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City of Ashland, Wisconsin
601 Main Street West — Ashland, WI 54806 — www.coawi.org

PLAN COMMISSION MEETING MINUTES

May 19th, 2026 at 6:30PM at the City Hall Council Chambers and via Go To Meetings

The meeting can be joined in person or by using a computer, smartphone or tablet at

<https://meet.goto.com/775025133>

**The meeting can also be joined by phone at
1 866 899 4679 using Access Code: 775-025-133**

Present: Nancy Sztynдор, Jeff Beirl, Erin Cutler, Laurie Gregor, Mayor Matt Mackenzie, Steven Wiley (Planning and Development Director), Terri Erickson (Assistant Planner)

Absent: David Eades (Excused), Ana Tochtermann (Excused), Shawn Brede (Excused)

AGENDA

1. Call to Order and Roll Call
Mayor Mackenzie called the meeting to order at 6:30 pm and a quorum was declared present.
2. Approval of the Agenda
Ms. Gregor made a motion to approve the agenda. Ms. Sztynдор seconded. Motion carried 5-0.
3. Consent Agenda
Mayor Mackenzie asked for approval of the minutes from the April 28th, 2026 Plan Commission meeting. Ms. Sztynдор made a motion to approve. Ms. Cutler seconded. Motion carried 5-0.
4. Identify potential conflicts of interest
None
5. Citizen Participation (non-agenda items)
None
6. Action Items:
 - a. Public Hearing: Review and approval of a request to vacate City Right-of-Way including undeveloped portions of 21st Avenue East and 7th Street East located east of the City of Ashland Public Works Facility and west of 22nd Street defined as follows:

A portion of 21st Ave. E. & 7th St. E. located adjacent to Blocks 88, 111 & 113 of Lake Shore Addition as located in portions of the SE ¼ - NW ¼ & NE ¼ - SW ¼, Section 34, Township 48 North, Range 4 West, City of Ashland, Ashland County, WI more particularly described as follows:

Commencing at the N ¼ corner of said section; Thence S00°23'35"W along the monumented east line of the NW ¼ a distance of 1,400.32 feet to the intersection with the

northerly right of way of 7th St. E. which is the Point of Beginning; Thence S00°23'35"W and continuing along said monumented east line a distance of 78.28 feet to the intersection with the southerly right of way of 7th St. E.; Thence S57°51'37"W along said southerly right of way a distance of 107.35 feet; Thence N59°41'20"W a distance of 176.29 feet to the intersection with the west line of 21st Ave. E.; Thence N32°23'51"W along said west line a distance of 208.29 feet to the southerly right of way of 6th St. E.; Thence N57°47'15"E along said southerly right of way a distance of 60.00 feet to the intersection with the easterly right of way of 21st Ave. E.; Thence S32°23'51"E along said right of way a distance of 298.67 feet to the intersection with the northerly right of way of 7th St. E.; Thence N57°51'37"E along said right of way a distance of 170.58 feet to the Point of Beginning.

Applicant: Planning and Development Department

Mayor Mackenzie noted that he would like to proceed by first having staff review project information and for the commission to follow up with clarifying questions. Then he would look for a motion to enter into the public hearing.

Mr. Wiley first apologized for the IT issues as the overhead screen was not working. He reviewed the proposed request for the Right-of-Way vacation or discontinuance and reminded the commission that a zone change was done at the prior meeting for the same parcel involved in a proposed land transfer request for Mr. William Gast. He gave an overview of the subject site and the area zoning and noted the ROW areas are currently undeveloped. Without the discontinuance, the proposed land transfer would not be possible. There is existing sewer running through the property which would require a 20-foot public easement. He showed the certified survey map and noted that the discontinuance is city initiated so it does not require a petition. The city is required to introduce a resolution declaring the intent of the city to vacate. Planning staff, administration and public works are all on board with this proposed land swap. He reviewed criteria regarding requirements for a vacation request. It was noted that the owner of Chicago Iron, Mr. Brian Olby, has been working to make improvements on the property since he acquired it. Staff recommends approval of the discontinuance contingent with the following:

- The right-of-way vacation and land transfer request shall be contingent on one another. Both shall require approval in order for either to proceed.
- Pending approval of the land transfer request, the City shall combine the former right-of-way parcel with part of parcel # 201-03768-0000, parcel #s 201-03717-0000 and 201-03772-0000, and part of parcel # 201-05077-0200 via Certified Survey Map (CSM) to create one lot and City staff shall review and approve the CSM prior to recording at the County.
- The approved CSM shall include a 20-foot wide sanitary sewer easement where required to allow the City access to maintain the existing sanitary sewer under portions of the right-of-way.
- Vehicle access to Chicago Iron's property shall be determined through coordination with the Department of Public Works and applicant shall obtain all approvals and permits prior to constructing access or other improvements on the property.

