

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
JANUARY 28, 2009

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, Steve Anders, David Muehl, Sharon Fredenberg, Phillip Bultman and Virgil Schroeder all in attendance, along with those listed on the attached sign-in sheet (available in the Clerk's Office).
2. Chair Silvin Kurt called the meeting to order at 7:00 p.m.
3. Approve minutes of the September 24, 2008 meeting: **MOTION** by K. Hampton/S. Fredenberg to approve the minutes of the September 24, 2008 Plan Commission meeting as printed. **MOTION CARRIED 5-0-2** (Schroeder and Anders abstained).
4. Public Concerns:
  - a. Ellery Jenson: 1) Asked about status of the bridge at Siggelkow and Hwy 12 & 18. Hampton reported that the bridge has been inspected and determined to be OK. 2) Noted that his farm at Vilas Rd. and Gaston Rd. is designated for high density and would be a TDR receiving area with a 1-8 ratio.
  - b. Kris Hampton: Stated that Crispell-Synder's engagement letter and proposed agreement for 2009 consulting services will be presented to the Town Board next week.
5. Scott Bronson, 4570 Baxter Road – Parcel 0711-023-8715-6 – rezone of 10.42295 acres from A-2(8) to C-1. Intended land use for home office and storage of tools and scrap materials from fencing business: It was noted that notice mailed to Marshall Barton was returned undeliverable. Bronson's zoning issue began with a complaint to Dane County Zoning from the owners of Doubledays regarding the unloading of materials into Bronson's shed via Doubledays' driveway. The previous owners of Bronson's property and Doubledays had an agreement to utilize Doubleday's lot for same, and had some agreement with the current owners of Doubledays, but now the owners of Doubledays have changed their mind. Current use of the Bronson parcel includes an office in the residence, and a shed that contains fencing materials but not retail sales. Bronson does not want to change the form of his business. He currently has employees who stop at the parcel.

Hampton said that the entire parcel does not need to be rezoned, and suggested having it surveyed for a spot zone.

Options identified were for a CUP (Limited Family Business), LC-1 or C-1 zoning. Bronson will check with Dane County to see if LC-1 will work for the smaller section if he moves his office to the shed, and pursue a survey to identify the area used for the business.

**MOTION** by V. Schroeder/K. Hampton to hold in abeyance until February 25, 2009 to allow Bronson to consult with Dane County Zoning. **MOTION carried 7-0.**

6. Report from Sharon Fredenberg on talks with the Village of Cottage Grove regarding growth and boundary issues: Fredenberg reported that she had reviewed activity and discussed the issue with Village President Ken Dahl, who indicated that the Village wants to keep talking and he would set up another meeting, but has not done so. It was suggested that more than one Town representative be involved in the discussions, possibly Dave Muehl could attend, and that regular meetings be held, possibly using the 5<sup>th</sup> week of the month when available.

Fredenberg will email Dahl to ask for this item to be included on the Joint Town/Village Board meeting agenda on February 5, 2009.

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7. Report on Town Board's directive on the CTH N Project: Hampton reported that the Town Board had nixed the idea of a CDA, determining that development should be left up to a private developer.
8. Gary Peterson
  - a. Review/Discuss Land Use Plan Update: Peterson was not present.
9. ADJOURNMENT: **MOTION** by V. Schroeder/K. Hampton to adjourn. **MOTION CARRIED 7-0**. Meeting adjourned at 8:09 P.M.

Submitted by: David Muehl  
Approved 2-25-2009

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
FEBRUARY 25, 2009

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, Steve Anders, David Muehl, Sharon Fredenberg, Phillip Bultman and Virgil Schroeder all in attendance, along with those listed on the attached sign-in sheet (available in the Clerk's Office).
2. Chair Silvin Kurt called the meeting to order at 7:00 p.m.
3. Approve minutes of the January 29, 2009 meeting: **MOTION** by S. Fredenberg/V. Schroeder to approve the minutes of the January 29, 2009 Plan Commission meeting as printed. **MOTION CARRIED 7-0.**

4. Public Concerns: None.

5. Scott Bronson, 4570 Baxter Road – Parcel 0711-023-8715-6 – Reappearance from January 28, 2009 meeting - rezone of 15,150+/- square feet from A-2(8) to C-1. Intended land use for home office and storage of tools and scrap materials from fencing business.

a. Public Comments: Neighbors in attendance confirmed that he just stores material, and indicated they are OK with the rezone request for just 15,150 +/- square feet.

**MOTION** by K. Hampton/S. Fredenberg to approve the rezone of 15,150 +/- square feet from A-2(8) to C-1 with uses (c) "Warehousing and storage incident to a permitted use on the premises. Mini-warehouses are excluded from use in this (C-1) district" and (t) "All uses permitted in the LC-1 Limited Commercial District" limited to (a) "General mechanical and landscape contracting businesses and buildings used in connection with such activity" and (b) storage of construction equipment necessary for the operation of a general mechanical or landscape contracting business. There shall be a limit of 12 items of equipment stored on each zoning lot". **MOTION CARRIED 7-0.**

6. Peter Lewis, RLS (Homburg Farms, LLC, landowner) – Parcels 0711-182-9569-9, 0711-181-9190-8, 0711182-9000-6 - rezone of 3.27 acres from A1-EX to CO-1. Intended land use for recreation trail.

a. Public Comments: None.

Commission Questions/Comments: 1) Why CO-1? 2) Why North side of the tracks? 3) Cumbersome crossing with nearby hill could make for dangerous crossings. 4) What is the plan to the west, stay north of the tracks or go south again?

**MOTION** by S. Anders/D. Muehl to hold in abeyance for one month to allow Lewis to get answers to commission questions from his client (The WDNR). **MOTION CARRIED 7-0.**

7. Roger & Lynn Korfmacher, 2846 Femrite Drive:

Parcel 0711-311-8000-1 – rezone of 37.4 acres from A1-EX to C-2

Parcel 0711-293-9080-0 – rezone of 21.7 acres from LC-1 and A-2 to C-2

Parcel 0711-293-9003-0 – rezone of 5.4 acres from A1-EX to C-2

Korfmacher stated he has been trying to sell the land, and potential buyers want C-2 zoning.

a. Public Comments: James Ewing, Linda Ellestad, along with letters from Willard Warzyn and John Schreve indicated there were no serious objections.

