



**PLAN COMMISSION MEETING**  
FREEDOM TOWN HALL - W2004 COUNTY RD S  
WEDNESDAY, JULY 9, 2025 - 5:30 p.m.

1. Call to order, roll call, pledge
2. Verification of posting & adopt agenda
3. Consideration of minutes from May 14, 2025 & June 11, 2025
4. Discussion and possible action on Gonnering CSM
5. Discussion regarding property concerns – N4128 County Road E
6. Discussion regarding property concerns – W2060 County Road S
7. Building permits report
8. Sanitary District report
9. Town Planner report
10. Future meeting schedule; August 13, 2025 at 5:30pm
11. Adjourn

Posted on 2 Boards at the Freedom Town Hall and on the Town website on the 7<sup>TH</sup> day of July 2025, by 4 PM by the Clerk's Office

Dana McHugh, Town Clerk/Treasurer

## PLAN COMMISSION MEETING MINUTES

FREEDOM TOWN HALL - W2004 COUNTY RD S

WEDNESDAY, MAY 14, 2025 - 5:30 p.m.

1. Call to order, roll call, pledge

***Chairperson Linda Borneman called the meeting to order at 5:30 p.m.***

***Chairperson Linda Borneman, Commissioner Dan Reinke, Commissioner Ron Mashlan, and Commissioner Mark Dollevoet were all present. Excused: Commissioner Henry McKenna, Commissioner Darin Tiedt, Commissioner Sam VanHandel. Also Present: Justin Carlson Town Administrator, Dana McHugh Clerk/Treasurer, Jeff Sanders Town Planner. Chairperson Borneman Led the Pledge of Allegiance.***

2. Verification of posting & adopt agenda

***Agenda posted on the 2 board at the Town Hall and on the Town website on 5/12/25 by 9am. Motion made by Commissioner Reinke with a second by Commissioner Dollevoet to adopt the agenda.***

***Vote: 4 Yes 0 No Motion Carried***

3. Consideration of minutes from April 9, 2025

***Motion made by Commissioner Dollevoet with a second by Commissioner Mashlan to approve April 9, 2025, meeting minutes.***

***Vote: 4 Yes 0 No Motion Carried***

4. Discussion and possible action of preliminary plat – Chad & Mark Properties

***Motion made by Commissioner Dollevoet with a second by Commissioner Reinke to recommend to the Town Board approval of the revised Preliminary Plat layout generally consistent with the drawing submitted.***

***Vote: 4 Yes 0 No Motion Carried***

5. Discussion and possible recommendation of rezoning application – Chad & Mark Properties

***Motion made by Commissioner Reinke with a second by Commissioner Mashlan to recommend approval contingent upon the Preliminary Plat.***

***Vote: 4 Yes 0 No Motion Carried***

6. Discussion and possible action on Chapter 18 Ordinance, 18-073 Addressing

7. Building permits report

8. Sanitary District report

9. Town Planner report

10. Future meeting schedule = June 11, 2025 at 5:30pm

11. Adjourn

***Motion made by Commissioner Dollevoet with a second by Commissioner Reinke to adjourn the meeting at 7:14pm.***

***Vote: 4 Yes 0 No Motion Carried***

Dana McHugh, Town Clerk/Treasurer

## PLAN COMMISSION MEETING – PUBLIC HEARING MINUTES

FREEDOM TOWN HALL - W2004 COUNTY RD S

WEDNESDAY, JUNE 11, 2025 - 5:20 p.m.

1. Call to order, roll call, pledge  
***Chairperson Linda Borneman called the Public Hearing to order at 5:20 p.m.  
Chairperson Linda Borneman, Commissioner Dan Reinke, Commissioner Ron Mashlan, and Commissioner Mark Dollevoet, Commissioner Henry McKenna, Commissioner Darin Tiedt, and Commissioner Sam VanHandel were all present. Also Present: Justin Carlson Town Administrator, Deputy Clerk/Treasurer Rachel Kolocheski, and Jeff Sanders Town Planner. Chairperson Borneman Led the Pledge of Allegiance.***
2. Verification of posting & adopt agenda  
***Posted on 2 Boards at the Freedom Town Hall and on the Town website on the 9th day of June 2025, by 4 PM by the Clerk's Office. Motion made by Commissioner Reinke with a second by Commissioner Tiedt to adopt the agenda.  
Vote: 7 Yes 0 No Motion Carried***
3. Public Hearing Chapter 18; Removing Section 18-073 Addressing
  - A. Presentation
  - B. Public Hearing
  - C. Close Public Hearing***Motion made by Commissioner Reinke with a second by Commissioner Mashlan to close the public hearing.  
Vote: 7 Yes 0 No Motion Carried***
4. Adjourn

