

# MINUTES

## TOWN OF SPRINGDALE JOINT PLAN COMMISSION & TOWN BOARD MEETING

MONDAY, JUNE 24, 2024 AT 7:00 P.M

Approved July 22, 2024

1. **Call to order, Certification of compliance with the Open Meeting Law, Quorum is present, Approval of the agenda.** Meeting called to order by Jester at 7:02 PM. Jester confirmed posting in accordance with the open meetings law. A quorum of members present at town hall (Jester, Hanson, Altschul, Carrico, Bunn and Aburomia. Sullivan arrived at 7:05pm). TB Chair Rosenbaum and TB Supervisors, Hefty and Schwenn present at town hall. Admin/Clerk Arthur also present at town hall.
2. **Minutes of May (6.3.24) PC meeting.**

**MOTION (Hanson/Altschul) to approve with no changes. 6 ayes, 0 nays. MOTION CARRIED>**

3. **D. and K. Hamilton/ 8586 Messerschmidt Dr./40' x 40' x 29' Residential Accessory Building/ Sec 27.**

**MOTION Jester/Altschul): Recommend to the TB approval of the 40'x40'by 29' residential accessory building not for commercial use. 7 ayes, 0 nays. MOTION CARRIED.**

Discussion: David Hamilton was present at town hall. He has a residence on 39.9 acres zoned RM 16 and wishes to build a 2 story 40x40 residential accessory building. The size and location are allowable in this zoning district. It was staked for viewing by TB and PC members. This building is residential in nature and PC confirmed that there is no commercial use intended. Application indicates electric/ HVAC and no water connected to septic.

4. **Knoche / 7959 Hamilton Meadows Road / Residential Accessory Building/ Sec. 12.**

**MOTION (Jester/Bunn): to table the consideration of the Knoche accessory building until proof of deed restriction compliance is provided. 7- ayes, 0 nays. MOTION CARRIED.**

DISCUSSION: Knoche's installed a shipping container for storage in April of 2022. It was over 120 sq feet and they received a Dane County zoning permit for it. The size of the building (under 1500 sq ft of accessory building) meant it was reviewed for the town by Chair Rosenbaum. Rosenbaum confirmed at the meeting that the applicant indicated to the chair that the use of this storage pod was to be temporary said that a town permit was not needed for a temporary structure. It has been 2 years, so the structure has exceeded temporary. Knoche said

# MINUTES

## TOWN OF SPRINGDALE JOINT PLAN COMMISSION & TOWN BOARD MEETING

MONDAY, JUNE 24, 2024 AT 7:00 P.M

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that he would like to remove the structure at some point. PC chair Jester suggested that either the structure be removed when a new building was constructed or that Knoche apply for a town permit. PC in general seemed in favor of making removing the shipping container a condition for new building approval.

Knoche's land is in the subdivision Hamilton Farm Meadows. This subdivision has deed restrictions. While the town does not enforce these agreements, they are private affairs between landowners. However, when they exist, we do respect them and there is precedent for the town requiring at least some form of confirmation that the homeowner has met these requirements prior to getting involved approving accessory buildings. The applicant was asked if they had consulted neighbors. They had not and presented a copy of a deed restriction showing that the restrictions did not apply to outlots 2 and 3 and indicated that their lot was lot 3. (It is Hamilton Farm Meadows LOT 3 but not OUTLOT 3). The applicant also pointed out that others in the neighborhood didn't follow deed restrictions and that there was not a formal neighborhood association.

Present in town hall was neighbor DeMets who indicated that neighbors did in fact actively work together to review and approve additions and accessory buildings and that neighbors would appreciate the opportunity to do so. The applicant indicated that they wanted to be good neighbors. The town agreed that this would be a good idea and a letter with half of the neighbors seemed like a good measure of meeting the deed restrictions.

### **5. Mount Vernon Hills, LLC/ CTH G/ Mount Vernon/Final Plat Review /Sec 34.**

**MOTION (Jester/Carrico): Recommend to the TB approval of the Mount Vernon Hills Final Plat as the condition of road vacation has been fulfilled and the plat is consistent with the approved concept plan. Approval of this plat will exhaust all future divisions of this land. 7-eyes, 0-nays. MOTION CARRIED**

DISCUSSION: At the Feb 2024 meeting the PC made a recommendation which was approved by the town board to approve the preliminary plat as it was consistent with the revised concept plan approved in January 2024. The approval was contingent on the completion of the vacation of the unplatted town lands for the extension of Ben Franklin Street. At the May 21 meeting of the town board a public hearing was held, and a resolution was passed to officially vacate the road meeting the condition for approval of the final plat. The town has already approved the rezone of these lots for residential development and this action completes the creation of lots from the Mount Vernon Hills, LLC lands and these lands are not available for further division

