MINUTES OF THE SPRINGDALE PLAN COMMISSION MEETING, April 24, 2017

IN ATTENDANCE: Ellen Bunn, Mike Fagan, Jim Hanson, Mike Healy, David Heisch, Amy Jester, John Rosenbaum, David Schmidt and Denise Sullivan. (A quorum is present.) Volunteer Vicki Anderson as the recording secretary.

CALL TO ORDER: by Rosenbaum at 7 p.m.

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. The final agenda was posted on 04/20/17 in the three customary locations in the Town of Springdale as required by law, and as a courtesy to the citizens, published in the *Mt. Horeb Mail* on 4/20/17*.*

WELCOME TO THE NEW TOWN CLERK SUSAN DUERST SEVERSON: The new Springdale Town Clerk Susan Duerst and the PC shared a little personal information about themselves. Susan became Clerk on April 18, 2017. She and the PC members introduced themselves.

REVISION OF AGENDA: Chair Rosenbaum requested and received unanimous support to revise the order of the agenda. The agenda item, ELECTION OF OFFICERS, was moved to the top of the agenda to accommodate the changes required as a result of the April 4, 2017 Spring Election of Town Officers. Discussion: Two members of the PC were elected to the TB. It is customary that a single member of the TB serve as TB liaison to the PC. Newly elected Town Board Supervisor 1 John Rosenbaum has volunteered to serve on the PC and the TB, though, not as Chair of the PC. Newly elected Town Board Chair Mike Fagan will step-down from the PC.

ELECTION OF OFFICERS:

NOMINATION by Rosenbaum/Bunn to nominate Amy Jester as Chair. Hearing no other nominations, nominations closed. Motion carried 9-0.

NOMINATION by Fagan/Hanson to nominate Ellen Bunn as Vice-Chair. Hearing no other nominations, nominations closed. Motion carried 9-0.

VOLUNTEER TO OPERATE POWER POINT PRESENTATION: Mike Healy volunteered.

MINUTES: MOTION by Schmidt/Jester to approve the 3/27/2017 PC meeting minutes as distributed. Motion carried 8-0.

(Town Board Chair Fagan moved from the PC table to the audience.)

Mike Lamberty/Krystal Lamberty/confirmation-no density units on 9 acres/2701 Lunde Lane/Sec. 18: MOTION by Bunn/Healy- for the record, based on the number of acres owned on the effective date of the Plan, March, 2002, there are no further divisions of this lot. Discussion: Contiguous acres owned on the effective date of the Plan = 9 acres. This existing lot on Lunde Lane now contains the residence of Krystal Lamberty and an existing cell tower. In accordance with the Plan, the landowner is not eligible for a new lot to separate the cell tower from the residence. M. Lamberty requested this verification in case the cell tower company requests it. Motion to approve the motion carried 8-0.

Chad Kavon/lot line adjustment/Erb Rd./Sec. 23: MOTION TO TABLE by Rosenbaum/Healy to table the matter since C. Kavon is not in attendance. Motion to table carried 8-0.

Amendments to the Plan submitted by 12/31/2016:

First: No lots within noise overlay district of US Hwy. 18/151 –It was generally agreed that the PC wish to continue to discuss land use planning for the strips of land which may result from the US HWY 18/151 construction project to eliminate at-grade access points onto the highway. Frontage roads are proposed to be constructed alongside US HWY 18/151 to move local traffic. Some preliminary discussion points include, but may not be limited, to the following:

\*Support the PC setting planning goals now, even though the actual construction date of the proposed frontage roads is unknown.

\*Currently, Dane County Code of Ordinances 10.045 NCO Noise Control Overlay District includes planning standards for land lying within 200 feet of a divided highway.

\*Instead of utilizing a noise control district approach or an outright prohibition about building within these strips of land, it was suggested that the Town follow its current goals and policies in the Town Land Use Plan. That is, the contiguous acres owned on the effective date of the Plan determine the number of density units/new lots/splits available. The location of the density units would be determined by the existing concept plan process. Therefore, the creation of a frontage road would not automatically result in a new lot/density unit in the strip of land wedged between US HWY 18/151 and the frontage road. It would not result in land being treated any differently than the land throughout the Town. The use of the land within the strip would be determined by the goals and policies of the Plan. The Plan already considers strip development, for example. Development in the frontage strip would have to satisfy the goals and policies of the Plan.

\*Similar approach used in the Town Policy for New Town Roads

*EXCERPT OF THE MINUTES OF THE SPRINGDALE TOWN BOARD MEETING – Oct. 21, 2013*

*Policy for New Town Roads –Adopted by the Town Board 102113*

1. *A proposed new town road must be clearly in the public interest/good.*
2. *A new town road may be accepted for an option 3 development.*
3. *A new town road may be accepted for an option 2 development only when the proposed new road, or the extension of an existing road, clearly improves compliance with the Land Use Plan, Residential Density Option 2, Sections (B) and (C), and meets all the following goals from option 3:*
   1. *Residential development (lots) shall be clustered on twenty five (25) percent of the contiguous acres owned on plan effective date. Additionally, shared driveways may be required to enhance the effect of clustering development areas.*
   2. *Residential driveways shall be sited and constructed in a manner which best minimizes their impact on agricultural land.*
4. *A new town road may be accepted for an option 1 development only when the proposed new road, or the extension of an existing road, clearly improves compliance with the Land Use Plan, Residential Density Option 1, Sections (B) and (C), and meets all the following goals from option 2:*
   1. *Residential driveways shall be sited and constructed in a manner which best minimizes their impact on agricultural land.*
   2. *The building envelope(s) shall be designed to minimize their visual impact when viewed from public roads and from the surrounding countryside. On properties with prominent, exposed hill tops or ridges, it is desirable for roof tops not to extend above the hill top or ridge line.*
   3. *The location of building envelope(s) shall demonstrate that the impact on the town’s rural character has been minimized.*
   4. *Clustering is desirable and may be required when there is the potential for three or more building envelopes to be created.*

