MINUTES OF THE SPRINGDALE TOWN BOARD MEETING, Dec. 21, 2015

IN ATTENDANCE: Town Board Chair Ed Eloranta, Supervisor I Mike Fagan and Supervisor II Richard Schwenn and Clerk Vicki Anderson.in attendance.

CALL TO ORDER: by Chair Eloranta, 7:05 p.m.

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. By 12/18/15 the agenda was posted in the three customary locations in the Town of Springdale as required by law and, as a courtesy to the residents, the notice of the meeting was published in the *Mt. Horeb Mail* on 12/17/15*.*

MINUTES: MOTION by Fagan/Schwenn to approve the minutes as distributed of 11/16/15. MOTION carried 3-0.

PUBLIC INPUT: Delores Esser, the Town representative to the Southwest Dane County Outreach/Nutrition Program, prepared the following announcement to urge Springdale citizens to take advantage of the services available in the Senior Center, 107 N. Grove St., Mt. Horeb. Delores pointed out that Springdale and the other municipalities financially support the Senior Center. Currently, not many Springdale citizens are taking advantage of the services supported by Springdale.

“Attention Springdale Seniors, We’ve missed you! Come and join us for the meals ($4.00 donation) and lots of free activities including bingo, cards, crocheting, knitting, musical events, nutrition and wellness programs, outings, etc. We have an excellent driver, Kristi, who will drive seniors to meals, grocery shopping and Madison. If you wish to take advantage of reasonably priced transportation, contact Kristi at 444-7930. The round-trip transportation cost is $1 to meals, $2 for grocery shopping and $3 to travel to Madison. To get a copy of the monthly newsletter please call the Senior Center at 437-6902. Everyone is welcome. You’re missing a lot of fun.”

PLAN COMMISSION RECOMMENDTION: PUBLIC HEARING/B. and D. Olson/concept plan/Colby Rd./Sec. 33: MOTION by

Fagan/Schwenn to support the PC recommendation to not support the Olson concept plan for lands on Colby Road. Discussion:

1. Dane County ordinances require 66’ of frontage on a public way for a lot of 35 acres or less. Relatively recently, Dane County has adopted a policy to allow an exception from the 66’ of frontage. Towns who wish to have the option for an exception must adopt a town policy to establish the standards for the exception.

2. The Olsons have 114’ of frontage and wish to create a second lot and request an exception, a variance from the 66’ of frontage for the second lot. (66’ of frontage for 1 lot, 132’ of frontage for 2 lots.) They have tried to sell the existing house and its 16 acre lot without success. To enhance the marketability of the property they are researching selling the house and lands as is or with the option to create a second house site on the 16 acres.

3. On 11/23/2015, the Town PC voted against the concept plan for two lots because the lots did not meet the 66’ of frontage requirement and the lot did not meet the standards in the policy adopted by the Town to grant the exception. Specifically, it was pointed out that the proposed new lot did not clearly improve compliance with the Land Use Plan – it would carve up the agricultural land.

Policy for Implementation of Exception to 66’ of Frontage on an Existing Public Way for CSM Lots of 35 Acres or Less

(The Exception) Adopted by the Town Board 051914

1. The Exception must be clearly in the public interest/good.
2. The Exception may be accepted for an option 3 development.
3. The Exception may be accepted for an option 2 development only when the proposal clearly improves compliance with the Land Use Plan, Residential Density Option 2, Sections (B) and (C), and meets all the following goals from option 3:
	1. Residential development (lots) shall be clustered on twenty five (25) percent of the contiguous acres owned on plan effective date. Additionally, shared driveways may be required to enhance the effect of clustering development areas.
	2. Residential driveways shall be sited and constructed in a manner which best minimizes their impact on agricultural land.
4. The Exception may be accepted for an option 1 development only when the proposal clearly improves compliance with the Land Use Plan, Residential Density Option 1, Sections (B) and (C), and meets all the following goals from option 2:
	1. Residential driveways shall be sited and constructed in a manner which best minimizes their impact on agricultural land.
5. The building envelope(s) shall be designed to minimize their visual impact when viewed from public roads and from the surrounding countryside. On properties with prominent, exposed hill tops or ridges, it is desirable for roof tops not to extend above the hill top or ridge line.
6. The location of building envelope(s) shall demonstrate that the impact on the town’s rural character has been minimized.
7. Clustering is desirable and may be required when there is the potential for three or more building envelopes to be created.
8. 5. 1-3 of Points stipulated by Dane County Planning and Development in the handout.

4. The TB pointed out that the exception would only serve to allow a lot to be created that would not be created otherwise – which is not a standard for granting the exception.

5. The TB pointed out that the exception request, a variance from the Town Land Use Plan and the Policy of Implementation of Exception to 66’ of Frontage, did not meet the standards for a variance from the Town of Springdale Land Division Subdivision Ordinance. Specifically, it was discussed that the request did not meet the following standards listed below:

(b) – The lack of 66’ of frontage to create a lot of 35 acres or less is not unique to this property. Landowners in Springdale have discussed the lack of frontage in the past. Granting this variance for the Olsons, would set a precedent for others.

(c) –No specific hardship was demonstrated.

(e)- The granting of the variance would compromise the goals, objectives and policies of the Land Use Plan because the proposal would basically cut an agricultural field in half, which is not consistent with the Plan. There is no way that putting an extra house on this lot improves compliance with the Plan.

