

Town of Eldorado Plan Commission (EPC) Meeting Minutes

August 9, 2022

Plan Commission Member Attendees (5) and terms:

x	Jeremy Brenner, Chairperson (5/1/2022 - 4/30/2025)	x	Jenna Borski, Secretary (5/1/2021 - 4/30/2024)	x	Aaron Rickert, Town Supervisor #2 (Town Board Liaison) (5/1/2021 - 4/30/2023)
x	Dennis Yoder, Member (5/1/2022 – 4/30/2025)	x	Jeff White, Vice Chairperson (5/1/2021 – 4/30/2024)		

Staff or Town Board Member Attendees:

	Cheryl Pionke, Town Clerk (Appointed position)	x	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 comments or as deemed necessary by EPC. As of May 2022, public comments are limited to the designated times during the meeting.

Call to Order, Pledge of Allegiance and Agenda Review: Meeting called to order by Brenner at 8:40 p.m. following public hearing.

Public Comments *(Please note this is the Plan Commission’s monthly business meeting, not a public hearing. Individuals wishing to speak on any item should present their comments now under this “Public Comments” agenda item. In addition, although the Plan Commission can receive comments on matters not included on this agenda, it cannot discuss or take action on these matters. Each commenter will be limited to a total of three consecutive minutes under this agenda item.):* none

Review & Approve Minutes: EPC reviewed the public hearing & EPC meeting minutes from July 12, 2022. Five copies circulated to public per May 2021 decision. Motion made by Brenner/White to approve minutes. Motion carried 5-0.

**Tracking # CSM-2022-07-25-Schumacher
Certified Survey Map – Chris & Sharon Schumacher**

Applicant: Chris and Sharon Schumacher

Location/Description of Property: W7431 Cemetery Rd / T07-16-16-12-15-003-00

Parent parcel acres: 38.635 +/-

Current zoning: A-1

Proposed parcel acres: 27.131 & 11.504 +/-

Area of dedication acres: none

Proposal: Create 27.131 +/- (Lot 1) and 11.504 +/- (Lot 2) by a minor land division for sale of Lot 1 to son for farm residence

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

Minimum Acres Required to be Maintained as Farm (20:1 ratio) (BFT acres/1.05): 289.52 +/-

Maximum Nonfarm Residential Acres Allowed (BFT – BFT/1.05): 14.48 +/-

Schumacher informed the EPC that he wishes to split the 38.635 +/- acre lot the Town approved in April 2022 to split it along the existing driveway. The plans for his son to purchase and build a farm residence on the western side of the existing parcel remain (proposed Lot 1 of 27.131 +/- acres); however, they needed to reduce the size of the property his son will purchase at this time. Chris Schumacher will continue to farm the proposed Lot 2 of 11.504 +/- acres and

the surrounding ag parcels. EPC confirmed that as discussed in April 2022, no rezone is needed for a child of an owner of the farm to construct a farm residence. EPC confirmed the proposed CSM included at least 200 feet of road frontage for the proposed Lot 1 so it is buildable in the A-1 district.

Motion made by Yoder/Brenner to recommend approval to the Town Board of application for a certified survey map regarding W7431 Cemetery Rd, parcel #T07-16-16-12-15-003-00, for creation of a 27.131 +/- acre Lot 1 and 11.504 +/- acre Lot 2 without rezone. Motion carried 5-0. The CSM will be further reviewed by the Town Board at the next meeting on August 22, 2022. If approved, the CSM will be signed by the Town Board.

Tracking # CP-2022-07-25-Rickert Bros LLC

Concept Plan – Application for Minor Land Division of A-1 Land without Rezone and Conditional Use Permit (CUP) for a Non-Farm Residence (NFR) – Applicant: Rickert Bros LLC (Jim & Greg Rickert)

Location/Description of Property: vacant parcel NE of northern intersection of Lincoln Rd & Town Hall Rd / T07-16-16-09-07-005-00

Parent parcel acres: 23.83 +/-

Current zoning: A-1

Proposed parcel acres: 3.005 +/-

Area of dedication acres: 0.427 +/- for Town Hall Rd

Proposal: create a 3.005 +/- acre Lot 1 for sale and construction of a NFR under CUP

Base Farm Tract (BFT) Acres: 545.7 +/-

Minimum Acres Required to be Maintained as Farm (20:1 ratio) (BFT acres/1.05): 519.714 +/-

Maximum Nonfarm Residential Acres Allowed (BFT – BFT/1.05): 25.986 +/-

Kieran Weed attended on behalf of the applicants, Jim & Greg Rickert of Rickert Bros, LLC. Kieran and Apryl Weed are proposing to purchase the 3.005 +/- acres from Rickert Bros, LLC for construction of a NFR under a CUP without rezone and build this fall/winter. According to Weed, Greg Rickert shared with him that the proposed location has not been desirable ag land for several years because of the size of their farm equipment. The proposed parcel would square up their ag field by lining the proposed back lot line with the back lot line of the two adjacent residences and run to the curve in the road. Aaron Rickert confirmed this information and clarified that Rickert Bros, LLC is only considering selling land unsuitable for farming to family or friends.