# MINUTES

## TOWN OF SPRINGDALE JOINT PLAN COMMISSION & TOWN BOARD MEETING

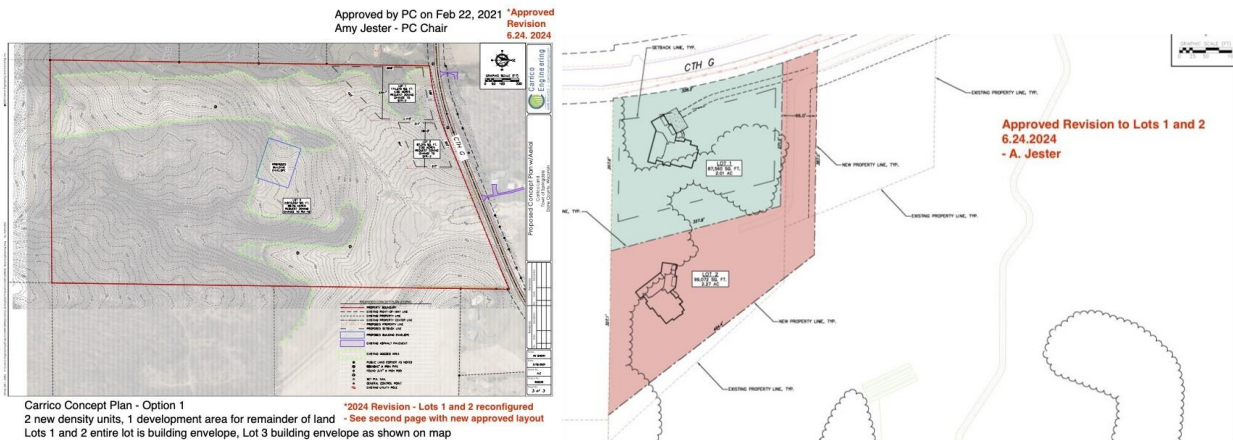
MONDAY, JUNE 24, 2024 AT 7:00 P.M

Approved July 22, 2024

according to the town land use plan.

**6. A. and N. Carrico/8177 COUNTY HIGHWAY G / Concept Plan Revision/ Lot Line Adjustment/ CSM and Rezone for residential and agriculture to be consistent with any approved changes the last two items moved to the next meeting/ Sec 25.**

**MOTION 1 (Sullivan/Bunn): Recommend to the TB the revision in the concept plan as depicted in the slides relocating the second density unit near the other in the northwest corner of the lands) as it is consistent with the goals of the land use plan and returns several acres of ag land to the original parcel. 6-ayes, 0 nays, 1-abstain (Carrico). MOTION CARRIED**



**DISCUSSION:** Carrico has a concept plan that created two lots and a homesite for the remaining ag land on his property. There were two density units located on the concept plan along HWY G. - a 4 ac lot and a 2 ac lot were created. Carrico's now wish to reconfigure the lots moving the density units closer together and to create two approximately 2 acre lots and to return the original 2 ac land to the agricultural parcel. Because this is a change to the location of a building envelope, we look at this first as a concept plan revision. This revision is consistent with an option 1 concept plan and this proposal uses even less ag land than the original concept and doesn't change the footprint in any substantive way.

**MOTION 2 (Aburomia/Sullivan): Recommend to the TB a lot line adjustment as depicted on meeting slides as it is consistent with the town LLA ordinance and the newly approved and revised concept plan. 6-ayes, 0 nays, 1-abstain (Carrico). MOTION CARRIED**

**Discussion:** Because the lots off the original concept plan were officially created via CSM – to

# MINUTES

## TOWN OF SPRINGDALE JOINT PLAN COMMISSION & TOWN BOARD MEETING

MONDAY, JUNE 24, 2024 AT 7:00 P.M

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enacting the revised concept plan requires that the lots lines be “adjusted”. Carrico owns all of the land involved in these lots, so we are not looking at adjusting between different parties. The PC reviewed the list of prohibited lot line adjustments from the Lot Line Adjustment Ordinance and determined there were no violations.

### **JOINT MEETING OF THE TOWN BOARD FOR THE PURPOSES OF REVIEWING AND ACTING ON AGENDA ITEM(S) ABOVE.**

Meeting called to order by Rosenbaum at 7:32pm

- Minutes of May (6.3.24) Joint PC/TB meeting.

**MOTION** (Rosenbaum/Hefty) to approve May Joint TB minutes as drafted. 3 ayes, 0 nays, MOTION CARRIED.

- D. and K. Hamilton/ 8586 Messerschmidt Dr./40’ x 40’ x 29’ Residential Accessory Building/ Sec 27.

