

MINUTES OF THE TOWN OF WASHINGTON MONTHLY TOWN BOARD MEETING  
January 21, 2021

Members Present: Micheal Peterson, Jane Mueller, Robert Solberg, Michael Stacy, Karen Tomesh

Staff Present: Janelle Henning

Members/Staff Absent: Jackie Vold

Admin. Henning made opening remarks regarding the format of a Zoom meeting.

A quorum being present, Chrm. Peterson called to order the monthly Town Board meeting of the Washington Town Board at 5:00 p.m., on Thursday, January, 2021, via ZOOM.

**Minutes:**

Supv. Tomesh moved TO APPROVE THE MINUTES OF THE DECEMBER 17, 2020 TOWN BOARD MEETING. The motion was seconded by Supv. Stacy.

Aye 5 Nye 0

**Public Hearing & Board Consideration for a request from Tanner Properties, LLC for a Conditional Use Permit for a Contractor's Office and Storage Yards at 8015 US Hwy 12, Eau Claire:**

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor provided a PowerPoint presentation regarding the request. The applicant is looking to use the property in relation to Tanner Excavating as an office and storage of equipment for the business. The business primarily will be operating offsite. Maps were shown for proposed storm water ponds, driveway, and parking area and where vegetation would be removed. The building would be a 80' x 80' by 18' tall with a 40' x 40' future office building. The property is 5.36 acres. The owner has obtained access from WI DOT off US Hwy 12, and storm water erosion control permit. The Future Land Use Map shows this parcel as Rural Commercial. Staff does recommend approval with the conditions outlined in their report.

Tony Tanner asked the Board if they have any questions for him. There was none.

Chrm. Peterson opened the public hearing. No one spoke in favor or opposition of the request.

Supv. Solberg moved TO APPROVE THE REQUEST FROM TANNER PROPERTIES, LLC FOR A CONDITIONAL USE PERMIT FOR A CONTRACTOR'S OFFICE AND STORAGE YARDS AT 8015 US HWY 12, EAU CLAIRE. The motion was seconded by Supv. Tomesh.

Aye 5 Nye 0

**Public Hearing & Board Consideration for a request from LaVerne Stewart and Craig Wurzer, Agent to Rezone 215.35 acres from A1 (Agricultural) to Rural Homes (RH) at the northwest corner of Mischler Road and Deerfield Road; Parcels 024-1154-05-000, 024-1154-01-000, 024-1157-10-000, 024-1158-10-000, 024-1159-01-000, and 024-1159-02-000:**

Paul Holzinger, owner of Holziner Homes and a developing partner for the proposed Orchard Hills subdivision introduced the application. He gave some background information regarding his career. He stated this would be the largest development proposed within Eau Claire County. The development would be built in phases over the next 3 to 5 years. The developers have emailed and held virtual meetings with the community. The reasons for choosing this area for development are the location, the need for single family lots, similar housing in nearby neighborhoods, access to and from the development site, and smart growth ideals. This site offers quick access to area jobs, businesses, and services with multiple travel routes, access to recreation on site and nearby Lowes Creek County Park,

and the rural feel for the property. There is a housing shortage in our area. There are four major routes into the City of Eau Claire from the development: Hwy 93, County roads F & B, and S. Lowes Creek Road. Traffic analysis has indicated that the major roadways are more than adequate to accommodate the development. The design includes community sanitary systems that return waste water back to the local aquifer. Recreational trails are incorporated throughout the development for walking and biking. 1-2 acre lots are proposed. Low grade wetlands and steep slopes are designated as conservation easement and outlots. 35% of the land will be undeveloped.

Craig Wurzer, C&E Wurzer Builders and developing partner for the proposed development. He also spoke of providing needed single family housing in the Chippewa Valley. He spoke of the added tax base for the Town, County and schools. Five new roads will be developed. He reiterated many of the points made by Paul Holzinger.

Mark Erickson, Everyday Surveying & Engineering spoke on behalf of the applicant. This area is designated on the Town Future Land Use as Rural Housing.

Tony B, Peterson Onsite spoke regarding community onsite wastewater treatment systems for the development. His company specializes in treating the wastewater to standards that exceed all regulatory requirements while returning the treated wastewater back into the aquifer.

Michael May, Traffic Analysis & Design spoke regarding the traffic analysis that was done. Currently, traffic in the area has an A rating showing that at any given intersection travelers wait time is less than 10 seconds. At full build out of the development an A rating will still be given.

