APPROVED MINUTES OF THE SPRINGDALE PLAN COMMISSION MONTHLY MEETING FOR OCT. 22, 2018.

IN ATTENDANCE: Ellen Bunn, Jim Hanson ( p.m.), Mike Healy, 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 10/18/18 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 10/18/18*.*

MINUTES: MOTION by D. Schmidt/A. Jester to approve the September PC meeting minutes as amended (“approves” changed to “improves”). Motion carried 6-0.

TOWN OF VERONA DRAFT COMPREHENSIVE PLAN –INFORMATION ONLY: Dave Maxwell, Town of Verona Plan Commission Chair presented a power point overview of the Town of Verona’s draft revised comprehensive plan. Due to the pressures of the extraterritorial jurisdiction of the cities of Madison and Verona, the Town of Verona now retains planning authority for no more than 2000 acres. To maintain the Town of Verona as an independent, financially sustainable, safe and healthy rural community, this draft Plan recommends increased residential development and its subsequent tax base as the Town’s primary funding source. Of particular interest to the Town of Springdale, is the fact that much of the proposed increase in dense residential development is along Spring Rose Road and County Highway J, the border between the two towns. For example, on what was the Zurbuchen farmland in the Town of Verona, a developer is proposing a 23-lot subdivision. The single access to the subdivision is proposed for Spring Rose Road in the Town of Springdale. Since the Town of Springdale would receive no tax revenue from the residential development in the Town of Verona, while incurring the road maintenance expenses impacted by the Town of Verona development, the two towns have agreed to meet and discuss road maintenance responsibilities. D. Maxwell requests any comments about the draft Plan be submitted to the Town of Verona Plan Commission as soon as possible.

ACCESSORY BUILDING PRE-APPLICATION MEETING: Per the Town of Springdale Accessory Building Ordinance adopted on May 21, 2018, the approval process for accessory buildings - which exceed 1500 square feet or the total size of all accessory buildings on a lot or parcel of land exceed 1500 square feet - requires a site visit. “…shall be reviewed and approved, conditionally approved, or denied by the Town Board, after a required site inspection and recommendation of the Town Plan Commission.” The proposed accessory building shall be field staked for site inspection. A site visit was scheduled for the following accessory building applications.

a. PRE-APPLICATION MEETING/SCHEDULE SITE VISIT: L. BARKER/RIDGEVIEW ROAD/SEC. 16: No Action-Information Only: The Barkers propose a 1620 sq. ft. residential accessory building as a workshop and cold storage. The building is for solely personal use, no business use with electricity, no HVAC or water. It was suggested that the existing driveway would provide access to the building and Town Chair Mike Fagan will review the access for public safety needs. A site visit was scheduled for Nov. 3, 2018, 9 a.m.

CSM LOTS PRE-APPLICATION MEETING/CONCEPT PLAN/SCHEDULE SITE VISIT: Per the Town of Springdale Land Division and Subdivision Code, Sec. 3.24 Concept Plan Review and Site Visit, “Before submitting an application to divide land, the land divider shall review a concept plan with the Plan Commission and receive information regarding general land division requirements…Prior to the concept plan review, the Plan Commission shall schedule with the land divider a time to conduct a site visit of the property. Such site visit shall be conducted by members of the Plan Commission and the land divider…”

a. B. Garfoot/Springdale Center Rd./Sec. 28: No action-Information Only: A site visit was scheduled for Nov. 3, 2018, 9:30 a.m.

ELVER LANDS/CSM CONSISTENT WITH APPROVED CONCEPT PLAN/TOWN HALL RD./SEC. 17: No Action-Information Only: Surveyor Ed Short, the representative for two members of the Elver family presented an aerial view of Lot 1, 26.5 acres, and Lot 2, 26.5 acres. Since this 2- lot layout was inconsistent with the approved 3-lot concept plan on file in the Town Hall, Short will meet with the landowners to better understand their intentions and return to the November PC meeting. Questions include but may not be limited to the following: Is it the landowners’ intent to decrease from 3 lots to 2 lots? If so, the PC will work with the landowners to revise the concept plan. To the North of these two proposed lots, there is an existing 22 acre CSM lot with a potential building site. What are the plans for this lot? Since the farm-to-market road that served the Heuser farm has been reverted to a public driveway, the Town needs to review the access point on Town Hall Road for this lot. If at the time of the concept plan approval, access from the farm-to market road was proposed for the potential building site, that is no longer an option from what is now a private driveway.

