

TOWN OF COTTAGE GROVE
PLAN COMMISSION
May 25, 2016

1. Notice of the meeting was posted at Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Mike DuPlayee, Dave Muehl, Wilmer Larson, Virgil Schroeder, Phil Bultman and Ben Morrow in attendance. Attorney Connie Anderson was also present. See sign-in sheet for others in attendance.
2. Chair Kris Hampton called the meeting to order at 7:00 P.M.
3. Approve minutes of the previous meetings: **MOTION** by Schroeder/Larson to approve the minutes of the April 27, 2016 meeting as printed. **MOTION CARRIED 5-0-2** (Morrow and DuPlayee abstained).
4. Public Concerns: None.
5. Five year review of CUP 2175 for a Concrete Batch Plant at 2294 US Highway 12 & 18, operated by Rocky Rights, LLC/Wade Cattel:
 - A letter from Dane County Assistant Zoning Administrator Dan Everson stated that there have been no violations with regards to the concrete batch plant. He had toured the site recently.
 - Mr. Cattel provided a dust control plan (will need to get a signed copy to the Clerk) and an erosion control plan dated February 18, 2016.
 - A driveway permit is on file.
 - No complaints have been received by the Town in the last year.
 - All other conditions appear to be met.
 - The Clerk should have a certificate of insurance on file.
 - Alex Tukiendorf distributed a packet alleging loss of property value and 403 violations of the conditions of the CUP including hours of operation. He would like Dane County to hold a revocation hearing.
 - Mr. Cattel's rebuttal to Mr. Tukiendorf's allegations were that the pickup trucks shown in the photos are not part of the concrete plan operation, and no concrete trucks are hauling outside of permitted hours.

No commission action was taken.

6. Greg Ewelt, owner/applicant and Nick Ewelt, co-applicant, parcel 0711-323-9390-4 at 3188 Vilas Road – seeking rezone of 1.32 acres from R1-A to A-2 with a CUP for a Limited Family Business to manufacture frozen pizza: Mr. Ewelt stated that there would be no retail sale on the site, and no shipping across state borders. Operations would consist only of assembly, freezing and storing of pizzas. Expected hours of operation would be 9:00 a.m. to 3:00 p.m. weekdays. There would be no more than 6 trips each day to deliver the pizzas to customers. Jerry Ewers, 3194 Vilas Road, objected saying it was very close in proximity and he did not like the operating hours. **MOTION** by Schroeder/DuPlayee to approve the rezone of 1.32 acres from R1-A to A-2. **MOTION CARRIED 7-0.** **MOTION** by Schroeder/DuPlayee to approve a Conditional Use Permit for a limited family business to manufacture frozen pizza for a period of 2 years. Hours of operation to be 9:00 a.m. to 3:00 p.m. weekdays. No more than 3 business trips in and 3 business trips out per day. Transit van utilized for pizza delivery may be stored overnight. The findings of fact under DCCO 10.255(2)(b) were all considered satisfied. **MOTION CARRIED 7-0.**
7. Donald Viney, applicant, Viney Acres, LLC, Landowner – parcel 0711-213-9720-7 at 3695 County Road N:
 - a) Discuss and consider request to rezone 11.41 acres from A-1EX to R-1 to create a rural subdivision (reappearance from April meeting). Surveyor Dan Birrenkott, Engineer Ryan Quam,

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and Realtor Kyle Broom were in attendance along with Don and Marilyn Viney. The new concept plan presented included 15 lots with an outlot along County Road N for stormwater retention. This plan is yet to be approved by the County and DNR. While the presentation is still at 15 lots, not the 11 stipulated by the commission at the last meeting, the lot size still meets the land use plan conditions.

- Dave Carlson, 3703 County Road N objected to the discussion of the 15 lot plan, stating the developers were being disrespectful of the Commission's motion last motion.
- Kathy Robinson, 2562 Hupmobile Drive, also objected, for the same reason as Carlson.
- Rick Schumal, 2578 Hupmobile Drive wondered about the mindset.

MOTION by Bultman/Muehl to table until a plan for 11 lots is provided. **MOTION FAILED 2-3-2** (Hampton, DuPlayee, and Larson opposed, Morrow and Schroeder abstained).

- Dennis Viney, 3707 County Road N, said that:
 - Section 15.8.7.4 of the TCG Code of Ordinances states that there shall not be more than one dwelling unit per acre. It was noted that this ordinance should be updated to agree with the Comprehensive Plan.
 - Lot 4 would have a ridge crest issue
 - He is concerned about drainage off of Lot 3 onto his property.
- Cynda Solberg, 3703 County Road N, said that the Comprehensive Plan allows for lots up to one acre in size, and the motion last month was for 11 lots.
- Jim Weber, 3716 Crestview Dr., wants a traffic study done, he is worried about extra traffic in existing neighborhoods until Gladeview eventually connects to County Road N.
- Mike and Sandy Goke, 2570 Hupmobile Drive, are concerned about runoff and would prefer the ¾ acre lot size with deed restrictions to be determined. They want the look and feel of the lot size to be the same as adjacent parcels. They also are concerned about the conditions of last month's motion not being met.
- Response on water: Lots 14 and 12 would be re-cut to redirect water. A 4 foot ditch in a drainage easement would be installed to carry water to the run-off pond
- Commission discussion:
 - Bultman is concerned about school costs for adding additional students.
 - Schroeder is concerned about the number of lots (11 vs. 15) and water run-off into the ditch, would like to see the impact of lot size on area remaining for utilities along with more detailed information on the stormwater plan.
- Attorney Anderson said that the experts show that the concept plan will work, it is up to the board to determine if lot size is acceptable.
- Don Viney said that no one has complained about water flow in the past.

MOTION by Hampton/DuPlayee to reconsider last month's motion, to put it back on the table. **MOTION CARRIED 5-2** (Bultman and Muehl opposed).

MOTION by DuPlayee/Larson directing the developers to bring back an analysis of siting of typical houses and septic fields for 15 lots. **MOTION CARRIED 7-0.**

- b) Discuss and consider developer's agreement: Not useful yet, premature.

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8. Election of Officers (Chair and Secretary): **MOTION** by Schroeder/DuPlayee to elect Kris Hampton as Chair and Dave Muehl as Secretary. **MOTION CARRIED 7-0.**
9. ADJOURNMENT: **MOTION** by Schroeder/DuPlayee to adjourn. **MOTION CARRIED 7-0.**
The meeting was adjourned at 9:10 P.M.

Submitted by: Dave Muehl

Approved 06-22-2016