

## Town of Eldorado Plan Commission (EPC) Meeting Minutes

August 8, 2023

**Plan Commission Member Attendees (5) and terms:**

x	Jeremy Brenner, Chairperson (5/1/2022 - <b>4/30/2025</b> )	x	Jenna Borski, Secretary (5/1/2021 - <b>4/30/2024</b> )	x	Aaron Rickert, Town Supervisor #2 (Town Board Liaison) (4/18/2023 - <b>4/18/2025</b> )
x	Dennis Yoder, Member (5/1/2022 – <b>4/30/2025</b> )	x	Jeff White, Vice Chairperson (5/1/2021 – <b>4/30/2024</b> )		

**Staff or Town Board Member Attendees:**

x	Cheryl Pionke, Town Clerk (Appointed position) Temporary Permit Officer	x	Dave Jahns, Town Chairman (4/18/2023 - <b>4/18/2025</b> )		Attorney Matt Parmentier
	Mike Pionke, Highway Patrolman		Joe Kopf, Town Supervisor #1 (4/18/2023 - <b>4/18/2025</b> ) 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 7:03 p.m. followed by pledge of allegiance.

**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.):* Public comments made by Jerry Borski and Dave Jahns

**Review & Approve Minutes:** EPC reviewed the public hearing (Wagner) & EPC meeting minutes from July 11, 2023 as well as the June 13, 2023 hearing (Stahmann) minutes revised August 8, 2023 to update a non-substantial change in the Certified Survey Map (CSM) since the public hearing. Five copies circulated to public per May 2021 decision. Motion made by White/Rickert to approve minutes with edits to the July 11, 2023 EPC minutes. Motion carried 4-0 (Brenner abstained due to absence).

**Tracking # CP-2023-07-26-Weed**

**Concept Plan – Application for Certified Survey Map – Applicant:** Jordan & Amanda Weed

**Location/Description of Property:** W9640 Olden Rd / T07-16-16-18-10-005-00 & Vacant land / T07-16-16-18-07-002-00

**Parent parcel acres:** 12.58 & 5.3 +/-

**Current zoning:** Rural District (RD)

**Proposed parcel acres:** 1.5 (W9640 Olden Rd ) & 16.38 (proposed for new home & outbuildings) +/-

**Area of dedication acres:** unknown for Cty Rd I

**Proposal:** split off existing house for sale and merge open land with existing vacant parcel for construction of new home and outbuildings

**Base Farm Tract (BFT) Acres:** N/A – parcels not zoned Ag at the time of DATCP certification in 2013

**Minimum Acres Required to be Maintained as Farm (20:1 ratio) (BFT acres/1.05):** N/A

**Maximum Nonfarm Residential Acres Allowed (BFT – BFT/1.05):** N/A

Borski provided EPC with copies of previous concept plan discussion minutes with Jordan Weed from June 20, 2018 and August 8, 2018 for the same parcels where a similar proposal was discussed under the current 2013 Zoning Ordinance to split the existing house and outbuilding into a 1.8 ac. parcel and merge the remaining vacant land for construction of a new house and outbuildings. In 2018, Weed came to the EPC to discuss a 2009 restriction filed to the deed limiting the minimum lot size for each parcel to 5.3 acres and a maximum of two parcels. In 2018, EPC worked with Town Attorney Matt Parmentier (same in 2023) and County Planner Sam Tobias (currently Terry Dietzel) to establish the process for extinguishing the restriction prior to creating a new CSM under the 2013 Land Division / Subdivision Ordinance and Zoning Ordinance.

Weed proceeded to explain his current proposal to split the existing house and outbuilding into a 1.5-acre lot for sale and merge the vacant land surrounding it to now construct a new house and outbuildings. Weed stated he is not interested in rezoning and intends to keep the same land use. EPC reviewed minimum lot dimensions for a parcel in RD under the 2013 Zoning Ordinance.