**MOTION** by K. Hampton/S. Anders to rezone the 37.4 and 5.4 acre parcels from A-1 to C-2 with limitations to those listed in County zoning chapter as follows: (See also highlighted attachment).

**10.127 A-3 AGRICULTURE DISTRICT. (1)**

*Statement of purpose.* The purpose of the A-3 Agriculture District is to preserve, for an unspecified time period in agricultural and related open-space land uses, those lands generally located in proximity to developed areas within Dane County where urban expansion is inevitable and broadly in keeping with long time plans for development. It is intended that urban development be deferred in such areas until the appropriate authorities concerned determine that it is economically and financially feasible to provide public services and facilities for uses other than those permitted in the district. It is also intended that the status of all areas in this district be reviewed by the appropriate authorities periodically in order to determine whether, in light of current land development trends, there should be a transfer of all or any part of those areas to some other appropriate use district. Any such review will consider developments in keeping with the local and regional land use plans pursuant to section 10.255(1)(d).

**(2) Permitted uses.** All uses permitted in the A-1 Exclusive Agriculture District.

**(3) Conditional uses permitted in the A-3 Agriculture District.** All conditional uses permitted in the A-1 Exclusive Agriculture District.

**(4) Building height limit.** Building height shall be the same as for the A-1 Exclusive Agriculture District.

**(5) Area, frontage and population density regulations.** As per the A-1 Exclusive Agriculture District.

**(6) Setback requirements.** Setback requirements shall be the same as for the A-1 Exclusive Agriculture District.

**(7) Side yard requirements.** Side yard requirements shall be the same as for the A-1 Exclusive Agriculture District.

**(8) Rear yard requirements.** The minimum rear yard shall be the same as for the A-1 Exclusive Agriculture District.

**(9) General provisions applicable to the A-3 Agriculture District shall be the same as for the A-1 Exclusive Agriculture District.**

**(10) Off-street parking.** Off-street parking shall be provided as required in section 10.18.

**[History:** (8) and (9) am., Sub. 3 to OA 36, 1987-88, pub. 08/02/88; (8) and (9) am., OA 9, 1993-94, pub. 04/20/94; (6) and (7) am., OA 16, 1996-97, pub. 01/16/97; (10) cr., OA 39, 1997-98, pub. 08/17/98; (2), (3), (4) and (5) am., OA 3, 2000-01, pub. 10/19/00.]

**10.13 C-1 COMMERCIAL DISTRICT. (1)**

*Permitted uses.* **(a)** Retail and service uses

including, but not limited to, grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size.

**(b)** Self service laundries and dry cleaning establishments.

**(c)** Warehousing and storage incidental to a permitted use on the premises. Mini-warehouses are excluded from use in this (C-1) district.

**(d)** Medical, dental and veterinary clinics.

**(e)** Banks, offices, office buildings and condominium office buildings devoting not more than two (2) floors to office space.

**(f)** Utility services.

**(g)** Rooming and boarding houses.

**(h)** Bakeries, printing plants, laundries, dry cleaning plants.

**(i)** Distribution centers and wholesale businesses.

**(j)** Woodworking shops, machine shops, manufacturing and assembly plants.

**(k)** Bicycle sales and service.

**(L)** Rental businesses, except for motor vehicles and construction machinery and equipment.

**(m)** Experimental laboratories not to exceed 5,000 square feet of floor area.

**(o)** Sales and repair of lawn and garden equipment.

**(p)** Games such as horseshoes, volleyball or similar activities not lighted for night operation.

**(q)** Marinas.

**(r)** Off-site parking of motor vehicles as provided in section 10.18(3)(c).

**(s)** Crematoriums.

**(t)** All uses permitted in the LC-1 Limited Commercial District.

**(2) Conditional uses permitted in the C-1 Commercial District.**

**(a)** Single family residences, duplexes, multi-family residences.

**(b)** Banks, offices, office buildings and condominium office buildings devoting more than two (2) floors to office space.

**(c)** Motels, hotels, taverns, funeral homes and drive-in establishments.

**(d)** Hospitals, veterinary hospitals, nursing homes, convalescent centers, extended care facilities.

**(e)** Mobile home parks, subject to special conditions as provided for in s. 10.08(10).

**(f)** Outdoor amusement parks or other entertainment activity that is open to the public on either a permanent or temporary basis.

**(g)** Indoor or outdoor movie theater.

- (h) Automobile laundries, car wash facilities.
  - (i) Dog and cat boarding kennels, grooming and training facilities.
  - (j) Communication towers.
  - (k) Storage of motor vehicles awaiting disposition either as abandoned vehicles or for the settlement of an insurance claim.
  - (m) Governmental uses.
  - (n) Agricultural uses.
  - (o) Games such as horseshoes, volleyball or similar activities lighted to operate at night.
  - (3) *Building height limit.* (a) For business buildings, including offices, the maximum building height shall be four (4) stories, provided, however, that a conditional use permit shall be required for any building that provides more than two (2) stories devoted to office space.
  - (b) Lots or building sites for residential purposes or for combined business and residential uses shall comply with the requirements of the R-4 Residence District.
  - (4) *Area, frontage and population density regulations.* Area, frontage and population density regulations shall be the same as for the B-1 Local Business District.
  - (5) *Setback requirements.* Setback from front lot line or highway right-of-way shall comply with the provisions of section 10.17.
  - (6) *Side yard requirements.* Side yard requirements shall be the same as for the B-1 Local Business District.
  - (7) *Rear yard requirements.* (a) For buildings to be used exclusively for business purposes the minimum depth of any rear yard shall be 10 feet.
  - (b) For residential buildings, or buildings combining residential and business uses, the minimum depth of any rear yard shall be 25 feet.
  - (8) *Off-street parking.* Off-street parking space shall be provided in accordance with the provisions of section 10.18.
  - (9) *Screening provisions.* On lots adjacent to or abutting land in a residence district, the screening provisions of section 10.16(8) shall be complied with prior to the issuance of a certificate of compliance.
- [History: (1)(q) cr., Sub. 2 to OA 25, 1987-88, pub. 02/29/88; (1)(c) am., OA 1, 1994-95, pub. 09/02/94; (2)(c) and (3)(a) am., OA 16, 1996-97, pub. 01/16/97; (2)(j) am., OA 57, 1996-97, pub. 09/02/97; (1)(r) cr., OA 39, 1997-98, pub. 08/17/98; (8) am., OA 3, 2000-01, pub. 10/19/00; (1)(s) cr., OA 38, 2004-05, pub. 09/12/05; (1)(t) cr., OA 27, 2005-06, pub. 05/16/06.]