## PLAN COMMISSION MEETING

FREEDOM TOWN HALL - W2004 COUNTY RD S

WEDNESDAY, JUNE 11, 2025 - 5:30 p.m.

1. Call to order, roll call, pledge  
***Chairperson Linda Borneman called the Public Hearing to order at 5:30 p.m.  
Chairperson Linda Borneman, Commissioner Dan Reinke, Commissioner Ron Mashlan, and Commissioner Mark Dollevoet, Commissioner Henry McKenna, Commissioner Darin Tiedt, and Commissioner Sam VanHandel were all present. Also Present: Justin Carlson Town Administrator, Deputy Clerk/Treasurer Rachel Kolocheski, and Jeff Sanders Town Planner.***
2. Verification of posting & adopt agenda  
***Posted on 2 Boards at the Freedom Town Hall and on the Town website on the 9th day of June 2025, by 4 PM by the Clerk's Office. Motion made by Commissioner Reinke with a second by Commissioner Dollevoet to adopt the agenda.  
Vote: 7 Yes 0 No Motion Carried***
3. Consideration of minutes from May 14, 2025

4. Discussion and possible action on Chapter 18 Ordinance, 18-073 Addressing  
***Motion made by Commissioner Reinke with a second by Commissioner VanHandel to recommend to the Town Board approval of the Chapter 18-073 Addressing update to remove that section.***  
***Vote: 7 Yes 0 No Motion Carried***
5. Building permits report
6. Sanitary District report
7. Town Planner report
8. Future meeting schedule = July 9, 2025 at 5:30pm
9. Adjourn  
***Motion made by Commissioner Dollevoet with a second by Commissioner Reinke to adjourn the meeting at 6:04pm.***  
***Vote: 7 Yes 0 No Motion Carried***

Dana McHugh, Town Clerk/Treasurer

## **I. APPLICATION**

Title of Project: Revised Gonnering CSM

Name of Owner: Gonnering Real Estate LLC; rep. Bruce E. Gonnering

Name of Developer / Surveyor / Contractor: David Hebert, P.L.S., Hebert Land Surveying Associates Inc.

## **II. BACKGROUND**

The Owner has submitted an 'Application for Minor Land Division' Concept drawing to divide Tax Parcel Number 090006700 (hereafter, TPN-090006700) located on CTH C in the Town of Freedom. The Owner proposed to create Lot 1, an irregular lot of 7.276 acres in size.

TPN-090006700 hosts a WI DNR Wetland and WI DNR Wetland Indicators (see Exhibit 1).

## **III. ZONING ORDINANCE**

TPN-090006700 is 37.36 acres in size and is zoned AGD General Agricultural District (hereafter, AGD District). A 0.64-acre parcel, TPN-090006701, was previously divided (see Exhibit 2). Section 54-131(1) of the Outagamie County Zoning Ordinance (hereafter, zoning ordinance) establishes 'Dimensional Requirements' for 'Principal Agricultural Uses' in the AGD District.

