

Town of Eldorado Plan Commission (EPC) Meeting Minutes

August 13, 2024

Plan Commission Member Attendees (5) and terms:

x	Jeremy Brenner, Chairperson (5/1/2022 - 4/30/2025)	x	Jenna Borski, Secretary (5/1/2024 - 4/30/2027)		Aaron Rickert, Town Supervisor #2 (Town Board Liaison) (4/18/2023 - 4/18/2025)
x	Dennis Yoder, Vice Chairperson (5/1/2022 – 4/30/2025)	x	Jeff White, Member (5/1/2024 – 4/30/2027)		

Staff or Town Board Member Attendees:

	Cheryl Pionke, Town Clerk (Appointed position) Temporary Permit Officer	x	Dave Jahns, Town Chairman (4/18/2023 - 4/18/2025)		Attorney Matt Parmentier
	Mike Pionke, Highway Patrolman		Joe Kopf, Town Supervisor #1 (4/18/2023 - 4/18/2025)		

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.

<p>Call to Order, Pledge of Allegiance and Agenda Review: Meeting called to order by Yoder at 7:00 p.m. followed by pledge of allegiance. (Note Brenner requested Yoder run the meeting due to concerns with his voice.)</p>
<p>Public Comments <i>(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.):</i> None</p>
<p>Review & Approve Minutes: EPC reviewed the EPC meeting minutes from July 9, 2024. Five copies circulated to the public per May 2021 decision. Motion made by White/Yoder to approve minutes. Motion carried 3-0 (Brenner abstained due to absence on 7/9/24).</p>
<p>Tracking # CP-2024-06-16-Newcastle Concept Plan – Site Plan – Applicant: Newcastle Property Investments, LLC (Eric Borseth)</p> <p>Location/Description of Property: N8030 Sales Rd / T07-16-16-26-01-003-00 Parent parcel acres: 5.217 +/- Current zoning: Commercial Proposed parcel acres: 5.489 +/- Area of dedication acres: unknown for Sales Rd Proposal: Request to acquire the “unowned land” to make the proposed buildings viable on the property. Also request to reduce the current 66 ft easement down to 20 ft for the same reason.</p> <p>Borseth presented his proposal including:</p> <ol style="list-style-type: none"> 1. A site plan by Parish Surveying & Engineering (PSE) identifying 0.27 +/- acres of land immediately northeast of Borseth’s property reported to him by his surveyor, Mckenzie Swartwout of PSE, as being “unowned land”, and his current 5.217 +/- acres. 2. An unrecorded certified survey map (CSM) from Jacob Land Surveying showing Borseth’s current 5.217 +/- ac. Lot 1 showing a 66-foot-wide access easement running the length of the north side of the property (parallel to I-41).

3. A site plan by PSE of Borseth's 5.217 +/- acres including the 0.217 +/- acres with six proposed buildings to construct and use for the storage business in lieu of the storage containers allowed under a Conditional Use Permit (CUP #ELD-22-02).

Borseth has no "easement" document but does have an unrecorded copy of the CSM showing the easement leading back to property owned by Duane Johnson (a.k.a. "Bugs"). After speaking with Johnson, Borseth reached out to the attorney that drafted the easement. EPC informed Borseth that the easement is a third-party legal agreement between the two property owners and does not involve the Town.

EPC informed Borseth the 0.27 +/- ac. parcel is owned by Wisconsin Department of Transportation (WisDOT) that was created when the intersection of Sales Rd. and I-41 (historically Hwy 41) was changed by WisDOT to eliminate cross intersections and converted Sales Rd. to a cul-de-sac on either side of Hwy 41. This land is not owned by the Town. Borseth stated that if WisDOT will not sell him the 0.27 +/- acres, he will lose between 1/3 and 2/3 of the proposed buildings.

The existing buildings built in circa 1994 cannot be replaced due to setbacks from the creek. Wetlands are currently mapped in the corners of the property. Borseth consulted the Department of Natural Resources (DNR) and enough wetlands exist on his property that he is able to construct new buildings on the existing gravel that is considered impermeable.