**10.14 C-2 COMMERCIAL DISTRICT. (1) Permitted uses.** (a) All uses permitted in the C-1 Commercial District without limitations as to size.

- (b) Major repairs to motor vehicles.
- (c) Sales of new and used motor vehicles.
- (d) Sales of new and used mobile homes, recreational equipment rental, sales and service.
- (e) Sales of new and used contractor's machinery and equipment.
- (f) Repairs, storage and service of contractor's machinery and equipment.
- (g) Rental and leasing of motor vehicles, contractor's machinery and equipment.
- (h) Bulk fuel storage, sales and storage of lumber and building material.
- (i) Truck and bus terminals.
- (j) Auxiliary or supplemental electric generating stations.
- (k) Fertilizer mixing or blending plants.
- (L) Slaughterhouses, meat processing plants.
- (m) Bottling plants.
- (n) Utility services.
- (o) Storage, repair and maintenance of carnival, concession and circus machinery and equipment.
- (p) Automobile and truck driver training schools and construction equipment operator training schools that are privately owned and operated for profit.
- (q) Parking or storing of motor vehicles.
- (r) Storage or processing of scrap or waste materials, conducted entirely within a building.
- (s) Warehouses.
- (t) Games such as horseshoes, volleyball or similar activities not lighted for night operation.
- (u) Mini-warehouses.
- (v) Adult book stores, subject to the standards set forth in s. 10.193.
- (w) All uses permitted in the LC-1 Limited Commercial District.
- (2) *Conditional uses permitted in the C-2 Commercial District.*
- (a) Outdoor amusement parks or other entertainment activity whether on a permanent or temporary basis that is open to the general public.
- (b) Movie theaters, outdoor theaters.
- (c) Drive-in establishments.
- (d) Automobile race tracks, snowmobile race tracks and courses, all-terrain vehicle race tracks and courses and motorcycle race tracks including moto-cross and hill climbing courses.
- (e) Mineral extraction subject to the special conditions of section 10.191.
- (f) Solid waste disposal operations, sanitary landfill sites.
- (g) Auto laundries, car washes.
- (h) Taverns.
- (i) Residence for a watchman or caretaker.

- (j) Communication towers.
- (k) Dog and cat boarding kennels, grooming and training facilities.
- (L) Governmental uses.
- (m) Agricultural uses.
- (n) Games such as horseshoes, volleyball or similar activities lighted to operate at night.
- (o) Religious uses.
- (p) Motels and hotels.
- (q) Storage of explosive materials in strict conformance with Wisconsin Administrative Code provisions relating to explosive materials.
- (3) *Building height limit.* The maximum height for all buildings shall be fifty (50) feet. Tanks, storage bins, silos and towers shall not be subject to this limitation.
- (4) *Area, frontage and population density regulations.*
  - (a) The area and frontage shall be the same as for the B-1 Local Business District.
  - (b) Any principal building together with its accessory building shall not cover more than sixty percent (60%) of the lot area.
  - (5) *Setback requirements.* Setback from front lot line or highway right-of-way shall conform to the provisions of section 10.17.
  - (6) *Side yard requirements.* Side yard requirements shall be the same as for the B-1 Local Business District.
  - (7) *Rear yard requirements.* (a) For business and commercial buildings, the minimum depth of any rear yard shall be 10 feet.
  - (8) *Screening provisions.* On lots adjacent to or abutting land in a residence district, the screening provisions of section 10.16(7) shall be complied with prior to the issuance of a certificate of compliance.
  - (10) *Off-street parking.* Off-street parking shall be provided as required in section 10.18.

[History: (1)(u) cr., OA 1, 1994-95, pub. 09/02/94; (2)(o) cr., OA 42, 1994-95, eff. 09/26/95; (2)(d) am., Sub. 2 to OA 19, 1995-96, eff. 02/25/96; (2)(p) cr., OA 15, 1996-97, pub. 01/06/97; (2)(c) and (e) and (8) am., OA 16, 1996-97, pub. 01/16/97; (2)(j) am., OA 57, 1996-97, pub. 09/02/97; (10) cr., OA 39, 1997-98, pub. 08/17/98; (1)(v) cr., OA 3, 1998-99, pub. 09/24/98; (2)(q) cr., OA 22, 1999-2000, pub. 06/27/00; (1)(w) cr., OA 27, 2005-06, pub. 05/16/06.]

**10.141 LC-1 LIMITED COMMERCIAL DISTRICT.** (1) *Permitted uses.* (a) General, mechanical and landscape contracting businesses and buildings used in connection with such activity. (b) Storage of construction equipment necessary for the operation of a general, mechanical or landscape contracting business.

There shall be a limit of 12 items of equipment stored on each zoning lot.

(c) School bus and motor coach transportation businesses including offices and parking, storage and maintenance of buses and other vehicles used in the business, such as vans and maintenance tow trucks. Bus terminals for said businesses are not permitted.

(d) Maintenance and repairs to vehicles and construction equipment for school buses stored on the premises and not as a service to other owners.

(e) Outside storage of materials or supplies used by a contractor in fulfilling his or her contracts and not offered for sale to a user or consumer.

(f) Utility services.

(g) A single family residence for an owner of the business or a caretaker.

(2) *Building height limit.* Residential buildings shall not exceed 35 feet in height or two and one-half (2-1/2) stories.

(3) *Lot area.* Minimum lot area shall be not less than 100 feet of lot width and 20,000 square feet of lot area.

(4) *Lot area coverage.* The total floor area of commercial buildings, residential and residential accessory buildings shall not exceed 35 percent of the lot area.

(5) *Building setback requirements.* (a) Setback from front lot line to highway right-of-way line shall conform to the requirements of section 10.17.

(b) Construction equipment or material shall not be stored between the building setback line and the front lot line of any lot.

(6) *Side yard requirements.* The minimum width for any side yard shall not be less than 10 feet for any building.

(7) *Rear yard requirements.* (a) For buildings used for commercial purposes and residential accessory buildings the minimum rear yard shall be not less than 10 feet.

(b) For residential buildings the minimum rear yard shall be not less than 25 feet.

