

MINUTES

Eau Claire County

• PLANNING & DEVELOPMENT COMMITTEE •

Date: Tuesday, March 26, 2024

Time: 6:00 p.m.

Location: Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703

*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

Join WebEx Meeting: <https://eauclairecounty.webex.com> Meeting ID: 2533 042 1206

Password: ZqCh2JbmJ58

*Meeting audio can be listened to using this Audio conference dial in information.

Audio conference: 1-415-655-0001 Access Code: 25330421206##

For those wishing to make public comment, you must e-mail Rod Eslinger at Rod.Eslinger@eauclairecounty.gov at least 60 minutes prior to the start of the meeting.

**Please mute personal devices upon entry*

A majority of the county board may be in attendance at this meeting, however, only members of the committee may take action on an agenda item.

Members Present: James Dunning, Dane Zook, Todd Meyer, Nick Smiar, Robin Leary (attended remotely)

Members Absent:

Ex officio Present:

Staff Present: Rodney J. Eslinger, Ben Bublitz, Hannah Wirth

1. Call to Order and confirmation of meeting notice.

Vice Chair Dunning called the meeting order at 6 PM and confirmed with Director Eslinger that the meeting was properly noticed.

2. Roll Call – Director Eslinger called roll of the committee: Members present are noted above.

3. Public Comment - **None**

4. Review/Approval of February 27, 2024 Meeting Minutes / Discussion – Action

ACTION: Motion by Nick Smiar to approve the February 27, 2024, committee meeting minutes. Motion carried on a voice vote: 5-0-0.

5. Public Hearings

- a. **Proposed Ordinance: File No. 23-24/078** to rezone 40.0 acres +/- from A-P Agricultural Preservation District to the A-1 Exclusive Agricultural District. Owner: Gina Rumpel Legal: The SE ¼ of the NW ¼, Section 33, Township 26 North, Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin. RZN-0005-24

Rodney Eslinger, Director of Planning and Development for Eau Claire County presented a staff summary to the committee regarding the applicant's rezone petition. He noted the location of the rezoning petition within the town and presented the following maps: an aerial map, zoning and future land use map, and a soil map of the subject property to be rezoned. Mr. Eslinger indicated that the rezone petition request is to rezone 40 acres from the A-P Agricultural Preservation District to the A-1 Exclusive Agricultural District for the purpose of constructing a new single-family home on the property. Mr. Eslinger said the Town of Brunswick Town Board reviewed the rezoning petition at their meeting on March 12, 2024, and voted to recommend approval of the petition.

Gina Rumpel, applicant, and petitioner, spoke in favor of the request and provided a brief family ownership history of the parcel. She indicated her intentions are to construct a single-family house on the property.

No one else spoke in favor or against the rezone petition.

ACTION: Motion by Todd Meyer to approve the Proposed Ordinance: File No. 23-24/078. Motion carried on a voice vote: 5-0-0

- b. **Proposed Ordinance: File No. 23-24/086** to rezone 5.0 acres +/- from A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. Owner: Ed & Nancy Hink. Applicant: Eric Knauf-American Land Surveying. Legal: A parcel of land being part of the SE ¼ of the SW ¼ of Section 35, Township 26 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin. RZN-0006-24

Rodney Eslinger introduced the rezoning request in the Town of Pleasant Valley. The applicant is requesting to reclassify 5.0 acres +/- from the A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. Mr. Eslinger presented the Zoning & Future Land Use map to the committee members. The future land use for the area is designated as Rural Lands, which supports the A-P zoning district. Additionally, Mr. Eslinger presented an aerial of the subject parcel, slope/topographical map, and a soils map.

Mr. Eslinger reported that the Town of Pleasant Valley Town Board reviewed the request at their March 11, 2024 meeting, and the board voted 2-0 in favor of the rezoning request. Staff recommended approval of the rezone petition.

Eric Knauf, Professional Land Surveyor and the agent for the property owners, spoke in favor and indicated that the area to be rezoned would allow a family member to build a single-family home on the property.

No one else spoke in favor or in opposition of the request.

ACTION: Motion by Nick Smiar to approve the Proposed Ordinance: File No. 23-24/086. Motion carried on a voice vote: 5-0-0.