AGD District Dimensional Requirements			
	Requirements	TPN-090006700	Compliant
Lot			
Minimum Area	Two ac.	7.276 ac.	Yes
Minimum Width	100 ft.	300 ft.	Yes
Setbacks (applicable existing structures)			
Front Yard	25 ft.	Not provided, but in excess of 25 ft.	Yes
Side Yard	30 ft.	none	n/a
Rear Yard	50 ft.	none	n/a

The proposed land division is **compliant** with Section 54-131(1) of the zoning ordinance

## **IV. LAND DIVISION ORDINANCE**

Section 18-023 'Compliance' of the Town of Freedom Land Division Regulations (hereafter, land division ordinance) reads as follows:

*'No person, firm, or corporation shall divide any land located within the limits of the Town which results in a subdivision, minor land division or a replat as defined herein; no such subdivision, minor land division or replat shall be entitled to recording; and no street shall be laid out or improvements made to land without compliance with all requirements of this Chapter and the following documents:*

- G. The zoning ordinance and all other applicable local and county ordinances and state and federal laws.'*

As written in Section III of this Report, the proposed land division will result in the creation of a nonconforming structure.

The proposed land division is **noncompliant** with Section 18-023 of the land division ordinance.

Section 18-050 'Lots' of the land division ordinance reads as follows:

- A. Lot dimensions and setback lines shall conform to the requirements of the zoning ordinance.*
- F. Shape of lots shall generally be rectangular. Lots platted on cul-de-sacs will generally be narrower at the street than at the rear lot line. Flag lots or easements or other lot stacking techniques shall be prohibited, except where necessary to accommodate exceptional topography or to preserve natural resources.*

The proposed land division would create a lot **noncompliant** with the setback requirements of Section 18-050.A and would result in a remnant parcel **noncompliant** with Section 18-050.F of the land division ordinance (see Exhibit 3).

**V. CPC COMMENT<sup>1</sup>**

CPC recommends **approval** of the proposed land division as drawn.

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<sup>1</sup> CPC recommendations are based upon professional staff review of application materials provided to CPC. CPC staff reports are authored by a municipal planner, not a licensed attorney, and do not constitute a legal opinion.

**Exhibit 1**

- Orange lines w/dots – WI DNR Wetlands
- Purple lines w/dots – WI DNR Wetland Indicators