(8) *Screening requirements.* For lots adjacent to a residence district the screening provisions of section 10.16(7) shall be complied with prior to the establishment of a commercial use.

(9) *Off-street parking.* Off-street parking shall be provided as required in section 10.18.

[History: (1)(c) am., petition #4047, pub. 09/14/87; (8) am., OA 16, 1996-97, pub. 01/16/97; (9) cr., OA 39, 1997-98, pub. 08/17/98; (7)(a) and (b) am., OA 3, 2000-01, pub. 10/19/00.]

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PLAN COMMISSION  
FEBRUARY 25, 2009

C-1: (b), (c), (d), (e), (f), (g), (h), (i), (j),(k),(l),(m),(o),(q

C-2: (a) – (g), (m),(n), (s)

LC-1: (a), (b), (d), (e), (f).

**MOTION CARRIED 7-0.**

**MOTION** by S. Fredenberg/P. Bultman to rezone the 21.7 acre parcel from A-1 to C-2 with the same limitations as listed in the first motion. **MOTION CARRIED 7-0.**

8. Discuss/Consider recommendation to Town Board regarding Recommended Town Procedures for Acting on Conditional Use Permit Applications: Tabled until the March meeting.
9. Report from Sharon Fredenberg on talks with the Village of Cottage Grove regarding growth and boundary issues: Due to the primary election results in the Village, the commission recommended waiting to discuss this until after the April election.
10. ADJOURNMENT: **MOTION** by S. Fredenberg/S. Anders to adjourn. **MOTION CARRIED 7-0.** Meeting adjourned at 8:54 P.M.

Submitted by: David Muehl

Approved 3/25/09

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
MARCH 25, 2009

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, Steve Anders, David Muehl, Sharon Fredenberg, Phillip Bultman and Virgil Schroeder all in attendance, along with those listed on the attached sign-in sheet (available in the Clerk's Office).
2. Chair Silvin Kurt called the meeting to order at 7:01 p.m.
3. Approve minutes of the February 25, 2009 meeting: **MOTION** by S. Fredenberg/V. Schroeder to approve the minutes of the February 25, 2009 Plan Commission meeting as printed. **MOTION CARRIED 7-0.**
4. Public Concerns: None.
5. Peter Lewis, RLS (Homburg Farms, LLC, landowner) – Parcels 0711-182-9569-9, 0711-181-9190-8, 0711182-9000-6 - rezone of 3.27 acres from A1-EX to CO-1. Intended land use for recreation trail. Reappearance from February meeting: Dana Wakeway from the WDNR accompanied Lewis at the meeting.

- Public Comments: None.

Answers to questions posed at the last meeting:

1. Why CO?: CO-1 is requested since the County requests the same due to less setbacks required.
2. Why North side of the tracks/What is the plan to the west, stay north of the tracks or go south again?? : The WDNR needs to work with landowners along the tracks. Trail will stay on the North side of tracks west of Vilas Road.

**MOTION** by Hampton/Anders to approve the rezone of 3.27 acres from A1-EX to CO-1 for intended use of recreational trail. At the time of design, the crossing at Vilas Hope Road must be approved by the Town Engineer for safety reasons. Proper signage of crossing on roadway to be funded by WDNR or others. **MOTION CARRIED 7-0.**

6. Yahara Materials, Inc. – Parcel 0711-304-9671-7 – rezone of 19.26 acres from A-1EX to C-2.

- Public Comments: None.

James Schmidt, a Yahara Materials, Inc. employee, stated that the intention is to sell the property, to match the adjoining Korfmacher parcels.

**MOTION** by Hampton/Fredenberg to approve the rezone of 19.26 acres from A1-EX to C-2, allowing the same uses listed in the February 25, 2009 minutes for the adjacent Korfmacher parcels (see highlighted attachment). It was noted that the rezone fits the land use plan as shown on Map J-4. **MOTION CARRIED 7-0.**

7. Items of Change to the Town Comprehensive Plan requested by Residents:
  - Romayn & Nancy Rote – Request to amend the plan to designate parcels 0711-061-8160-1 and 0711-061-8080-8, a total of 14.3 acres at 2964 Gaston Road, as a residential Transfer of Development Rights (TDR) receiving area.

Public Comments: Note: Some of the notices mailed to adjacent landowners were returned undeliverable due to an addressing error.



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Plan Commission Discussion: The desired action is already in the Town plan, but may only be able to get medium density residential development.

**MOTION** by Hampton/Fredenberg that no action is needed since the property is already in a receiving area per map J-4 of the comprehensive plan. It is also in the City of Madison's Extraterritorial Jurisdiction. **MOTION CARRIED 7-0.**

- James, Nola and Nick Skaar – Request to amend the plan to designate approximately 12 acres west and south of Skarstinden Road as a residential Transfer of Development Rights (TDR) receiving area, to eventually include an infill of 8 additional homes: The Skaars requested a postponement due to a family issue.

Public Comments: None.

**MOTION** by Kurt/Schroeder to defer to the next meeting. **MOTION CARRIED 7-0.**

- Donald and Judith Klongland: Request to amend the plan to change parcels 071-062-8000-3 (28.8 acres) and 0711-062-8200-8 (5.55 acres) from district 8 (Open Space/Park) to 4 (High Density Residential).

Public Comments: None.

**MOTION** by Fredenberg/Hampton to table until the next meeting as some of the letters to adjacent landowners were mis-addressed. **MOTION CARRIED 7-0.**

8. Discuss/Consider recommendation to Town Board regarding Recommended Town Procedures for Acting on Conditional Use Permit Applications (tabled from February meeting): **MOTION** by Schroeder/Muehl to table until the next meeting. **MOTION CARRIED 7-0.**
9. ADJOURNMENT: **MOTION** by Schroeder/Fredenberg to adjourn. **MOTION CARRIED 7-0.** Meeting adjourned at 8:10 P.M.

Submitted by: David Muehl  
Approved 4-22-2009

**10.127 A-3 AGRICULTURE DISTRICT. (1)**

*Statement of purpose.* The purpose of the A-3 Agriculture District is to preserve, for an unspecified time period in agricultural and related open-space land uses, those lands generally located in proximity to developed areas within Dane County where urban expansion is inevitable and broadly in keeping with long time plans for development. It is intended that urban development be deferred in such areas until the appropriate authorities concerned determine that it is economically and financially feasible to provide public services and facilities for uses other than those permitted in the district. It is also intended that the status of all areas in this district be reviewed by the appropriate authorities periodically in order to determine whether, in light of current land development trends, there should be a transfer of all or any part of those areas to some other appropriate use district. Any such review will consider developments in keeping with the local and regional land use plans pursuant to section 10.255(1)(d).