- c. **Proposed Ordinance: File No. 23-24/089** to rezone 15.0 acres +/- from A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. Owner: Dale & Geraldine Erdman Legal: The NE ¼ of the SE ¼, Section 15, Township 25 North, Range 7 West, Town of Otter Creek, Eau Claire County, EXCEPT the E ½ thereof ALSO EXCEPTING the W ½ of the NW ¼ of the NE ¼ of the SE ¼ thereof. RZN-0008-24

Rodney Eslinger presented the staff report for the rezoning petition. He showed a location map identifying the location of the site in the Town of Otter Creek. He mentioned that the rezoning petition was to rezone 15 acres +/- of land from A-P Agricultural Preservation District to the A-2 Agriculture-Residential District to sell the property. Mr. Eslinger reviewed the site conditions with the committee, and he said that the parcel was an existing 15-acre property. He further reviewed the slopes and soils conditions of the property. This property is mostly wooded and is accessed from Barka Road. The Otter Creek Town Board supported the applicant's rezone petition at its meeting on March 18, 2024, and recommended approval of the request. He concluded by recommending approval of the request as submitted based on the findings outlined in the staff report.

Dale Erdman, applicant and property owner, spoke in favor of the petition and stated that they want to be able to sell the property so someone can build on it.

No one else spoke in favor or in opposition of the petition.

ACTION: Motion by Robin Leary to approve the Proposed Ordinance: File No. 23-24/089. Motion carried on a voice vote: 5-0-0.

- d. **Proposed Ordinance: File No. 23-24/090** to rezone 5.0 acres +/- from A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. Owner: Gerald Kreider. Legal: The North ½ of the NW ¼ of the NE ¼ of the SW ¼, Section 10, Township 25 North, Range 7 West, Town of Otter Creek, Eau Claire County, Wisconsin. RZN-0009-24

Rodney Eslinger presented the staff report to the committee. He gave the location of the proposed site within the Town of Otter Creek. Mr. Eslinger reviewed an aerial map, site plan, the current zoning and planning designations, and adjacent land uses. He indicated the petitioner is requesting to amend the zoning of the current property from A-P, Agricultural Preservation District to the A-2, Agriculture-Residential District. Rodney noted that this was an existing 5-acre parcel that contained the farmstead on it at one time. The purpose of the request is to allow the owner to construct a single-family home on the property.

Mr. Eslinger reviewed staff findings with the committee and gave his recommendation to approve the rezoning. He noted that the Town of Otter Creek Town Board met on March 18th and recommended approval of the request.

No one else spoke in favor or against the request.

ACTION: Motion by Dane Zook to approve the Proposed Ordinance: File No. 23-24/090. Motion carried on a voice vote: 5-0-0.

- e. A conditional use permit request for cumulative area of all accessory structures to exceed 1,800 sq. ft. on a lot with an area between 1 and 2.99 acres. Owner: Michael McIntrye. Legal: The South 20 rods of the SE ¼ of the SE ¼ of Section 16, Township 27 North, Range 10 West, EXCEPT the West 300 feet and EXCEPT the East 46 rods, Town of Union, Eau Claire County, Wisconsin. CUP-0001-24

Hannah Wirth, Land Use Technical for Eau Claire County, presented the request for the cumulative square footage of all accessory structures to exceed 1,800 square feet on a lot with an area between 1 and 2.99 acres in the R-H District. Ms. Wirth reported that the applicant is requesting to add a 14 by 30-foot addition onto his existing 30 by 50-foot accessory structure. She reviewed the location of the site within the Town of Union, site plan, and existing site conditions. The existing garage and the addition would meet the setback requirements of the district, comply with the height requirements, the structure's exterior will match the residence, and that the lot is large enough to support the garage.

On March 12, 2024, the Town of Union Town Board met and recommended approval of the conditional use permit of the request.

Staff reviewed the application request and recommended approval subject to the conditions in the staff report.

No one else spoke in favor of or against the request.

ACTION: Motion by Nick Smiar to approve the conditional use permit CUP-0001-24 request for cumulative area of all accessory structures to exceed 1,800 sq. ft on a lot with an area between 1 and 2.99 acres. Motion carried on a voice vote: 5-0-0.

