

MINUTES

SPRINGDALE TOWN BOARD

TUESDAY, FEBRUARY 20, 2024 AT 7:00 P.M.

1. **Call to order and certification of compliance with open meetings law** by Rosenbaum at 7:07 PM. Quorum of TB members present – Rosenbaum via Zoom and Hefty & Schwenn at town hall. Admin/Clerk Arthur, Treasurer Boelhower-Santi and Patrolman Dahlk also present at town hall. Arthur confirmed posting in accordance with the open meeting law 2/16 springdalewi.gov and 2/19 at Town Hall. Mt. Horeb Mail notified 2/16.
2. **Approval of the agenda.** No changes.
3. **Minutes of previous Town Board meetings**
 - 1/16 inspector interviews – **MOTION** (Schwenn/Hefty) to approve as drafted. 3 ayes, 0 nays.
 - 1/16 TB meeting – Hefty – number 8 misspelled Johnson (Honson), and number 9, mention the special meeting where they interviewed the candidates. **MOTION** (Hefty/Schwenn) to approve with the 2 edits. 3 ayes, 0 nays.
 - 1/22 building inspector – **MOTION** (Hefty/Schwenn) to approve as drafted. 3 ayes, 0 nays.
 - 1/30 building code update – **MOTION** (Hefty/Schwenn) to approve as drafted. 3 ayes, 0 nays.
4. **Public comment.**
5. **Treasurer’s report and bills.** Everything is under budget, no need for any budget amendments. Settled with Dane Co. for January taxes on 2/2, collected \$2.6M in January. Had several late payments to forward to Dane Co. Takes the County a while to catch up with mailed payments. Announcement to taxpayers that payments not arriving before the 1st or 2nd will cause a delay in checks getting cashed. Checks for school districts were taken yesterday for the settlement. Next steps are getting ready for form CT in March and annual report in April.
Bills –Salt expense - ~\$13,000 last month. Dahlk assured we would not blow through the budget. 65 ton of pure left, 100 left of mix. Still have 60 tons of reserve. Doesn’t store over the summer, so don’t want to get it if he can help it.
MOTION (Schwenn/Hefty) to pay the bills as presented. 3 ayes, 0 nays, motion carried.
6. **Patrolman’s report**
 - Culvert/small bridge inventory – next steps. Rosenbaum walked through slides from WTA on the process to inventory the culverts (small bridges), due by 12/30. Dahlk and Hefty will complete the inventory in tandem.
 - 2024 road bids – Dahlk outlined the following road work plan:
 - Chipseal: Fargo, Getz, Gem View, Malone, and Sletto.(~ 3.48 mi) “FA2” granite, Town of Verona has good luck, no rock that comes up. Looking at \$26,000/20’ wide mile. Last time it was \$17,000/mi.
 - Culvert Replacement: Springdale Center and as needed.
 - Cold Mix Patching - as needed.
 - Ditching Shoulders - Malone, Lewis and Town Hall.
 - Hot Mix wedging - Lunde, Prairie Ridge, Sandridge Ct. Rep from Payne + Dolan estimated ~\$85/ton, 1,196 tons. Almost \$200,000 for just chipseal and hot mix. Bid early to get a good price.
7. **Josh Klein, N. Kollath Rd., correction on CSM and correction to the rezone based on new acreage.** Josh Klein present at town hall. Originally on lot 3, it was RM-8 (over 8 ac). They discovered that they made an error (~50’), so parcel got smaller. Asking to go down to RR-4 to reflect actual acreage. Also approve revised CSM. 26 sq ft of out lot, it would just be included in road ROW.
MOTION (Rosenbaum/Schwenn) to approve revised CSM. No discussion. 3 ayes, 0 nays.

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MOTION (Rosenbaum/Hefty) to revise the zoning on lot 3 from RM-8 to RR-4. No further division per the Town land use plan. No further discussion. 3 ayes, 0 nays, motion carried.

8. Driveway

- **Brock & Tara Bidlingmaier, Lot 1 8617 Messerschmidt Dr.**, conditional approval on upgrade of shared driveway. Brock Bidlingmaier present at town hall. Rosenbaum – cannot officially approve until shared portion is widened. Hefty looked at the driveway and saw no problems.

