

TOWN OF ADDISON
MINUTES OF THE PLAN COMMISSION

June 2, 2022

The meeting was called to order by Chairman Bingen at 7:00 PM. This meeting has been properly noticed.

The Pledge of Allegiance was recited.

ROLL CALL: Members present: Robert Bingen, Lisa Anderson, Steve Fieweger, Leroy Infalt, Gary Karnitz, Jerry Priesgen, and Dan Wolf. 15 others were present.

APPROVAL OF AGENDA: Motion by Infalt to approve the agenda. Seconded by Karnitz. Motion carried.

APPROVAL OF MINUTES: Motion by Fieweger to approve the May 5, 2022 minutes. Seconded by Wolf. Motion carried.

PUBLIC HEARING:

Conditional Use Hearing for Construction of an Accessory Structure (30' x 50') Resulting in Greater than 864 sq ft with a Height Exceeding 15 feet- Eric Craine, 6672 Weis St, Sec 9. Eric Craine was present and explained that he would like to build the garage to store his vehicles, recreational vehicles, and tools. Chairman Bingen questioned if there would be any business conducted in the structure. Craine stated no. Bingen made three requests for public comment and upon hearing none, motion by Priesgen to close the public hearing. Seconded by Anderson. Motion carried.

Conditional Use Hearing for Construction of an Accessory Structure (50' x 30') in the Street Yard Resulting in Greater than 864 sq ft with a Height Exceeding 15 feet- Daryl & Nancy Aslin, 5415 Aurora Rd, Sec 26. Daryl Aslin was present. He explained he wants to build another garage. It will not be in the same location. There is a spring running under the existing garage and is causing water problems. The garage will be used to store vehicles, a workshop, and firewood storage. Bingen made three requests for public comment and upon hearing none, motion by Priesgen to close the public hearing. Seconded by Karnitz. Motion carried.

Conditional Use Hearing for Agribusiness/Agritourism- Schmidt Century Farms, 5485 St Anthony Rd, Sec 11. Roger and Deanna Schmidt were present. Deanna explained that they have a farm store in their garage where they sell eggs, meat and maple syrup. They host an annual open house in October and have a small school group tour once a year. Bingen made three requests for public comment and upon hearing none, motion by Infalt to close the public hearing. Seconded by Fieweger. Motion carried.

NEW BUSINESS:

Conditional Use Permit for Construction of an Accessory Structure (30' x 50') Resulting in Greater than 864 sq ft with a Height Exceeding 15 feet- Eric Craine, 6672 Weis St, Sec 9. Eric Craine was present. Administrator Fieweger presented a draft CUP. Bingen asked what type of building it will be. Craine stated post frame. Wolf asked if the driveway was staying the same? Bingen explained that the Town

of Addison only allows one driveway for single family homes, so the entrance will have to stay the same. Craine said he understood the ordinance. Bingen read CUP A-22-003 aloud. Administrator Fieweger will be changing the wording on condition C. It currently states this is a shed. However, since there will be vehicles stored inside the structure, she would like the wording to read garage and informed Craine that a concrete floor will be required. Craine agreed. Motion by Priesgen to approve CUP A-22-003 with the change to the wording under condition C. Seconded by Infalt. Motion carried.

Conditional Use Permit for Construction of an Accessory Structure (50' x 30') in the Street Yard Resulting in Greater than 864 sq ft with a Height Exceeding 15 feet- Daryl & Nancy Aslin, 5415 Aurora Rd, Sec 26. Daryl Aslin was present. Administrator Fieweger presented a draft CUP. Priesgen questioned if the second garage was going to be removed. Aslin stated that he wants to tear down his existing garage and build this one farther to the south to get away from the spring that is under the existing garage. He isn't sure if the existing garage will be torn down prior to constructing the new one, or after. He also intends to tear out some of the existing driveway and replace it. Bingen read CUP A-22-004 aloud. Priesgen would like wording added to the CUP that the existing garage must be removed after the new one is constructed, or the town will remove it at Aslin's cost. Motion by Karnitz to approve CUP A-22-004 with the addition of the wording to remove the existing garage. Seconded by Anderson. Motion carried.

Conditional Use Permit for Agribusiness/Agritourism- Schmidt Century Farm, 5485 St Anthony Rd, Sec 11. Roger and Deanna Schmidt were present. Administrator Fieweger presented a draft CUP. Bingen read the CUP aloud. Deanna questioned the hours of operation under Conditions A and E because they are not open all day or daily. They only have one school group that comes with 20 kids and they are only there 20 minutes because the group is touring multiple farms within the same day. Bingen explained that the Commission wants them in compliance with the CUP and if they decide to increase hours they will have to come for an amendment. She agreed the longer hours should stay in the permit. There was discussion regarding Condition B, specifically the wording to not allow chickens to be processed onsite. Deanna explained that they have spoken with the Wisconsin Department of Agricultural Trade and Consumer Protection agency. She produced the rules from them stating that Schmidt Farms can process up to 1,000 chickens per year to be sold onsite, without obtaining any extra permitting. The Schmidt's have no interest in processing more than 1,000 chickens per year. They are inspected yearly. Priesgen asked if they were processing anything else on the farm? The Schmidts said no. They use a licensed facility to process the other meat they sell. Under Condition C, Karnitz was questioning if there was any handicapped parking. Deanna said they have parking close to the garage and that they will also bring orders out to the car. Karnitz said to add a Handicapped Parking Sign to the spot closest to the store. For Condition D, Deanna explained that the Washington Ozaukee Health Department regulates food sales and they said that samples are allowed to be given away but they cannot sell any food that is cooked onsite. If they want to sell food it will need to be provided by a licensed facility, such as a caterer or food truck.

