

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
JANUARY 23, 2008

- I. Notice of the meeting was posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way, and a quorum was present.
- II. Regular Plan Commission Meeting was called to order at 7:00 P.M. by Chair Silvin Kurt. Other members present were: Steve Anders, Phillip Bultman, Virgil Schroeder, Kris Hampton, David Muehl, and Sharon Fredenberg. Also present was Gary Peterson of Crispell-Snyder.
- III. Approval of minutes of previous meetings: **MOTION** by K. Hampton/S. Anders to approve the minutes of the Joint Meetings with the Town Board on November 28, 2007 and December 17, 2007. **MOTION CARRIED 5-0-2** (S. Fredenberg and Phil Bultman abstained.).
- IV. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item: None.
- V. Royal Oak Engineering Inc. for Skaar Scattered Acres, T. Wesley Skaar, Developer, (Russell Development, LLC, Landowner): Request to revise lot configuration for previously approved three lots on Laudon Road, moving the easement for future road to the south of Lot 3: **MOTION** by K. Hampton/S. Anders to approve the revised lot configuration, with 66' road easement south of lot 3, as shown on Plat of Survey dated January 4, 2008. **MOTION CARRIED 7-0.**
- VI. Royal Oak Engineering Inc. for T. Wesley Skaar, Landowner: 3854 Laudon Road – Zone Change – A-1EX to RH-1 for 2 acres. Separate house and some buildings from the original parcel for a single family residence: **MOTION** by S. Anders/S. Fredenberg to approve the rezone from A1-EX to RH-1 for 2.16 acres to separate the house and some buildings from the barn and remaining acreage, using one RDU. It was noted that there should be only 1 RDU left on the former Laudon Farm after this rezone. **MOTION CARRIED 7-0.** There was discussion that transfer of ownership to T. Wesley Skaar should be complete before the zone change is approved by the Town Board.
- VII. Lance & Jennifer Peterson, 2995 County Hwy BB – Zone Change – R-1 to C-2 for .673 +/- acres. Intended land use for a shop for House of Horsepower and Custom Hot Rods: Petitioners not present at 7:20 P.M. – **MOTION** by S. Anders/V. Schroeder to hold in abeyance. **MOTION CARRIED 7-0.** Upon petitioners' arrival, **MOTION** at 7:46 P.M. by S. Fredenberg/S. Kurt to bring the item back to the table. **MOTION CARRIED 7-0.** No specifications on the building design and location were presented. No public comment was offered. Petitioners were instructed to develop a site plan. **MOTION** by K. Hampton/S. Anders to table until February 26, 2008. **MOTION CARRIED 7-0.**
- VIII. Discuss/Consider/Approve Joint Town and Village of Cottage Grove Extraterritorial Zoning Ordinance and Map: K. Hampton proposed holding a public hearing jointly with the Plan Commission, ETZ Committee and Town Board on Tuesday, February 26, 2008 at 7:00 P.M. **MOTION** by S. Fredenberg/S. Anders to hold the discussion and approval in abeyance. **MOTION CARRIED 7-0.**
- IX. Discuss/Make Recommendations regarding potential ordinance amendment ideas to Dane County Chapter 10 (Zoning): D. Muehl expressed concern about #16, the weight of Comprehensive Plan on zoning changes. No action was taken.
- X. Adjournment: **MOTION** by S. Anders/K. Hampton to adjourn. **MOTION CARRIED 7-0.** Meeting adjourned at 8:29 P.M. The next meeting will be on February 26, 2008 at 6:30 P.M. to consider the Peterson rezone (VII. above) if a site plan is available. No new rezone petitions will be considered until the regular Plan Commission meeting in March.

