

Town of Eldorado Plan Commission (EPC) Meeting Minutes

January 11, 2022

Plan Commission Member Attendees (5) and terms:

x	Jeremy Brenner, Chairperson (5/1/2019 - 4/30/2022)	x	Jenna Borski, Secretary (5/1/2021 - 4/30/2024)		Aaron Rickert, Town Supervisor #2 (Town Board Liaison) (5/1/2021 - 4/30/2023)
x	Lee Wenker, Vice Chairperson (5/1/2019 – 4/30/2022)	x	Jeff White, Member (5/1/2021 – 4/30/2024)		

Staff or Town Board Member Attendees:

	Cheryl Pionke, Town Clerk (Appointed position)		Gary Miller, Town Chairman (5/1/2021 - 4/30/2023)		Attorney Matt Parmentier
	Mike Pionke, Highway Patrolman	x	Dave Jahns, Town Supervisor #1 (5/1/2021 - 4/30/2023) Permit Officer		

Note: As of June 2021, minutes no longer include public attendance. Names will be included for agenda items or contributions under public input or as deemed necessary by EPC.

Call to Order, Pledge of Allegiance and Agenda Review: Meeting called to order by Brenner at 7:08 p.m.

Review & Approve Minutes: EPC reviewed the EPC meeting minutes from December 14, 2021. Five copies circulated to public per May 2021 decision. Motion made by Wenker/White to approve minutes. Motion carried 4-0.

Public Input: Note no physical application form was submitted.

Tracking # CP-2022-01-11-Chancellor

Verbal Concept Plan – Application for Certified Survey Map (CSM) – Al and Mary Chancellor:

Location/Description of Property: N7598 Cty Rd C / T07-16-16-31-04-002-00 & T07-16-16-31-01-015-00

Parent parcel acres: 1.44 +/- & 0.56 +/-

Current zoning: A-2

Proposed parcel acres: 2.0

Area of dedication acres: unknown

Proposal: merge parcels for single tax bill

Brenner encouraged Chancellors to come talk with the EPC. They would like to merge their two parcels to receive a single tax bill. EPC briefly discussed and believe Chancellors will need to submit an application with a Certified Survey Map (CSM) to merge parcels per our Land Division/Sub-division Regulations. Borski provided Chancellors with the Application Process Instructions and application for a CSM approval. Borski will contact the Fond du Lac County Planner for clarification and contact Chancellors with additional details. A preliminary CSM does not need to be reviewed at a future concept plan discussion in this instance.

Tracking # CP-2021-12-27-Schumacher

Concept Plan – Application for Minor Land Division / Parcel Merge – Chris Schumacher:

Location/Description of Property: W7431 Cemetery Rd / T07-16-16-12-15-002-00 (also vacant T07-16-16-12-15-001-00 and vacant T07-16-16-12-14-001-00

Parent parcel acres: 5.0 +/- (also 36.22 +/- and 38.75 +/-)

Current zoning: A-1

Proposed parcel acres: 40 +/- and 40 +/-

Area of dedication acres: unknown but will need to dedicate to Cemetery Rd

Proposal: eliminate 5.0-acre lot that spans two historical 40-acre lots and revert land back to two separate approximate 40-acre parcels

Base Farm Tract (BFT) Acres: 304 +/- (Chris Schumacher)

Minimum Acres Required to be Maintained as Farm (20:1 ratio) (BFT acres/1.05): 289.524 +/-

Maximum Nonfarm Residential Acres Allowed (BFT – BFT/1.05): 14.476 +/-

Schumacher explained there used to be a house at W7431 Cemetery Rd set way back along Van Dyne Creek at the end of a 985 ft. driveway that was vacant for many years. The Town Fire Dept used the vacant house for a training burn and there is no structure remaining. Schumacher would like to eliminate the 5.0-acre lot that spans two historical 40-acre lots and revert land back to two separate approximate 40-acre parcels for sale of southern 40-acre parcel (along Cemetery Rd) to son for eventual construction of a farm residence in several years. There would not be another land division, but construction of the home on the 40-acre parcel. No rezone is proposed.

EPC discussed road frontage requirements, side yard and rear yard setbacks, 350 ft driveway setback and possibility for a variance to the 350 ft driveway setback from the Board of Appeals. EPC agreed this would be a farm residence and no land division or conditional use permit would be required if sold to Chris's son for farming. Borski believes a CSM will be needed that covers the entire 80 acres based on the current layout of the parcels but will verify this with a surveyor and follow-up with Schumacher. Borski provided Schumacher with the Application Process Instructions and application for a CSM approval. A preliminary CSM does not need to be reviewed at a future concept plan discussion in this instance.

