

MINUTES OF THE TOWN OF WASHINGTON PUBLIC HEARINGS MEETING  
April 23, 2020

Members Present: Micheal Peterson, Robert Solberg, Michael Stacy, Karen Tomesh

Staff Present: Janelle Henning, Jackie Vold

Members/Staff Absent: Jane Mueller

A quorum being present, Chrm. Peterson called to order the Town Public Hearings meeting at 5:00 p.m., on Thursday, April 23, 2020, held on Zoom Teleconference/Video Conference due to Corona COVID-19

**Public Hearing & Board Consideration for a Request from Roger & Joanne Henning and Max Henning to Rezone 20 Acres from Agricultural Preservation (AP) to Agricultural Residential (A3) at 7152 Chickadee Road, Fall Creek; Parcels 024-1060-01-010 and 024-1061-02-000:**

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor introduced the application with a PowerPoint Presentation. The request is to allow a home to be built and possibly a hobby farm at some point. The surrounding lands are predominately agricultural. The soils on the proposed lot are not prime soils for farming. The request is consistent with the Town & County Comprehensive Plans. The Town Board did not have any questions. The applicant, Max Henning indicated that he would like to build a home and a pole shed on the property. Chrm. Peterson opened the Public Hearing. No one spoke in favor or against the application. Chrm. Peterson closed the Public Hearing.

Supv. Tomesh moved TO APPROVE THE REQUEST FROM ROGER & JOANNE HENNING AND MAX HENNING TO REZONE 20 ACRES FROM AGRICULTURAL PRESERVATION AP) TO AGRICULTURAL RESIDENTIAL (A3) AT 7152 CHICKADEE ROAD, FALL CREEK; PARCELS 024-1060-01-010 AND 024-1061-02-000. The motion was seconded by Supv. Stacy.

Aye 4 Nye 0

**Public Hearing & Board Consideration for a Request from Richard Larson for a Conditional Use Permit for Accessory Structures in Excess of 1200 sq. ft. at 4926 S. Lowes Creek Road, Eau Claire:**

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor introduced the application with a PowerPoint Presentation. The applicant owns a total of 247 acres of land. The request is to build a 62' x 28' accessory structure at 1738 sq. ft.. The applicant will be removing two existing accessory structures from the land which are approximately 320 sq. ft. total and some old cement slabs. There would be a total of three current accessory structures remaining on the property totally just over 1900 sq. ft. and with the proposed building the total would be 3642 sq. ft. The use of the building would be for storing agricultural equipment. Jeff Staats, the agent for the Larson indicated that the exterior would be the same colors as the existing buildings. Chrm. Peterson opened the Public Hearing. No one spoke in favor or against the request. Chrm. Peterson closed the Public Hearing.

Supv. Tomesh moved TO APPROVE THE REQUEST FROM RICHARD LARSON FOR A CONDITIONAL USE PERMIT FOR ACCESSORY STRUCTURES IN EXCESS OF 1200 SQ. FT. AT 4926 S. LOWES CREEK ROAD, EAU CLAIRE. The motion was seconded by Supv. Solberg.

Aye 4 Nye 0

**Public Hearing & Board Consideration for a Request from John Kelly and Real Land Surveying, Agent; to Rezone 9.52 Acres from Agricultural Residential (A2) to Commercial Highway District (C3) at 7739 US Highway 12, Eau Claire:**

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor introduced the application with a PowerPoint Presentation. The property is located just east of Prill Road on US

Highway 12. The request is to divide the parcel into two lots; Lot 1 has a home on it and would be rezoned to Residential Homes (RH) and Lot 2 would be Commercial Highway District (C3). The Future Land Use Map designation for this area is Rural Commercial. Even though the Future Land Use does not show this as RH, knowing there is an existing home on the property and the intent is to divide off with as minimal land as possible with the existing conditions; this is a practice that has been exercised with previous requests. The Staff Report lists findings in favor and against the application, without a recommendation. An easement off of Prill Road would be utilized to access Lot 2. There is access off of Highway 12 that the WI DOT would allow access for both lots; which would meet the County Code for approved access. The applicant has stated that his plan would be to access Lot 2 from the easement on Prill Road. Chrm. Peterson asked about what the State has said about the request, why the County does not want uniformed boundaries, access off of Prill Road should be 66 ft. He also stated he does not want to rezone without knowing what the proposed use will be. Jared Grande stated the applicant has had discussions with WI DOT regarding shared access off of Highway 12; which would be required for the Certified Survey Map. The irregular lot configuration is due to the existing house on the parcel and allowing access to both lots. The access off Prill Road is an easement not a road; the owner would be choosing to use this with approval from the Town.