DALE CHESTNUT LANDS AND BASSETT LANDSCAPING INC./TWO BUSINESSES IN VIOLATION OF ZONING-REZONING #11357/GUST RD./SEC. 12:

BACKGROUND:

a. Ben Schafman, one of three owners of Steven R. Bassett Inc., has been leasing a portion of Dale Chestnut’s property to operate his landscape business in violation of the C-2 zoning with restrictions on Chestnut’s property. C-2 business associated primarily with trailers is permitted on the land owned by Chestnut, lots 2 and 3 of CSM 6657. The restricted zoning covers a geographical area of two CSM lots totaling approximately 5 acres.

b. Dale Chestnut– Double D Trailers, 2733 and 2737 Gust Road, received a zoning violation letter from Dane County Zoning, dated April 20, 2018 listing the various concerns: 1. Illegal land divisions dating back to Dec. 1996. 2. Areas of the property are not zoned for commercial activity. An area zoned A-1 has been used for expansion of the C-2 business. 3. The current C-2 zoning with deed restrictions became effective on Feb. 12, 1992 when the property was owned by Roger Gust and the zoning was deed restricted to limit the scope and size of the business for Roger Gust’s trailer business. The current land uses have been expanded upon without approval –for example, a landscaping business is operating on property restricted for the trailer business.4. The current trailer business has provided no screening of vehicles outside of buildings as required in the deed restriction. 5. Impervious surfaces have been added to the property without adherence to storm water management rules and regulations.

NEW INFORMATION:

Legal representation for Chestnut and Bassett, Inc.: The attorneys for Bassett Inc. and Chestnut attended the PC meeting. Jessica J. Shrestha, attorney with Wheeler, Van Sickle and Anderson, S.C. represents Bassett Inc. and Juscha E. M. Robinson, attorney with Pines Bach represents Chestnut.

Oct. 8, 2018, the following submittals were received in the Town Hall from Attorney Shrestha:

\*Revised restrictions 10.8.18; Updated Bassett proposed site plan 10.8.18; Updated combined proposed site plan 10.8.18; Updated Double D Services proposed site plan 10.8.18; 32S6380 Revised zoning application signed – not yet filed (with Dane County Zoning); Bassett Inc. Waste Disposal Plan 10.8.18; Double D Services Waste Disposal Plan 10.8.18; Revised restrictions 10.8.18 CLEAN. Oct. 9, 2018, an email from Dane County Zoning Administrator Roger Lane re: retaining A-1 zoning on a 0.41 acres of land, a small piece illegally created in the past.

Oct. 9, 2018, an email from Dane County Zoning that a review for compliance with Dane County Zoning erosion control and stormwater management standards shall be required.

Oct. 22, 2018, Zoning and Land Regulation Committee Staff Report.

Oct. 22, 2018, Resolution of the 66’ easement between landowners Chestnut and Klinger has not yet be reached.

Overview: To facilitate the discussion, Chair A. Jester suggested tonight’s remarks be focused on the items outstanding since the 9/24/2018 PC meeting. These include, but may not be limited, to the following: \*Resolution of the Chestnut-Klinger easement; it impacts the site plan. \*Dane County Erosion Control and Stormwater Management review since it could impact the site plan. \*Town support of a waiver/exception to the 66’ of frontage requirement for the 0.41 acre CSM lot to be deed restricted for use by Chestnut as an access route to a building used in his business. \*Update the site plan for Lot 1, for Chestnut’s Double D Trailer, to provide parking for the number of employees. In Chestnut’s submitted operation plan, 8-11 employees are listed as typical. At the 9/24/2018 PC meeting, 36 employees were suggested without indicating 36 employee parking sites, as required, on the site plan. It was agreed that a plan based on reality would be provided.

