

Town of Merton
Plan Commission Meeting
Minutes of July 1st, 2026

- Meeting Called to Order by Chairman Klink at 5:30 p.m.
- Pledge of Allegiance led by Chairman Klink
- Minutes of June 17th, 2026 two Public Hearings and Plan Commission Meeting. A motion to approve the minutes as written was made by Commissioners Good/Siepmann. Motion carried.

Present: Chairman Klink, Commissioners Griffin, Olson, Siepmann, Good, and Caliendo, Attorney Van Kleunen, Planner Haroldson, and Deputy Clerk Claas

Absent: Commissioner Queoff

Also Present: Attorney Chris Jaekels, Charles Jahnke, Thomas Price and a few others.

Old Business: None

New Business:

Resolution to Amend the Land Use Designation in Town of Merton Comprehensive Land Use Plan – 2035 from “Governmental and Institutional” to “Rural Density and Other Agricultural Lands” for a Portion of Property Located at N56W30020 County Road K, Tax key MRTT0396-999-006, Consisting of 32 Acres, as Requested by Andy Gehl – Attorney Van Kleunen stated this was presented by the applicant to amend from governmental and institutional to rural density and other agricultural lands designation in the Comprehensive Plan. There was a public hearing, but not a lot of comments from the public and one written statement was submitted. Attorney Van Kleunen said if this makes sense for the parcel and the Plan Commission is in agreement with it, then he would recommend that they approve this resolution for the 32 acres. The Chairman would sign the resolution as the Plan Commission Chair, and then it would go to the Town Board for an ordinance to be signed by the Town Board. Attorney Van Kleunen explained what it would mean to go to rural density and other agricultural lands stating this Comprehensive Plan was adopted years ago that laid out future uses for all parcels in the Town. All land use designations are intended to be broad to give them a little more flexibility with the zoning districts. The next step after the ordinance is passed by the Town Board would be to zone this parcel that would be put into a particular zoning district. The zoning district would have to be consistent with the Comprehensive Plan. Once the property is rezoned, then any applicant that comes in could apply for any one of the uses that would be either permitted or as a conditional use permit in that zoning district.

A motion to approve the resolution to amend the land use designation in the Town of Merton Comprehensive Land Use Plan – 2035 from “Governmental and Institutional” to “Rural Density and Other Agricultural Lands” for a portion of property located at N56W30020 County Road K consisting of 32 acres as requested by the petitioner and is laid out in the draft resolution prepared by the Town Attorney was made by Commissioners Caliendo/Olson. Motion carried.

Resolution to Amend the Land Use Designation in Town of Merton Comprehensive Land Use Plan – 2035 from “Governmental and Institutional” to “Rural Density and Other Agricultural Lands” (or Other Land Use Designation Determined by the Plan Commission) for a Portion of Property Located at N56W30020 County Road K, Tax Key MRTT0396-999-002, Consisting of 8 Acres, as Requested by Andy Gehl – Attorney Van Kleunen stated Mr. Gehl requested 8 acres, which abuts the 32 acres that was just approved, have that designation go from “Governmental and Institutional” to mixed use in the Comprehensive Plan and have that as the land designation. Attorney Van Kleunen thought there was some sentiment from the Commission about if that would be the most appropriate use or most consistent use for the surrounding area and what makes the most sense for this property. He structured the resolution in a way that would keep it consistent with the 32 acres being rural density and other agricultural use.

However, if the Plan Commission wants to consider the applicant's request of going to mixed use district, that language in the resolution gives some flexibility, and the motion would need to reflect that intent.

Planner Haroldson stated in the agricultural category the Town can offer a conditional use permit for some sort of ag tourism, ag business or something like that. Attorney Van Kleunen stated that putting this property in this land use designation does not necessarily prohibit Mr. Gehl from engaging in the activities that he has suggested he might engage in.

