MINUTES OF THE SPRINGDALE PLAN COMMISSION MEETING, Jan. 25, 2015

IN ATTENDANCE: Ellen Bunn, Mike Fagan, David Heisch, Jim Hanson, John Rosenbaum and Jeff Smith. (A quorum is present.) Clerk 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 1/22/15 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 1/22/15*.* PC Chair Rosenbaum announced that the Freitag and Burger agenda items have been rescheduled for the February PC meeting per the landowners’ requests.

MINUTES: MOTION by Smith/Bunn to approve the minutes of 11/26/14 as distributed. MOTION carried 6-0.

B. Namenwirth/lot line reconfiguration-CSM/Sharpes Corner Rd./Sec. 32: MOTION by Bunn/ Fagan to approve the lot line adjustment and preliminary CSM which consists of an existing house and no additional density units for development. Discussion: The contiguous acres owned by D. Lawrence on the effective date of the Plan = 20.412 acres, parcel number: 0607-321-9001-7. The 20.412 acres could be eligible for a new lot for development per Option 2 of the Plan. However, the Namenwirths acquired the 20.412 acres to prevent further development and are in the process of transferring approximately 18.2 acres to the adjacent property owner Dane County Park via a lot line adjustment. The possible density unit goes with the 18.2 acre lot line adjustment for property appraisal purposes only because the property can’t be developed. As the 18.2 acres are absorbed by Dane County Donald Park lands, the remaining 2.2 acres with the existing residence and outbuildings are identified in a CSM. There shall be no further division of this CSM per the current Plan. The 20 acre property was a single house site and it remains a single house site. As part of the approval process, PC member Bunn stated that it was consistent with the Plan as open land is preserved. An existing shared driveway can serve the parkland and the residence. Jan Zimmerman, Dane County Parks, represented Barbara Namenwirth, as agreed upon by Namenwirth. Motion to approve the CSM carried 5-1, 7:23 p.m.

Plan amendments submitted by 12/31/14/ C. Kavon/Information only/additional lot restricted to Agricultural/open space use only:

As part of the annual review of the Plan, only one proposed amendment was submitted by the deadline of 12/31/14. The procedure as outlined in the Plan calls for the PC to announce the Plan amendment at the January PC meeting, consider it and make recommendations to the TB at the February PC meeting. At the April TB meeting the TB shall hold a public hearing about the proposed amendment. Per the request of Chad Kavon and family, the PC will continue to discuss a proposed amendment last discussed in June, 2014.

Proposed Amendment: To allow a property owner to create an additional lot, exceeding the number of density units on the property, when the lot would be restricted for perpetuity to remain as agricultural/open land. This could be included in the Plan as an Option 4. Discussion included but may not be limited to the following:

\*Key word is ‘perpetuity.’ Now, through lot line adjustments or a change in the Plan, the contiguous tracts of ag/open land may be eroded. With this additional density unit/lot as the incentive, it is proposed that preservation for perpetuity could be accomplished.

\*The various restrictions and legal documents which might keep the land as agricultural/open land for perpetuity were discussed. Research needed to ascertain the pros and cons of deed restrictions, conservation easements, etc. What are the tax benefits and a comparison of the benefits for a conservation easement, deed restriction, use-value agricultural assessment, etc. ?.

\*Could the Town accomplish the goal of keeping the land as ag/open land in perpetuity through voluntary actions by the landowner? The following language had been placed on a CSM in Springdale to honor the landowner’s request – “No land divisions by CSM, Subdivision plat or by lot line adjustment is permitted.” Should the Plan be amended to include this language as an example?

\*Could the Town accomplish the goal of keeping land as ag/open land in perpetuity as a condition of approval of the land application proposed by the landowner? It was suggested that it is best to retain the ag/open land with a single property owner and when the density units are exhausted to prohibit future divisions per the current Plan, could this lot be restricted from lot line adjustments as part of the approval process when the lot line adjustments would counter the Plan goal?

\*Is there enough call to consider this amendment when there are so many unknowns? Could the same goal be accomplished, in the case of the Kavons, by a legally binding agreement among the family property owners and the Town would not be involved? In either case – Plan amendment or private agreement - a lawyer will have to prepare/review the legally binding instrument to accomplish the goals.

\*If the Plan amendment were drafted, could it be applied retroactively to land for which no density units/no lots exist.

Next step: PC will continue the discussion.

PLAN COMMISSION PROCEDURES: The next meeting of the PC will be Monday, Feb. 23. 2015. Applications for the meeting should be submitted by Monday, Feb. 9, 2015.

ADJOURN: MOTION by Fagan/Rosenbaum, motion carried 6-0. Respectfully submitted, Vicki Anderson, Recording Secretary