**(2) Permitted uses.** All uses permitted in the A-1 Exclusive Agriculture District.

**(3) Conditional uses permitted in the A-3 Agriculture District.** All conditional uses permitted in the A-1 Exclusive Agriculture District.

**(4) Building height limit.** Building height shall be the same as for the A-1 Exclusive Agriculture District.

**(5) Area, frontage and population density regulations.** As per the A-1 Exclusive Agriculture District.

**(6) Setback requirements.** Setback requirements shall be the same as for the A-1 Exclusive Agriculture District.

**(7) Side yard requirements.** Side yard requirements shall be the same as for the A-1 Exclusive Agriculture District.

**(8) Rear yard requirements.** The minimum rear yard shall be the same as for the A-1 Exclusive Agriculture District.

**(9) General provisions applicable to the A-3 Agriculture District shall be the same as for the A-1 Exclusive Agriculture District.**

**(10) Off-street parking.** Off-street parking shall be provided as required in section 10.18.

[History: (8) and (9) am., Sub. 3 to OA 36, 1987-88, pub. 08/02/88; (8) and (9) am., OA 9, 1993-94, pub. 04/20/94; (6) and (7) am., OA 16, 1996-97, pub. 01/16/97; (10) cr., OA 39, 1997-98, pub. 08/17/98; (2), (3), (4) and (5) am., OA 3, 2000-01, pub. 10/19/00.]

**10.13 C-1 COMMERCIAL DISTRICT. (1)**

*Permitted uses.* **(a)** Retail and service uses

including, but not limited to, grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size.

**(b) Self service laundries and dry cleaning establishments.**

**(c) Warehousing and storage incidental to a permitted use on the premises. Mini-warehouses are excluded from use in this (C-1) district.**

**(d) Medical, dental and veterinary clinics.**

**(e) Banks, offices, office buildings and condominium office buildings devoting not more than two (2) floors to office space.**

**(f) Utility services.**

**(g) Rooming and boarding houses.**

**(h) Bakeries, printing plants, laundries, dry cleaning plants.**

**(i) Distribution centers and wholesale businesses.**

**(j) Woodworking shops, machine shops, manufacturing and assembly plants.**

**(k) Bicycle sales and service.**

**(L) Rental businesses, except for motor vehicles and construction machinery and equipment.**

**(m) Experimental laboratories not to exceed 5,000 square feet of floor area.**

**(o) Sales and repair of lawn and garden equipment.**

**(p) Games such as horseshoes, volleyball or similar activities not lighted for night operation.**

**(q) Marinas.**

**(r) Off-site parking of motor vehicles as provided in section 10.18(3)(c).**

**(s) Crematoriums.**

**(t) All uses permitted in the LC-1 Limited Commercial District.**

**(2) Conditional uses permitted in the C-1 Commercial District.**

**(a) Single family residences, duplexes, multi-family residences.**

**(b) Banks, offices, office buildings and condominium office buildings devoting more than two (2) floors to office space.**

**(c) Motels, hotels, taverns, funeral homes and drive-in establishments.**

**(d) Hospitals, veterinary hospitals, nursing homes, convalescent centers, extended care facilities.**

**(e) Mobile home parks, subject to special conditions as provided for in s. 10.08(10).**

**(f) Outdoor amusement parks or other entertainment activity that is open to the public on either a permanent or temporary basis.**

**(g) Indoor or outdoor movie theater.**

- (h) Automobile laundries, car wash facilities.
  - (i) Dog and cat boarding kennels, grooming and training facilities.
  - (j) Communication towers.
  - (k) Storage of motor vehicles awaiting disposition either as abandoned vehicles or for the settlement of an insurance claim.
  - (m) Governmental uses.
  - (n) Agricultural uses.
  - (o) Games such as horseshoes, volleyball or similar activities lighted to operate at night.
  - (3) *Building height limit.* (a) For business buildings, including offices, the maximum building height shall be four (4) stories, provided, however, that a conditional use permit shall be required for any building that provides more than two (2) stories devoted to office space.
  - (b) Lots or building sites for residential purposes or for combined business and residential uses shall comply with the requirements of the R-4 Residence District.
  - (4) *Area, frontage and population density regulations.* Area, frontage and population density regulations shall be the same as for the B-1 Local Business District.
  - (5) *Setback requirements.* Setback from front lot line or highway right-of-way shall comply with the provisions of section 10.17.
  - (6) *Side yard requirements.* Side yard requirements shall be the same as for the B-1 Local Business District.
  - (7) *Rear yard requirements.* (a) For buildings to be used exclusively for business purposes the minimum depth of any rear yard shall be 10 feet.
  - (b) For residential buildings, or buildings combining residential and business uses, the minimum depth of any rear yard shall be 25 feet.
  - (8) *Off-street parking.* Off-street parking space shall be provided in accordance with the provisions of section 10.18.
  - (9) *Screening provisions.* On lots adjacent to or abutting land in a residence district, the screening provisions of section 10.16(8) shall be complied with prior to the issuance of a certificate of compliance.
- [History: (1)(q) cr., Sub. 2 to OA 25, 1987-88, pub. 02/29/88; (1)(c) am., OA 1, 1994-95, pub. 09/02/94; (2)(c) and (3)(a) am., OA 16, 1996-97, pub. 01/16/97; (2)(j) am., OA 57, 1996-97, pub. 09/02/97; (1)(r) cr., OA 39, 1997-98, pub. 08/17/98; (8) am., OA 3, 2000-01, pub. 10/19/00; (1)(s) cr., OA 38, 2004-05, pub. 09/12/05; (1)(t) cr., OA 27, 2005-06, pub. 05/16/06.]

**10.14 C-2 COMMERCIAL DISTRICT. (1) Permitted uses.** (a) All uses permitted in the C-1 Commercial District without limitations as to size.