MOTION: by Bunn/Sullivan – In making the Motion to recommend approval, it should be stated that the Springdale Town Land Use Plan does not support commercial development, (C-1, C-2)\* except in certain, limited areas of Springdale. This C-2 zoning is an existing zoning and the Town is working to clean up the uses with deed restrictions. The Motion- recommend approval to the TB of the amended C-2 zoning with deed restrictions and the following conditions:

1. Before approval by the TB the following outstanding issues shall be resolved: a. The site plan shall accurately depict the agreed-upon easement width and uses, maintenance, etc. (the 66’, 22’, or 33’ easement between Chestnut and Klinger) on Lot 2. b. The site plan shall indicate parking spaces for 20 employees for Chestnut’s Double D Trailer business on Lot 1. C. The site plan shall accommodate the requirements of erosion control and storm water management for both Lot 1 and Lot 2.

2. Double D Services Inc. Operations Summary 2018 – Double D Services is a trailer and truck equipment business. The scope of our operation includes the following: Service and repair of trailers, Sales of new and used trailers, Custom fabrication/manufacturing of trailers and truck equipment, Truck uplifting which includes the following: bodies and hoists, flatbeds, grain bodies, municipal patrol trucks, snow and ice control equipment (snow plows and salters/sanders), Snowplow sales and service, Salter/sander sales and service, Truck accessories – hitches, bed covers, step tubes, etc.

3. The permitted uses for Lot 1 shall be limited to the following:

a. Repair, storage and service to all types of motor vehicles, trailers, machinery or equipment.

b. Sales or rental of used motor vehicles. Provided, however, a maximum of ten motor vehicles offered for sale or rental shall be permitted on the property at any given time.

c. Manufacturing of truck trailers, equipment and general purpose trailers.

d. Sales or rental of new or used trailers and equipment of all types.

e. Primary business operations shall be limited to weekdays and Saturdays between the hours of 6:00 a.m. to 6:00 p.m. Business operations on Sunday may occur as needed due to weather or in the event of emergencies.

f. Screening shall be installed during the next available planting season in the approximate locations shown on the attached Exhibit B and shall consist of a planted evergreen screen initially landscaped with four (4) foot tall evergreen shrubs. Such screenings shall thereafter be maintained.

g. On-site employees are limited to 20 or fewer, full-time or equivalent employees.

4. Except in the case of emergency or when necessitated by road work, any vehicle with a gross vehicle weight over 12,000 lbs., which is operated or used in connection with any commercial use of the Property permitted under these Restrictions, shall limit travel on Gust Rd., to between the location of the Property and County Highway PD. Gross vehicle weight means the weight of any truck or road tractor and its semi-trailer plus the load that the vehicle is rated to haul.

5. Any vehicle, trailer or equipment that is inoperable, other than a vehicle, trailer, or equipment temporarily waiting for repair, and any vehicle, trailer, or equipment parts shall be kept in an area screened from public view or in an enclosed building.

6. Any vehicles, trailers or equipment stored on the property within the public view shall be stored in a neat and orderly fashion.

7. On-street parking by employees is not permitted at any time. No parking or storage of vehicles, trailers or equipment is permitted within the street right-of-way.

8. The maximum height of any buildings shall be thirty-five (35) feet.

9. Outdoor lighting, except for required security lighting, shall be operational only during hours of operation. All lighting shall be shielded to prevent glare into the night sky or direct-beam illumination of neighboring residences. All new lighting fixtures shall be full cut-off fixtures which prevent all upward transmission of light. All night photo cell-controlled lighting shall not be permitted, however, motion-controlled switch-controlled security lights are acceptable. All outdoor lighting shall be in compliance with applicable county and town ordinances.

10. The 0.41 acre parcel currently zoned A-1 shall retain A-1 zoning and the uses shall be limited to access only; no development or business of any kind shall be permitted; no storage, no parking.

11. Signage shall conform to the Town of Springdale Sign Ordinance and all state and county requirements.

12. Outdoor loud speakers or the amplification of sound is prohibited.

13. Waste Disposal Plan as submitted on Oct. 8, 2018

14. A statement “No further divisions for development of this Lot shall be permitted per the current Town of Springdale Land Use Plan and ordinances.”

15. Architectural Review of the site plan and any and all alterations and additions to the property shall be reviewed and approved by the PC per the Town Plan. The existing building(s) and all future building(s) shall comply with all Dane County Zoning and Town of Springdale Building Code requirements.