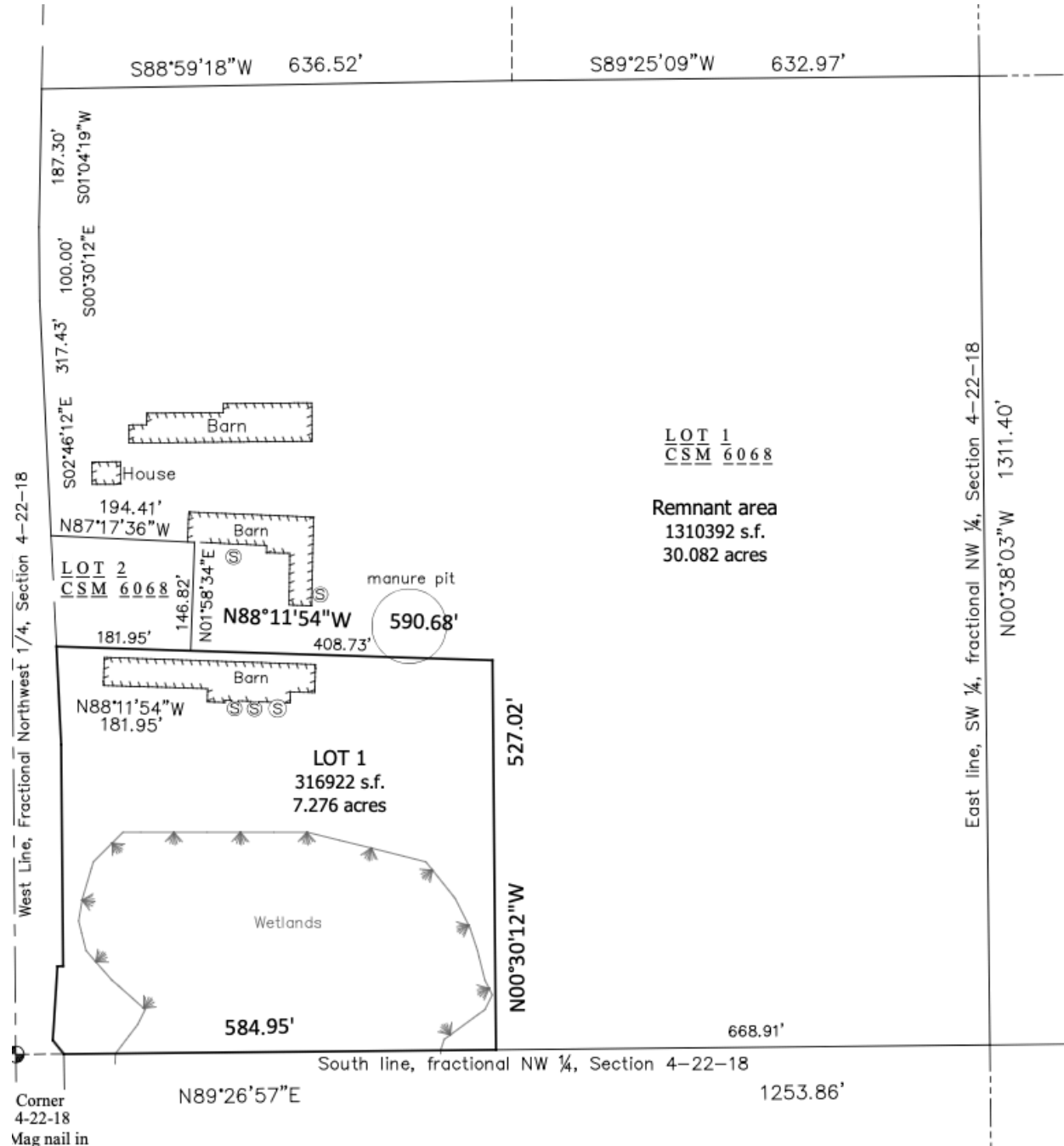


**Exhibit 2**





**Exhibit 3**



**Issue Report:** Property Condition Concerns  
**To:** Plan Commission  
**From:** Administrator Carlson  
**Date:** 7-9-2025

## **BACKGROUND**

There have been concerns expressed regarding the condition of a couple of properties in Freedom, specifically at N4128 County Road E and W2060 County Road S. Preliminary investigation has confirmed there are issues with each property that may warrant further investigation and action by the town to pursue correction of these issues.

## **ISSUES AT N4128 COUNTY ROAD E**

The property in question displays several potential issues covered under Chapter 10 of the Town of Freedom Municipal Code concerning Public Nuisance issues.

First, there appear to be weeds/grass in violation of the height limits set forth in the ordinance. Standard remedy for this is providing the property owner with a written notice of the issue. Failure to comply within 7 days of receiving the notice allows the town to abate the violation and bill the homeowner for associated costs.

Second, there is an issue regarding storage of junk vehicles, campers, or other items in a manner that “substantially annoys, injures, or endangers the comfort, health, repose, or safety of the public,” or “renders the public insecure in life or in the use of property.” Under those conditions, the property may be in violation of that provision of the ordinance as well. If these items obstruct the sidewalk or create a safety hazard for pedestrians, this would constitute a public nuisance.

Third, the condition of the building immediately adjacent to the sidewalk is also a potential violation of the ordinance. Buildings that are “so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human use” are considered public nuisances affecting health and safety. The town may require repairs or abatement at the expense of the property owner.

Lastly, “general public nuisance” is any act, occupation, or condition that endangers public safety, health, or comfort or greatly offends public morals or decency can be pursued as a public nuisance.

## **Enforcement and Remedies**

- **Inspection:** Depending on the nature of the violation, several town officials may be able to inspect the property including, but not limited to, law enforcement, the Building Inspector, or the DPW Foreman. If a nuisance is found and deemed to be present, the owner may be given a written notice to abate the violation within a specific amount of time, usually 7-10 days for grass/weeds and 10 days for other nuisances.
- **Abatement by Town:** If the property owner fails to comply after written notice, the Town may abate the nuisance and charge the costs to the owner, which can be special assessed on their property tax bill.

- **Penalties:** Violations could result in fines ranging from \$50 to \$500 per day plus the costs of prosecution and abatement.

An additional concern about this property is the proximity of one of the structures to the sidewalk and the appearance that the structure is encroaching upon the right of way/exceeding the boundaries of the property line. This is potentially an issue that could also require abatement under different areas of law/ordinance.