- (b) Major repairs to motor vehicles.
- (c) Sales of new and used motor vehicles.
- (d) Sales of new and used mobile homes, recreational equipment rental, sales and service.
- (e) Sales of new and used contractor's machinery and equipment.
- (f) Repairs, storage and service of contractor's machinery and equipment.
- (g) Rental and leasing of motor vehicles, contractor's machinery and equipment.
- (h) Bulk fuel storage, sales and storage of lumber and building material.
- (i) Truck and bus terminals.
- (j) Auxiliary or supplemental electric generating stations.
- (k) Fertilizer mixing or blending plants.
- (L) Slaughterhouses, meat processing plants.
- (m) Bottling plants.
- (n) Utility services.
- (o) Storage, repair and maintenance of carnival, concession and circus machinery and equipment.
- (p) Automobile and truck driver training schools and construction equipment operator training schools that are privately owned and operated for profit.
- (q) Parking or storing of motor vehicles.
- (r) Storage or processing of scrap or waste materials, conducted entirely within a building.
- (s) Warehouses.
- (t) Games such as horseshoes, volleyball or similar activities not lighted for night operation.
- (u) Mini-warehouses.
- (v) Adult book stores, subject to the standards set forth in s. 10.193.
- (w) All uses permitted in the LC-1 Limited Commercial District.
- (2) *Conditional uses permitted in the C-2 Commercial District.*
- (a) Outdoor amusement parks or other entertainment activity whether on a permanent or temporary basis that is open to the general public.
- (b) Movie theaters, outdoor theaters.
- (c) Drive-in establishments.
- (d) Automobile race tracks, snowmobile race tracks and courses, all-terrain vehicle race tracks and courses and motorcycle race tracks including moto-cross and hill climbing courses.
- (e) Mineral extraction subject to the special conditions of section 10.191.
- (f) Solid waste disposal operations, sanitary landfill sites.
- (g) Auto laundries, car washes.
- (h) Taverns.
- (i) Residence for a watchman or caretaker.

- (j) Communication towers.
- (k) Dog and cat boarding kennels, grooming and training facilities.
- (L) Governmental uses.
- (m) Agricultural uses.
- (n) Games such as horseshoes, volleyball or similar activities lighted to operate at night.
- (o) Religious uses.
- (p) Motels and hotels.
- (q) Storage of explosive materials in strict conformance with Wisconsin Administrative Code provisions relating to explosive materials.
- (3) *Building height limit.* The maximum height for all buildings shall be fifty (50) feet. Tanks, storage bins, silos and towers shall not be subject to this limitation.
- (4) *Area, frontage and population density regulations.*
  - (a) The area and frontage shall be the same as for the B-1 Local Business District.
  - (b) Any principal building together with its accessory building shall not cover more than sixty percent (60%) of the lot area.
  - (5) *Setback requirements.* Setback from front lot line or highway right-of-way shall conform to the provisions of section 10.17.
  - (6) *Side yard requirements.* Side yard requirements shall be the same as for the B-1 Local Business District.
  - (7) *Rear yard requirements.* (a) For business and commercial buildings, the minimum depth of any rear yard shall be 10 feet.
  - (8) *Screening provisions.* On lots adjacent to or abutting land in a residence district, the screening provisions of section 10.16(7) shall be complied with prior to the issuance of a certificate of compliance.
  - (10) *Off-street parking.* Off-street parking shall be provided as required in section 10.18.

[History: (1)(u) cr., OA 1, 1994-95, pub. 09/02/94; (2)(o) cr., OA 42, 1994-95, eff. 09/26/95; (2)(d) am., Sub. 2 to OA 19, 1995-96, eff. 02/25/96; (2)(p) cr., OA 15, 1996-97, pub. 01/06/97; (2)(c) and (e) and (8) am., OA 16, 1996-97, pub. 01/16/97; (2)(j) am., OA 57, 1996-97, pub. 09/02/97; (10) cr., OA 39, 1997-98, pub. 08/17/98; (1)(v) cr., OA 3, 1998-99, pub. 09/24/98; (2)(q) cr., OA 22, 1999-2000, pub. 06/27/00; (1)(w) cr., OA 27, 2005-06, pub. 05/16/06.]

**10.141 LC-1 LIMITED COMMERCIAL DISTRICT.** (1) *Permitted uses.* (a) General, mechanical and landscape contracting businesses and buildings used in connection with such activity. (b) Storage of construction equipment necessary for the operation of a general, mechanical or landscape contracting business.

There shall be a limit of 12 items of equipment stored on each zoning lot.

(c) School bus and motor coach transportation businesses including offices and parking, storage and maintenance of buses and other vehicles used in the business, such as vans and maintenance tow trucks. Bus terminals for said businesses are not permitted.

(d) Maintenance and repairs to vehicles and construction equipment for school buses stored on the premises and not as a service to other owners.

(e) Outside storage of materials or supplies used by a contractor in fulfilling his or her contracts and not offered for sale to a user or consumer.

(f) Utility services.

(g) A single family residence for an owner of the business or a caretaker.

(2) *Building height limit.* Residential buildings shall not exceed 35 feet in height or two and one-half (2-1/2) stories.

(3) *Lot area.* Minimum lot area shall be not less than 100 feet of lot width and 20,000 square feet of lot area.

(4) *Lot area coverage.* The total floor area of commercial buildings, residential and residential accessory buildings shall not exceed 35 percent of the lot area.

(5) *Building setback requirements.* (a) Setback from front lot line to highway right-of-way line shall conform to the requirements of section 10.17.

(b) Construction equipment or material shall not be stored between the building setback line and the front lot line of any lot.

(6) *Side yard requirements.* The minimum width for any side yard shall not be less than 10 feet for any building.

(7) *Rear yard requirements.* (a) For buildings used for commercial purposes and residential accessory buildings the minimum rear yard shall be not less than 10 feet.

(b) For residential buildings the minimum rear yard shall be not less than 25 feet.

(8) *Screening requirements.* For lots adjacent to a residence district the screening provisions of section 10.16(7) shall be complied with prior to the establishment of a commercial use.

(9) *Off-street parking.* Off-street parking shall be provided as required in section 10.18.

[History: (1)(c) am., petition #4047, pub. 09/14/87; (8) am., OA 16, 1996-97, pub. 01/16/97; (9) cr., OA 39, 1997-98, pub. 08/17/98; (7)(a) and (b) am., OA 3, 2000-01, pub. 10/19/00.]