**MOTION JSchwenn/Hefty): Approve of the 40’x40’by 29’ residential accessory building not for commercial use. 3 ayes, 0 nays. MOTION CARRIED.**

- Mount Vernon Hills, LLC/ CTH G/ Mount Vernon/Final Plat Review /Sec 34.

**MOTION (Rosenbaum/Schwenn): Approve the Mount Vernon Hills Final Plat as the condition of road vacation has been fulfilled and the plat is consistent with the approved concept plan. Approval of this plat will exhaust all future divisions of this land. 3-ayes, 0-nays. MOTION CARRIED**

- A. and N. Carrico/8177 COUNTY HIGHWAY G / Concept Plan Revision/ Lot Line Adjustment/ Sec 25.

**MOTION 1 (Rosenbaum/Hefty): Approve the revision in the Carrico concept plan as depicted in the slides relocating the second density unit near the other in the northwest corner of the lands) as it is consistent with the goals of the land use plan and returns several acres of ag land to the original parcel. 3-ayes, 0 nays. MOTION**

# MINUTES

## TOWN OF SPRINGDALE JOINT PLAN COMMISSION & TOWN BOARD MEETING

MONDAY, JUNE 24, 2024 AT 7:00 P.M

Approved July 22, 2024

### CARRIED

- **MOTION 2 (Rosenbaum/Schwenn): Approve the lot line adjustment as depicted on meeting slides as it is consistent with the town LLA ordinance and the newly approved and revised concept plan. 3-ayes, 0 nays. MOTION CARRIED**
- **MOTION: Adjourn 7:45pm (Schwenn/Hefty) 2 ayes, 0 nays, Motion carried.**

### **7. Thompson/ 2253 State Highway. 92/ Concept plan /Sec 19.**

DISCUSSION: There was a site visit on June 10<sup>th</sup> at 7pm. Members who attended noted that the terrain made paths for a driveway that would meet the town driveway building ordinance would be a challenge. At the site visit some building envelope locations closer to Deer Creek were considered, however, limits on shoreland regulations were uncertain. PC Chair Jester contacted Han Hilbert at Dane County to help understand the regulations. The email from Dane County indicated that there is a 75' setback from the ordinary high water mark, that there can be no driveway within 30' of the creek and that even the flat parts not eliminated by this probably have soils that make it unlikely that there is an available building site. This info was shared with the landowner and the realtor, and they presented a requested building envelope location outside of the 75' zone and driveway path along the creek for the PC to discuss.

PC discussed the proposal but the proximity of the building envelope, while technically out of the 75' buffer, might still be subject to wetland regulation due to the type of soil AND the length of the driveway that would need to run alongside the creek was still a concern. The PC was not comfortable considering a concept plan that might turn out not to be workable. We talked about other possible locations but landowner concerns about driveway engineering, the need to widen the existing drive, or location relative to the main house or current pasture made the proposed site the landowner's top choice. The PC chair sent the proposed site to Hans Hilbert and the applicant/realtor were asked to work with Dane County to determine if this site was viable as the PC does not determine regulations in Shoreland Zones. We will revisit this again next month when there is more information. NO ACTION TAKEN.

### **8. S. and K. Alderson and Thompson/ 2249 State Highway 92/ Lot Line Adjustment/ Sec 19.**

**MOTION (Aburomia/ Sullivan): to recommend to the TB the approval of the ROUGHLY .6ac triangle LLA between the Thompsons and Alderson's as depicted on the slide. 7-ayes, 0- nays.**

# MINUTES

TOWN OF SPRINGDALE JOINT PLAN COMMISSION &

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MONDAY, JUNE 24, 2024 AT 7:00 P.M

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## **MOTION CARRIED.**

DISCUSSION: The Aldersons and the Thompsons wish to lot line adjust a small portion of land IT is approximately .6 ac. The Thompson's have 2 parcels - 16.340 and 20.0 ac totaling 36.340. It is zoned AT-35. A LLA will result in a reduction to 35.75 which means that there would not be a need to rezone. Additionally, after the discussion of the possible concept plan above the PC concided that this lot line adjustment would not alter density options under the land use plan. This portion of land is already divided off from the farm field by a fence line. The PC reviewed the Lot Line Adjustment Ordinance and the prohibited lot line adjustments.

The Aldersons currently have a 4.162 ac lot zoned RR2. The addition of .6 ac will result in a 4.762 ac lot which will need to be rezoned RR4 when we approve the new CSM.

**9. MOTION (Bunn/Hanson) to adjourn at 8:33 PM. No further discussion. 7 ayes, 0 nays, MOTION CARRIED.**

*Minutes taken and submitted by PC Chair, Amy Jester*