#### **ISSUE AT W2060 COUNTY ROAD S**

The issue at this property stems from the appearance of the structure to have a substantial hole in the roof of the building, along with other aesthetic issues that are evident in the building's appearance.

The provision of the public nuisance ordinance concerning dilapidated structures would be most likely to apply in this case. Once again, buildings that are "so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human use" are considered public nuisances affecting health and safety. The town may require repairs or abatement at the expense of the property owner.

#### **CONCLUSION**

There are numerous issues that currently appear to be present at the properties. Staff recommends the Plan Commission make a motion to direct staff to notify the property owner, further investigate and inspect, and, if necessary, pursue abatement of these issues.



BLOCK A

1003

1004

1007

1008

1009

1010

1012

58.45

89.15

103.9

152.5

121.2

49.5

109.4

62.63

68.72

120.9

11

1

163

12

87

113

12

13

143.70









1169

80.07

120

1165

196.75

60

93

1179

121.5

93

93

1178

61.5

93

1176

130.93

61.25

1177

131.38

60

1060

105905

2

135.27

355.43

67.77











## 2025 Building Permits

APP #	LAST NAME	FIRST NAME	PARCEL #	HOUSE #	STREET NAME	TYPE	EST. COST	TOTAL PAID	Perk \$300	W/ Seal Permit \$35	Engineer Fee \$220	Admin \$50	Address \$100	ROW \$50	BUILDING INSPECTOR	DATE ISSUED
FR-25-1	VANDEHEY		090027905	N4354	BELL CT	ELECTRICAL	\$5,000	\$150							SP	1/7/2025
FR-25-2	Hinz	Daniel	090017501	N4392	French Rd	SOLAR	\$20,615	\$250							SP	1/7/2025
FR-25-3	CCW Properties		090210800	W1944	Industrial Dr	ELECTRICAL	UK	\$250.00							SP	1/9/2025
FR-25-4	Toyne	Don	090207800	N4344	Kylea Ct	FINISHL	\$34,000	\$510							SP	1/21/2025
FR-25-5	Leduc	Leann	090076500	W3092	Mathison Rd	NEW HOME	\$5,000	\$125							SP	1/27/2025
FR-25-6	VanCamp	Gerald	090028502	W2029	Center Valley Rd	NEW HOME	\$650,000.00	\$4,040.00	\$300				\$100		SP	1/29/2025
FR-25-7	Cotton		090065200	N3574	State HWY 55	ELECTRICAL	UK	\$125							SF	2/5/2025
FR-25-8	Vanderloop	Tim	090094500	N2604	Cty HWY N	PAZE	UK	\$150							SP	2/4/2025
FR-25-9	Wolff	Dylan	090009602	N4681	Cty Rd C	NEW HOME	\$400,000.00	\$2,265.00	\$300				\$100		SP	2/12/2025
FR-25-10	J&S		090061922	LOT 20	Warren Trl	NEW HOME	\$320,000.00	\$2,265.00	\$300				\$100		SP	2/12/2025
FR-25-11	Richeson	Shawn	090168300	N4295	Oak Ln	REMODEL/ADDITG	\$93,000.00	\$1,200.00							SP	2/20/2025
FR-25-12	J&S		090061933	LOT 31	Ethan Dr	NEW HOME	\$325,000.00	\$2,265.00	\$300				\$100		SF	3/11/2025
FR-25-13	Residential Solutions		090061940	LOT 38	Gavin Dr	NEW HOME	\$500,000	\$4,440	\$300				\$100		SP	2/26/2025
FR-25-14	Residential Solutions		090061970	LOT 68	Gavin Dr	NEW HOME	\$500,000	\$2,265	\$300				\$100		SP	2/26/2025
FR-25-15	Keller	Chuck	090090502	W3130	Broadway Lot 104	HVAC		\$125							SP	2/27/2025
FR-25-16	Great Value Homes		090090502	W3130	Broadway Lot 205	NEW TRAILER	\$90,000	\$300							SP	2/27/2025