Supv. Tomesh asked about spot zoning with the RH designation surrounded by C3. Due to the existing residence on the property, the County has in the past approved such a request. Supv. Tomesh asked several other questions regarding the zoning.

The applicant, John Kelly owns Chippewa Valley Growers to the north; indicated he does not currently have plans for the property. He met with the Town Administrator and County Staff after he purchased the property to discuss his options. The C3 zoning is in line with the Future Land Use Map and surrounding properties are all commercial.

Chrm. Peterson stated the Town has not historically approve rezonings without knowing what the use will be. Board and Staff made several comments and asked questions of the applicant.

Chrm. Peterson opened the Public Hearing.

Jeremy Skaw, Real Land Surveying stated the irregular Lot does meet the County Code. There are 17 parcels along Highway 12 that are zoned C3 and fits the Town Future Land Use Map. The access off Prill is an easement from John Kelly's property with the intent to serve Lot 2 but the official access required by WI DOT would be off Highway 12.

Mark Gardner, 7731 Prill Road - owns the property to the south of the proposed request. Concerned with potential noise, lights, and not knowing the intended use would be of the C3 zoning.

Chrm. Peterson closed the Public Hearing. The Board members discussed the request at length. County Staff did not make a recommendation for or against the application.

Supv. Tomesh moved TO APPROVE THE REQUEST FROM JOHN KELLY AND REAL LAND SURVEYING, AGENT; TO REZONE 7.01 ACRES FROM AGRICULTURAL RESIDENTIAL (A2) TO COMMERCIAL HIGHWAY DISTRICT (C3) AND 1.63 ACRES TO RESIDENTIAL HOME RH) WITH THE CONTINGENCY THAT THE OWNER WORK WITH EAU CLAIRE COUNTY ON AN ACCESS EASEMENT ON THE SOUTHSIDE OF THE PROPERTY AT 7739 US HIGHWAY 12, EAU CLAIRE. The motion was seconded by Supv. Solberg. Motion is denied due to tie vote.

Aye 2 Nye 2

**Public Hearing & Board Consideration for a request from Maurice Minnefield Holdings LLC; Applicant, Josh Sundquist, Agent; for a Conditional Use Permit to Amend CUP 2013-07 due to Substantial Modification to the Site Plan at 4666 Markgraft Road, Fall Creek:**

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor introduced the application with a PowerPoint Presentation. The request is to amend an existing Conditional Use Permit. The owner is looking at rebuilding part of the home and adding a substantial addition. The site plan was reviewed showing the existing home and the changes proposed. A studio cottage industry is operated from the home; employees proposed to be a maximum of five. Staff recommends approval of the request with the conditions outlined in their report.

Josh Sundquist noted that the north portion of the house would be taken down, not the entire home. There are no changes to the existing business.

Chrm. Peterson opened the Public Hearing. No one spoke in favor or opposition to the request. Chrm. Peterson closed the Public Hearing.

Supv. Tomesh moved TO APPROVE THE REQUEST FROM MAURICE MINNEFIELD HOLDINGS LLC; APPLICANT, JOSH SUNDQUIST, AGENT; FOR A CONDITIONAL USE PERMIT TO AMEND CUP 2013-07 DUE TO SUBSTANTIAL MODIFICATION TO THE SITE PLAN AT 4666 MARKGRAFF ROAD, FALL CREEK. The motion was seconded by Supv. Solberg.

Aye 4 Nye 0

**Public Hearing & Board Consideration for a Request from Daniel & Regina Mauer to Rezone 1.48 acres from Rural Residential (RH) to Commercial (C1) at 6420 Hart Road, Eau Claire:**

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor introduced the application with a PowerPoint Presentation. C1 is the Neighborhood Business District. The intent for the zoning is allow the building of a 3-Plex Multifamily structure on this property. The history of the property and the prior requests were discussed. Rural Commercial is the designation in the Comprehensive Plan. The concept plan of the proposed building, access, storm water pond, two proposed driveways and screening were shown. The structure would be on a slab without a basement. Staff does recommend approval of the request.

