

APPROVED MINUTES OF THE SPRINGDALE PLAN COMMISSION MONTHLY MEETING FOR NOVEMBER 25, 2019

IN ATTENDANCE: Ellen Bunn, Rich Bernstein, Jim Hanson, Amy Jester, John Rosenbaum, David Schmidt, Denise Sullivan (A quorum is present.) Town Chair Mike Fagan, Town Supervisor Richard Schwenn, Town Clerk Susan Duerst Severson and Vicki Anderson, Deputy to the PC.

CALL TO ORDER: by A. Jester at 7 p.m. in the Springdale Town Hall, 2379 Town Hall Road, Mt. Horeb, WI 53572.

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. The final agenda was posted on 11/21/2019 in the three customary locations in the Town of Springdale as required by law. As a courtesy to the citizens, a notice of the upcoming meeting was published in the *Mt. Horeb Mail* on 11/20/2019.

MINUTES: MOTION by D. Schmidt/J. Rosenbaum to approve the draft meeting minutes of the 10/28/2019 monthly meeting of the Plan Commission, PC, as distributed. Motion to approve carried 6-0.

JOINT MEETING OF THE PC AND TB FOR THE PURPOSES OF REVIEWING AND ACTING ON DRAFT MEETING MINUTES OF 11/14/2019 JOINT MEETING AND PUBLIC HEARING OF PC AND TB:

PC MOTION by D. Schmidt/J. Rosenbaum to approve the draft meeting minutes of the 11/14/2019 special joint meeting and public hearing of the Springdale PC and Town Board, TB, re: the comprehensively revised Dane County Code of Ordinances Chapter 10 and the required amendments to the Town of Springdale Land Use Plan and Town Land Division and Subdivision Code for consistency with the Dane County documents. PC Motion to approve carried 6-0-1 (R. Bernstein abstained since he had not attended the 11/14/2019 meeting.)

TB MOTION by M. Fagan/R. Schwenn to approve the minutes carried 3-0.

ACCESSORY BUILDING: J. AND V. ROSENBAUM/GAZEBO/KLEVENVILLE RILEY ROAD/SEC. 2:

MOTION by A. Jester/D. Sullivan to recommend approval to the TB of the residential accessory structure/gazebo of 175 sq. ft. in size with the understanding that it shall not be used for commercial/business purposes, interior lights only— no exterior lights and lighting shall conform with the Town of Springdale ordinances and the existing driveway shall access the structure. Motion to recommend approval to the TB carried 6-0-1 (J. Rosenbaum abstained.)

JOINT MEETING OF THE TB FOR THE PURPOSES OF REVIEWING AND ACTING ON ACCESSORY BUILDING.

CSM TO BE CONSISTENT WITH APPROVED-CONCEPT PLAN AND ZONING DISTRICT: K. AND J. HACKER/CSM-ZONING/CTH G/SEC. 25: MOTION by A. Jester/E. Bunn to recommend approval to the TB of the revised 3-lot CSM which appears consistent with the approved concept plan with the following conditions:

1. No further division of Lots 1, 2, and 3 per the current Town of Springdale Land Use Plan.
2. A shared driveway agreement shall be required for all lots.
3. Lots 1 and 3 are subject to a Town-approved building envelope, the location on file in the Town Hall.
4. The typographical error on the preliminary CSM submitted for the 11/25/2019 PC meeting showing “Lot 2” written on Lot 1 shall be corrected. Discussion: This preliminary CSM is different than the hybrid CSM draft discussed at the October 2019 PC meeting. It is unusual in that it shows two strips of at least 66 ft. of frontage on CTH G (72.08 ft. and 118.37 ft.) for the single Lot 1 even though there is no further division of the Lot. It is consistent with the October hybrid CSM in that it does retain all the farmland together in one lot per the Plan standards. Motion to recommend approval to the TB carried 7-0, 7:26 p.m.

Next step: The TB will consider the CSM at the December 2019 TB meeting.