Submitted by: David Muehl

Approved 3-26-2008

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
MARCH 26, 2008

- I. Notice of the meeting was posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way, and a quorum was present.
- II. Regular Plan Commission Meeting was called to order at 7:00 P.M. by Chair Silvin Kurt. Other members present were: Steve Anders, Phillip Bultman, Virgil Schroeder, Kris Hampton, David Muehl, and Sharon Fredenberg. Also present were Gary Peterson and Jennifer O'Leary of Crispell-Snyder.
- III. Approval of minutes of previous meetings: **MOTION** by V. Schroeder/S. Anders to approve the minutes of the January 23, 2008 Plan Commission meeting as printed. **MOTION CARRIED 7-0.**
- IV. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item:
  - A. Liza Lightfoot distributed plans for a house on her 60 acres off of Siggelkow Road, and stated that she has filed a farm plan with Dane County with > \$100,000 of revenue. A recent County density study says there is 1 RDU available. Anders mentioned the existing well, noting that its placement inside the right-of-way is OK since it is on a private drive. The driveway for the new home would be off of the private drive. The LC-1 parcel would be deed restricted for no further residential development. Lightfoot is not rezoning due to the Ag related use, she simply needs the deed restriction and a building permit. No action is required of the Plan Commission.
  - B. There was a question whether there have been any developments or future meetings scheduled between the Town, Village and City regarding boundary issues. Anders and Hampton stated they did not know when the next meeting would be.
- V. Items of Change to the Town Comprehensive Plan requested by Residents
  - A. Nola, James & Neli Skaar – Amend the plan to include a receiving area of 58 Acres +/- in Section 26, Town of Cottage Grove shown as tax parcel #0711-2649-7206, 0711-2649-5010, 0711-2548-0010. This area is agricultural in nature with a number of single family dwellings adjoining land. It is our plan to maintain agricultural land until an orderly pattern of residential development occurs as infill with adjoining homes: No persons were in attendance at 7:15 P.M.; Ellery Jensen in attendance at the end of Agenda Item #6 presentation. S. Kurt recused himself as chair of the meeting, K. Hampton ran the meeting at this point. There was general discussion for and against development east of County Road N, due to Extraterritorial Jurisdiction restrictions by the Village of Cottage Grove and the City of Madison. **MOTION** by S. Anders/K. Hampton to forward the request to a public hearing in the Phase III update of the Comprehensive Plan. **MOTION FAILED BY TIE 3-3-1** (S. Kurt abstained).
- VI. Gary Peterson (with Jennifer O'Leary)
  - A. Review/Discuss preliminary ideas for the development at CTH "N": Peterson and O'Leary reviewed goals and objectives of area #6 on a map of the proposed development area, with options A and B (differing mainly by road placement). Peterson will discuss the ideas with Alliant Energy and Jim Hirsch. **MOTION** by S. Anders/P. Bultman stating the commission's preference for Concept Plan A as the basis for the future plans. **MOTION CARRIED 6-1.**
  - B. Review/Discuss Comprehensive Plan Update: No Discussion.
- VII. Adjournment: **MOTION** by S. Anders/S. Fredenberg to adjourn. **MOTION CARRIED 7-0.** Meeting adjourned at 8:50 P.M.

Submitted by: David Muehl  
Approved 04-23-2008

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
APRIL 23, 2008

- I. Notice of the meeting was posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way, and a quorum was present.
- II. Regular Plan Commission Meeting was called to order at 7:00 P.M. by Chair Silvin Kurt. Other members present were: Steve Anders, Phillip Bultman, Virgil Schroeder, Kris Hampton, David Muehl, and Sharon Fredenberg. Gary Peterson and Jennifer O'leary of Crispell-Snyder, and Jim Hirsch of Paul Davis Restoration were also present.
- III. Approve minutes of the March 26, 2008 meeting: **MOTION** by S. Fredenberg/K. Hampton to approve the minutes of the March 26, 2008 Plan Commission meeting as printed. **MOTION CARRIED 7-0.**
- IV. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item:
  - A. Mary Ellen Schlobohm, Jargo Road – 43 acres with two acres zoned RH-1 – wants to know if the two acres plus four additional acres could act as a buffer if the remaining 37 acres were sold. Commission members advised that the four acres would need to be rezoned to A-2(4) and deed restricted for no residential development.
- V. Gary Peterson (with Jennifer O'Leary and Jim Hirsch)
  - A. Review/Discuss preliminary ideas for the development at CTH "N": A revised concept plan for the Ag Business park was presented. **MOTION** by S. Anders/S. Kurt to approve the April 23, 2008 concept plan for the Ag Business Park as a basis to work off of. **MOTION CARRIED 6-1** (S. Fredenberg opposed).
  - B. Review/Discuss Comprehensive Plan Update: No Report/Discussion.
- VI. Adjournment: **MOTION** by S. Anders/S. Fredenberg to adjourn. **MOTION CARRIED 7-0.** Meeting adjourned at 8:10 P.M.