Tracking # CP-2022-01-11-TJRVJM Real Estate LLC (Highland Farm)

Concept Plan – Discussion of Conceptual Vision for Future Land Uses of Highland Farm – TJRVJM Real Estate LLC:

Note no physical application form was submitted but a PowerPoint presentation provided.

Location/Description of Property: W8232 Lone Elm Rd / T07-16-16-03-02-004-00

Parent parcel acres: 5.092 +/-

Current zoning: A-2

Proposed parcel acres: same

Area of dedication acres: none

Proposal: Discuss commercial vs. agri-tourism use

Kelsie Lally (on behalf of the property owner) gave a presentation on a conceptual vision for future land use of the current Highland Farm with the purpose of determining whether the owner will need to request an amendment to the Future Land Use Map and rezone to Commercial District or whether the conceptual visions are considered agri-tourism, permissible as a conditional use with permit. Current land use includes a residence used as weekly rental as an Airbnb and hobby farm.

Lally presented an aerial view of the existing structures/current uses and proposed uses followed by presentation of several conceptual options for the property: expanded animal hobby farm (donkeys, ducks, etc.); greenhouse/garden for pop-up dinners; commercial bakery/classes; coffee shop/retail; event venue. These options require remodeling & heating of the current outbuildings, updated mound system and to address parking. Lally discussed that State approvals would be needed for the bakery. It is unclear what state approvals would be needed for a dinner venue. Dave Jahns, Town Supervisor and Permit Officer, agreed with EPC members that these proposed uses are best managed as agri-tourism with a conditional use permit under the A-2 General Ag District since the Commercial District does not allow for animals and the animals are a central concept in the vision.

Discussion continued regarding the long-term business plan. Questions raised:

- state laws regarding events in barns & fire concerns with two egresses and sprinklers, and

- distinction between agri-tourism and commercial property as the bakery and/or restaurant grows.

Lally discussed the intent is for long-term maintenance of an undersaturated property (occasional in lieu of routine dinner venue). Lally may come to the February EPC meeting with additional details. Borski provided Lally with the Application Process Instructions and application for a CUP.

General discussion on storage containers as personal property vs. structures and process for permitting/approval (Re: N8030 Sales Rd):

Since discussion of the concept plan for N8030 Sales Rd in December 2021, EPC inquired with Town Attorney Matt Parmentier about the proposed storage containers. If they are moved around on the property, they are considered personal property. If they will be stationary, they should be permitted through a conditional use permit along with the lighting, fence, etc. Eric Borseth of Newcastle Property Investments, LLC, owner of N8030 Sales Rd, attended the meeting and participated in the discussion. After input from the Town Attorney, it is clear no rezone is needed, and the business may continue to operate under the new owner as a prior legal non-conforming use as a self-storage facility on property zoned Commercial. Borseth inquired on how the storage containers will be assessed for taxes and EPC suggested Borseth contact the Town Assessor. Borseth confirmed there are no operating businesses at the parcel, just renters with personal or auto hobby use. Jahns cautioned Borseth on allowing auto hobby use in the rental space due to liability with environmental contamination. Borski provided Borseth with the Application Process Instructions and application for a CUP for the storage containers and other site improvements.

General discussion on number of applications historically received by the Plan Commission:

In response to a request from the Town Board, Borski is working to create a spreadsheet of applications received since the Plan Commission was initiated in 2010 after adoption of the first Comprehensive Plan. Borski also provided an update on efforts to maintain e-files and generate/maintain paper files in the Town's Office. Borski provided EPC with a draft graph of the number of applications (by type) received from 2013 – 2022 as well as a detailed summary of applications. Borski will continue to review and update the Town's paper files, populate the spreadsheet and update the graph for future discussions.

Review of General Inquiries Since December 14, 2021:

- Borski worked with Newcastle Property Investments and Highland Farms.
- Brenner spoke with Chancellors.
- White received inquiries on the Solar Energy farm.

Public Input: none

Next Meeting Date & Tentative Agenda: February 8, 2022

[Note: Regular EPC meetings are tentatively scheduled for 7:00 p.m. the second Tuesday of each month.]

Adjourn: Motion made by Wenker/Brenner to adjourn the meeting. Motion carried 4-0. Meeting adjourned at 9:42 p.m.

Respectfully submitted,

Jenna Borski
Member/Secretary
Town of Eldorado Plan Commission