REVISED CONCEPT PLAN: N. AND P. JOHNSON/SPRING ROSE ROAD/SEC. 24: MOTION by A. Jester/D. Sullivan to approve the Option 1 concept plan for a building envelope just outside the floodplain as depicted on the submittal; the building envelope to be one-acre in size and all future buildings shall be contained in the building envelope or resubmitted at a later date for reconsideration. Discussion: The Johnsons built the existing residence on the 44.707acre lot prior to the adoption of the Plan in March 2002. No concept plan/building envelope was required at that time. In 2013, the Town approved a 2-lot CSM for 10.804 acres with the existing residence and 33.903 acres to be sold for agricultural use only with no building anticipated on the agricultural lot. In 2019, the Johnsons wish to identify a development area/building envelope on the 33.903acre lot. A site visit was held on Nov. 2, 2019. The proposed building envelope is generally considered the best location to meet the Option 1 requirements to keep development at the edge of the agricultural lands if no other sites are available.* The creek, wetlands and floodplain on Lot 2 limit possible areas for development. Town Chair M. Fagan will check with Dane County Highway Department re: the required distance from the intersection of CTH G for a proposed driveway on Spring Rose Road. Since a concept plan was not required prior to adoption of the current Town Plan, it was generally considered that the landowner should not be penalized for not preparing a concept plan when the existing residence was built before March 2002. This does demonstrate the value of the Town Plan process to plan for potential development. Motion to approve the building envelope on the concept plan carried 6-1.

Next step: The Deputy Clerk to the PC will research with Dane County Register of Deeds the process to remove the “no build” note on the recorded CSM. Since this is not a change in a building envelope, the TB does not need to act on this matter.

(*Text from Plan, Option 1: “...If building envelope(s) must be located on agricultural land because other locations are not possible, it is desirable to locate them near the edges of agricultural fields and/or to use the least productive soil as determined by soil types.”)

REVISED BUILDING ENVELOPE: J. STEVENS – BURGER LANDS/LEWIS ROAD/SEC. 29: MOTION by A. Jester/D. Sullivan to recommend approval to the TB of the proposed revised building envelope moved from point A to point B, of the same size, tucked in the tree line off of agricultural land and accessed via a driveway shared with the residence on the 17 acre lot of the mother parcel, with the understanding that J. Stevens will draw in the proposed change to the location of the building envelope and submit to the TB two weeks prior to the December TB meeting.*

Background: On 2/23/2015 the Burgers concept plan was approved creating the plan for a 17-acre lot with the existing Burger residence and a new 3-acre lot on land between the woods and the frontage on Lewis Road. It was planned that the lots would share the existing access point onto Lewis Road since visibility on Lewis Road is an issue due to the terrain. The building envelope was nestled at the edge of the woods, off of the agricultural land as much as possible, on a level spot for better driveway access, point A. The Burgers wished to retain the agricultural land in one piece and prevent building on the high spot of the land for conformance with the Plan.

On 11/26/2018, the PC approved the preliminary CSM consistent with a slight alteration to the 2015 concept plan “...to include a small slice of land adjacent to the existing driveway in the new 3-acre lot. This was considered an improvement since it provides...a better access to the agricultural field...”**

Discussion: In 2019, the Stevens interested in buying the Lot, request a change to the building envelope for various reasons, which include, but may not be limited to the following: to provide for the agricultural land to be downwind from a future residence and to straighten out the angle of the driveway near Lewis Road. point B.

Confusion re: location of building envelope: It is the Town policy to file in the Town Hall the documentation of an approved building envelope. Reference to an approved building envelope is typically noted on the CSM recorded at the Register of Deeds. In this case, an inaccurate sketch of a building envelope was placed on the 2019 CSM that was recorded at the Register of Deeds. This sketch was inaccurate because it showed a larger building envelope which stretched from the east to west borders in the southern section of the Lot. The 2015 Town-approved building envelope is nestled near the eastern edge of the Lot, near the woods in the southern section of the Lot. The location served two purposes: keeping the development off of the agricultural land and off of a high point of the land. Motion to recommend approval to the TB of a revised building envelope carried 6-1, 8:33 p.m.

(*In addition, the Deputy Clerk to the PC shall contact the agent for the landowners, the Burgers, to obtain the landowners’ permission for their land to be discussed at Town meetings. The Deputy inaccurately considered the Stevens the owners of the Lot.)

(**Note: In 2015, the Burgers had retained this slice of land as an access point to the woods on their property.)

Next step: The Stevens will submit a revised sketch of the proposed change in building envelope for TB consideration of the revised building envelope at the December 2019 meeting.