- f. A conditional use permit request for a religious use for an "Old Order Amish" cemetery. Owner: Daniel Borntrager. Legal: The SE ¼ of the SW ¼ of Section 25, Township 26 North, Range 8 West, Town of Lincoln, Eau Claire County, WI. CUP-0002-24

Ben Bublitz, Land Use Manager for Eau Claire County, presented the CUP application request to establish a private cemetery (old order Amish cemetery) in the A-P District on the applicant's property. He noted that the applicants wish to create a 105-foot by 110-foot by 100-foot by 134-foot old order cemetery. He reviewed the location of the site within the Town of Lincoln.

On March 11, 2024, the Town of Lincoln Town Board met and indicated the Board agreed to approve the application.

Staff concluded that the applicant's request for a conditional use permit for a private cemetery A-P District complies with the code standards, is consistent with the purpose of the code and the standards for granting conditional use. Ben recommended approval subject to the conditions in the staff report.

Shawn Bochman, S8710 S Shale Ridge Road, a neighbor, spoke in favor of the request and stated he worked with the property owners to site the cemetery at this location. He noted the first cemetery location was planned for across from his residence.

No one else spoke in favor of or against the request.

ACTION: Motion by Dane Zook to approve the conditional use permit CUP-0002-24 request for a religious use for an "Old Order Amish" cemetery. Motion carried on a voice vote: 5-0-0.

g. A conditional use permit request for temporary asphalt & concrete batching, ready-mix operations, or concrete crushing. Owner: James Strauch. Applicant: Nick Petit. Legal: A parcel of land being part of the NE ¼ of the SW ¼, Section 21, Township 26 North, Range 8 West, Town of Washington, Eau Claire County, WI. CUP-0003-24

Ben Bublitz described the purpose of the request to establish a ready-mix plant operation on the applicant's property that would be utilized during the I94 construction project. He reviewed the site's location in the town and the surrounding land use and zoning. He indicated that the ready-mix would be in production 50 days in 2025 to 2026. Access to the site is off STH 53. He also reviewed the site plan with the committee. A high capacity well is planned for the site that would be abandoned upon closure of the site.

Nick Petit, Trierweler Construction & Supply Co., spoke in favor of the application and answered questions from the committee.

No one else spoke in favor or opposition to the request.

ACTION: Motion by Dane Zook to approve the conditional use permit CUP-0003-24 for temporary asphalt & concrete batching, ready-mix operations, or concrete subject to staff's conditions and the following additional conditions:

1. The applicant shall provide pre and post haul route conditions of County Road J to the Eau Claire County Highway Commissioner.
2. Fugitive dust shall include watering all gravel surfaces on an as needed basis as outlined in the application.
3. When any fuel is stored, onsite there shall be proper fuel containment as outlined in the spill prevention plan.
4. Topsoil berm locations shall be adequately identified on a new site plan prior to land disturbances. The updated site plan shall be submitted to the Land Use Manager.
5. The applicant shall identify the crop or land cover that will be utilized to reclaim the site.

Motion carried on a voice vote: 5-0-0.

6. Committee Review– To modify the existing building envelopes of Lot 13 & 14 of Thistledown, Town of Washington, Eau Claire County, Wisconsin. (Harpreet S Anand Living Trust/Stockburger) / Discussion – Action

Ben Bublitz, Land Use Manager for Eau Claire County, provided an overview of the application to modify the building envelopes on lot 13 and 14 of the Plat of Thistledown. Mr. Bublitz noted that since the restrictions were placed on

the plat the county had since relaxed the slope standards. He also noted the history of the request for the committee. Staff recommended approval of the request. No one else spoke.

ACTION: Motion by Robin Leary to approve to modify the existing building envelopes of Lot 13 & 14 of Thistledown subdivision. Motion carried on a voice vote: 5-0-0.

7. File no. 23-24/088 to amend section 17.020.010 of the code: Membership / Discussion – Action

Director Eslinger gave an overview of the ordinance amendment to the committee. Chair Leary also spoke in favor and indicated that the Land Conservation Commission discussed the amendment at an earlier meeting.

ACTION: Motion by Nick Smiar to approve the Proposed Ordinance: File No. 23-24/088. Motion carried on a voice vote: 5-0-0.

8. Review of February bills / Discussion

The committee reviewed the February bills

9. Proposed Future Agenda Items / Discussion

a. Next scheduled meeting April 9, 2024

10. Adjourn

ACTION: Meeting adjourned by unanimous consent at 7:47 PM.

Respectfully Submitted,



Rodney Eslinger
Clerk, Committee on Planning & Development