Submitted by: David Muehl

Approved 5-28-2008

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
MAY 28, 2008

- I. Notice of the meeting was posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way, and a quorum was present.
- II. Regular Plan Commission Meeting was called to order at 7:00 P.M. by Chair Silvin Kurt. Other members present were: Virgil Schroeder, Kris Hampton, and David Muehl. Steve Anders arrived at 7:03 P.M. Town Board Supervisor Mike Kindschi, and Gary Peterson and Jennifer O'leary of Crispell-Snyder were also present. Town Attorney Connie Anderson arrived at 8:00 P.M.
- III. Election of Chair and Secretary: **MOTION** by K. Hampton/V. Schroeder nominating Silvin Kurt for Chair and Dave Muehl for Secretary. **MOTION PASSED BY UNANIMOUSLY. MOTION** by K. Hampton/V. Schroeder to elect Silvin Kurt as Chair, Dave Muehl as secretary. **MOTION CARRIED 2-0-2** (Kurt and Muehl abstained).
- IV. Approve minutes of the April 23, 2008 meeting: **MOTION** by V. Schroeder/K. Hampton to approve the minutes of the April 23, 2008 Plan Commission meeting as printed. **MOTION CARRIED 4-0.**

(Anders arrived).

- V. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item: None.
- VI. Dawn Guimond (Crossroads Tavern) - 3562 County Highway AB – Zone Change – B-1, C-1 & RE-2 to C-2 for 22.11 acres. Jim Weber presented for Ms. Guimond. The goal is to achieve the same zoning as the adjoining property owned by Door Creek LLC, where business condominiums are planned. The Town's long range plan is for C-2. The DOT is discussing ingress/egress with deceleration lanes which would take up much of the property. If ingress is by Luds Lane, it would take up less land. Potential owners for the property exist. Lot 2 would be split by a new access road for the Door Creek LLC. County zoning will most likely necessitate ingress/egress restriction. Hampton suggested that the B-1 zoning be left as is because otherwise a CUP would be needed for the tavern, and the State will probably want the property anyway. **MOTION** by K. Hampton/S. Anders to rezone lots 1 and 2 from C-1 and RE-1 to C-2, with the same deed restrictions as the Door Creek LLC property: Land uses limited exclusively to the following: (1) professional offices; (2) retail businesses; (3) vehicular service centers; (4) distribution centers; (5) light industrial businesses (e.g. machine shops); (6) rental businesses; (7) agribusinesses; (8) equipment repair businesses; (9) sale of new and used recreational, motor vehicles or contractor's machinery and equipment; (10) parking or storing of motor vehicles; (11) service businesses: (12) general, mechanical and landscape contracting businesses and buildings used in connection with such activity; and (13) repairs, storage and service of contractor's machinery and equipment.  
Restricted use (10) parking or storing of motor vehicles is further restricted as follows:
  1. The parking or storing of motor vehicles is permitted only in conjunction with use of said lands and is for items (1) through (9) and (11) through (13) inclusive.
  2. The parking or storing of motor vehicles awaiting disposition as abandoned vehicles or for the settlement of insurance claims is prohibited.

**MOTION CARRIED 5-0.**

- VII. Marc & Lynda McCarville – 1830 County Highway BB – Site approval for a new home on one acre. Land zoned A-1EX. Intended land use to build new and larger house adjacent to original farm house. Old farm house will be torn down. Previously a +/- 3 acre parcel at the north end of the property had been rezoned to R-1 when the McCarvilles intended to build a new home and turn the existing home into a studio. Those plans never materialized. **MOTION** by K. Hampton/V.

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Schroeder to change R-1 zoning to A1-EX for +/- 3 acres, and old house must be town down within six months of issuance of an occupancy permit for the new house. **MOTION CARRIED 5-0.**

VIII. Mariellen Schlobohm – 1754 J. Jargo Road – Zone Change – A-1EX to A-2(4) for 4 acres. Intended land use for increase of land around residential lot – leave in natural state – trees and native plants garden. There was no opposition to the request. **MOTION** by S. Anders/V. Schroeder to rezone 4 acres from A-1EX to A-2(4), and deed restrict the 4 acres for no residential development.

