

MINUTES

SPRINGDALE JOINT PLAN COMMISSION AND TOWN BOARD MEETING NOVEMBER 28, 2022 AT 7:00 P.M.

1. **Call to order, Certification of compliance with the Open Meeting Law, Quorum is present, Approval of the agenda, (Public input at the time of each agenda item may be permitted.** Meeting called to order at 7:05 PM by Chair Jester. A quorum of Amy Jester, Kelly Altschul, Rich Bernstein, Ellen Bunn, Jim Hanson, Mike Healy and Denise Sullivan present. Jester confirmed meeting posted November 25 in accordance with the open meetings law. Town Admin/Clerk Arthur also present, along with a quorum of Town Board members Rosenbaum, Hefty and Schwenn.

2. **Minutes of previous meeting.** No changes to October minutes.

MOTION (Hanson/Bunn) to approve the October minutes as presented. No further discussion. 7 ayes, 0 nays, motion carried.

3. **W. Sugden/ 2066 Springdale Center Rd./ Lot Line Adjustment/ Concept Plan/ Sec 27.** Owner Bill Sugden present via Zoom.

Background: PC site visit on 10/29/22. Landowner expressed no development goals. One field across both lots used as a single hay field; lot line adjustment seems to fit better than an option 2 concept plan. A lot line adjustment reducing Lot 1 (CSM 4223) into a 10-ac lot along Springdale Center Road and adding 13.6 ac to Lot 1 (CSM 7852) rejoins an existing hay field together in one lot. Each lot will still have 1 density unit and available frontage and access points with no further divisions.

Request: to recommend to the TB a lot line adjustment of. 13.6 ac from Lot 1 (CSM 4223) to Lot 1 (CSM 7852).

Discussion: Springdale's Lot Line Adjustment Ordinance (Title 9, Chapter 6) prohibits lot line adjustments from creating additional lots; reducing the size of parcels below 1 acre; precipitating the loss/breakup of agricultural land; transferring development rights; changing an already approved concept plan; and conflicting with the land use plan. This lot line adjustment is in compliance with these requirements. There will be no net loss of contiguous agricultural land. The goal of the family is to have roughly 10 acres for gift purposes.

MOTION (Bernstein/Healy) to recommend to the TB approval of the lot line adjustment for the parcel at 2066 Springdale Center Rd., reducing Lot 1 (CSM 4223) to 10 acres and adding 13.6 ac to Lot 1 (CSM 7852), meeting the goals of the land use plan by rejoining the agricultural field. No further division per the Town land use plan. No further discussion. 7 ayes, 0 nays, motion carried.

Next Steps: get a survey for the approved adjustment.

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- 4. **R and J Acres LLC/ Building Envelope change request/CTH G and Spring Rose Rd./ Sec 25.** Allen Schmid present in Town Hall.

Background: Option 1 concept plan was approved in May 2021, which specified 2 development areas: one for a new lot not to exceed 2 ac along Spring Rose Road, and another to stay with the remainder of the land in the southwest corner. The Town approved the small lot via CSM 16020 in 2022. It was surveyed off at 1.35 ac and sold. During driveway approval for this lot, the family discussed using the existing farm access off of Spring Rose Road for the lot that stays with the remainder of the land. It is now preferred that the development area that stays with the land would make more sense located near the existing farm access, rather than having a driveway cross the entire field. Given the setbacks and the amount of land needed for a building envelope that would allow for a house and potential accessory buildings, the southwest corner is not a suitable place for this building envelope.



Original Location of Building Envelope

Request: to recommend to the TB a building envelope change from the southwest corner of the lot to a location along Spring Rose Rd. south of the existing of the farm drive.

Discussion: Allen Schmid submitted pictures shown on the slides that were taken from the current location of the building envelope. The pictures show that the current build site is the lowest spot. When creating the concept plan in 2021 they were not fully prepared to locate the site. Request is now to move the “x” north to the right of the first clump of trees, south of the field access. PC members discussed that this desired location is consistent with the land use plan.

MOTION (Jester/Bunn) to recommend to the Town Board the building envelope change to the location roughly 200’ due north of the original “x” along a line between two clumps of trees because it is consistent with an option 1 concept plan and runs along an agricultural drive and between trees. 7 ayes, 0 nays, motion carried.

- 5. **J. Schick/ 2632 County Highway J/ Lot Line Adjustment and Rezone/ Sec 14.** Juliette Schick, not present.