Mr. Wiley noted that a Class II public hearing notice was published as required and the Class III public hearing notice will be issued for the June 30th Council Meeting.

Mayor Mackenzie asked if there were any clarifying questions by the commission and then read aloud the conditions for the transfer.

Ms. Sztynдор made a motion to go into public hearing. Second by Mr. Beirl. Motion carried 5-0.

Public Hearing:

Tom Cunningham (1121 9th Ave W) noted that he is in support of the swap with the City. He went on to say that back in 1996 there had been discussion with the city regarding the ski trails and the association. The private landowners had provided an easement to the city for the volunteer group to create and maintain the trail system. The city has not contributed to this effort with any financial support. The trails have been very popular and are used by the school systems and several other organizations and clubs. One of the trail loops is on the Bill Gast property which takes up a substantial portion. With the city taking possession of this land, hopefully the trail system can be maintained for the community forever. The option of creating an easement across his property would be challenging due to the steep ravine and wetlands that exist. He noted the trail maintenance takes place only when it is dry. He reiterated he is strongly in favor of the land swap with the goal of maintaining the public ski trails.

Mr. Bill Gast explained that he acquired the property thirty years ago and he sold off a portion of it several years later. There was a verbal agreement with the buyer that if he ever wanted to sell it, Bill would buy it back from him, which ended up happening. Since then, he put it up for sale and had an offer but turned it down concerned that a new landowner could remove the ski trails and develop it. At that point, he started discussing the option of acquiring other useful land from the City in exchange for his property, so the City could take control of land that was currently a public asset. He knew Brian Olby from prior relations and that he was working to clean up his newly acquired Chicago Iron property and turn it more into a recycling center in lieu of a junkyard. Mr. Olby felt he could use the extra adjacent land, owned by the City, to make further improvements to his business.

Mr. Brian Olby, owner of Chicago Iron, noted his intention to reduce the physical size of the scrap yard and create a better separation between the public storefront and adjacent backyard areas. This is with the desire to increase customer comfort and safety. He works with several other municipalities that utilize large trucks for deliveries that access the back of the property. He would like to create a parking area with a separate entrance in front of the building for the public with the addition of this adjacent land under consideration, that is separated from the back non-public delivery area.

Mayor Mackenzie noted there was one letter of concern regarding a resident worried about the business being expanded onto the adjacent property. Mr. Olby explained that he is considering options to put in a driveway off of 6th Street for personal vehicles to enter the property separate from truck deliveries on the other side. This will also keep customers from having to go into the gated areas, which they do now. He added if the recycling center was going to expand, it would be within the existing gated in area in the back.

Mr. Wiley noted there was one other resident who stopped in and talked to Ms. Erickson about where the land was. The resident had asked for clarification and noted that it was hard to understand from the mailing. Ms. Erickson explained the location to her and the resident had no concerns about the proposed action. Mr. Wiley stated it would be good to include an aerial photograph in future mailings as the survey map may be hard to interpret.

Ms. Cutler made a motion to go out of public hearing. Second by Ms. Sztynдор. Motion carried 5-0.

Mr. Beirl moved to approve the motion with the recommended conditions. Second by Ms. Sztynдор.

Discussion: Mr. Beirl asked about the maintenance of the ski trail once the city takes ownership of it. He noted the volunteer group does an excellent job. Will the city be doing maintenance of the trails and how will that be prioritized during big snow events? Or, will there be an agreement with the volunteer group for them to continue doing it?

Mayor Mackenzie responded that the reality is that the city is hoping things will continue as they are now.

Ms. Sztynдор asked what is currently happening with the water run-off at Chicago Iron? It was noted on the submitted letter that run-off pools prior to reaching the storm drain and believes it contains elements from flammable plastic substances.

