc County Code titled “Shoreland Zoning Ordinance”.

Motion made by Ms. Muench and seconded by Mr. Falkowski to reopen postponed item. Motion passed upon a unanimous voice vote.

Mr. Ryan, spoke and gave a general overview of what Mr. Tarnowski will be talking about.

Mr. Tarnowski, spoke and gave an overview of the changes that had been made since the last meeting concerning this ordinance. He went on to explain what areas were deviated away from the state model that the County is allowed to do.

Mr. Falkowski asked if the buffer was exclusively for Lake Michigan.

Mr. Tarnowski explained that is how it was written because most of the bluff areas are with Lake Michigan or tied into Lake Michigan.

Mr. Falkowski asked about the ADA, Americans with Disabilities Act.

Mr. Tarnowski explained that this is for individuals who need to access the shore or construct their structure a certain way due to a disability they are able to access it the same way as someone without a disability. He went on to explain the process involved to do this.

Mr. Ryan explained that a site plan will be required from a surveyor for pervious and impervious surfaces for an accurate baseline to issue permits. He continued to state October 1, 2016, is the deadline to enact this and Corporation Counsel asked to approve with allowance for technical changes by Corporation Counsel or the DNR.

End of discussion.

Motion Made by Mr. Vogt to approve with technical changes if needed by Corporation Counsel or the DNR and seconded by Ms. Muench. Motion passed upon a unanimous voice vote.

Postponed: Discussion and possible action on Comprehensive Ordinance Revision for Chapter 13 of the Manitowoc County Code titled "Private Sewage Systems Ordinance".

Motion made by Ms. Muench and seconded by Mr. Vogt to reopen postponed item. Motion passed upon a unanimous voice vote.

Mr. Ryan, spoke and recommended keeping this item postponed as there is not a timeframe of having this ordinance updated.

Mr. Waack stated this item will remain postponed.

End of discussion.

Postponed: Discussion and possible acceptance to allow the 2016 cave man run special event at Maribel Caves.

Motion made by Mr. Korinek and seconded by Mr. Falkowski to reopen postponed item. Motion passed upon a unanimous voice vote.

Mr. Robinson gave an overview of the event and asked approval from the Commission.

End of discussion.

A motion was made by Mr. Falkowski to approve and seconded by Mr. Korinek. Motion passed upon a unanimous voice vote.

Postponed: Discussion and possible action on Resolution Authorizing Commencement of Suit for Ordinance Violations for Sportcomp Inc.:

Motion made by Mr. Hoffman and seconded by Mr. Korinek to reopen postponed item. Motion passed upon a unanimous voice vote.

Mr. Ryan, spoke and gave an update from Reed stating they are working on getting the proper permit through the Board of Adjustment and asked that this be postponed.

Mr. Waack stated this item will remain postponed.

End of discussion.

Miscellaneous:

Out of County Trips – WCCA Fall Conference, 2-3 staff members.

Mr. Ryan gave an overview of the conference.

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

Other Matters –

a. Election of officers

Mr. Waack was nominated for Chairperson.

Motion made by Mr. Hoffman and seconded by Mr. Korinek. Motion passed upon a unanimous voice vote.

Mr. Hoffman was nominated for Vice Chairperson.

Motion made by Mr. Vogt and seconded by Ms. Muench. Motion passed upon a unanimous voice vote.

Mr. Zimmer was nominated for Secretary.

Motion made by Mr. Hoffman and seconded by Mr. Falkowski. Motion passed upon a unanimous voice vote.

Next Meeting Date: Next meeting is scheduled for Monday, September 26, 2016.

Adjournment: Motion to adjourn was made by Mr. Vogt and seconded by Ms. Muench to adjourn at 4:43 pm. Motion passed upon a unanimous voice vote.

Respectfully submitted,

Mr. Zimmer, Secretary

Date