Sharon Mushick, Licensed Hydrogeologist for about 30 years. She examined the site for the ground water level and flow. No known sources of contamination were found that could be a potential hazard to the ground water. Soils were good and bedrock is not an issue.

Keven Olson, Olson Well Drilling stated that the individual wells in the development would not cause an issue.

Jim Englehart, Professional Wetland Scientist found multiple low grade wetlands on the property. Stated the wetlands are low quality and he saw no concern.

Matt Michels, Senior Planner with Eau Claire County Planning & Development presented their Staff Report with a PowerPoint presentation. The property is approximately 240 acres of property on the northside of Deerfield, west of Mischler and east of Cater. The property is currently agricultural and with scattered woodlands. The existing zoning is A1, with the exception of a small portion that was rezoned to Rural Homes 20 years ago. Surrounding properties are mainly RH with 1-2 acre lots, some are R1L with smaller lots of around ½ acre, A2 with 5 acre minimum, and some AP. The Future Land Use Map shows this property as Rural Transition. The area is outside the City of Eau Claire Sewer Service Area which is significant as properties within the SSA cannot develop at a density less than 10 acres which is not profitable for a developer. Just under 82% of the lots in the Town are currently developed. 35% of the proposed development would be open space, outlots, stormwater retention, and placement of the community septic systems. He reviewed the County and the Town's Future Land Use Maps. The developed density in the current neighborhood of the development (75 lots) which is just under 100 acres comes out to 0.75 dwelling units per acre; contrasted with the proposed development which is 0.50 dwelling units per acre. Staff finds that the request is substantially consistent with the intent and policies of Rural Transition as outlined in the Comprehensive Plan and Future Land Use Map. The Eau Claire County Farmland Preservation Plan designates this property as transition (from farmland to another land use); this plan is reviewed and approved by the State of Wisconsin every ten years. He shared the findings against the proposal being the are other vacant lands that could be developed; however those areas would likely need to be brought into the City of Eau Claire with sewer and water to be viably developed and numerous residents have expressed opposition to the development. Staff Report does recommend approval as outlined in their report.

Chrm. Peterson opened the public hearing.

Admin. Henning stated that all the letters and emails received in support and opposition of the development and were distributed to the Town Board members prior to the hearing and are on file at the Town Office. 2 letters in support and 38 contacts from residents in opposition.

Brian Binczak, spokesperson for the neighborhood shared a presentation. A petition was shared with those opposed to the request, not based on developing the land but on the size of the development. Opposition is to the loss of rural character, protecting farmland from development, road safety, traffic

analysis taken during COVID stay-at-home order, Stated the development does not follow the guidelines outlined in the Comprehensive Plan. Over 200 people signed the petition in opposition to this size of a development.

Brad Flores, 1109 Rainetta Drive – opposed to the development removing good quality farmland from the Town and potential water problems.

Tina Ball, 5999 Cater Road – opposed to the development and referred to her 7 page letter she submitted to the Town Board regarding traffic and the amount of homes proposed.

Joy Schumacher, 509 Deerfield Road – opposed to the development. Grew up in the area and expressed main concern of travel safety. Walking and biking along CTH II is already dangerous. Would like more information regarding the environmental impact to the area.

Mike O'Meara, 5115 Mischler Drive – opposed to the development. Lived in the area for 40 years. Would like to see 25 homes on 5 acre lots; high end, upscale homes.

Charles Paysur, 5682 Mischler Road – opposed to the development. It is out of character with what currently exists in the area and the numbers spoke of are misleading.

Kevin Anason, 1128 Rainetta Drive – opposed to the development for all the same reasons already stated.

Kristen Shill, 5305 Sindelar Drive – opposed to the development. Questions small lots actually being affordable, not entry level homes. The development does not have a rural feel or privacy. Traffic will go through Sindelar Drive as it is a shortcut to the City.

Ron Gullicksrud, 5525 Sindelar Drive – opposed to the development. Traffic is a huge issue.

Glenn Reynolds, 5535 Mischler Road – opposed to the development. Lived in the Town for 27 years. Spoke of running water and standing water where development will be. Stated traffic concerns, not affordable housing, outsiders are making the proposal not Town constituents.

John Sleizer, owns empty lot on Rainetta Drive – opposed to the development. Intends to build a retirement home at some point and wants the rural setting not one acre lots in a high density development. Residential housing tax base does not cover the cost of infrastructure.

Cynthia Hunt, 2125 Andrew Drive – opposed to the development. Lived in the area for 17 years. Asked the Board to remember their promises to the current residents of the Town.

