

APPROVED MINUTES OF THE SPRINGDALE PLAN COMMISSION MONTHLY MEETING FOR JAN. 27 2020

IN ATTENDANCE: Rich Bernstein, Jim Hanson, Mike Healy, Amy Jester, John Rosenbaum, 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 7:07 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 01/23/2020 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 01/27/2020. In addition, a Class 2 notice was published for the Zimmer CUP.

MINUTES: MOTION by A. Jester/J. Hanson to approve the draft meeting minutes of the 11/25/2019 monthly meeting of the Plan Commission, PC, as distributed. Motion to approve carried 5-0-1 (Healy abstained.)

ACCESSORY BUILDING: TIM HAYES/SPRING ROSE CIRCLE/ACCESSORY BUILDING #1-3175 SQ. FT., ACCESSORY BUILDING #2-FOUR STALL GARAGE 1728 SQ. FT./SEC. 24:

MOTION by A. Jester/ D. Sullivan to recommend approval of the residential accessory building of 3175 sq. ft. for the replacement of an existing horse barn and the residential accessory building, a four-stall garage, of 1728 sq. ft.. as detailed on the application submitted to the Town Hall. The application is considered consistent with the goals and objectives of the Town Land Use Plan, Town Accessory Building Ordinance and Town Dark Sky Lighting Ordinance; no commercial equipment shall be stored in either building and the structures are well-screened from neighboring property. Discussion: T. Hayes had received approval for the construction of a replacement horse barn in 2016 but never completed that project. Even though the new horse barn is located a distance from the Hayes' driveway, it was generally agreed that safety equipment could access the site from the neighboring property, if necessary. Motion to recommend approval carried 6-0, 7:34 p.m.

JOINT MEETING OF THE TB FOR THE PURPOSES OF REVIEWING AND ACTING ON AGENDA ITEM ABOVE.

PUBLIC HEARING: REZONING #11518 OF NEW CSM LOTS/KARL & JUDY HACKER/ CTH G/SEC. 25:

MOTION by A. Jester/J. Hanson to recommend approval of rezoning petition #11518 as detailed on the submittal to Dane County Zoning and with the conditions that there shall be no further divisions for development per the current Town of Springdale Land Use Plan and the new lots Lot #1 and Lot #3 are subject to a Town-approved building envelope, the location document is on file in the Town Hall. Discussion: The Hackers had completed the concept plan and Certified Survey Map for a three-lot division by the 11/25/2019 PC meeting. This rezoning is the necessary step required with this new lot configuration. The original Lot 1, approximately 16 acres, and Lot 2, approximately 4 acres, of CSM 9688 were zoned RM-16 and RR-2. Since a third lot is now created, land was redistributed among the original two lots to create the third lot. The new Lot 3, approximately 3.29 acres, shall be zoned RR-2. Motion to recommend approval carried 6-0, 7:55 p.m.

PUBLIC HEARING: CONDITIONAL USE PERMIT, CUP #2491 LIMITED FAMILY BUSINESS - LANDSCAPING, JOSH ZIMMER/CTH G/SEC. 34:

Proposal: Josh Zimmer, the sole proprietor of Hardscapes, a landscaping firm, has been working with Dane County Zoning to bring his limited-family business into compliance with Dane County Code of Ordinances, Chapter 10, and the Town of Springdale Land Use Plan. Due to the nature of Zimmer's business, since he is the sole employee and has no plans to expand his business, it could meet the standards of a limited family business, a conditional use in the RR-2 residential zoning district, but a residence must be on the property. Now that the Zimmer residence has been constructed, he applied for the CUP.