Commissioner Siepmann asked if the Plan Commission could also do a text amendment in one of the ag categories that would allow this, so it wouldn't need to be a conditional use. Attorney Van Kleunen said if they wanted to make it a permitted use they could and if they wanted to put in certain parameters for that permitted use they could. They likely would still need to go through a rezoning ordinance. Commissioner Caliendo stated either way they would have to change the Comprehensive Plan and has to be rezoned and said the draft resolution states the designation of "Mixed Use" does not exist in the Comprehensive Plan, so the Town doesn't really have that designation. Planner Haroldson stated that "Mixed Use" is in the Plan, but it's not designated anywhere.

Attorney Jaekels said the current Comprehensive Plan does address "Mixed Use" designations. Planner Haroldson replied it's in the chart to be considered for future. Attorney Jaekels responded it's saying that in the future it recognized that the Town will be adopting "Mixed Uses" as it goes into 2035. Attorney Jaekels stated the text of the document, page 8-5, says that under the plan mixed use development which may contain residential, it could contain a combination of public, institutional, office, retail, service, light industrial, research and development and/or other commercial uses may take the form of a business park would represent, after 2035, 65 acres or less than 1% of the total acreage in the Town. Attorney Jaekels said the current County equivalent has a chart of what the different activities that can be approved in this instance. Attorney Jaekels said the Town's Comprehensive Plan process has identified "Mixed Use" as a future use for properties in this Town.

Chairman Klink responded that the Town is looking at the master plan and looking at the surrounding areas around it, and stated mixed use down there really doesn't make sense because it's kind of putting it in a spot zone where there's schools, churches, agriculture and subdivisions, but it's their prerogative to say in this particular place it probably doesn't sense.

Commissioner Siepmann said they really need to be sensitive to this because if they open it up to mixed use, there's a new law that's coming, The Truth in Planning" law that says if the Town says it on the Comprehensive Plan, we have to allow it.

A motion to approve the amendment to the Town of Merton Comprehensive Development Plan – 2035 dated May 12, 2009 to change the land use designation for approximately 8 acres for the property at N56W30020 County Road K from "Governmental and Institutional" to "Rural Density and Other Agricultural Lands" was made by Commissioners Siepmann/Caliendo. Motion carried.

Request for an Exception to the Height Regulations as an Exception to the Height Regulations as an Exception per 17.21(2)(e), Subject to the Approval of the Plan Commission - To Build an Accessory Structure with Height up to the Peak of 25ft – Requested by Charles Jahnke – Tax Key MRTT0375-063 – Planner Haroldson said the offsets are fine and the setback is fine, but the problem is the proposed building is 26 sq. ft. over what is allowed on that lot and he has a 144 sq. ft. shed, so he is 170 sq. ft. over the allowable use for his acreage. The Plan Commission can either approve it contingent on him getting a special exception from the Board of Adjustments or by him reducing the new building by 170 sq. ft. Jahnke said he could just shrink it. He would need to bring the new plans to the Building Inspector.

A motion to approve the applicant's request for accessory structure of a height up to 25' requested by Charles Jahnke for the property of W305N6481 Beaver View Road on either of the two conditions: That he reduce the size of the building by 170 sq. ft. or obtain a special exception to allow the structure to be as presented was made by Commissioners Caliendo/Siepmann. Motion carried.

Request for an Exception to the Height Regulations as an Exception to the Height Regulations as an Exception per 17.21(2)(e), Subject to the Approval of the Plan Commission – To Build an Accessory Structure with Height up to the Peak of 25 ft – Requested by Collaborative Design on Behalf of Thomas Price – Tax Key MRTT0374-995 – Planner Haroldson stated he has enough space, 4 acres, so he's allowed 5,000 sq. ft or 3% of the total lot area. He meets all of the offsets and the setback, and the height is fine.

A motion to approve contingent upon approval of the building plans by the Building Inspector was made by Commissioners Good/Olson. Motion carried.

Planner Report – Marilyn Haroldson – asked for guidance on before and after school programs for a daycare in a school.

DPW Report – Paul Griffin – nothing to report.

A motion to adjourn was made by Commissioner Siepmann/Good. Motion carried. Meeting adjourned at 6:12 p.m.

Respectfully submitted,
Holly R Claas
Deputy Clerk