DANE COUNTY CODE OF ORDINANCES CHAPTER 10 PROPOSED AMENDMENTS: MOTION by Jester/Sullivan to recommend to the TB approval of the DCCO Chapter 10 proposed amendments. Discussion: Since adoption of the comprehensively revised Chapter 10, DC staff have submitted amendments to clean up some omissions. For example, cemeteries and limited farm businesses are proposed for appropriate zoning districts. Motion to recommend approval to the TB carried 7-0.

Next Step: TB consideration of the amendments.

PLAN COMMISSION PROCEDURES:

DAVID SCHMIDT LAST MEETING AS PLAN COMMISSION MEMBER: Town Chair M. Fagan and those in attendance thanked David Schmidt for his service to the Town as a PC member for three years. Before his appointment to the PC, as a newcomer to the Town, D. Schmidt attended TB and PC meetings as an interested citizen. His thorough preparation for the PC meetings and his sincere contributions to the discussions was appreciated. In reading some prepared remarks, some of his statements included, but may not be limited, to the following: He thanked all for their work and especially Mike Fagan and Amy Jester for their excellent jobs as chairs of the TB and PC, respectively. He appreciated the dedication and diversity of the PC. He opined that the PC worked to implement the Plan in a uniform and fair matter; balancing the desires of landowners and neighbors. The Town provides excellent services with some of the lowest town taxes. It is now time for him and his family to enjoy retirement and visit his father, who is 92 years of age, and daughters and their families in California and Oregon. His service to the PC will be missed.

RICHARD SCHWENN’S 80TH BIRTHDAY: Happy Birthday Richard!

FEES: Town Chair M. Fagan plans to engage the PC in a discussion of necessary fees for town services related to the PC. The existing fee structure has been updated recently but needs to be presented in an easy-to-understand chart and immediately shared with landowners interested in PC services. For example, a rezoning may accompany a lot created by CSM. Thus, the applicant will usually incur a fee for the concept plan, lot by CSM, and rezoning. It was clarified that the first site visit is complimentary. All concept plans incur a fee. It was generally agreed that all rezonings, whether the rezoning accompanies a new lot or is required for a change in use, will incur a rezoning fee. The PC will continue the discussion in 2020.

POLICY FOR WRITTEN SUBMITTALS TO THE PC: PC Chair A. Jester clarified that written materials submitted to the Town are not read into the record at a meeting. If the author of the submittal wishes to state their opinion on an agenda item, it is necessary to attend the meeting. The written materials are filed as public record and disseminated to the PC and TB.

Next PC meeting: Jan. 27, 2020. Submittals for the January monthly meeting should be submitted to the Town Clerk by Monday, January 13, 2020.

ADJOURN: MOTION by J. Rosenbaum/A. Jester to adjourn carried 7-0.

Respectfully submitted, Vicki Anderson, Deputy to the PC

Town of Springdale Plan Commission and Town Board Meeting

The Springdale Plan Commission monthly meeting will be held on Monday, Jan. 27, 2020 at 7 p.m. in the Springdale Town Hall, 2379 Town Hall Rd, Mt. Horeb, WI 53572. During the meeting there may be Town Board action on accessory building applications.

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. Please contact the Town Clerk if you wish to make a public record request to obtain copies of the documents to be discussed at the meeting. The Town Hall is accessible to all.

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.)
2. Minutes of previous meetings,
3. Accessory Building: Tim Hayes/Spring Rose Circle/accessory building #1-3175 sq. ft., accessory building #2-four stall garage 1728 sq. ft./Sec. 24,
4. Joint meeting of the TB for the purposes of reviewing and acting on agenda item #3 above.
5. Public Hearing: Rezoning #11518 of new CSM lots/Karl & Judy Hacker/ CTH G/Sec. 25,
6. Public Hearing: Conditional Use Permit, CUP #2491 limited family business - landscaping, Josh Zimmer/CTH G/Sec. 34,
7. Plan Amendments submitted by 12/31/2019,
8. PC Procedures. 9. Adjourn.

A majority of the TB will be in attendance to gather information regarding matters which may come before the TB.

Post: 1/23//2020

Town of Springdale Plan Commission

Note: Class 2 notice for CUP public hearing published 1/9 and 1/16/2020