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
APRIL 22, 2009

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, David Muehl, Sharon Fredenberg, Phillip Bultman and Virgil Schroeder all in attendance, along with those listed on the attached sign-in sheet (available in the Clerk's Office).
2. Chair Silvin Kurt called the meeting to order at 7:04 p.m.
3. Approve minutes of the March 25, 2009 meeting: **MOTION** by Schroeder/Fredenberg to approve the minutes of the March 25, 2009 Plan Commission meeting as printed. **MOTION CARRIED 6-0.**
4. Public Concerns: None.
5. Items of Change to the Town Comprehensive Plan requested by Residents:
  - a. James, Nola and Nick Skaar – Request to amend the plan to designate approximately 12 acres west and south of Skarstinden Road as a residential Transfer of Development Rights (TDR) receiving area, to eventually include an infill of 8 additional homes: Ellery Jenson and Nola and Nick Skaar presented the maps, and asked to for the property area to be designated as a TDR receiving area so that they can use the 8:1 multiplier for TDRs.

Public Comments:

- In Favor: Woody Knox, 1737 Jargo Road: The infrastructure is already there, it is not good quality farm land in question, it would concentrate potential ag conflicts in one area, not dispersed.
- Against: Jim Franke, 1799 Nora Road: Outer areas should be ag, TDRs need a market, 2008 petition of neighbors against a receiving area. Property is deed restricted to 4 lots. The Olson case needs to be resolved first.
- Against: Steve Fehringer, 1703 Nora Road: Marketplace doesn't demand a hurried decision on receiving area, wants whole plan revisited.
- Against: Kevin Shelley, 1764 US Highway 12 & 18: Proper notice must be given to all adjacent landowners, not sure that happened earlier with this project. Slope – too much erosion during construction experienced. TDRs with density bonus had skepticism from the County, but was innovative, within the proper area only. Five years is too short a time period to change the plan already.
- Against: Lori Otteson, 2173 Nora Road: Does not want this.

Plan Commission Discussion: Schroeder was surprised at the TDR multiple component, starting that the original intent was to use 1 TDR, not 8. The Pilot program sent TDRs from that area. Having it be a receiving are is counter productive. **MOTION** by Hampton/Fredenberg to roll the request into the overall review of the plan, starting that process as soon as possible. **MOTION CARRIED 6-0.**

- b. Donald and Judith Klongland: Request to amend the plan to change parcels 071-062-8000-3 (28.8 acres) and 0711-062-8200-8 (5.55 acres) from district 8 (Open Space/Park) to 4 (High Density Residential). Donald Klongland contends that the Town has undertaken a “takings” by designating this area a greenspace. Ok to call it what it is – agriculture.

Public Comments: None.

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
APRIL 22, 2009

Plan Commission Discussion: **MOTION** by Fredenberg/Schroeder to roll the request into the overall review of the comprehensive plan. **MOTION CARRIED 6-0.**

6. Birrenkott Surveying, Inc., Daniel V. Birrenkott (Daniel Goff, Owner)-Parcel 0711-071-9091-0: Requesting split and rezone of 1.57 acres from A-2(1) to R-1 (.784 acres) and C-2 (.775 Acres). Residential parcel to be offered for sale, and the commercial parcel to be used for a classic car business.

Public Comments: Mark & Lori Lewis, 3031 Cottage Grove Road, already have major water issues with their property, and are concerned that future grading would increase their water problems.

Plan Commission Discussion: **MOTION** by Hampton/Schroeder to approve splitting the existing parcel into two lots: Lot 1 for .794 acres to be zoned R-1, and Lot 2 for .775 acres to be zoned C-2, limited to permitted use 10.14(1)(c) Sales of new and used motor vehicles in the Dane County Code of Ordinances. It was noted that there is already C-1 on both the east and west sides of the property, and the change is allowed in the Town's comprehensive plan as rural business in the conservation/residential district. **MOTION CARRIED 6-0.**

7. Badger Farms LLC – Parcel 0711-131-8500-4: Requesting Conditional Use Permit for Ag Entertainment on A-1EX zoning to bring into compliance rental of the renovated barn for assemblies of persons in an agricultural setting.

Public Comments: None.

Plan Commission Discussion: **MOTION** by Kurt/Bultman to approve a conditional use permit in the A-1EX district as per 10.123(3)(m) Agricultural entertainment activities which are not permitted under sub. (2)(k). **MOTION carried 5-0-1** (Muehl abstained).

8. Discuss/Consider recommendation to Town Board regarding Recommended Town Procedures for Acting on Conditional Use Permit Applications: **MOTION** by Fredenberg/Schroeder to approve, formalizing the process. **MOTION CARRIED 6-0.** (note: approval did not specify which of the approaches suggested by Dane County was approved. This will need to be revisited at the next meeting).
9. Discuss/Consider recommendation to Town Board regarding Contract for Sustainable Services Consultation By and Between the Town of Cottage Grove and Sustainable Services Services, Inc.: **MOTION** by Kurt/Schroeder to approve the contract as written. **MOTION CARRIED 6-0.**
10. ADJOURNMENT: **MOTION** by Fredenberg/Schroeder to adjourn. **MOTION CARRIED 6-0.** The meeting was adjourned at 9:29 P.M.

Submitted by: David Muehl  
Approved 5-27-2009

TOWN OF COTTAGE GROVE

PLAN COMMISSION

May 27, 2009

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, David Muehl, Sharon Fredenberg, Phillip Bultman and Virgil Schroeder all in attendance. Gary Peterson of Crispell-Snyder, Inc. was also present.
2. Chair Silvin Kurt called the meeting to order at 7:05 p.m.
3. Approve minutes of the April 22, 2009 meeting: **MOTION** by Hampton/Fredenberg to approve the minutes of the April 22, 2009 Plan Commission meeting as printed. **MOTION CARRIED 6-0.**
4. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item: None.
5. Discuss/Consider recommendation to Town Board regarding Recommended Town Procedures for Acting on Conditional Use Permit Applications (action from last meeting was not specific): **MOTION** by Bultman/Schroeder to recommend Approach #1 of Attachment A provided by Dane County, using the sample procedure shown on page 2. **MOTION CARRIED 4-2** (Fredenberg and Schroeder opposed).
6. Review/Work on the Phase 2 amendment to the Town Comprehensive Land Use Plan - Gary Peterson, Crispell-Snyder, Inc.: Peterson presented a historical overview of the old comprehensive plans and the minor modifications from 2001 through 2007. The commission needs to work on the land use sections, and push the Village of Cottage Grove and City of Madison with what the Town wants, as well as ask for community input again. Peterson will coordinate with the Village and City and report back at the July meeting.