Deanna questioned Condition F regarding the number of bathroom facilities needed. She feels two portable bathrooms is excessive. They have never had anyone ask to use the bathroom because they only spend a maximum of ten minutes in the farm store. The school tour is also a very small group as well as a short amount of time. Wolf asked what they would do if someone needed a restroom. Deanna said they would allow them to use the house bathroom. Wolf was concerned with allowing that. Building Inspector, Jeremy Pfeifer was present and addressed the need for a bathroom in the store. He said that because this is an agricultural use, the codes are different. As long as 90% of the products sold are produced onsite they are exempt from commercial codes. This includes not having to offer or upgrade bathroom facilities. The Commission would like a bathroom facility onsite that is handicapped accessible. Priesgen questioned if there would be issues with firewall compliance since the store is in the garage. Pfeifer said no issue, again because they are exempt from code. He does not see an issue because there are no vehicles kept in the garage. Karnitz asked how large of a business they want to have. Roger said he doesn't want to expand much more. The main purpose of the store is to allow people to purchase the meat to promote it and hope they come back and purchase a half or quarter of a steer. Roger also stated that they hope to build a new farm store in the future. Administrator Fieweger read the changes to the CUP allowed:

1. Change hours of operation to 8:00AM to 6:00 PM daily for farm store and tour groups.
2. Allow chicken processing onsite in compliance with the Department of Agriculture Trade and Consumer Protection agency.
3. Require a handicapped parking spot and signage.
4. Allow for samples to be given out.
5. Require one portable bathroom facility that is handicapped accessible.

Motion by Priesgen to approve CUP A-22-005 with above listed changes. Seconded by Wolf. Motion carried.

CSM Review and Recommendation- Paul & Darlene Hausmann, 6856 Hwy W, Sec 10. Paul Hausmann and James Ritger were present as well as John Sauer. Jim is selling .78 acres to Paul along with an existing barn. Wolf questioned if any new buildable parcel was being created. Administrator Fieweger stated no. Hausmann's current shed is across the lot line onto John Sauer's property. The CSM shows a jog around the building. It will not meet setbacks, but the Commission wanted to get the shed on the correct land-owners property. Sauer wanted to give up as little property as possible. Motion by Fieweger to recommend the CSM to the Town Board. Seconded by Karnitz. Motion carried.

Discussion Regarding Property Cleanup- Robb & Kathleen Roell, 6961 Hwy 175, Sec 6. Robb Roell was present. Bingen explained that Administrator Fieweger sent a Notice of Noncompliance which requested Roell to be present at the meeting. She has already sent two other notices trying to address the condition of the property. There are numerous unlicensed vehicles and items all over the property. Roell explained that he has tried to comply with the Ordinances by fencing in the items. The fence has not held up well. The latest notice said the yard is a Public Nuisance Affecting Health. Roell denies that this is true. Priesgen stated that the property needs to be cleaned up. He wants to know what Roell feels is a good time frame to accomplish this. Roell said two months.

He will reset fence and remove any unlicensed vehicles that are not within the fenced in area. Bingen suggested he discard all of the items in the yard instead of fencing them in. Roell was not in agreement with that statement. Bingen also stated that if Roell does not clean up the property the Plan Commission will recommend to the Town Board that legal action begin to get this property cleaned up. Motion by Priesgen to bring Roell back to the Plan Commission in two months for an update on cleanup. At that time significant cleanup must be accomplished. Seconded by Anderson. Motion carried.

Discussion of Non-Compliance- Joseph Rossetto, 4914 Hwy 175, Sec 34. Joseph Rossetto was not present. Karnitz did a fire inspection on the property a week prior to the meeting and spoke with Rossetto regarding the number of vehicles on the property. Administrator Fieweger received a call from Rossetto stating he would not be able to attend the meeting and did not know what date he would be available to attend in the future. Bingen stated that since we cannot speak with Rossetto regarding his property, there should be no business conducted from the premises until Rossetto can address the noncompliance. Rossetto holds the Conditional Use Permit. Motion by Anderson to table the discussion until which time Joseph Rossetto is in attendance. Seconded by Infalt. Motion carried.

COMMUNICATIONS:

Administrator Fieweger shared that she sent a letter of non-compliance to 2 properties that are currently operating businesses in residential districts.

ADJOURNMENT:

Motion to adjourn by Karnitz. Seconded by Infalt. Motion carried unanimously to adjourn at 8:12 p.m.

Jill Fieweger
Zoning Administrator