A percolation (or “perc”) test was performed in 2005 when Rickert’s first considered selling this part of the ag parcel that will place the mound system in the northeast corner of the proposed lot. The 2005 perc test was recently submitted to the County and confirmed still valid, all submitted as part of this concept plan application. Weed confirmed he is planning to put the mound in that location.

The proposed lot would be in line with, and adjacent to, two current residences: N9145 Town Hall Rd (an existing 5.0 +/- acre lot zoned A-1 with a residence) and N9177 Town Hall Rd (an existing 6.0 +/- acre lot zoned A-1 with a non-farm residence under conditional use permit #ELD-16-001). The parcel at N9177 Town Hall Rd was the first NFR created within the 545.7-acre BFT for Rickert Bros LLC and currently the only one.

EPC informed Weed that, if approved, this will be the second NFR using 9.005 +/- of the max allowable 25.986 +/- acres for NFR. Future NFRs on this BFT will need to meet the Zoning Regulations. EPC informed Weed that if this property is split and a NFR CUP issued, only residential uses are allowed even though it remains zoned A-1 (i.e., no farm animals or ag use). Weed stated he understood.

Borski provided Weed with applications for a CSM and CUP. Applications filled out and signed by both property owners (Jim & Greg Rickert) along with the \$650 application fees need to be received by August 22, 2022 to public notice for a hearing on September 13, 2022 and review of the CSM by the Town Board on September 26, 2022.

Status Update of Applications/Permits in Progress of Completion:

- a. Cory and Brittney Zickert (N7828/N7840 Town Hall Rd), Michael Albrecht (N7860/N7880 Town Hall Rd) and Michele Simon (N7889 Cty Rd C) Amendment to the Comprehensive Plan Update 2040, Future Land Use Map (TRD to Agricultural) – Borski worked with East Central Wisconsin Regional Planning Commission (ECWRPC) to amend Figure B-3, Future Land Use Map, as approved. This was completed for no charge. The attorney fees for drafting the resolution for amendment of \$384 were invoiced to the applicants and have been paid. Zickerts are able to submit the request for rezone as discussed during the concept plan review.
- b. David Jahns et al. CSM and Rezone, W7535 Cty Rd OO – The draft driveway easement has been received and reviewed. Town Chairman, Gary Miller, (present) is now able to sign the CSM that was conditioned upon receipt of the driveway easement and will be done following the meeting. Following receipt of a recorded CSM, the Town will finalize Attachment A of the driveway easement and record it with the County Register of Deeds.
- c. Cary and Sharon Eilertson CSM and Rezone, N8803 Cty Rd C – The Town Board approved the CSM and Rezone at the August 22, 2022 Town Board meeting but did not yet sign the CSM. This will be done following the EPC meeting.
- d. Existing Conditional Use Permits - The Isaac CUP for NFR & Vis CUP for NFR are both overdue for review due to workload. Reviews may be scheduled for September.

Review of General Inquiries Since July 12, 2022:

- Borski – Received an inquiry from a non-resident wanting quick response as to whether our Zoning Regulations allow purchase of a property to reside in a motor home for part of the year as they live in their motor home down South for part of the year as well. They intend to demolish an existing dilapidated residence on Lincoln Rd, construct a concrete pad for the motor home and an accessory building. Borski informed the inquirer that living in a motor home in lieu of a permanent residential structure is not allowed per our ordinances. Also, mobile homes are no longer allowed to be brought to a location to serve as a residence. The inquirer was not interested in attending a future EPC meeting to discuss options.

Public Comments (*Individuals wishing to speak on any agenda item discussed above should present their comments now under this "Public Comments" agenda item. Each commenter will be limited to a total of three consecutive minutes under this agenda item.*):

Public comments made by Jeremy Magolski

Next Meeting Date & Tentative Agenda: September 13, 2022 – likely hearing for CSM and CUP for NFR for Rickert Bros LLC (Weed)

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

Adjourn: Motion made by Rickert/Brenner to adjourn the meeting. Motion carried 5-0. Meeting adjourned at 9:27 p.m.

Respectfully submitted,

Jenna Borski
Member/Secretary
Town of Eldorado Plan Commission