Jim Fey 1133 Rainetta Drive – opposed to the development. Lot sizes are too small, traffic concerns.

Mary Elworthy, 5462 Woodcrest Highlands – opposed to the development. Concerned with speeding and more cars will cause more issues.

Matt O'Meara, 1121 Kathryn Drive – opposed to the development. Lived in the area entire life. Bigger lots need to be considered. Schools would be overcrowded due to this development. Community septic system is risky. Determent to current residents.

Mark Hagle, 1129 Rainetta Drive – opposed to the development. Concerned with amount of wells and the community septic system, and traffic issues

Janet Carlson, 2121 Ashley Lane – opposed to the development. Schools will be overcrowded, infrastructure costs, watershed issues, noise pollution, light pollution, and traffic safety.

Bridget Coit, 1811 Susan Drive – opposed to the development. Questions the affordability, lot size, developer making millions, and possible death on roadways.

Jack Bushnell, 5396 Sindelar Drive – opposed to the development. Traffic will go through Sindelar and Evergreen to go into the City. Group septic systems are questionable. Concerned with roads needing to be redone due to the amount of traffic and the loss of rural feel.

Leslie Foster, 1515 Deerfield Road – opposed to the development. Lived in the Town for 45 years. Traffic concerns, agrees with all other comments by residents. Asked the Board to protect and guard the Town.

Adam Resnick, 5812 Inwood Drive – opposed to the development. Moved here less than two years ago for the rural setting. The land is a significant habitat for wildlife. Water flow would come through his property. Reconsider the density of the lots.

Allison Stapley 509 Deerfield Road – opposed to the development. Traffic, noise and light concerns.

Adam Duffy, 5440 Woodcrest Highlands – opposed to the development. Questioned why those in favor gave a visual presentation but those opposed were not able to.

Kristina Throm, 2832 5<sup>th</sup> Street – in favor of the development. Speaking as the Executive Director of the Chippewa Valley Homebuilders Association. There is a need for affordable housing in the Chippewa

Valley; 39% decrease in Eau Claire County last year. When houses at this level are built it elevates pressure below. Lot sizes are similar to those in the current rural area of the Town.

Five minutes recess from meeting.

Supv. Tomesh stated this hearing is strictly to address the zoning. The 2<sup>nd</sup> hearing after this public hearing is to look at the size and scope of the development. If the rezoning is approved it does not mean the Board is approving the plan as presented by the developers.

Matt Michels indicated that the rezoning looks at whether it is appropriate for the site. A rezoning would be paving the way for the development and could then address concerns or issues with the design and/or plat.

Chrm. Peterson stated the question currently before the Board is whether or not this Rural Transition area is fit for rezoning.

Supv. Mueller spoke regarding the appropriateness of the land and the agricultural impact. As a farmer, rented land is not profitable to a farmer. Personally, renting acres in 2019 she took a 40,000 loss. Ag right now is not viable unless you are a very large farmer that can spread your loss over a large volume of land. The desire to see this land kept in farm land so close to Town and that much traffic already is not prime farmland. She also stated that the wastewater system is not new technology.

Chrm. Peterson stated the Wasterwater Treatment systems are currently in Hallie and in the Twin Cities. The Town of Washington has very little areas where it can grow to remain viable. Walking and biking is something we all do; however rural Town roads are designed for traffic not pedestrians.

The Comprehensive Plan was carefully thought out. The land adjacent to the Town Hall on Old Town Hall Road and Graff is within the ETJ Agreement with the City of Eau Claire and the Town could not divide it less than 10 acres; last year it was annexed to the City and the development to begin next year will have over 600 units on it.

Supv. Solberg stated as a member of the Town Plan Commission this area was designated as Rural Transition because it was likely to become a residential area. The development annexed by City adjacent to the Town Hall and additional lands will continue to be annexed. Those developments will continue as the City has broken the barrier of I94.

Supv. Tomesh, member of the Town Plan Commission stated that many hours were put in looking at where the Town could grow as both the City of Eau Claire and the City of Altoona continue to annex land from the Town. There is fairly high density of single family homes in the area of this proposal. The Board looks at is it an appropriate use of the land and would it result in incompatible surrounding land uses if it were rezoned.

Matt Michels spoke of looking for resident response to surveys when updating the Comprehensive Plan and sadly only receiving around 250 total responses from Town residents. This particular land use was not something new with the 2018 Plan, it goes back to around 1979.