FR-25-17	Great Value Homes		090090502	W3130	Broadway Lot 61	NEW TRAILER	\$90,000	\$300							SP	3/5/2025
FR-25-18	Matuszak	Mark	090205200	N4345	Panoramic Trl	REMODEL/ADDITG	\$50,000	\$875							SP	3/6/2025
FR-25-19	Pfarrng	Trevor	090055906	W3332	Asn Lake Trl	PLUMBING	\$6,000	\$250							SP	3/10/2025
FR-25-20	Harjes	David				NEW HOME	\$475,000	\$2,265	\$300				\$100		SP	3/17/2025
FR-25-21	Cismoski	John	090172400	N3921	Dublin Way	FENCE	UK	\$100							SP	3/14/2025
FR-25-22	Vanasten	Adam	090032900	W1560	Vanasten Rd	POOL	\$70,000	\$300							SP	3/14/2025
FR-25-23	Keller	Chuck	090055906	W3130	Broadway Lot 104	HVAC	\$6,000	\$125							SP	3/17/2025
FR-25-24	Woods	Cole	090093400	W2299	Greiner Rd	ELECTRICAL	UK	\$125							SF	3/17/2025
FR-25-25	Herbst	Jeff	090061973	N3668	Gavin Dr	FENCE	\$4,000	\$100							SF	3/19/2025
FR-25-26	Verkullen	Greg	090048402	W2321	Schmidt Rd	NEW HOME	\$450,000	\$2,265	\$300				\$100		SP	3/19/2025
FR-25-27	Bigge	Steve	090061915	W2321		FENCE	UK	\$100							SP	3/24/2025
FR-25-28	FASD		090038800	N4021	Cty Rd E	Early Start	\$55,000,000	\$150.00							SP	3/14/2025
FR-25-29	Buss	Randy	090651942	W2375	Ethan Dr	DECK	\$38,626	\$250							SP	3/28/2025
FR-25-30	Mannbach	Patrick	090193500	W3526	Equestrian Trl	ELECTRICAL	\$3,000	\$125							SP	3/31/2025
FR-25-31	Moue	Shoua	090010303	N4773	French Rd	HVAC	\$6,716	\$125							SF	4/4/2025
FR-25-32	Wiestler	Al	090028000	W1764	Elk Ln	EGRESS WINDOW		\$250							SP	4/6/2025
FR-25-33	Schuh	Rebecca	090151600	N3919	McHugh Rd	FENCE	UK	\$100							SP	4/6/2025
FR-25-34	Calmes	Greg	090049302		Schoder Rd	NEW HOME	\$665,000	\$4,440	\$300				\$100		SF	4/14/2025
FR-25-35	Favours	Zach	090101900	N4114	Coffey St	ELECTRICAL	UK	\$125							SP	4/15/2025
FR-25-36	Buss Electric Inc		090038800	N4021	County Rd E	TEMP ELECTRICAL	\$800	\$125							SF	4/15/2025
FR-25-37	Asimirus	Cory	090166300	W2299	County Rd E	GARAGE	\$445,000	\$400.00							SP	4/22/2025
FR-25-38	VanHandel	Daniel	090056800		County Rd C	AG BUILDING	\$87,000	\$652.50							SP	4/24/2025
FR-25-39	Egert	Sharon	090040721	N3790	Wheatfield Ln	HVAC	\$4,000	\$125.00							SP	4/24/2025
FR-25-40	Reinke	Steve	090095505	N2519	State HWY 55	ELECTRICAL	\$12,000	\$200							SP	4/14/2025
FR-25-41	Werning	Steve	090010000	N3403	Krueger Rd	ELECTRICAL	\$2,000	\$125.00							SP	4/24/2025
FR-25-42	VanCamp	William	090026402	Parcel Only		PAZE	UK	\$150							SP	4/30/2025
FR-25-43	Field	Richard	090124100	N4172	Gonnering	HVAC	\$4,992	\$125							SP	5/6/2025
FR-25-44	Reiland	Gerald	090044500	N4075	Cty Rd C	ELECTRIC	\$8,000	\$650							SP	5/8/2025
FR-25-45	Buss Electric Inc		090038800	N4021	County Rd E	GARAGE	\$60,000	\$525							SF	5/14/2025
FR-25-46	Zwiers	Rick	090163200	W3168	Hilly Haven DR	GARAGE	\$75,000	\$660							SF	5/14/2025
FR-25-47	Cleewater	Dan	090041110	N3826	Breese Way	GARAGE	\$975	\$975							SF	5/14/2025
FR-25-48	Verkullen	Andy	090017603	W3140	Garvey Rd	GARAGE	\$3,000	\$975							SP	5/16/2025
FR-25-49	Hoffers	Samuel	090024300	2131	Ludwig	FENCE	\$3,000	\$100							SP	5/16/2025
FR-25-50	Evers	James	090022001	W2167	Center Valley Rd	HVAC	\$9,000	\$135							SP	5/20/2025

