

Eau Claire County
PLANNING & DEVELOPMENT COMMITTEE MINUTES

Tuesday, June 28, 2016 • 7:00 PM
Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277
Eau Claire, Wisconsin

Members Present: Gary Gibson, Jim Dunning, Gordon Steinhauer, Mark Olson, Stella Pagonis

Members Absent: None.

Staff Present: Rod Eslinger, Matt Michels, Lance Gurney, Beth Richmond

1. Call to Order

Gary Gibson called the meeting to order at 7:00 p.m.

2. Public Input Session: None.

3. Public Hearings:

- a. A conditional use permit request to allow temporary seasonal housing for farm help in the A-P Agricultural Preservation District (Ferguson's Orchard – Town of Washington) CUP-0007-16 / Discussion – Action

Rod Eslinger presented the background and staff report for a conditional use permit to construct temporary seasonal housing in conjunction with an agricultural operation for Ferguson's Morningside Orchard in the Town of Washington. Mr. Eslinger reviewed the application materials, zoning, planned uses, inclusion in farmland preservation, site location, and compliance with applicable code requirements. A short video of the subject property was then presented. Mr. Eslinger then presented the purpose of the existing zoning of the property as part of the Farmland Preservation program, standards to be considered, and staff recommendations to approve the request, noting the Town of Washington's support of the request was conditioned upon additional screening to the east adjacent to Balsam Road. Questions regarding well and dwelling inspections, fire inspections, temporary housing for seasonal help and general information regarding the structure were then discussed. Tom and Andy Ferguson appeared as the applicants to discuss the proposed project. Tom Ferguson discussed difficulty in finding labor to fully harvest the crop annually. He also discussed state permits and inspection requirements for the seasonal labor through the State of Wisconsin. A question was asked regarding additional potential costs for migrant laborers. Andy Ferguson indicated that the orchard will be providing workers compensation, but was not aware of any additional costs or obligations deferred to the County. In terms of fire inspections, the applicant has agreed to annual inspections by the Town Fire Department for the new structures in addition to the other structures on the property. The maximum number of migrant laborers to be housed would be 40, during the fall harvest period which is typically 4-6 weeks. Tom Ferguson provided a detailed account of annual work and timeframes for needed additional labor.

ACTION: Motion by Stella Pagonis to approve the conditional use permit request with applicant working with departmental staff for additional screening and to work with fire department for annual inspections. Motion carried, 5-0.

- b. A conditional use permit request for a planned commercial development in the C-3 Highway Business District (Stafslien – Town of Washington) CUP-0008-16 / Discussion – Action
Rod Eslinger provided background and staff report relating to a request for a planned development permit to allow for multi-uses in conjunction with an existing building zoned for commercial uses off of Kent Avenue in the Town of Washington. No outside storage would be permitted, load off and storage of materials would be restricted to the interior of the existing building. The Town of Washington is supportive of the request as submitted. Staff is able to verify that the standards for the planned commercial development have been met and is recommending approval with eleven staff conditions found on page 25 of the meeting packet. A short video was then presented to the committee members. Any alterations to the building would be determined based on possible tenant needs and not be predetermined. Cyrus Stafslien appeared as the applicant and discussed restrooms within the facility, which were stubbed in to allow three separate areas within the building.

ACTION: Motion by Jim Dunning to approve the conditional use permit request with staff recommendations as presented. Motion carried, 5-0.

- c. **Proposed Ordinance: File No. 16-17/022** “Amending the 1982 Official Zoning District Boundary for the Town of Pleasant Valley” (Helfenstine) RZN-0011-16 / Discussion – Action
Matt Michels and Beth Richmond provided the background and staff report for the request to rezone 40 acres from the A-P zoning district to the A-3 zoning district. The primary reason for the rezone request is to allow for construction of a non-farm residence on the property, which would have been permitted on fallow land under the old A-1 zoning designation. The land is not considered prime farmland. The Town of Pleasant Valley has considered the request and voted in favor of the rezone petition. A short video of the subject property was then presented. Requirements of the Farmland Preservation program were then discussed.