EPC reviewed the differences in minimum lot size, frontage, side yard and rear yard setbacks, and between allowed square footage for outbuildings for RD and A-2, General Agricultural. Weed stated he is interested in rezoning the vacant parcel to A-2 for more flexibility with the max size of outbuildings. Weed will work with his surveyor to submit a preliminary CSM based on discussion for continued review of the concept plan and submit a formal request to the Town to extinguish the deed restriction for discussion at the September EPC meeting. EPC informed Weed he will be responsible for all Town Attorney costs associated with the applications for CSM, rezone & to extinguish the deed restriction.

**Information on Department of Agriculture, Trade and Consumer Protection (DATCP) (10-year) Re-certification Process for Town Zoning Ordinance:**

Borski shared the new August 7, 2023 reminder letter from DATCP to the Town regarding the Farmland Preservation Zoning Ordinance Certification from 2013 that will expire December 31, 2023. At the July 24, 2023 Town Board meeting, the Town Board made a motion for EPC to submit a request for an extension for the certification, delaying the need to recertify and giving the Town time to consider how to proceed. Prior to the meeting, Borski drafted a letter of request, reviewed during the meeting by EPC & Jahns. Borski finalized the letter based on input and submitted the request for a two-year extension for the Zoning Ordinance to remain certified through December 31, 2025. The Town Board needs to take further action on the issue.

**Status Update of Applications/Permits in Progress of Completion:**

- a. Stahmann and Rachel Hutter on behalf of Marian Stahmann, Certified Survey Map (CSM) and Rezone, N9101 Hass Rd / T07-16-16-11-08-004-00 & Vacant land on Hass Rd / T07-16-16-11-07-002-00- the Board of Appeals met on July 19, 2023 and granted a variance for the lot dimensions. The CSM was signed by the Town following the hearing as the Town's condition of approval was met. Borski summarized that the (preliminary) CSM was updated following the EPC's public hearing at the request of the County to reflect creation of two unbuildable lots to both be labeled as "Outlots" which altered the proposed lot names. There were no changes to the proposed lot lines or acreage. After consulting with Town Attorney Matt Parmentier, Borski updated the EPC's hearing minutes to reflect the unsubstantial change to the CSM so EPC's minutes can be tied to the final CSM lot names and will be provided to the County.
- b. Aaron & Melissa Wagner, Rezone, W7762 Dike Rd / T07-16-16-35-13-008-00 – the Town Board approved this rezone at the July 24, 2023 Town Board meeting.
- c. Existing Conditional Use Permits (CUPs)
  1. Alliant, CUP #ELD-20-001 for substation– Pionke received a revised check from Alliant for the building permit from a couple years ago and the Town has now been paid. The landscaping will not occur this year so Alliant will be submitting a request for an extension of the CUP (with \$350 application fee).

2. Ben & Sarah Isaac, CUP #ELD-14-001 for non-farm residence (NFR) – Borski drafted a cover letter for the deed restriction amendment and will be sent by Pionke to Isaac’s for signature.
3. Gary Rabe (original applicant), CUP # ELD-21-001 for NFR, N7462 Cty Rd I / T07-16-16-36-10-006-00 (3.168 ac. owned by Kimberly & Craig Shesky), – Kathi Rabe contacted Pionke requesting a copy of the signed CUP for the assessor. Borski & Pionke reviewed the file and were unable to locate a signed version. EPC provided Jahns with an unsigned version to meet with Gary and Kathi Rabe at their home as an example and attempt to locate a signed version or repeat necessary signatures (Brenner & G. Rabe).

**Review of General Inquiries Since July 11, 2023:** None

**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.*): None

**Next Meeting Date & Tentative Agenda:** September 12, 2023. Continued discussion of Weed’s concept plan and request to extinguish the deed restriction.

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

**Adjourn:** Motion made by Brenner/White to adjourn the meeting. Motion carried 5-0. Meeting adjourned at 8:22 p.m.

Respectfully submitted,

Jenna Borski  
Member/Secretary  
Town of Eldorado Plan Commission