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DEED RESTRICTIONS FOR LOT 2

1. Steven R. Bassett Inc. Operations Summary 2018 is a complete Landscape and Tree Care Company primarily servicing Dane County as well as surrounding areas. Almost all business is conducted offsite on customers’ property.

2. The permitted uses for Lot 2. Uses shall be limited to the following:

a. Landscape contracting businesses and buildings used in connection with such activity. WHY PLURAL – BUSINESSES?

b. Storage of construction equipment necessary for the operation of such landscape contracting business.

c. Repair, storage and service to all types of motor vehicles, trailers, machinery or equipment used in connection with the operation of such landscape contracting business.

d. Temporary outside storage of materials or supplies used by such landscape contracting business in fulfilling its contracts.

e. Seasonal outside storage of nursery stock and plants.

3. Primary business operations shall be limited to weekdays between the hours of 4 a.m. to 8 p.m. Business operations on weekends may only occur as needed due to weather or in the event of emergencies.

4. On-site retail sales are prohibited.

5. All parking shall be setback at least 22 feet from the south boundary of Lot 2.

6. Screening shall be installed during the next available planting season in the approximate locations shown on the attached Exhibit B and shall consist of a planted evergreen screen initially landscaped with four (4) foot tall evergreen shrubs to ultimately form a continuous hedge not less than five (5) feet in height. Such screening shall thereafter be maintained.

7. Pervious green space, which shall include a turf reinforcement mat, shall replace existing gravel during the next available planting season following the date of this Restatement in the approximate location shown on the attached Exhibit B. Such green space shall thereafter be maintained.

8. The total building footprint shall not exceed 35% of the area of Lot 2.

9. A maximum of 28 employee parking spaces is permitted on Lot 2.

10. On-site burning is prohibited.

11. Business signage is prohibited.

12. Except in the case of emergency or when necessitated by road work, any vehicle with a gross vehicle weight over 12,000 lbs., which is operated or used in connection with any commercial use of the Property permitted under these Restrictions, shall limit travel on Gust Rd., to between the location of the Property and County Highway PD. Gross vehicle weight means the weight of any truck or road tractor and its semi-trailer plus the load that the vehicle is rated to haul.

13. Any vehicle, trailer or equipment that is inoperable, other than a vehicle, trailer, or equipment temporarily waiting for repair, and any vehicle, trailer, or equipment parts shall be kept in an area screened from public view or in an enclosed building.

14. Any vehicles, trailers or equipment stored on the property within the public view shall be stored in a neat and orderly fashion.

15. On-street parking by employees is not permitted at any time. No parking or storage of vehicles, trailers or equipment is permitted within the street right-of-way.

16. The maximum height of any buildings shall be thirty-five (35) feet.

17. Outdoor lighting, except for required security lighting, shall be operational only during hours of operation. All lighting shall be shielded to prevent glare into the night sky or direct-beam illumination of neighboring residences. All new lighting fixtures shall be full cut-off fixtures which prevent all upward transmission of light. All night photo cell-controlled lighting shall not be permitted, however, motion-controlled switch-controlled security lights are acceptable. All outdoor lighting shall be in compliance with applicable county and town ordinances.

18. Waste Disposal Plan as submitted on Oct. 8, 2018

19. Outdoor loud speakers or the amplification of sound is prohibited.

20. A statement “No further divisions for development of this Lot shall be permitted per the current Town of Springdale Land Use Plan and ordinances.”

21. Architectural Review of the site plan and any and all alterations and additions to the property shall be reviewed and approved by the PC per the Town Plan. The existing building(s) and all future building(s) shall comply with all Dane County Zoning and Town of Springdale Building Code requirements. MOTION to recommend approval to the TB with conditions and deed restrictions carried 7-0.

\*The Plan states: “Because heavy commercial and industrial uses are incompatible with the goals and policies of this Land Use Plan, the Town of Springdale shall not support rezoning to the C-2 Commercial District and the M-1 Manufacturing District.

PLAN COMMISSION PROCEDURES: SITE VISITS:

Next PC meeting Nov. 26, 2018, Submittals for the November monthly meeting should be submitted to the Town Clerk by Monday,

Nov. 12, 2018. Site Visit: Nov. 3, 2018, 9 a.m.

ADJOURN: MOTION by unanimous consent, motion carried 6-0. Respectfully submitted, Vicki Anderson, Deputy to the PC