

**CITY OF WAUPACA  
CITY PLAN COMMISSION**

**REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL**

**WEDNESDAY, JUNE 5, 2019  
5:21 P.M.**

**1. ROLL CALL**

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**Present:** Mayor Brian Smith, Chairperson, Ald. Eric Olson, Tracy Behrendt, Ald. Alan Kjelland, Pat Phair and Justin Berrens, Public Works Director

**Absent:** John Kneer (excused)

**Others Present:** Andrew Dane, Interim Development Director, Henry Veleker, City Administrator/Clerk and Jason Kinziger

**2. APPROVAL OF AGENDA**

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**MOVED** by Ald. Kjelland **SECONDED** by Ald. Olson to **APPROVE** the Agenda as presented. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote.

**3. APPROVAL OF PLAN COMMISSION MINUTES**

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**MOVED** by Comm. Phair, **SECONDED** by Comm. Behrendt to **APPROVE** the April 9, 2019 Plan Commission Minutes and the May 1, 2019 three (3) Public Hearings and Plan Commission Minutes. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote.

Mayor Smith reminded the commission members that the Wednesday July 3, 2019 City Plan Commission meeting has been rescheduled for Wednesday July 10, 2019.

**4. SPECIAL USE PERMIT / STEPHANIE MUNCH, JASON KINZIGER, AGENT, 506  
HIGHLAND DRIVE**

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Andrew Dane, Interim Development Director said that the property located at 506 Highland Drive met all of the setback requirements and asked the Commission to recommend to Council the approval to issue a Special Use Permit to Stephanie Munch, Jason Kinziger, Agent, adding that they want to build a detached garage.

**MOVED** by Ald. Kjelland, **SECONDED** by Ald. Olson to **APPROVE AND RECOMMEND TO COUNCIL** the Special Use Permit for Stephanie Munch, Jason Kinziger, Agent, for a detached garage located at 506 Highland Drive. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote.

**5. GRAZING ANIMALS ON NON-AGRICULTURAL LAND**

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Ald. Kjelland said that there are certain parcels within the city limits that are non-agricultural and do not abut up to residential lands but some do have invasive species on them. He would like to see an Ordinance variance drafted or a Special Use Permit for those types of properties that would permit on an experimental or pilot basis, some sort of animal grazing to better control invasive species. Comm. Phair felt that Ald. Kjelland's proposal was fair and reasonable but the commission should be cautious as to exactly what animals would be allowed to

graze to avoid future conflicts. Mayor Smith was concerned and felt research should be completed to determine if the city is allowed to suspend the current Zoning Ordinance to do a trial period without changing the Ordinance. There was discussion whether the city would maintain the program or if it would be a privately run program, as well as the need to set time limits, including general care of animals, notification of adjacent property owners and the size of the parcels allowed to house grazing animals.

Russ Butkiewicz, 124 E. Lake Street, Waupaca reiterated that his family's goal with the Oz Natural Area is about education and management of invasive species without the use of strong pesticides or herbicides. Mr. Butkiewicz said his family is proposing the Oz Natural Area to be a Center for Biodiversity Education and a Zoological Garden. He added that under City Ordinance 26-05 Section (3) he feels the city should allow them to utilize grazing animals, as it exists as a private educational institution. Their intent is to start the grazing process with a 10,000 square foot area, which would be surrounded by a 5-foot tall 12-gauge wire fence. Mr. Butkiewicz said they intend to utilize electric netting, which could be easily moved around, and added he would prefer that his family manage the grazing animals.

Kari Esbensen, 124 E. Lake Street, Waupaca quoted City Ordinance 26-05 Section (3) "The prohibitions of subsection (2) shall not apply where the creatures are in the care, custody or control of: pet shops, a state-licensed game farm; a veterinarian for treatment; agricultural fairs; shows or projects of the 4-H clubs; a display for judging purposes; an itinerant or transient carnival, circus or other show; dog or cat shows or trials; public or *private educational institutions*; licensed pet shops; *zoological gardens*; if:

- (a) Their location conforms to the provisions of the zoning ordinance of the city.
- (b) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
- (c) Animals are maintained in quarters so constructed as to prevent their escape.
- (d) No person lives or resides within 100 feet of the quarters in which the animals are kept."

Ms. Esbensen added that this Ordinance exists on the books and asked Interim Development Director Andrew Dane to review the city ordinances and confirm if their Center for Biodiversity Education Oz Natural Area & Zoological Garden qualifies as a private educational institution and/or zoological garden. She described the various educational events already happening on location such as small groups for field studies, they are in the process of inventorying the birds, and felt they are already serving as an educational institution. Ms. Esbensen added her family has been practicing organic farming for 30 years with the past 6 years of using rotational grazing on their farm in the town of St. Lawrence. She said her family is equipped in experienced animal handlers and in experienced land handlers saying the property is in a unique setting with agricultural property nearby and they are desirous of co-existing with their neighbors in a positive fashion.

Rachel Bouressa, N3775 Ritchie Road, New London, Grazing Planner Golden Sands RC&D Council, Inc. promoted the DNR that initiated a program with public lands and grazing as the cheapest most effective way to take care of invasive species, which is mutually beneficial for the state and farmers. Ms. Bouressa suggested the city require a grazing plan of any property owner interested in pursuing rotational grazing, and she suggested limiting them to a season typically May 1 to November 15 and using multi-species animals to graze, i.e. goats and horses.

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Andrew Dane, Interim Development Director recapped the options available at this point; 1) suspending the ordinance for a trial period 2) updating the ordinance to allow for this type of activity 3) creating a variance to the existing ordinance or 4) allowing this type of activity under the existing ordinance. He felt more research needed to be completed and he would bring something back for the commission to review at the July 10, 2019 City Plan Commission meeting. There was discussion whether a Special Use Permit would be required for this type of activity to be allowed on the Oz Natural Area that is currently zoned Heavy Industrial 2.

Ms. Esbensen inquired if JR's Petting Zoo is still open saying that it is located within the city limits and wondered what their zoning designation is. She also mentioned that JR's had goats at that location. Mayor Smith reminded the commission that JR's Petting Zoo was annexed into the city from the town of Farmington and they were grandfathered in at that time.

## **6. COMPREHENSIVE PLAN UPDATE AND ZONING CODE REWRITE UPDATE**

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Henry Veleker, City Administrator/Clerk said that rewriting the city's zoning code was a priority during the city's strategic planning process and he and Andrew Dane, Interim Development Director are working to bring this project forward. Mr. Veleker added that the Comprehensive Plan is about 12 years old and felt they could be efficient to move both projects forward together. Mr. Dane added the zoning code rewrite could be completed by the end of 2019 but felt that the Comprehensive Plan rewrite would take considerably more time to complete.

## **7. REPORTS:**

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- a. **May 2019 Building Permits** - informational
- b. **May 2019 Code Enforcement Status Report** - informational
- c. **Development Update** – The Wood Renovator's project in the Industrial Project is moving forward as well as the Foundry's project at Plants 2 and 3 and Performance Industrial Products is planning an expansion project.

## **8. ADJOURNMENT**

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**MOVED** by Ald. Kjelland, **SECONDED** by Ald. Olson, to **ADJOURN** the June 5, 2019 Regular City Plan Commission Meeting. 6 ayes, 0 nays, 1 absent. **MOTION CARRIED** on a voice vote.

The meeting adjourned at 6:23 p.m.

Mayor Brian Smith, Chairperson

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