

**TOWN OF CEDARBURG
PLAN COMMISSION MEETING MINUTES
November 15, 2017**

Present: David Salvaggio, Ralph Luedtke, Rick Goeckner, Dan Wundrock, Edward Downey, Mark Wittenberg
Excused: Wayne Pipkorn
Also Present: Tim Rhode, Town Administrator, Eric Ryer, Assistant Administrator/Clerk

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Salvaggio called the regular meeting to order at 7:15 pm. The meeting began with the Pledge of Allegiance.

2. MINUTES OF PREVIOUS MEETING:

a. Approval of October 18, 2017 Plan Commission Meeting Minutes*

Commissioner Wundrock moved and Commissioner Downey seconded a motion to approve the minutes from October 18, 2017. The motion passed unanimously.

3. PUBLIC HEARING

a. Public hearing to take comment on an application by Scott Witte for a conditional use permit to process and can agricultural products, bake and sell goods, retail, and to operate a restaurant for the property located at 10006 Bridge Street [NW ¼ of Section 29, 5 acres, zoned A-2 Prime Agricultural District]

Scott Witte and Susan Atkinson (Witte's Vegetable Farm) have submitted two applications: 1) to amend the Town Code to allow for processing and canning of agricultural crops, baking, retail, and restaurant in the A-2 Prime Agricultural district as conditional uses, and 2) a conditional use permit application to undertake these specified activities on the 5 acre A-2 property located at 10006 Bridge Street.

Margaret Erbes of 10141 Sherman Road spoke in support of the expanded uses including cooking classes and eating at the location. She noted her three children worked at the farm while growing up. Scott Witte of 10006 Bridge Road introduced himself but did not make any further comments at this time.

With no comment from the public, Commissioner Wundrock moved to close the public hearing. Commissioner Luedtke seconded, and the motion passed unanimously.

4. OLD BUSINESS

a. None

5. NEW BUSINESS

a. Discussion and possible recommendation on an ordinance to amend Chapter 320: Zoning of the Town Code to allow for processing and canning of agricultural crops, baking, retail, and restaurant in the A-2 Prime Agricultural district as conditional uses*

This item continues from item #3a. Scott Witte explained they would primarily like to take crops they grow and can/process them onsite instead of discarding the product. He explained they are not interested in running a full-time restaurant, but would like to have the Commission consider the possibility of a farm-to-table restaurant for a limited number of events per year.

Chairman Salvaggio pointed out that the baking, retail, and restaurant are uses that are currently not allowed in the A-2 district. He explained this would essentially be taking uses that are allowed in

business districts, and allowing them in agricultural districts. He noted there are 274 agricultural parcels in Town, so allowing such activity would have an impact. Chairman Salvaggio raised the question if other business type uses would be requested of the Town in the agricultural districts if these proposed amendments are approved. He pointed out this could be viewed as rezoning through a text amendment.

Commissioner Wundrock suggested separating out the canning use from the remainder of the proposed uses. Administrator Rhode asked Mr. Witte to further explain how the canning would be operated. He also pointed out that most of the buildings are located on a 5 acre parcel, whereas the remainder of the family farm is located on different parcels.

Scott Witte explained he was open to amending the language in the application related to the uses to better specify what they were looking to accomplish. He noted they would be canning only their own crops and selling onsite or at a local farmers market.

Administrator Rhode clarified that while canning of their own crops is more straight-forward, the issues of baking and restaurant are not currently addressed in the agricultural districts, but rather in business districts. Commissioner Goeckner noted the Town Comprehensive does not allow the Witte parcel to be rezoned to business. He also reiterated that if a text amendment were to allow for the requested uses in A-2, it would apply to all A-2 parcels in the Town. He pointed out that while Mr. Witte would be a smaller canning operation, there would be the possibility of a larger operation opening up in Town if the ordinance were amended. Commissioner Downey noted the Town spent years assembling the Comprehensive Plan and explained that while the Commission is not against innovation, they understand that by allowing for significant changes to the Code it sets a precedent for future applicants.

Following discussion, Commissioner Wundrock made a motion to table the discussion to allow Scott Witte additional time to identify specific text amendments. Chairman Salvaggio then noted that he would prefer the restaurant and bakery be removed from the proposed text amendments. Commissioner Goeckner seconded, and the motion passed unanimously.

b. Discussion and possible recommendation on an application by Scott Witte for a conditional use permit to process and can agricultural products, bake and sell goods, retail, and to operate a restaurant for the property located at 10006 Bridge Street [NW ¼ of Section 29, 5 acres, zoned A-2 Prime Agricultural District]*

As noted for item #5a, Mr. Witte will be updating his application language for consideration at a future Plan Commission meeting.

c. Discussion and possible recommendation on a land division application by James Read for the property located at 7308 Pleasant Valley Road [Applicant: James Read, SW ¼ Sec. 3, 8.28 acres, zoned E-1 Estate]*

James Read has submitted a minor land division application for his property located at 7308 Pleasant Valley Road totaling 8.28 acres. The property was rezoned from CR-B to E-1 Estate in September of 2016.

Mr. Read explained the reasoning behind the configuration of the two lots, including the location of a ridge running through the property, and the fact that the proposed CSM shows the retention of previously recorded open space along the sides and rear of the lot.

Following discussion, Commissioner Wundrock made a motion the Plan Commission recommend the Town Board approve the proposed minor land division application by James Read for the

property located at 7308 Pleasant Valley Road. Commissioner Goeckner seconded, and the motion passed unanimously.

6. ADJOURNMENT

Commissioner Downey moved to adjourn the meeting. Commissioner Goeckner seconded, the motion carried unanimously and the meeting was adjourned at 7:54p.m.

Respectfully Submitted,

Eric Ryer
Assistant Administrator/Clerk