

MINUTES
TOWN OF RHINE PLANNING COMMISSION
with public hearing
Wednesday, July 22, 2020 at 6:30 p.m.

Present: Bill Jacob, Joanie Fiorenza, Mark Pfaller, Paul Booher, Christa Johanson (remotely)

1. **Call to Order:** The meeting was called to order at 6:32 by Chairman, Bill Jacob.
2. **Compliance with Open Meeting Requirements:** Published July 10 and 17, 2020. Posted in 3 places. Media was notified.
2. **Pledge to the Flag:**
3. **Approve Minutes of the May 13, 2020 meeting:** Motion to approve by Pfaller. 2nd by Fiorenza.

Under 6 B, Christa wants to add that she informed the applicant that the conditional use they applied for is not available under ordinances at the time of application. Motion to approve minutes as amended by Fiorenza. 2nd by Pfaller. All in favor.

4. **Public Comments of a general nature:** None.
5. **Public Hearing - discuss and possibly act on:**

A. *Discuss and possibly act on zoning code changes to allow storage in the agricultural or business districts.* - To be continued at the next meeting.

B. *To consider the application of Corey Schmidt of W4570 Garton Road, Plymouth, WI to rezone property around W4570 Garton Road, Plymouth from A1 to R1, parcel is 59018256750 and is approximately 7.5 acres. Property is currently owned by Larry Eberle and Corey Schmidt wishes to purchase it. (Approximate address of proposed rezone is W4628 Garton Rd., parcel 59018256730*

Larry Eberle recused himself from this item of business, and Paul Booher served as alternate.

Public comments: Corey Schmidt explained the nature of his request and why it is needed. He has lived there over 25 years, and he has always wanted to buy more property. If there were ever an issue with the septic system in the future, he would have a problem expanding it on his existing land. Also, he may want to build a bigger shed in the future. Applicant has reviewed zoning and setback requirements with the building inspector and what needs would have to be met should he need to build a new septic system in the future. R1 makes the most sense to avoid septic issues in the future.

There were no other public comments.

Fiorenza made a motion to recommend that the town board accept the request as presented.

Discussion: Pfaller has a concern in making the entire area R1 as it goes against the LRP, and it could be broken up in the future.

Eberle suggested selling Schmidt 3 acres which would give him enough room to build a shed, fix the septic, etc. They would not have to rezone the entire area. Pfaller asked how the property became R1 in the first place. Per Eberle, it used to be a homestead.

Johanson noted that the applicant stated his intent is to continue farming. If it is zoned R1, he could not farm it. If he keeps the land zoned as is, the easement would still be applicable, and he could still farm the land. He could get a variance for the location of a future building.

Eberle feels the best solution is to make the home and 3 acres R1 and leave the rest of the land as A1. He explained that in order to build on A1, there must be 35 acres. But, the acreage can be smaller as long as you are not building on it. Pfaller agreed. The main reason Corey is here is because of current setbacks.

Johanson cautions the committee about giving out legal advice.

Johanson made a motion to recommend to the board approve Mr. Schmidt's application. Roll call vote: Pfaller - no. Booher - no. Fiorenza - yes. Jacob - no. Johanson - no. Request has been denied.

Note: Johanson noted that the planning commission can only deny the zoning request,

C. *To consider the applications of Jeff and Wendy Elgin of W6656 County Road C, Plymouth, WI 53073 for a Conditional Use Permit to operate a cold storage unit on property at W6671 County Road. Parcel is 59018258813. (continued from previous meeting)*

Johanson proposes to table items A and C. Jacob wants to continue. Eberle rejoins the meeting.

It is the opinion of the town attorney that the Elgins' intended use of the property does not fit into current ordinance and zonings. The ordinance committee has recommended a conditional recommended use for A1 zoned property, which would allow the Elgin's to move forward with their plans.

The ordinance committee drafted a new ordinance addressing this. That verbiage has not been received by the clerk. Jacob agrees with Johanson that the planning commission needs time to fully review the proposed ordinance before making a decision on it.

In essence, buildings previously used for storage purposes, in open areas without stalls and locks, would be allowed to store cars, etc. It would not allow for individual stalls or locks on the stalls.

Public comments:

Marcia Schwager asked if this is for private use or commercial use and what kind of traffic could be generated. Jacob explained that the property was previously run as a horse barn off of highway A. She will look at it further. She is also concerned about future traffic on county road C as the road is in poor disrepair now. Any other traffic around Crystal Lake at this time would be undesirable

Tami Rosetti is also concerned about the traffic. When her property was purchased, the area was rural. When the Elgins purchased their land at a later date, Rosetti was informed of the proposed plans to have cold storage which would lead to high traffic. The country charm will disappear if this is allowed. The traffic from a cold storage problem would not be conducive to continued use of existing walking paths. She does not like the situation with the driveway. She does not want to have 100 cars, boats, trailers, passing through

that close to her property. Pfaller addressed the concern of potential boat and trailer traffic. Tami asked how her concerns can be relaxed. She is concerned about all of the potential activity that would be going on in that tiny corner. She would like to see the driveway moved. She is also concerned that her property value could go down if a storage shed is allowed behind her. She has concerns about security, aesthetics, integrity of the water, etc.

There were no other public comments about the Elgin property.

Motion by ? to recess the Elgin property decision and the ordinance relating to it until further info is available to the members of the planning commission. 2nd by Joanie. All in favor.

D. Introduction of Busy Bee Composting site.

Anne Gamoke and her son gave a presentation on their business, Otter Moon Farm, and explained their purposes. They are preparing their soil for farming without using chemicals. She explained their plans for future farming of the land.

Marcus Gamoke, their son, manages Busy Bee Composting in Stevens Point. It is a certified organic facility. He gave a brief rundown of the business and their plans for the next 1 to 3 years. They make compost and then sell it. He has a DNR permit, and he reviewed some guidelines they must follow in order to meet DNR requirements. The only thing in their compost is leaves and grass clippings. Most of the compost would be sold in bulk; some bagged in smaller bags.

Jacob noted that purpose of the introduction tonight is simply to determine if this operation might require a CUP or not. Discussion on that followed.

Johanson thinks the CUP might be needed under item 7, uses of agriculture, under conducting business on the property. The retail business end might need a CUP, not the actual creation of the compost.

Jacob asked the commission members if it is of their opinion that a CUP be required. All members are in agreement that a CUP will be needed for retail sales operation on the site.

6. **Chairman information report:** Jacob will have a copy of the chapter 4 ordinance tomorrow and a new meeting will be set to review that. Chapter 4 has not been approved yet
7. **Next meeting date:** (as needed)
8. **Adjournment:** Motion to adjourn at 8:45 by Fiorenza. 2nd by Eberle. All in favor.