[illegible]

**I. PENDING MATTERS REQUIRING PLAN COMMISSION / TOWN BOARD ACTION**

- A. Kirk Schuh Special Exception – landscaping business (awaiting submittal of application)

**II. OTHER PLANNING & ZONING MATTERS**

none

**III. PLANNING & ZONING RELATED LEGISLATION / COURT DECISIONS**

- A. 2023 Act 264

Signed into law on March 29, 2024, Act 264 creates an alternative procedure for withdrawing from county zoning, beginning with a town board's adoption of a resolution of the town's intent to begin the process, then, between two and three years later, adoption of a second resolution informing the county of the town's withdrawal from county zoning. Before adopting that second resolution, the bill requires a town to have enacted a town zoning ordinance, comprehensive plan, and zoning map. A town may then enact an ordinance to withdraw from county zoning. A Town zoning ordinance enacted under this law may take effect no sooner than five years after the law passed.

See attached.

# Wisconsin Legislative Council

## ACT MEMO



**Prepared by:** Patrick Ward, Staff Attorney

April 16, 2024

### 2023 Wisconsin Act 264 [2023 Senate Bill 826]

### Town Withdrawals From County Zoning

## 2023 WISCONSIN ACT 264

2023 Wisconsin Act 264 creates a new procedure by which a town may withdraw from county zoning and standardizes statutory language related to the continuing effect of zoning regulations when the governmental unit with zoning authority changes.

### Town Withdrawal From County Zoning

Under current law, a town that has previously opted in to county zoning generally may withdraw from county zoning only when a county reenacts a comprehensive revision to the county zoning ordinance.

The act creates an alternative procedure for withdrawing from county zoning that begins with a town board's adoption of a resolution of the town's intent to begin the process. Then, between two and three years later, the town board must adopt a second resolution that informs the county of the town's withdrawal from county zoning. Before adopting that second resolution, the act requires a town to have enacted a town zoning ordinance, comprehensive plan, and zoning map. A town may then enact an ordinance to withdraw from county zoning. Such ordinances may first take effect five years after the act takes effect.

The act specifies that that procedure does not authorize a town to withdraw from county shoreland zoning, county floodplain zoning, and the portions of a county zoning ordinance or development plan that regulate quarry operations.

The act also repeals a Dane County-specific provision of current law, which specifies that a town may not prohibit structures and uses that were lawful under county zoning from continuing when withdrawing from Dane County zoning.

### Continuity of Zoning Regulations

Certain provisions in current law provide for continuity of zoning regulations when the governmental unit with zoning authority changes, such as when town territory subject to county zoning becomes subject to city zoning after being annexed into the city. Generally, zoning regulations in place prior to a change in zoning authority remain in effect until specifically changed by the new zoning authority.

The act standardizes statutory language regarding the continuity of existing zoning regulations, including for the procedure for town withdrawal created by the act, and standardizes the language used to describe zoning regulations to include the zoning ordinance and any regulations, approvals, and conditions imposed under the ordinance.

The act also clarifies that the act does not expand or modify underlying zoning authority or authorize changes to existing regulations, approvals, or conditions, or authorize changes to nonconforming uses.

Effective date: March 31, 2024

For a full history of the bill, visit the Legislature's [bill history page](#).

PW:jal