**MOTION CARRIED 5-0.**

IX. Discuss/Action on feasibility study for installing wind turbine(s) on CTH N: Focus on Energy has applied for a grant to cover 50% of the cost of the study. Cost estimate is \$600. **MOTION** by S. Anders/K. Hampton directing the Town Chair to ask Jim Hirsh and the property owner to split the \$300 net bill equally. **MOTION CARRIED 5-0.**

(Connie Anderson Arrived)

X. Gary Peterson (with Jennifer O’Leary)

- A. Review/Discuss preliminary ideas for the development at CTH “N”: Peterson provided a handout showing cost estimates. Anderson discussed concepts for development and management of the business park – either by the town or by an outside developer – using a TIF or CDA and bonds to finance. Schroeder suggested that the Town Chair discuss potential land costs with the land owner in order to determine cost and interest expense if the Town were to purchase it.
- B. Review/Discuss Comprehensive Plan Update: The land use plan is not complete due to a stalemate with the Village of Cottage Grove and the City of Madison. Should we “plan” without them?
- C. Review/Discuss Intergovernmental Agreement Options and Town Planning Issues (Town Board members were encouraged to attend for the discussion of this item). Mike Kindschi joined the discussion at this point. Anderson provided a handout from the League of Wisconsin Municipalities entitled Act. 43 Making it Easier to Enter into Boundary Agreements. The Town needs to meet with the City and Village to determine how WI Act 43 impacts us. Plan Commission input: work on an attempt at agreement, or plan without the City or Village? Hampton suggested that at the next joint meeting of the Town and Village Boards, the Town issue a statement that it needs action on agreement so we can finish our comprehensive plan.

XI. Adjournment: **MOTION** by K. Hampton/S. Anders to adjourn. **MOTION CARRIED 5-0.**

Meeting adjourned at 9:52 P.M.

Submitted by: David Muehl

Approved 8/27/2008

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
AUGUST 27, 2008

1. Notice of the meeting was posted at Town Hall, Gaston Road at Brown Thrush, American Way and USH 12 & 18 at County BN. A quorum was present with Silvin Kurt, Kris Hampton, Dave Muehl, Sharon Fredenberg, Phillip Bultman and Virgil Schroeder all in attendance.
2. Chair Silvin Kurt called the meeting to order at 7:02 p.m.
3. Approve minutes of the May 28, 2008 meeting: **MOTION** by V. Schroeder/K. Hampton to approve the minutes of the May 28, 2008 Plan Commission meeting as printed. **MOTION CARRIED 4-0-2** (S. Fredenberg and P. Bultman abstained).
4. Public Concerns: None.
5. Donald Blair (Michelle Blair, Co-owner) – County Road BB – Parcels 0711-082-8520 and 0711-082-9060 – Rezone from A1-EX to A-2 for 30.59 acres to correct non-conforming zoning resulting from sale of 5.03 acres for the Cottage Grove Community Library. Intended land use is for agricultural crops: **MOTION** by K. Hampton/V. Schroeder to rezone 30.59 acres from A-1EX to A-2 to bring the parcel into conformity after the sale of 5.03 acres to the Cottage Grove Community Library. **MOTION CARRIED 6-0.**
6. Sean O'Brien (Ellen O'Brien, Co-owner) – 3915 Vilas Road – Parcel 0711-201-8401-0. Rezone 2.417 acres from RH-3 to RH-2 and 6.817 acres from RH-3 to Conservancy. Intended land use is to split conservancy from residential parcel: **MOTION** by S. Fredenberg/S. Kurt to approve the rezone of Lot 2 for 2.417 acres from RH-3 to RH-2, and Lot 1 for 6.817 acres from RH-3 to Conservancy. Lot 2 to be deed restricted for no further residential development. **MOTION CARRIED 6-0.**
7. Report on Wind Site Assessment at County Road N and USH 12 & 18: Since the report was just received yesterday, the discussion was tabled until the next meeting.
8. Gary Peterson
  - a. Review/Discuss CTH N Project: The list on the Project Understanding memo from Peterson was reviewed. Muehl and Hampton to contact various parties for more information.
  - b. Review/Discuss Land Use Plan Update: No new info was presented by Peterson. Hampton reported that a letter has been received from Jim & Nola Skaar requesting that some of their property be designated as a receiving area. Hampton gave background info on issues with the Village and City with ETJ's. The committee needs to consider Land Use Plan receiving areas and know how many splits are available.
9. ADJOURNMENT: **MOTION** by K. Hampton/V. Schroeder to adjourn. **MOTION CARRIED 6-0.** Meeting adjourned at 8:48 P.M.