Jahns explained Town concerns with nuisance, weeds, and junk storage with the current tenants and that the property is getting to be an eyesore. EPC also shared that Jerry Borski, Fire Chief, reported at the last EPC meeting that there are fire safety concerns with the property. Borseth stated this is the first time he's heard of these concerns. Borseth reported receiving a single letter from the Town regarding litter that he believes has been addressed. There were no other contacts from the Town – no call from the Fire Dept, no call from the Town Board and no additional letters. Borseth stated when there are concerns, the Town should be contacting him to address them. His number is right on the side of a building at the property. Borseth stated he had one tenant change in early spring 2024. The tenants are not running a business but do have a demo car hobby. Jahns further stated there is concern with this activity as they are not being utilized as "storage units" but to perform hobby work including welding and generating waste. Borseth reported having security cameras at the property and having the Sheriff department drive-by. There was a mattress placed outdoors by a tenant who was fined by Borseth and had the mattress removed. Borseth will reach out to Fire Chief Jerry Borski to discuss the concerns and EPC provided Borseth with a phone number.

Borseth plans to raise the site up approximately 18" prior to constructing the new buildings. EPC noted a site plan needs to consider water runoff and management. Borseth will continue to rent up to 25 storage containers as he works on building plans. His current projection is to submit a site plan proposal this winter with construction anticipated in spring 2025. Borseth reported approximately 2/3 of the outdoor parking for campers and boats will be eliminated with the new buildings.

Tracking # CP-2024-08-08-Wehle

Concept Plan – Outdoor Storage Solutions – Applicant: Robert Wehle (owner) with Jeff Wehle (tenant)

Location/Description of Property: N7798 Cty Rd C / T07-16-16-29-11-005-00

Parent parcel acres: 0.546 +/-

Current zoning: Residential

Proposal: Seeking outdoor storage solutions

J. Wehle attended to present the application. J. Wehle rents the property from his brother, R. Wehle, with intent to purchase. The current residence is a former church with a kitchen and bathrooms renovated by J. Wehle. J. Wehle had a garage fund that was reportedly used on additional expenses for unanticipated items required by the Town during the remodel. R. Wehle is not interested in paying for improvements to the property. As a renter, J. Wehle is not able

to take out a home equity loan. J. Wehle currently has an 8x10' garden shed but is looking to cover his motorized vehicles with intent to eventually construct a garage in several years. J. Wehle is wondering if a metal shipping container is allowed in lieu of a garage.

EPC reviewed setback requirements for structures and location of the septic. EPC reviewed the Zoning Ordinance for permitted accessory structures in the Residential district. Specifically, detached garages, garden sheds and gazebos are clearly permitted as well as "structures deemed by the Plan Commission to be similar in nature to the structures identified above". After lengthy discussion, EPC does not recommend allowing metal storage containers in the Residential District due to concerns with aesthetics and long-term use. Jahns supported the EPC decision from a Town Board perspective. J. Wehle intends to bring a semi-trailer to the property. Jahns advised J. Wehle that the trailer needs to be licensed with the Department of Transportation (DOT) and wheels to remain on.

Continued Discussion of Comprehensive Plan Update 2040 Ch. 2 (Action Items for Goals included in the Comprehensive Plan Update 2040 adopted 9/28/2020):

- No update on the email domain.
- Jahns updated EPC that C. Pionke is starting a new job on 8/19/24 and the Town is actively looking to appoint a new Town Clerk. In the interim, C. Pionke will be performing minimal critical Town duties (posting meeting notices/minutes, legal notices, updating the Town website, Facebook, etc.). There is currently no transition plan in place.
- Marty Johnson, Building Inspector, will be retiring at the end of the year.

Status Update of Applications/Permits in Progress of Completion:

- a. Existing Conditional Use Permits – Alliant paid the invoice for professional fees on the CUP extension for CUP #ELD-20-001. Based on drive-by observation, it appears the landscaping on the neighboring properties is complete. The drag mats are gone from the Alliant property but the stormwater retention basin and landscaping have yet to be completed. There is time yet in their permit to complete this work.

Review of Inquiries / Complaints Since July 9, 2024:

- Brenner stated the Vis family is looking to build the accessory building planned for their non-farm residence in the application for the NFR CUP and may be reaching out with questions. Jahns informed EPC that C. Pionke will remain the Permit Officer for the Town for the foreseeable future.
- Jahns stated that Mark Nemitz will be reaching out regarding his property off Lone Elm Rd in the Town of Eldorado along a driveway shared with Carla Nemitz. Jahns stated the driveway used to be a Town road (Wohler Rd) but both houses have a Lone Elm Rd address.

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 10, 2024

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

Adjourn: Motion made by Borski/White to adjourn the meeting. Motion carried 4-0. Meeting adjourned at 9:07 p.m.

Respectfully submitted,

Jenna Borski
Member/Secretary
Town of Eldorado Plan Commission