Daniel Mauer, indicated that a 3-Plex for handicapped, disabled, and elderly would be a good fit for the property and is what they intend to build if the rezoning is approved.

Chrm. Peterson opened the Public Hearing.

Dustin Von Ruden, 4206 Heartland Road – owns lot in the Willow Creek subdivision. Opposes the rezoning going from Residential to Commercial; concerned with other potential uses if the rezoning is approved. Jared Grande indicated that C1 is the only option for such a development without City water and sewer services available.

Justin Greenawald, 6454 Hart Road – lives next door to the proposed development. Concerned with the C1 zoning surrounded by Residential zoning.

Cynthia Cramer, 3405 Creekside Court – opposed to the rezoning due to concerns of possible other potential commercial uses.

Jayne Wewerka, 4650 S. Oakwood Hills Pkwy – in the process of building a home at 3454 Creekside Court. Opposed to the rezoning not necessarily the 3-Plex.

Grant Wewerka, 4650 S. Oakwood Hills Pkwy – owns lot directly behind the applicant’s lot. Opposed to the rezoning without knowing the applicant’s true intent on the use.

Bruce Scherlin, owns lot on Creekside Court – opposed to the C1 zoning.

Regina Mauer, as the property owner they have made investments in fees, architect drawings, etc. and plan to go ahead with the 3-Plex on the property if this is approved.

Chrm. Peterson closed the Public Hearing. The Board discussed the proposed rezoning and asked questions of Jared Grande.

Admin. Henning indicated that Hart Road will not support a commercial business with medium or high traffic counts as discussed previously. The property is limited to what could be proposed and the 3-Plex would fit in the low traffic count.

Supv. Solberg moved TO APPROVE THE REQUEST FROM DANIEL & REGINA MAUER TO REZONE 1.48 ACRES FROM RURAL RESIDENTIAL (RH) TO COMMERCIAL (C1) AT 6420 HART ROAD, EAU CLAIRE. The motion was seconded by Supv. Stacy.

Aye 4 Nye 0

**Public Hearing & Board Consideration for a Request from Daniel & Regina Mauer for a Conditional Use Permit to Build a New 3-Plex Multifamily Home in a Proposed C1 District at 6420 Hart Road, Eau Claire:**

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor introduced the application with a PowerPoint Presentation. All necessary permits would need to be obtained from the various jurisdictions. Staff does recommend approval with the conditions outlined in their report. Screening of the property with a staggered layer of trees is recommended by Staff to provide a dense

screening from the residential neighborhood.

Chrm. Peterson would like one driveway instead of two.

Regina Mauer, indicated the staggered trees would not be a problem.

Chrm. Peterson opened the Public Hearing.

Justin Greenawald, 6454 Hart Road – asked about the screening around the property and if the trees would impede on to his property.

Bruce Scherlin, owns lot on Creekside Court – first he has heard about handicap use and asked about potential additional blacktop and handicap signage.

Chrm. Peterson closed the Public Hearing.

Jared Grande stated that screening shows halfway between the 30 foot setback. The owner would need to maintain trimming of the trees. The applicant does not indicate handicap, elderly, or disabled residents anywhere in their application.

Regina Mauer, it is not going to be an elderly business; however many of their rentals serve retired individuals.

Supv. Solberg moved TO APPROVE THE REQUEST FROM DANIEL & REGINA MAUER FOR A CONDITIONAL USE PERMIT TO BUILD A NEW 3-PLEX MULTIFAMILY HOME IN A PROPOSED C1 DISTRICT. The motion was seconded by Supv. Stacy.

Aye 4 Nye 0

**Adjournment:**

Supv. Tomesh moved TO ADJOURN. The meeting adjourned at 6:58 p.m.

THE BOARD'S NEXT MEETING WILL BE ON MAY 21, 2020  
AT 5:00 P.M. VIA ZOOM CONFERENCE CALL

Jackie Vold  
Deputy Clerk/Administrative Assistant

Attendance: Jared Grande, Max Henning, Richard Larson, Jeff Staats, John Kelly, Jeremy Skaw, Mark Gardner, Josh Sundquist, Daniel Mauer, Regina Mauer, Sean Bohan, Dustin Von Ruden, Justin Greenawald, Cynthia Cramer, Jaynee Wewerka, Grant Wewerka, and Bruce Scherlin