

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
May 2, 2016

PUBLIC HEARING – PROPOSED AMENDMENTS TO 10.10 CHILD SAFETY AREAS AND 08.03  
RIGHT OF WAY PERMITS

- I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Attorney Connie Anderson, Clerk Kim Banigan, Treasurer Debra Abel and Highway Superintendent Jeff Smith. Other attendees are listed on the sign-in sheet available in the Clerk's office.
- II. Hampton called the public hearing to order at 7:00 P.M.
- III. Hampton said that the proposed amendment to 10.10 Child Safety Areas is in response to 2015 Act 156. The distance between child safety areas and the residence of a level III sex offender would be decreased from 1500 feet to 1000 feet. In addition, no level III sex offender may reside adjacent to the home of a child. The amendment also adds exceptions in accordance with 2015 Act 156.
- IV. Hampton said that the proposed amendment to 08.03 Right of Way Permits allows for different fees and standards to accommodate different levels of impact on Town roads.
- V. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 4-0.** The public hearing ended at 7:03 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
  - A. Notice of the meeting and attendance were as described for the Public Hearing above.
  - B. Hampton called the meeting to order at 7:03 P.M.
  - C. Minutes of previous meeting(s):
    1. **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on April 4, 2016 and April 18, 2016 Road Inspection with corrections. **MOTION CARRIED 4-0.**
    2. Motion by DuPlayee/Williams to approve the minutes from the closed session held on March 21, 2016, and to keep them closed until the matter is settled. **MOTION CARRIED 4-0.**
  - D. Finance Report and Approval of Bills:
    1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #30223-30315 from Monona State Bank and check #24431 from Wisconsin Bank and Trust. **MOTION CARRIED 4-0.**
    2. **MOTION** by DuPlayee/Williams to approve payment of April per diems as presented, and payment of \$1,360.00 to Viken Inspection Agency, LLC for April building permits. **MOTION CARRIED 4-0.**
  - E. Public Concerns: None.
  - F. Road Right of Way Permits: **MOTION** by DuPlayee/Fonger to approve a permit for Frontier Communications to bore underground across and parallel to the right-of-way on N. Jargo Road for a service drop. **MOTION CARRIED 4-0.**
- II. BUSINESS:
  - A. Plan Commission Recommendations:

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
May 2, 2016

1. Dennis Richardson, Applicant, Huston Living Trust, Landowners – parcel 0711-283-9800-06 at 3355 County Road N: seeking conditional use permit to allow for a composting site on 45 acres currently zoned C2 and A2: Richardson explained that the proposed compost site would be in the Skaar pit, which has 9 years left of a CUP for non-metallic mining. Compost materials would include surplus wood chips from R.G. Huston construction projects along with cattle and horse manure from Huston farms. Compost rows would be angled to drain to a pond. A limited term DNR permit is already in place. In fact, Richardson said that the DNR is encouraging it as it is considered as recycling. The 120 day process will produce a highly desirable compost product that will be used on R.G. Huston projects, and possibly eventually sold to others. Questions were raised about odors, Richardson said the most exposure would be as the piles are turned, but odors should quickly dissipate. John Loether, 2574 Hupmobile Drive, asked about contamination potential from the manure. Richardson said that the additional retention pond is the only required addition to meet stormwater/erosion control requirements. **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to approve the Conditional Use Permit for the composting site on the 45 acre site, zoned C2 & A2. Manure limited to horse and cattle only, no onsite storage of raw manure longer than 48 hours. All DNR and County permits to be in effect for all allowed operations, with copies to be filed with the Town Clerk. Hours to be the same as those specified by the non-metallic CUP, rows limited to the C2 area. Composting CUP to expire in 9 years at the same time as the non-metallic mining CUP does, with composting CUP to be reviewed every three years by the Town. The 6 conditions under DCCCO 10.255(2)(b) were all considered satisfied. **MOTION CARRIED 4-0.**
  2. Viney Acres, applicant and landowner of parcel 071126485020 and Joseph Conway, landowner of parcel 0711-264-8530-0 at 1923 Nora Road: Seeking rezone of 2.061 acres from A-2(4) to A-2(2) and 4.529 acres from A-2(4) to A1-EX for zoning district compliance: **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to approve the rezone as stated above for technical compliance. **MOTION CARRIED 4-0.**
  3. Correction of inadvertent omission of Baxter Road receiving area from future land use map with 2015 Comprehensive Plan update: **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to fix the error and send the revised map to the County. **MOTION CARRIED 4-0.** Hampton suggested that while we are at it, we should extend the Neighborhood Development Area from Gladeview north to touch the commercial development area at the corner of Hwy N and Coffeytown Road. **MOTION** by Williams/DuPlayee to approve this map change as long as the landowner is in agreement, and forward to the Plan Commission for their consideration. **MOTION CARRIED 4-0.**
- B. Discuss/Consider adoption of an amendment to TCG 10.10 Child Safety Areas: **MOTION** by Fonger/DuPlayee to adopt the amendment as presented. **MOTION CARRIED 4-0.**
- C. Discuss/Consider adoption of an ordinance and/or resolution regarding TCG 08.03 Right of Way Permits and fees: Attorney Anderson presented the revisions recommended by herself and Engineer Warren Meyers. There was discussion about the requirement for a deposit. It was decided that the amount would be determined on a per permit basis depending on the potential remedial cost to the Town. Open cuts to pavement too small for a roller compactor to be used would require a Type II patch. Dane County has a good diagram of what this entails, which the Clerk will make available. **MOTION** by Fonger/Williams to amend 08.03

