



Town of Fond du Lac Planning Commission Meeting

Date	Tuesday, November 19th, 2024
Location	Town Hall W5990 Pioneer Road
Time	6:00 PM
Meeting Materials	Meeting Materials Link (Google Drive Folder)
Note	Town board members may be in attendance for information-gathering purposes but will not take any action. Interested parties are encouraged to attend. All plan commission decisions are recommendations; the town board makes the final decision based on the recommendation.
Members	Jess Allender, Mike Guilfoile, Scott Roltgen, Herb Keding, Lisa McArthur

Minutes

Last updated 11/19/24

1. Call to order and notice of open hearing.
2. Approval of [minutes](#) from the previous meeting. Motion by Mike Guilfoile, second by Herb Keding, carries 5-0.
3. Discussion on request by David Supple for a blanket SUP for Fred-Land storage units on CTH V.
 - a. Supple special exceptions for storage condos: Planning Commission to review “whether the Town Board should issue a blanket special exception for the Supple condo units to allow business service and contractor facility uses, and if so, what should the terms be?”
 - i. Message from Attorney: *Supple special exceptions for storage condos: Planning Commission to review “whether the Town Board should issue a blanket special exception for the Supple condo units to allow business service and contractor facility uses, and if so, what should the terms be?”*
 - ii. D. Supple reviews previous discussions.
 - iii. Build to suit. 60’w x 100’l is the latest building that can be put up on the lots, if they purchased two lots. Parking is also limited to parking stalls and in the unit. Each lot is 60’w 120’d. They purchase the building and Supples still responsible for maintenance.
 1. S. Able. Looks nice is well done and doesn’t have complaints. Jess Allender agreed.
 2. J. Michels (see [linked attachment](#)).
 3. J. Vogue (sp?) n4994 . A little weary of where it could go. Scott Roltgen thinks each person should go through the Planning Commission because it gives the Town more control. Herb Keding added the project changed a lot, and S. Roltgen echoed the change of the project.

4. Conditions? Don't alter condo docs without letting us know. Limit to 5
5. Jeff Montsma. Special exceptions would still be approved by the town board, so it is still binding.
- iv. The Planning Commission recommends the Town Board approve the first seven condo special use permits for business service and contractor facility uses, with the following conditions:
 1. business abides by the condo documents,
 2. Fred-Land shares information about the sold units with the Board on a monthly basis,
 3. the site plan remains as presented,
 4. parking follows the configuration of the site plan and is hard-surface only,
 5. the condo units not be sublet,
 6. the condo documents remain frozen unless reviewed by Planning Commission,
 7. and that he comes back to the Planning Commission after the first seven units sell.

Motion by Jess Allender, second by Mike Guilfoile, motion carries (4-1).
4. Discussion on updates to the Farmland Preservation (FP) ordinance and map.
 - a. Updates from CedarCorp: *Two updates from Cedar Corp:*
 - i. *Ordinance text with changes as discussed is attached. Input is requested from the Town, as to the section of the ordinance with numbered definitions.*
 - ii. *With the proposal of removing the base farm tract language and tracking of nonfarm residential acreage, the definitions in that section would be renumbered. This will cause an issue throughout the ordinance where the ordinance refers to a specific number in that definitions section. Some options the Board may want done for this situation:*
 1. *Replace definitions being removed with "Reserved." and no enumeration changes in definition section or in ordinance.*
 2. *Renumber definitions. Update ordinance text where references are made to the specific numbered definition to reference new numbers.*
 3. *Remove all numbering from the definitions. Make ordinance text changes to reference general definitions section instead of specific enumerated terms within it.*
 - iii. Approving the changes means we're in compliance to do the zoning map in the Spring.
 - iv. *Update on the Farmland Preservation Plan Area map adjustments, potential County FPP amendment:*
 1. *In talking with Terry Dietzel, the County intends on submitting to DATCP amendments to the Farmland Preservation Plan on an as-needed basis, but grouping them together when possible at approx. 6 month intervals. The County submitted an amendment application in September 2024, so are looking at spring 2025 as the soonest they would like to repeat that process with any new updates that Towns bring to them.*
 2. *If the Town of Fond du Lac would like to pursue that route of avoiding rezone discussions with property owners by amending the Town's FP plan map, the amendment could be to include those portions of sections 35 and 36 that are currently Farmland Preservation zoning district but outside the Farmland Preservation Planned areas. This option would avoid needing to rezone any of the discussed four (4) parcels. The Town*

can alternatively ask for the amendment to be for as big or small of acreage as they want, whether that's a whole section or just one parcel.

3. *Next spring would be the anticipated timeline for that County request going before DATCP. After the County plan amendment would be recognized by the state, is then the soonest the Town would be able to submit their ordinance and map for recertification. This is because the County must sign off that the Town's proposed map and ordinance text are consistent with the County's plan, and until the amendment is recognized, the plans would not be consistent.*
 - v. #1 Jeff Montsma was unable to contact.
 - vi. #2 needs follow up still.
 - vii. #3 is getting back to Patti Supple, but suggests Jeff Montsma try instead.
 - viii. #4 is willing to go to general ag per Herb Keding.
 - ix. 121 acres of general ag to farmland preservation; Herb Keding to send details.
- b. The Planning Commission recommends the Town Board approve the revised zoning ordinance and to follow Cedar Corps' recommendations for rezoning into/out of farmland preservation. Motion by Jess Allendar, second by Lisa McArthur, carries (5-0).
5. Discussion and recommendations for changes to the General Agriculture (GA) zoning ordinance to allow for storage units.
 - a. Message from Attorney: One thing that we'll have to decide is the proper way to administer these criteria. *There are basically two ways that we can use them:*
 - i. *We can use criteria like these to define the allowable use itself. That is, we can say that you cannot even apply for a special exception for a storage unit in GA unless it meets certain criteria. To do that, we can use only objective check-the-box type criteria since we are just defining the use itself rather than applying discretionary standards.*
 - ii. *We can use these criteria as part of the special exception analysis after the application is filed. This allows a case-by-case analysis. But since we cannot predetermine special exception conditions, we would have to re-cast these in neutral terms (e.g., instead of saying "no outdoor storage" we would say that we would evaluate "whether storage will be entirely indoors").*
 - iii. *And we can also use a combination of these. That is, we can use some of the criteria to define the use itself and then other criteria can be applied to the special exception review.*
 - b. Jess to follow up with Attorney regarding making the ordinance in accordance with option two, and then the Planning Commission can vote on it in the next meeting.
 - c. Planning Commission recommends replacing Tyler Mengel with John Zorn as alternate for Planning Commission.
6. Future agenda items
 - a. Next meeting date: December 17th at 6 pm
 - i. General Ag storage units
7. Adjournment at 7:20 pm.