Mr. Olby asked where she was talking about as he did not have a copy of the letter. Ms. Sztynдор gave it to him and he read it.

Mayor Mackenzie noted that the DNR would oversee issues with stormwater runoff and management.

Mr. Olby added they are looking into erecting a pole building in the back yard where recycling would be done inside. He noted that he has been working with the DNR to clean up the property. There had been past challenges with the business before he owned it and shut down of the facility appeared imminent. Mr. Olby stated they are 100 percent compliant right now but they are still making improvements. They will continue to improve the drainage through grading, slope modification and grass infiltration strips.

Mayor Mackenzie reminded everyone that historically, Chicago Iron had been located where the police department now is. Their current site was created for them to relocate to and they have been there for about 25 years. Mr. Olby clarified that the current building was started in 2007. The Mayor noted Mr. Olby has owned the business for about a year and you can see a conscious clean-up effort taking place.

Ms. Erickson made a comment that Mr. Olby is working with an architect who has recently been in touch with City planning staff regarding drainage systems and compliance for the schematic development of a potential new pole building on the property.

Mr. Wiley added that required permit reviews and approvals, including a site plan review, would also take place in conjunction with any new property development in the future.

Mayor Mackenzie made a recommendation to approve and move this item onto council. He took a roll call vote. Motion carried 5-0.

- b. Public Hearing: Review and approval of a land transfer request for Bill Gast to acquire City-owned properties including: a portion of Parcel # 201-03768-0000, Parcel # 201-03717-0000, a Portion of Parcel # 201-03772-0000, a Portion of Parcel # 201-05077-0200, and undeveloped Right-of-Way areas to be vacated between these parcels and combined via Certified Survey Map, Zoned Heavy Industrial (HI) and Public Institutional (PI).
Applicant: Bill Gast

Mayor Mackenzie introduced the item and Mr. Wiley reviewed the proposed request for the land transfer, which is associated with the prior item. He gave an overview of the subject site and the area zoning and noted that a CSM was completed for these parcels, which included a 20-foot wide utility easement. There

are four different parcels in question. There was a zone change recommendation approved for these parcels at the prior meeting. The overall intention is for City to swap land with Mr. Gast. The City would obtain this land that contains the public-used ski trails. Mr. Gast will work out an agreement with Mr. Olby to sell him the land that he can then utilize to make improvements to his Chicago Iron business. They will work with the City Attorney on the required procedures for the transfer. Mr. Wiley then reviewed required criteria for a land transfer request and reasons why the City supports this effort. The City staff recommends approval of the request upon the following conditions:

- The property shall be transferred to Bill Gast or directly to Brian Olby. If both of them decline the transfer for any reason the property shall not be transferred to another individual or entity without a separate review and approval process. The land transfer shall be contingent on and occur concurrently with the transfer of properties (Parcel #s 201-04490-0000, 201-04498-0000, 201-04499-0000, and 201-04500-0000) owned by the William and Ann Gast Trust to the City of Ashland.
- The land transfer shall include Part of City-owned Parcel # 201-03768-0000, Parcels 201-03717-0000 and 201-03772-0000, Part of Parcel # 201-05077-0200, and undeveloped rights of way between these parcels.
- The land transfer shall be contingent on the City vacating the undeveloped street rights-of-way located between the parcels to be transferred.
- Recipient shall obtain required approvals and zoning and building permits prior to constructing any improvements on the resulting property.
- The land transfer shall include a 20-foot wide utility easement to be shown in the Certified Survey Map to allow the City access to maintain the underground utilities located under a portion of the subject property.

Mr. Wiley noted that a public hearing notice was published as required and discretionary letters were sent out within 200 feet of the proposed development.

Mayor Mackenzie asked if there were any clarifying questions by the commission and then read aloud the conditions for the transfer.

Mr. Beirl asked if we could combine the public hearing for items 6b and 6c? Mayor Mackenzie responded that he has inquired about this with the city attorney but they have not received a firm answer, so not at this time.

Mr. Beirl made a motion to go into public hearing. Second by Ms. Gregor. Motion carried 5-0.

Public Hearing:

Tom Cunningham (1121 9th Ave W) made an additional remark that the volunteer group does have the intention of continuing to maintain the ski trails. His comments made under the initial item would also apply to this current item.