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
May 2, 2016

Right-of-way Permits as presented tonight, with the change to allow deposits to be set on a per permit basis. **MOTION CARRIED 4-0.**

- D. Review 2015 Highway Department Overtime Hours: This review was called for by Town Board discussion about a year ago. An analysis of the years 2010-2016 showed overtime hours ranging from 182 in 2015 to 457 in 2014, with other years running between 200 and 300. The budget estimates 400. It was decided there was no need for concern or action.
- E. Discuss/Consider speed limit on Ridge Road: This agenda item stems back to a resident request last Fall. That resident was not in attendance tonight, but the Clerk had provided him with notice of the agenda as well as speed studies performed in 2009. An email from Deputy French indicated that the speed board is no longer capable of gathering speed data. No action was taken.
- F. Discuss/Consider Eagle Scout project to a build fire pit near the Veteran's Memorials: Ben Rathert presented his plans for a fire pit behind (to the east of) the memorials and benches facing the memorials from the West. He said he would begin the project in June or July, with completion by mid-August. Smith asked that the benches be surrounded by stone or bark since there would not be room for the mowers to get around them. **MOTION** by DuPlayee/Williams to approve Ben Rathert's plans to add a fire pit and benches to the Veteran's Memorials at the Town Hall, working with Highway Superintendent Jeff Smith to finalize details. **MOTION CARRIED 4-0.**
- G. Consider quotes to replace Town Garage Roof: Smith had obtained two quotes:
1. Tilson Roofing Company: \$33,740 to install 1 1/2" Styrofoam insulation between the ribs and cover with a black rubber roof.
  2. Universal Roofing: \$28,645 to install poly polystyrene insulation between the ridges, then a 1/2" layer of coverboard followed by white TPO (plastic) and fabricate a new perimeter edge. A 20 year manufacturer warranty would apply.
- MOTION** by Williams/DuPlayee to accept Universal Roofing's quote assuming acceptable proof of insurance is provided. **MOTION CARRIED 4-0.**
- H. Discuss/Consider 2016-17 Committee Appointments: **MOTION** by Fonger/Williams to approve the committee appointments as recommended by Hampton. **MOTION CARRIED 4-0.**

III. CLERK'S REPORT: The Clerk reported that the Town had a 70% turnout for the April 5<sup>th</sup> election, and that while there was a 40-45 minute wait for much of the time, it was nowhere near the 2 hours reported to the media. She is looking into making some changes before November, but there is only so much that can be done to speed up the process with the new photo ID requirement.

IV. HIGHWAY SUPERINTENDENT'S REPORT:

- Public Works employee Norman Schmelzer has been in the hospital.
- The second driveway recently approved by the board for 4703 Buss Road has caused some neighbor disputes. The property owner did not locate it as was indicated in the diagram he presented, and the County is involved to make sure it is on the right property. Smith suggested future approvals should require a survey if the new driveway will be close to the lot line.

V. BOARD REPORTS AND COMMUNICATIONS:

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
May 2, 2016

- A. Hampton received a letter regarding an environmental impact study for the proposed Great Lakes Basin railroad.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Two of the three municipalities agreed to purchase two ambulances using \$200,000 of DGEMS unassigned funds.
- B. Joint Town/Village Fire Department Committee: The committee approved the use of Town of Pleasant Springs contract proceeds to purchase a turbo draft for using Lake Kegonsa water in the portable tanks. Six new fire fighters are in training. There will be some changes to the format of the festival this year.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 9:00 P.M.

Kim Banigan, Clerk  
Approved 05-16-2016