(f)-It has not been demonstrated that without the second lot, there is no reasonable use of the property.

SUBCHAPTER 10 VARIANCES, PENALTIES AND VIOLATIONS

3.54 Variance.

(1) Authority. Where, in the judgment of the Town Board, it would be inappropriate to apply literally the provisions

of this chapter because exceptional or undue hardship would result, the board may waive or modify one or more of these

 regulations to the extent deemed essential and proper after considering the nature of the requested variance or waiver and

the provisions of this chapter.

(2) Conditions for granting. No variance to any provision of this chapter shall be granted unless the Town Board makes a

specific finding based on information provided to it that all of the following facts and conditions exists and so indicates

in the minutes of its proceedings.

(a) The granting of a variance or waiver of these regulations shall not be detrimental to the public health, safety or general welfare, or

injurious to other property or improvements in the neighborhood in which the property is located.

(b) The conditions upon which the petition for a variance or waiver is based are unique to the property for which the variance or waiver is sought and are not applicable generally to other properties in the town.

(c) Because of the physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship

to the owner would result, as distinguished from a mere inconvenience, financial hardship, or self-imposed hardship,

if the strict letter of this chapter were imposed.

(d) The requested variance or waiver is the minimum deviation from the terms of this chapter necessary to mitigate the hardship.

(e) The granting of the variance or waiver will not materially compromise the goals, objectives and policies of the Land Use Plan

or the provisions of this chapter.

(f) The legal standard of undue hardship requires that the property owner demonstrate that without a variance

there is no reasonable use of the property.

When the property owner has any reasonable use for the property, the statute takes precedence and the variance should be denied.

[State v. Kenosha County Board of Adjustment, 218 Wis. 2d 396, 577 N.W.2d 813 (1998).]

Motion to support PC denial of the concept plan/exception from requirement supported 3-0.

D. MIDTHUN/DRIVEWAY PERMIT PART 2/CTH J/SEC. 24: MOTION by Fagan/Schwenn to approve Driveway Permit Part 2 as requested with the condition that the driveway be constructed in conformance with the Town Driveway Construction Guide and Driveway Ordinance. Discussion: Town Chair Eloranta conducted a site visit. It appears to be a straightforward driveway, length does not require a reverse-direction area. The shared portion of the driveway from CTH J has been constructed. Motion to approve carried 3-0.

NEW SNOW PLOW OPERATOR FOR 2015: MOTION to approve Chris Gargan as a part-time snow plow operator, as recommended by Town Patrolman Devin Dahlk. Motion to approve carried 3-0.

APPOINTMENT OF ELECTION INSPECTORS 2016-2017: MOTION by Fagan/Schwenn to appoint the following individuals recommended by the Town Clerk to serve as election inspectors for the two-year term: January 2016 – through December 2017.

Colleen and Greg Bass, Diann Chapman, Mary Cook, Loretta Docken, LaVonne Evenson, Tia Fagan, Steve Gauger, Carol Grabins, Scott Grabins, George Hagenauer, Barbara Hartman, Evelyn Hruska, Cindy Jaggi, Amy Jester, Joanne Landry, Barb Lessner, Karen Maund, Wendie McKernan, Sheila Mittelstaedt, Sandra Osborn, Pat Perkins, LuAnn Roberts, Trisha Ruth, Sherry Sinclair, Carol Statz, Janet Swartz, Ruth Voegele, Trouti Winkelman, and Marilyn Zurbuchen. Motion to approve carried 3-0.

OPTION/AGENDA POSTING ON WEBSITE AND ONE PHYSICAL LOCATION: State law recently changed to allow a website posting in lieu of two out of the three physical posting locations. At this point in time the TB generally agreed to maintain our current posting policy by which we post in three physical locations and as a courtesy – publish the agenda in the Mt. Horeb Mail and on the town website. In the future, as people discontinue reading printed newspapers, the policy may be revisited.

ANNUAL AMENDMENT TO THE PLAN: To-date, the Town has received one plan amendment submittal from a citizen and the TB may submit a plan amendment re: lot line adjustments. The annual review process commences at the January PC meeting.

BILLS: MOTION by Schwenn/Fagan to approve the bills as presented. Motion carried 3-0.

ADJOURN: MOTION by Schwenn/Eloranta to adjourn. Motion carried 3-0.

Respectfully submitted, Vicki Anderson, Town Clerk

**Town of Springdale Meeting**

**The Springdale Town Board will conduct its regular monthly business meeting on Monday, Jan. 18, 2016, at 7 p.m. 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.)**

**1. Call to order, Certification of compliance with the Open Meeting Law, Quorum present, Approval of the agenda, (Public input at the time of each agenda item may be permitted.)**

**2. Minutes of previous meetings, 3. Public Input: Non-agenda items,**

**4. Al Hawley/Sign request/CTH P/Sec. 16, 5. Ordinance/No Air Braking,**

**6. Annual amendment to the Plan process, 7. Opt out of DC Zoning Legislation,**

**8. Fire District update, 9.Bills-budget amendment-disposal of town safe,**

**10.Adjourn.**

**A majority of the Town Board and Plan Commission may be in attendance.**

**Post and Publish: 1/14/16 Vicki Anderson, Clerk**