

Town of Montrose Land Use Committee September 22, 2025 Meeting Report

Present: Deb Brucaya (recorder), Junior Eichelkraut (chairman), Tim Schmitt

Absent: Jerome Gobel, Tom Sarbacker

Minutes are not official until approved by land use committee (LUC) members at a subsequent meeting

NOTE: CUP means Conditional Use Permit FP means Farmland Preservation CSM means Certified Survey Map

Junior called the meeting to order. After correcting *east of the main building* to *north of the main building* in paragraph 5, Tim moved and Junior seconded to approve the July 28, 2025 LUC meeting report as revised. Motion carried unanimously.

Dave Jenkins of JSD Professional Services and Michael D. Knight, land owner, provided background regarding a request to rezone and join two parcels, one a < one acre parcel currently zoned general commercial, the other an over four acre parcel currently zoned FP-35 and out of compliance with FP-35's acreage requirement. This action would create new FP-1 zoned Lot 1 of 4.976 acres as shown on the preliminary CSM, all to conform with Dane County zoning regulations. There were few questions and limited discussion. **Tim moved and Junior seconded to recommend town board approval of Michael Knight's request to rezone a combined acreage of 4.976 acres in Section 10 sandwiched between Paoli Road and State Highway 69 in the Hamlet of Paoli from general commercial and FP-35 to FP-1 (small lot FP). Motion carried unanimously.**

Next, Nic Mink of Seven Acre Dairy was present to answer questions about Paoli Cheese Factory Association LLC's application to Dane County for a CUP to add lodging units by having five free-standing condo/cabins built north of the primary dairy building on currently unused land, as presented at the July LUC meeting. See that meeting's report for further details. The Association is requesting township approval of this CUP as they work to have these cabins available by March 2026.

As stated in July, this proposal has been vetted through many Dane County offices. Requirements relating to additional parking, access from Paoli Street, stormwater runoff and retention basins, reactivating the existing but currently unused septic mound, water, and electricity have all been addressed and satisfied.

This second phase of development at Seven Acre is modeled after other resorts where there is private ownership within a shared commons, where privately owned structures are linked to, but are secondary to, the primary resort. Here, only the condo/cabin and the structure's footprint on the land will be privately owned. As the primary resort, Seven Acre Dairy will fully manage and maintain the cabins and will retain overall site control.

Cabin owners will be subject to restrictions and limitations in the condo association's bylaws that will lay out each party's roles and rights, and in each title's language. County and township land use, development, and zoning regulations along with conditions of the CUP will prohibit a condo/cabin from being claimed as a primary residence. Further, should an individual cabin owner default in some way or choose to sell, after the five cabins are built, Seven Acre has the right of first refusal as stated in the July meeting report.

Junior raised the question of what happens to these units should Seven Acre go bankrupt; could a cabin owner claim a right to make their cabin their primary residence, could a bank or bankruptcy court push the issue and perhaps sue the township?

A lengthy comment and discussion period followed. Wanting further assurances that the township would be protected from potential future claims of private residence rights, and needing time to consider specific wording of a CUP, this agenda item was delayed until October, which Nic said he welcomed.

There was no further public input. The meeting adjourned after unanimous approval of Deb's motion and Tim's second to do so.

Submitted by: Deborah A. Brucaya, Meeting Recorder, Town of Montrose Land Use Committee, Dane County