Mr. Beirl made a motion to go out of public hearing. Second by Ms. Gregor. Motion carried 5-0.

Ms. Sztynodor made a recommendation for approval of the transfer as outlined with the contingencies. Second by Ms. Gregor. Roll call vote: Motion carried 5-0.

- c. Public Hearing: Review and approval of a land transfer request for the City of Ashland to acquire Parcel #s 201-04490-0000, 201-04498-0000, 201-04499-0000, and 201-04500-0000, zoned Single-Family Residential (R-1), owned by Bill Gast. Applicant: Planning and Development Department.

Mayor Mackenzie introduced the item and Mr. Wiley reviewed the proposed request for the land acquisition, which is associated with the prior two items. This is for the portion of land containing the ski trails that the City would acquire. He gave an overview of the subject site and noted that the land is difficult to access due to the presence of steep ravines and lack of street access. A survey map was provided by Mr. Gast. Maintaining the land as ski trails seems to make the most sense and is the plan moving forward at this time. Mr. Wiley reviewed required criteria for a land acquisition request and reasons why the City supports this effort. The City recommends approval of the request upon the following conditions:

- The property shall be transferred to the City of Ashland. This shall occur concurrently with the transfer of City-owned properties (Part of Parcel # 201-03768-0000, Parcels 201-03717-0000 and 201-03772-0000, Part of Parcel # 201-05077-0200, and adjacent street rights-of-way) proposed in Item 6b to Bill Gast/Brian Olby.
- The City land acquisition shall include Parcel #s 201-04490-0000, 201-04498-0000, 201-04499-0000, 201-04500-0000 currently owned by the William and Ann Gast Trust.

Mr. Wiley noted that a class 2 public hearing notice was published as required and discretionary letters were sent out within 200 feet of the proposed development. One neighbor reached out and asked if there were any development plans for the land and he replied that there were not.

Mayor Mackenzie asked if there were any clarifying questions by the commission.
Ms. Szyndor made a motion to go into public hearing. Second by Ms. Cutler. Motion carried 5-0.

Public Hearing:
Tom Cunningham (1121 9th Ave W) comments under the initial item would also apply to this item.

Ms. Szyndor made a motion to go out of public hearing. Second by Ms. Gregor. Motion carried 5-0.

Mr. Beirl made a recommendation for approval of the land acquisition as outlined with the contingencies. Second by Ms. Szyndor. Roll call vote: motion carried 5-0.

Mayor Mackenzie noted that these items will get revisited. These protocols are being followed as per state statutes and required notices, as well as City Council resolution guidelines. He thanked the commission for their patience in the prolonged process.

7. Discussion Items:
 - a. Draft UDO Amendments to permit Local Food Sales as a Home Occupation

Mayor Mackenzie introduced the item. He noted the city has received a request for the ability to allow the sale of processed pre-packaged meat in a residential area of the city from a local farm (within 5-miles of the city of Ashland). Mr. Wiley explained that Michael McCutchen, the requestor, was in attendance and has been in touch with him over the last couple years. He has a local farm and would like the ability to sell his products produced at his farm (pre-packaged frozen meat) from his house within the city. He would also potentially like to include produce in the future. He proposed an ordinance amendment for Mr. Wiley's

review and comment. Together they came up with a draft proposal. Section 5 of the UDO currently regulates home occupations and allows specific uses. He does not think there is anything that covers what he is proposing. Therefore, they would propose a new sub-section that allows for the sale of locally produced farm products. This would not include any processing. He reached out to the Ashland County Sanitarian who reviewed the draft ordinance. The County already has a licensing process and this type of use would require their lowest intensity license since there is no processing on site. He is proposing an annual license renewal for this use but this may not be essential if there are already requirements by the state and county. He reviewed specific areas of the UDO that would be modified and questions that would need to be evaluated such as commission support, licensing requirements, signage, displays and deliveries allowed.