Submitted by: David Muehl  
Approved 9/24/2008

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
SEPTEMBER 24, 2008

1. Notice of the meeting was posted at Town Hall, Gaston Road at Brown Thrush, American Way and USH 12 & 18 at County BN. A quorum was present with Silvin Kurt, Kris Hampton, Sharon Fredenberg, and Phillip Bultman all in attendance. Dave Muehl arrived in time for item 7, and Gary Peterson and Connie Anderson arrived at 8:00 P.M.
2. Chair Silvin Kurt called the meeting to order at 7:00 p.m.
3. Approve minutes of the August 27, 2008 meeting: **MOTION** by K. Hampton/S. Fredenberg to approve the minutes of the August 27, 2008 Plan Commission meeting with correction to abstention in item 3. – it should be P. Bultman. **MOTION CARRIED 4-0.**
4. Public Concerns: None.
5. James W. Bradt (Bradt Holdings, LLC, owner) – Parcels 0711-084-9280-0, 0711-084-9321-0 – rezone of 98.9288 acres from RE-1 to A-1EX. Intended land use is agriculture: S. Kurt read a letter from the Village of Cottage Grove, and copies of an email from the County were distributed to commission members. An email from Karen Kessenich was also acknowledged. **MOTION** by S. Fredenberg/P. Bultman to approve the rezone of 98.9288 acres from A-2 and RE-1 to A-1EX for agriculture. **MOTION CARRIED 4-0.**
6. Huston Holdings, LLC – 2494 Uphoff Road - Parcel 0711-164-9500-3 – rezone of .1515 acres from A-1EX to R-1 for conveyance of land to 2500 Nora Road: **MOTION** by K. Hampton/S. Kurt to approve the rezone of .1515 acres from A1-EX to R-1 to correct the property line. **MOTION CARRIED 4-0.**

Dave Muehl Arrived.

7. Discuss/Consider request from James, Nola and Nick Skaar to amend the land use plan to designate 8 potential new lots on Skarstinden Road as a TDR receiving area: (S. Kurt sat out on this item). Jim Franke, 1677 Nora Road, submitted a petition opposing the creation of a TDR receiving area, and Steve Fehringer, 1703 Nora Road spoke in opposition of the creation of a TDR receiving area for the Skaar's proposed lots.

**MOTION** by K. Hampton/P. Bultman to send S. Fredenberg to the Village of Cottage Grove to see when the Village will sit down and talk about a boundary agreement. **MOTION CARRIED 3-1-1**(Kurt abstained).

**MOTION** by S. Fredenberg/P. Bultman to begin the process of revising the comprehensive plan regarding TDR sending and receiving areas if the Village has not met with the Town by January of 2009. **MOTION CARRIED 4-0-1** (Kurt abstained).

8. Report on Wind Site Assessment at County Road N and USH 12 & 18: The planned siting is not sacred, so that parcel would be available for development. No further consideration needed for now.
9. Gary Peterson
  - a. Review/Discuss CTH N Project: Peterson reported that the county planning map does not include the Town planning map, but seems to be very dated. Peterson will check with the County to make sure up to date information is being used.

The property owners are asking \$50,000 per acre. Attorney Connie Anderson presented a handout showing options. **MOTION** by D. Muehl/S. Kurt stating that the Plan Commission believes the project is sound planning for the Town, and recommends locking in an option for the property in order to investigate the creation of a CDA to limit the potential burden on Town residents. **MOTION CARRIED 5-0.**

- b. Review/Discuss Land Use Plan Update: See #7 above – Fredenberg to set up a meeting with the Village.
10. ADJOURNMENT: **MOTION** by S. Fredenberg/K. Hampton to adjourn. **MOTION CARRIED 5-0.** Meeting adjourned at 9:40 P.M.

Submitted by: S. Fredenberg and David Muehl  
Approved 1-28-2009