Supv. Solberg moved TO APPROVE THE REQUEST FROM LA VERNE STEWART AND CRAIG WURZER, AGENT TO REZONE 215.35 ACRES FROM A1 (AGRICULTURAL) TO RURAL HOMES (RH) AT THE NORTHWEST CORNER OF MISCHLER ROAD AND DEERFIELD ROAD; PARCELS 024-1154-05-000, 024-1154-01-000, 024-1157-10-000, 024-1158-10-000, 024-1159-01-000, and 024-1159-02-000. The motion was seconded by Supv. Tomesh.

Aye 5 Nye 0

**Public Hearing & Board Consideration for a Conditional Use Permit Request for a 122 Lot Planned Unit Development to Create the Plat of Orchard Hills. Owner(s): Lavern Stewart. Applicant: Craig Wurzer. Northwest corner of Mischler Road and Deerfield Road.**

Chrm. Peterson stated that Eau Claire County Staff recommends this item be tabled until further information can be brought forth regarding this development.

Jared Grande, Land Use Manager with Eau Claire County Planning & Development indicated that with the Conditional Use Request the Town Board's role is to make a recommendation that is then forwarded on to the Committee on Planning & Development at the County level. The Conditional Use Permit is tied to the Preliminary Plat submittal. Staff is recommending postponement after review of the

Preliminary Plat. It had road widths at 60' and the Town requires a road right-a-way width of 66' which would require substantial changes to the Plat. There is also several conflicting items in the narrative that need to be addressed. Admin. Henning indicated that the Town and the Eau Claire County Highway Department has not yet addressed the access on Deerfield Road; the developer also has to address connectivity, and intersection designs.

Supv. Stacy moved TO TABLE THE PUBLIC HEARING & BOARD CONSIDERATION FOR A CONDITIONAL USE PERMIT REQUEST FOR A 122 LOT PLANNED UNIT DEVELOPMENT TO CREATE THE PLAT OF ORCHARD HILLS, OWNER(S): LAVERN STEWART. APPLICANT: CRAIG WURZER. NORTHWEST CORNER OF MISCHLER ROAD AND DEERFIELD ROAD. Supv. Tomesh moved TO AMEND THE MOTION TO ALLOW POSTPONEMENT NO LATER THAN MARCH 18, 2021. The motion was seconded by Supv. Mueller seconded

Aye 5 Nye 0

**The December 2020 Financial Statement was reviewed.**

**Checks:**

Supv. Stacy moved TO APPROVE CHECKS #028923 THROUGH #099014 FOR \$4,837,905.45. The motion was seconded by Supv. Tomesh.

Aye 5 Nye 0

**Licenses:**

Supv. Mueller moved TO APPROVE A TRANSFER OF MOBILE HOME PARK FOR COUNTRYSIDE ESTATES, LLC. The motion was seconded by Supv. Solberg.

Aye 5 Nye 0

**Administrator's Report:**

Year end activities, a number of budget amendments will come forward at the February Board meeting. Also a budget amendment for 2021 regarding a cemetery tractor that is coming in over budget. Road Department has been completing significant brushing operations since there has been little snow. Working on S. Lowes Creek Road and will be on Schultz Road. February 16 Primary Election for the State Superintendent of Public Instruction. April 6 Spring Election. Two open positions for Town Supervisor and three individuals have filed candidacy papers.

**Chairman's Report:**

Town of Seymour sent a letter regarding the DHS investigation and he asked Town Board members if they would like to send a letter as well. The Board is in support. Thanked the Board for work on tonight's meeting and Roy Atkinson assisting with facilitating the Zoom meeting. Many letters in opposition to the Orchard Hills Development used very strong language.

**Supervisor's Report:**

Supv. Solberg also spoke of the strong tone used in many of the correspondence from residents regarding the Orchard Hills Development. Asked questions about Town Plan Commission dates. Asked about how Town residents are made aware of Town land that is annexed to the City of Eau Claire and City of Altoona. Supv. Tomesh thanked Roy Atkinson for facilitating the meeting.

**Citizens Input:**

None

**Future Zoning Requests:**

None

**Items for Next Meeting's Agenda:**

None

**Adjournment:**

Supv. Tomesh moved TO ADJOURN. The meeting adjourned at 8:48 p.m.

THE NEXT TOWN BOARD MEETING WILL BE ON FEBRUARY 18, 2021  
AT 5:00 P.M. ON ZOOM

Jackie Vold  
Deputy Clerk/Administrative Assistant

Attendance: over 100 people on Zoom meeting