ACTION: Motion by Gordon Steinhauer to approve file 15-16/120. Motion carried, 5-0.

- d. A conditional use permit request to construct a home on a parcel with less than 50 percent of the required area for the A-P Agricultural Preservation District (Peterson – Town of Pleasant Valley) CUP-0009-16 / Discussion – Action
Rod Eslinger provided the background and staff report for a request to construct a new home on a parcel of less than 50 percent of the required area for the A-P Agricultural Preservation district. The residence would be in relation to forestry operations which would be consistent with agricultural uses. Mr. Eslinger reviewed the conditions and standards for a conditional use to allow construction of a residence on a parcel of less than 50% of the required minimum lot size. The Town of Pleasant Valley considered the request and voted in favor of the conditional use permit. Mike Peterson was present as the applicant and indicated intention to construct a residence.

ACTION: Motion by Mark Olson to approve the conditional use permit request with staff recommendations as presented. Motion carried, 5-0.

4. **From May 24, 2016:** A conditional use permit request to construct additions to accessory structures where the cumulative square footage will exceed 1,200 square feet in the RH Rural Homes District (Slowik – Town of Brunswick) CUP-0006-16 / Discussion – Action
This matter was postponed from the previous committee meeting to obtain additional information/clarification from Eau Claire County Corporation Counsel office with regard to the subject property. Gordon Steinhauer made a motion to remove the matter from the table. Motion carried: 5-0. The question at hand was whether the Committee could place conditions or stipulations on the primary residence in conjunction with a request for a conditional use permit request to exceed total area limitations for an accessory structure for a parcel zoned as RH. Corporation Counsel has advised that it would be improper to place conditions or stipulations on a structure for which a permit was not sought. Rod Eslinger verified that staff is recommending denial of the application.

ACTION: Motion by Stella Pagonis to deny the conditional use permit request due to the history of the property and continued violations of previous conditions. Motion carried, 5-0.

5. Review/Approval of Preliminary Plat of Winter Haven in Section 26, T26N-R09W in the Town of Pleasant Valley / Discussion – Possible Action
Rod Eslinger provided the background and staff report for the Winter Haven subdivision plat for 66 residential lots in the Town of Pleasant Valley. The preliminary plat was submitted to the office of Planning and Development on May 27, 2016 and has 60 days to take action. Departmental staff has reviewed the proposed plat and is recommending approval with several conditions noted within the June 21, 2016 staff report. Mr. Eslinger indicated that the applicant has recently submitted a revised Preliminary Plat which may have resolved many of the matters identified in the staff report. In conjunction with the Preliminary Plat, the Committee is also being requested to grant a variance from the length to width restrictions for Lots 25, 50 and 51.

ACTION: Motion by Gordon Steinhauer to approve the preliminary plat of Winter Haven with staff conditions as well as the variances for length to width ratio as indicated. Motion carried, 5-0.

6. **From Addendum:** Amendment to 2016 Recycling Budget / Discussion – Action
Michels presented the background of the request to amend the 2016 recycling budget in light of additional grant revenues restored by the state legislature earlier in 2016. The request submitted proposes to restore critical priorities within the 2016 Recycling program budget, including: remove use of fund balance in 2016; increase funding to meet contractual obligations for drop box charges; add back funding for outreach and marketing to improve public awareness; and finally, replace 4-5 roll-off containers. The recycling program and fund balance were discussed in further detail.

ACTION: Motion by Mark Olson to approve the request as submitted. Motion carried, 5-0.

7. Review of May Bills: No issues or concerns.
8. Review/Approval of May 24, 2016 Meeting Minutes / Discussion – Action

ACTION: Motion by Jim Dunning to approve the minutes as submitted. Motion carried, 5-0.

9. Proposed Future Agenda Items / Discussion
Budget matters will be discussed in July and August.
10. Gary Gibson adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Lance Gurney
Clerk, Committee on Planning and Development