Mayor Mackenzie stated there are two parts this this: 1) Should staff commit additional time pursuing this request and 2) If so, what elements would be most important to consider or include? He asked to hear comments from everyone:

- Ms. Gregor is not opposed to the idea of sales out of a home if no processing is occurring and there is already two layers of licensing established. Requiring a city license seems a bit overkill. She needs to think more about allowing a produce stand but there should be limitations on size and location.
- Ms. Sztynдор agrees with Ms. Gregor's comments regarding the size of stand allowed and not requiring any additional license.
- Ms. Cutler noted it is good to promote local business. She does not believe there should be an annual license fee. Signage with clarification of open hours should be made apparent.
- Mr. Beirl is in support. He thought the number of customers allowed at one time looked restrictive. (Six people to an hour.) Signage is needed but should be restricted as far as placement. For the produce stand, he would like to see what Mr. Wiley comes up with for guidelines to review and comment on.

Mayor Mackenzie asked if this would be a conditional use or privilege by-right?

Mr. Wiley responded he is thinking it would be a "by-right" use.

Mr. Beirl asked, if this would be a "by-right" use and there was no license required, would they still have to let the city know?

Mr. Wiley responded that it would be good to be aware of who is doing this and where. Mr. Beirl asked how then, do you track them without people doing whatever they want out of their house? Mr. Wiley replied that a home occupation permit could be issued.

Mayor Mackenzie gave an example of a watch repairman: you don't need a permit or license for this so how do you define what is or what is not allowed or where do you draw the line? The amount of traffic increase in a residential neighborhood also needs to be considered. The amount of additional staff time should also be evaluated, especially when it is not bringing any money in.

Ms. Cutler made a motion to recognize Michael McCutchen in the audience. Second by Ms. Sztynдор. Motion carried 5-0.

Mr. Michael McCutchen approached to speak. He said he approached Wiley with this idea and passed around a copy of an email he sent to Wiley almost two years ago. He spoke about his "commute" out of

town to his country farm. He proposed anyone within a 20-minute drive from town be able to sell their products under this proposed at-home occupation use. He suggested that what constitutes a meal be clearly defined.

Mr. Mackenzie reiterated that tonight's discussion is only to gauge support and whether staff should continue to assess this. He suggested he continue to work with planning staff to assist with the preparation of a future report and proposed UDO changes that would come back to the commission with a recommendation.

Mr. McCutchen made a few additional comments about Sunday hours, produce displays, and number of customers allowed.

- b. Update on Property Maintenance Enforcement
- c. Update on Building Permits for April 2026
- d. Update on Miscellaneous Planning and Development Items

Mr. Wiley gave an update on the Bay Vue Apartment project on Beaser Avenue, which is progressing efficiently. They've been working through some site and storm water design challenges on the site. Concrete work is mostly done. Permitting has been busy. Mike Hamm is helping out over the summer season with property maintenance. Lawn enforcement will start after No-Mow May. There are a couple of property abatements with warrants coming up in coordination with police and public works staff. These properties have been in violation for years. The comprehensive plan update is approaching and the City will soon be evaluating and assessing the submitted proposals for this work.

8. Announcement/Reports/Comments/Questions

Mayor Mackenzie added that the flagging occurring across the street from the Breakwater is being done by the Audubon Society through a grant the city received. There are approximately 137 different trees and shrubs being planted for the Bird City project to help create more natural habitat. There will also be buckthorn removal taking place this summer. The Wartman law office building has been placarded due to lack of working plumbing and unsafe living conditions as there have been people living there. The Health Department has been involved with the sanitary issues. Hanging baskets are being hung on Main Street and plants put it along Ellis Avenue. Cut-outs in the main street sidewalk that historically had trees are being revitalized (portions of concrete removed) to contain annual flowers. An ad-hoc committee has been formed in conjunction with the "America in Bloom" group that are working to improve the city's outdoor spaces. Several residents have complained that there is not enough downtown parking but in reality there is an abundance of spaces, even though they may not be directly in front of the store being visited. Improvements to the streetscape will be initiated on Vaughn Avenue with potentially removing some street parking and creating boulevards to help attract people downtown. New self-cleaning, vandal-proof bathrooms have been ordered to be placed on the old Baron Radiator Shop site. These have heated floors which may allow winter usage. Work on the new boat launch has been started and there have been some challenges to the installation method. They are developing the City Park to include a Disc Golf Course.

9. Adjournment

Motion to adjourn by Ms. Sztynдор, Second by Ms. Gregor. Motion carried 5-0.
Meeting closed at 8:01 pm.

Recorded by:
Terri Erickson
Assistant Planner