*5. In the case where a town road has been converted to a private driveway by action of the Town Board after Sept. 29, 2013,*

*and development of permitted new lots cannot proceed without a town road, the Town Board will consider reestablishing*

*the private driveway as a public right-of-way. Motion to adopt carried 3-0.*

*Respectfully submitted, Vicki Anderson*

\*The Plan definition of ‘contiguous’ is helpful in this discussion. Even though Dane County land division requirements for a certified survey map, CSM, may describe land wedged between two roads as separate lots, for the purposes of the Town Plan, such land is not a separate lot. “Lots or parcels shall be considered as contiguous for the purposes of this Land Use Plan, if they share a common boundary within the Town of Springdale for a distance of at least 66 feet. For the purposes of calculating density units, a real estate parcel that is divided by a public road, whether an easement road or a fee title road, or by a navigable water body, or by a private drive owned by an entity other than the entity that owns the abutting lands, such parcels shall be treated as contiguous.”

\*The existing Plan and Ordinances are positive tools to use to plan, rather than creating a different standard/approach.

Second: Review of agricultural accessory buildings – It was generally agreed that the PC wish to continue to discuss amending the Residential Accessory Building Ordinance, RAB, to include review of agricultural accessory buildings. Some preliminary discussion points include, but may not be limited, to the following:

\*The Clerk will obtain copies of the review standards for all accessory buildings utilized by the Towns of Cross Plains, Mazomanie, Perry and Primrose and disseminate to the PC, ASAP.

\*The goal would not be to deny a building, but rather, at minimum, provide a process so that neighbors have notification of and an opportunity to discuss a proposed agricultural accessory building next door to them.

Plan Commission procedures:

Questions for Town Attorney work session: The Town Attorney Chris Hughes is scheduled to attend a work session of the PC and TB on Monday, May 22, prior to the monthly meeting of the PC that night. To prepare for that meeting, the PC members are asked to generate a list of questions/discussion topics and submit to Town Clerk Severson as soon as possible. The list will be shared with Attorney Hughes to help prepare for the meeting. The list generated at the meeting includes, but may not be limited to the following:

1. What sorts of conversations may PC members and TB members have outside of meetings?

2. When are PC meetings quasi-judicial?

3. Do quasi-judicial meetings require different procedures?

4. When are email communications subject to the public records law?

5. Does the town attorney have any recommended procedures for the Town to follow regarding email communications/email retention?

6. In preparing the minutes for the PC and TB meetings, does the town attorney have any recommendations for information that should be included in the minutes?

7. Since the town attorney would be called upon to represent the Town in litigation, what are best practices the Town should follow to be lawsuit free?

8. Does the town attorney know of any changes to state law which could impact Springdale?

Several members of the TB and PC will attend a WTA training in Mineral Point on Wednesday, May 3, 2017. Since a quorum of either body could be in attendance, the notice of the training will be posted.

Driveway site visits as part of PC site visits: Traditionally, the TB Chair has completed a driveway site inspection prior to construction of a new home and then, reported the results to the TB and PC. The driveway site inspection serves as an opportunity to welcome new landowners to Springdale and share information about the Town Driveway ordinance and Town Plan. However, sometimes the location of a driveway impacts a proposed concept plan. Thus, a driveway inspection may be more instructive when completed at the time of a concept plan, rather than at the time of residential construction. The PC and TB will continue to ponder the best timeline and procedure for the driveway site inspection. At minimum, it was agreed that at the time of the pre-application meeting for a site visit, in looking at the aerial photo of the property in the town hall, the possible location for driveways to serve the development areas could be discussed. If any variables with an individual piece of property could pose challenges for a driveway, a driveway site inspection could be completed as part of the concept plan site visit conducted on the land.

Increased fees for site visits: Generally agreed that the PC will research the fees for site visits in effect in neighboring towns. Presently, the Town does not charge a fee for a site visit. Since the PC members are paid $15/per member/per site visit, the Town taxpayers are in essence subsidizing the concept plans for development.

Review of Town website and Town of Primrose website: The PC members will view the Town website and the Town of Primrose website before the next PC meeting and come with suggestions for changes to the Town website.

ADJOURN: MOTION by M. Healy/J. Rosenbaum. Motion carried 8-0.

Respectfully submitted, Vicki Anderson, Recording Secretary

**Plan Commission Monthly Meeting**

The Springdale Plan Commission will conduct its monthly business meeting on **Monday, May 22, 2017, at 7 p.m.** in the Springdale Town Hall, 2379 Town Hall Road, Mt. Horeb, WI 53572.

AGENDA ITEMS FOR DISCUSSION/PUBLIC INPUT/POSSIBLE ACTION: (The final agenda will be posted at Riley Tavern, the Town Hall and the Mt. Vernon Family Auto.)

1. Call to order, Certification of compliance with the Open Meeting Law, Quorum present, Approval of the agenda, (Public input at the time of each agenda item may be permitted.)
2. Minutes of previous meetings,
3. Phillip & Delores Esser, Lot line adjustment, Erb Rd., Sec. 26,
4. Brett Myers, commercial accessory building, US Hwy. 18/151, Sec. 13,
5. Jim Remer, Residential Accessory Building, State Road 92, Sec. 19
6. Kelly Connor, revised concept plan, Gem View Lane, Sec. 20,
7. Amendments to the Plan submitted by 12/31/2016,
8. PC procedures – update WTA training meeting,

9. Adjourn. A majority of the PC and TB may be in attendance.

Post/Publish: 5/18/2017 Susan Duerst Severson, Town Clerk