Proposed Conditions: The limited family business Conditional Use shall be limited to the following:

1. Type of Activity Proposed: Hardscapes LLC is a small landscape construction company with zero employees and no plans for expansion beyond the definition of a limited family business, l.f.b. It is the intent of the Zimmers to retain their residential property looking like a farmette.
2. Hours of operation – Monday – Friday, 7 a.m. – 5 p.m.
3. Number of employees shall not exceed the l.f.b. standard of no more than one or one full-time equivalent who is not a member of the family residing on the property.
4. No business shall be conducted on site; no sales, no services.
5. No outdoor storage of equipment or materials shall be permitted except for the outdoor parking of two pick-up trucks in the area designated on the site plan as the cattle yard. The equipment and material stored indoors includes two trailers and a skid loader and attachments.
6. The area of the residential lot to be used for the l.f.b. includes the cattle yard and southern-most shed as depicted on the site plan, dated 1/27/2020.
7. Outside business activity shall be prohibited.
8. Burning of materials and refuse associated with the business shall be prohibited.

9. Hauling debris and refuse associated with the business to the site shall be prohibited.
10. All lights shall comply with the Town of Springdale Dark Sky Lighting Ordinance.
11. Signage and loudspeakers shall be prohibited.
12. Structures must be residential accessory buildings.
13. The l.f.b. CUP shall automatically expire upon sale of the property or the business to an unrelated third party. Rezoning or relocation of the business may be necessary or become necessary if the business is expanded.

Discussion: J. Zimmer stated that the landscaping work is completed on his customers' property. He is the sole employee coming and going with equipment from his home, other than occasionally his brother may work with him. In the winter he does snow plowing, but does not store any of that equipment at his home. No citizens in attendance commented on the proposed l.f.b. CUP.

Eight Standards of a Conditional Use Permit: As part of the CUP process the following standards shall be met. PC Chair Jester read the individual standard and the PC voted whether the standard shall be met with the agreed upon conditions.

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare. *6-aye, 0-nay.*
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance operation of the conditional use. *6-aye, 0-nay.*
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. *6-aye, 0-nay.*
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use. *6-aye, 0-nay.*
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. *6-aye, 0-nay.*
6. That the conditional use shall conform to all applicable regulations of the district in which it is located. *6-aye. 0-nay.*
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans. *6-aye. 0-nay.*
8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220(1). *Not applicable; it is not in the FP area.*

MOTION by J. Rosenbaum/D. Sullivan to recommend approval of CUP #2491 as outlined on the application submitted to Dane County Zoning for the Zimmer residential property on CTH G with the conditions listed above. Motion carried 6-0.8:40 p.m.

PLAN AMENDMENTS SUBMITTED BY 12/31/2019: Discussion only-no action: The single Plan amendment submitted for consideration is: a Plan amendment to include enabling language in the Plan re: landowner filing a deed restriction to prevent further land division for development. The deed restriction 'gives up' potential density units. In speaking to Dane County Zoning, such a deed restriction would be easier to enforce in the future with the Town Plan containing such enabling language. The PC gave the Deputy Clerk the okay to pursue draft language for the Town of Springdale Land Use Plan.

PC PROCEDURES:

* A. Jester volunteered to make the necessary changes to the Town of Springdale Land Use Plan when the recent amendments to DCCO Chapter 10 are finalized at Dane County Zoning. The Deputy Clerk will obtain the amended copies of DCCO Chapter 10 for the PC, TB and Town.

* R. Bernstein pointed out that various Town ordinances should be reviewed to identify text where the discontinued zoning districts remain and to make the necessary changes.

*The PC and TB will further discuss the best process to employ to streamline the CSM and rezoning steps required with the comprehensively revised DCCO Chapter 10. As an example: A lot of 17 acres currently zoned RM-16, Rural-Mixed of 16 acres or more, may be divided into two smaller lots. The lots smaller than 16 acres will be rezoned into RM-8, RR-8, RR-2, etc. whichever zoning district best matches the use and the acreage size of the lot. It may be best to discuss this procedural step at the concept plan stage of development. More discussion to follow.

ADJOURN: MOTION to adjourn by unanimous consent. Respectfully submitted, Vicki Anderson, Deputy to the PC