9. AG Hawley and Grant Nortman, Rezone for Limited Commercial uses for property at 2669 County Highway P/ Sec. 16.

Request to rezone from general commercial to limited commercial. Previously limited to an auction facility. PC discussed at length in January, recommended to the TB with new conditions:

- * Hours of operation be limited from 6am –8pm, 7 days a week
- * A maximum number of three (3) contractor, landscaping or building trade operation businesses
- * Number of employees limited to 10 full-time equivalents on-site (total for all businesses)
- * No retail sales
- * No paid storage on the property
- * Lighting and signage conform to the Town’s ordinances.

Rosenbaum – PC recommended 10 full time equivalents. County has limit of 6 office, on-site employees in LC zoning. When we talk about FTEs, we talk about employees that might come and go during the day. Concern is that there could be 40 people working out of that facility. Suggest we reduce it to 6 which is more in line with what has been done in the past (K&R Rd., maximum of 6 total employees, Klinger on Gust Rd., 6 FTEs). Grant asked how many tenants were renting those properties. Rosenbaum – K&R 2, Gust Rd. 1. Grant – 3 possible rentals, seems reasonable having previously asked the PC for 12, they agreed on 10.

Rosenbaum – concerning the holding tank on the property, Dane Co Public Health said that when the tank was installed, it was with the understanding of 3 employees and 2 floor drains. DCPH said if there would be significant change in use, holding tank would need to be reviewed. Roger Lane from DC suggested to Rosenbaum that the system be inspected before the new uses take effect. Hefty and Schwenn agreed to add that language to the motion.

MOTION (Schwenn/Hefty) to approve the recommendation from the PC, with the condition that the existing onsite wastewater sewage disposal system serving the businesses uses must be inspected by a licensed plumber to determine its suitability for all proposed or expanded uses. Deficient systems must be brought, at the owner’s expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code. No further discussion. 3 ayes, 0 nays, motion carried.

10. CUP 2610, Scott Niebuhr, Windy Acres LLC, for Tourist Lodging, 3160 CTH J. Scott Niebuhr present at town hall. PC recommendation was to approve new CUP for same activity, with same limitations – total of 32 conditions between Town and County.

MOTION (Schwenn/Hefty) to approve the CUP with the recommendations from the PC (listed below). Discussion – Rosenbaum – need to adhere very closely to the conditions in the future. This will be renewed for another 2 years. If any violations are found, the Airbnb is done and Town won’t approve again.

1. *The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operation plan and phasing plan.*

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2. *New and existing buildings proposed to house a conditional use must be constructed and maintained to meet current requirements of applicable sections of Wisconsin Commercial Building Code or Uniform Dwelling Code.*
3. *The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the county zoning administrator upon request.*
4. *Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the county zoning administrator upon request.*
5. *Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46 Dane County Code.*
6. *All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.*
7. *Off-street parking and circulation must be provided, consistent with s. 10.102(8) of County Ordinances.*
8. *If Dane County Highway Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.*
9. *The County Zoning Administrator or designee may enter the premises of operation in order to inspect those premises and to ascertain compliance with these conditions or investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.*
10. *The owner must post, in a prominent public place and in a form approved by the county zoning administrator, a placard with the approval of the Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.*
11. *The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.*
12. *Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given reasonable opportunity to correct any violations prior to revocation.*
13. *If any use allowed by an approved conditional use permit is not commenced within one year of issuance of the permit or is abandoned for one year or more, the associated conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.*

Recommended Conditions Specific to CUP 2610:

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14. Landowner will apply for, obtain and maintain an appropriate transient or tourist lodging rental license from Madison/Dane County Department of Public Health. Such license shall be obtained within 30 days of the effective date of this CUP.
 15. Only one side of the duplex shall be rented as transient or tourist lodging. The northern-most unit shall be rented for transient or tourist lodging. The southern-most unit of the duplex may be rented as long-term rental.
 16. No more than three bedrooms shall be rented for transient or tourist lodging.
 17. No more than 12 people, including both transient guests and permanent residents, shall be on the premises at any one time. The transient or tourist lodging shall have a maximum of 8 people on the premises at any time.
 18. No more than 6 vehicles shall be on the premises at any one time. All vehicles must be parked on paved driveway surfaces or inside the existing garage, with adequate access for emergency vehicles.
 19. Quiet hours shall be observed between 10 p.m. and 9 a.m. on weekdays, and between 12 a.m. and 9 a.m. on weekends.
 20. Peak noise levels shall not exceed 40 decibels [dB(a) scale], as measured at the property line, during quiet hours.
 21. Peak noise levels shall not exceed 65 decibels [dB(a) scale], as measured at the property line, during hours other than quiet hours.
 22. No more than two dogs, (including those belonging to permanent residents) may be on the premises at any one time. All dogs brought by guests must either be leashed or contained within adequate fenced areas while outside. Dogs must be kept indoors during quiet hours.
 23. Landowner will maintain existing trees and other vegetation along the northern, western and southern property lines, or replace such vegetation with landscaping that provides a similar level of visual screening.
 24. Any new outdoor lighting shall be downward directed, designed to minimize ambient spill and shall comply with all applicable requirements of the Town of Springdale Dark Skies Ordinance.
 25. The transient or tourist lodging operation shall automatically expire on the sale of the property or the business to an unrelated third party.
 26. The operation of all-terrain vehicles, ATVs, and snowmobiles by occupants of the transient or tourist lodging operation shall be prohibited on the property.
 27. Signage is prohibited.
 28. Outdoor music and speakers for the amplification of sound or music outdoors are prohibited.
 29. Commercial activities and business activities, other than transient or tourist lodging and duplex rental, are prohibited.
 30. This Conditional Use Permit shall expire two years after the effective date. Landowner may renew the conditional use permit by successfully obtaining a new CUP prior to the expiration date.
 31. All advertising for transient or tourist lodging must conform to the terms of this CUP.
 32. Additional people beyond the number of allowed transient or tourist guests are prohibited on premises.
- No further discussion. 3 ayes, 0 nays, motion carried.

11. **Mt. Vernon Park Association annual report.** Craig Judd present along with Jim Ryan and Dan Dahlk. Judd presented the financial statement which was shown on the screen and distributed to the meeting. Increase fees in 2025 by \$15 for park rental. Discontinued CD and put it in the savings. Seeking bids for

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playground equipment, expecting it to be pretty expensive. Town will use ATC money to help cover some costs, but need an invoice or a bill to ensure it's a PSC approved use. They will submit invoices for what has already been expended by the Park.

12. **Facility Engineering progress update on Town Hall roof repair – Rosenbaum.** 9 contractors have asked for plans. Bid due date is 3/15, will open them at the March TB meeting (3/19). Proposal to meet at 6 PM to open bids with Dan Maki present.
13. **Springdale welcome packet progress update – Rosenbaum.** Draft needs polishing. Will discuss at March's meeting.
14. **Springdale Capital Improvement Planning Committee update, Treasurer/committee lead Boelhower-Santi.** Next meeting is next Tuesday.
15. **Status of Town employment openings.** Still accepting resumes from published ads in the papers.
16. **Update on General Engineering and dark sky ordinance enforcement and comments from board on GEC/Springdale dark sky handout for new home builds.** GEC is willing to distribute the dark sky ordinance and acknowledgement handout to new homeowners and contractors.
17. **Update on Ben Franklin ROW vacation for Mt. Vernon Hills – Arthur.** Additional ROW to be vacated added. Resolution will be introduced and process started at March's meeting.
18. **Update on absentee ballot envelope subgrant submittal – Arthur.** Received \$208.71 in grant monies for the new batch of absentee ballot envelopes we were required to purchase as part of the WEC re-design of the envelopes.
19. **Calendar of upcoming events**
 - 2/23 Barneveld WTA District Meeting – Schwenn
 - 2/26 PC meeting
 - Set open book and BOR dates, as well as [BOR meet-to-adjourn](#)
 - BOR dates from Accurate Assessors: 8/1, 8/14, 8/15, 9/4 and 9/5
 - BOR date selected is 9/4.
 - BOR meet to adjourn selected date is 4/22. Everyone agrees.
20. **Adjournment**
MOTION (Schwenn/Hefty) to adjourn at 8:48 PM. 3 ayes, 0 nays, motion carried.

Minutes taken and submitted by Jackie Arthur, Admin/Clerk.