Background: The portion of the land to be included in the lot line adjustment is not in ag production, it is between the house and a pond and wooded area to the west of the house. The existing residential lot is zoned RR4 (5.8 ac.) - adding .58 does not change the zoning of the lot. Just need to approve a change of the lot line adjustment portion to be consistent with the existing zoning.

Request 1: Recommend to the TB a lot line adjustment between the residential lot and the AT-35 lot to accommodate solar panels. This would add .58 ac to the existing residential Lot 1 CSM 5792 of 5.8 ac.

Request 2: recommend to the TB a rezone of the .58 ac portion from AT-35 to RR4.

MOTION (Jester/Altschul) to table this item until next meeting (January) because the applicant is not present. No further discussion. 7 ayes, 0 nays, motion carried.

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JOINT MEETING OF THE TB FOR THE PURPOSES OF REVIEWING AND ACTING ON AGENDA ITEM(S) ABOVE. Rosenbaum called the meeting to order at 7:55 PM. Quorum of Rosenbaum, Hefty and Schwenn present in Town Hall.

Sugden

MOTION (Rosenbaum/Schwenn) to approve the PC recommendation for the lot line adjustment on Sugden property, moving 13.6 acres from Lot 1 CSM 4223 to Lot 1 CSM 7852, with the understanding that the lot line adjustment does not transfer any density units between lots, the northern and southern lots still have 1 each. No further divisions per the Town land use plan. No further discussion. 3 ayes, 0 nays, motion carried.

R&J Acres

MOTION (Rosenbaum/Schwenn) to approve the PC recommendation for the building envelope change along Spring Rose Road in accordance with the red dot shown on the screen. Moved North from original location approximately 200’ to the right of the clump of trees. 3 ayes, 0 nays, motion carried.

Adjournment

MOTION (Schwenn/Hefty) to adjourn at 8:01 PM. 3 ayes, 0 nays, motion carried.

- 6. **Town Board request for Plan Commission input on Resolution: Town of Springdale Amendment to Private Driveway Ordinance Regarding Certain Shared Driveways.** Proposed amendment is a product from the September work session and subsequent conference call with Rosenbaum, Jester and Roger Lane from DC zoning. Jester explained that this is meant to be an exception to preserve agricultural land, not to enable development that could not otherwise occur. A condition for granting the shared driveway exception is adherence to the Dane County Code. The Town had previously rejected exceptions because it did not want to become party to shared driveway agreements. After further discussion and understanding of the nature of the Town’s role in these agreements – and in seeing several recent cases where 66’ frontage requirements resulted in the need to use ag land – the Town has reconsidered this exception as a tool to better adhere to the land use plan in certain cases. One lot needs the required 66’ of frontage and other lots can piggyback. Saalsaa lots off of Spring Rose Road are an example. Rosenbaum clarified that the amendment will specify that the Town is party to shared driveway agreements for emergency purposes only. Jester requested that the second paragraph as shown should be run past the Town attorney to be sure the Town correctly absolves itself from liability. Discussion regarding Dane Co.’s limitation of this exception just for farmland. Hanson questioned wither it was “farmland” or “cropland,” as the woods are part of the farmland. Jester suggested maybe it should say agricultural land. Rosenbaum clarified that the County uses the term “farmland.”

MOTION (Healy/Bunn) to recommend that the TB have the Town attorney review the policy (which is generally supported by the PC), as well as change farmland to “ag” land. No further discussion. 7 ayes, 0 nays, motion carried.

- 7. **Discussion Only: Possible Town of Springdale Solar Ordinance.** Rosenbaum attended October WTA convention where town officials were highly encouraged to get ahead of solar farms. Developers are coming in making agreements because there are no ordinances to stop it. Towns can govern location, how they are built, setbacks to residences, away from historic areas, and types of ground cover. Would like 2 or 3 PC volunteers to review what other towns are doing and draft an ordinance. Jester suggested including requiring maintenance, a plan for decommissioning, siting, public recreation land distancing (Donald Park), and possibly requiring a density unit in order to place one. Altschul, Healy and Bernstein agreed to work together. Open meeting laws would not need to be followed because it is not a quorum of PC members.

8. Adjourn.

MOTION (Healy/Sullivan) to adjourn at 8:55 PM. No further discussion. 7 ayes, 0 nays, motion carried.

Minutes taken and submitted by Administrator/Clerk Jackie Arthur.