(Dave Muehl left at 9:00 P.M.)

7. Discuss/Consider recommendation to prepare an Energy Efficiency Block Grant Application for the Town and possibly in conjunction with the Village: Grants of up to \$225,000 per municipality are available through the Office of Energy Independence for projects that will retain/create jobs and increase energy efficiency. **MOTION** by Kurt/Bultman recommending that the Town Board look into the Energy Efficiency Block Grant program. **MOTION CARRIED 4-1** (Fredenberg opposed).
8. ADJOURNMENT: **MOTION** by Kurt/Fredenberg to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:05 P.M.

Submitted by: David Muehl and Virgil Schroeder

Approved 7-22-2009

TOWN OF COTTAGE GROVE

PLAN COMMISSION

July 22, 2009

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, David Muehl, Sharon Fredenberg, Phillip Bultman and Virgil Schroeder all in attendance. Gary Peterson and Crystal Buck of Crispell-Snyder, Inc. were also present, along with those listed on the attached sign-in sheet (available in the Clerk's office).
2. Chair Silvin Kurt called the meeting to order at 8:00 p.m.
3. Approve minutes of the May 27, 2009 meeting: **MOTION** by Fredenberg/Hampton to approve the minutes of the May 27, 2009 Plan Commission meeting as printed. **MOTION CARRIED 6-0.**
4. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item: NONE.
5. Discuss and consider plan for phasing of commercial development in the area of US Highway 12 & 18 and Femrite Drive and Siggelkow Road: Hampton received a copy of a letter from the City of Madison Planning Division to the Dane County ZLR Committee opposing rezone petition No. 10054 (Korfmacher and Yahara Materials), and expressing concern over long term vs. short term phasing of commercial development in this area. The ZLR committee has the same concerns. **MOTION** by Hampton/Kurt directing Peterson to draft a letter to the County ZLR Committee addressing the phasing and other concerns raised by the City of Madison in the July 13, 2009 letter. **MOTION CARRIED 6-0.**
6. Review/Work on the Phase 2 amendment to the Town Comprehensive Land Use Plan - Gary Peterson, Crispell-Snyder, Inc: Crystal Buck was introduced, and Peterson presented a historical perspective including Madison's 2005 peripheral planning areas and various Town land use maps through time. **MOTION** by Fredenberg/Schroeder directing Hampton to request that discussion of a boundary agreement between the Town and Village of Cottage Grove be included on the next Joint Town/Village Board meeting agenda. **MOTION CARRIED 6-0.**
7. Review and make recommendations for a letter from the Town Board to the City of Madison and Village of Cottage Grove concerning participating in the Town's Land Use Plan: The committee reviewed a draft letter to the Village and City prepared by Peterson. **MOTION** by Fredenberg/Hampton to send the letter, as amended tonight and signed by Kurt and Hampton, to the Madison mayor and Village president. **MOTION CARRIED 6-0.**
8. ADJOURNMENT: **MOTION** by Fredenberg/Bultman to adjourn. **MOTION CARRIED 6-0.** The meeting was adjourned at 8:52 P.M.

Submitted by: David Muehl

Approved 8-26-2009



TOWN OF COTTAGE GROVE

PLAN COMMISSION

August 26, 2009

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, David Muehl, Sharon Fredenberg, Phillip Bultman and Virgil Schroeder all in attendance. Steve Anders arrived at 7:04 p.m.
2. Chair Silvin Kurt called the meeting to order at 7:00 p.m.
3. Approve minutes of the July 22, 2009 meeting: **MOTION** by Schroeder/Hampton to approve the minutes of the July 22, 2009 Plan Commission meeting as printed. **MOTION CARRIED 6-0.**
4. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item:
  - a. Hampton reported that a letter was received from Scott McDonald regarding lake levels and flood storage. He also received a notice on airport operations in Stevens Point. The Town has received an annexation petition for the former "The Farm" golf course property.
  - b. Bruce Homburg questioned whether he will be allowed to replace the house trailer that recently burned down at 4277 Vilas Hope Road.
5. Review/Work on the Phase 2 amendment to the Town Comprehensive Land Use Plan: There was discussion on commercial vs. residential development, from which a revised land use planning map – for discussion only – was generated (attached). There was no action taken at this time, but action to schedule a public hearing is anticipated at the next meeting.
6. ADJOURNMENT: **MOTION** by Hampton/Anders to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 8:40 P.M.

Submitted by: David Muehl

Approved 9-30-2009

TOWN OF COTTAGE GROVE

PLAN COMMISSION

September 30, 2009

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, Steve Anders and Phillip Bultman all in attendance. Dave Muehl arrived at 7:32 p.m.
2. Chair Silvin Kurt called the meeting to order at 7:01 p.m.
3. Approve minutes of the August 26, 2009 meeting: **MOTION** by Bultman/Anders to approve the minutes of the August 26, 2009 Plan Commission meeting as printed. **MOTION CARRIED 4-0-0.**
4. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item: None.
5. Discuss/Consider approval of a Conditional Use Permit for a temporary concrete batch plant at the Gaston Quarry, 2543 Gaston Road. R.G. Huston Company, Inc. – Applicant, Huston Holdings, LLC – Landowner: (Bultman excused himself from the proceedings) Dale Huston and Dennis Richardson made the presentation for R.G. Hustin Company, Inc. The batch plant will be needed from May of 2010 through November of 2011, to be operated by Zignego Company, Inc. Project engineer is Paul Waltry with Bloom Company. Contact info for Zignego Company, Inc, and Waltry will be provided to the Town. It will be a modern plant with dust control and generators, and looks to be daytime use only. Silo height will be 70 feet. It was estimated that there would be 200-500 trucks hauling per 10 hour day from 7:00 A.M. to 6:00 P.M. A new well will be drilled to serve the plant. Old concrete will be recycled into new.

Betty Taylor, 2574 Gaston Road, complained that dust is bad now, and wondered what it will be like with a concrete plant. She further stated that night time work and noise are already a problem, and that there are too many neighbors in the area. She is hoping to have no night work and good dust control.

Alternate sites could have been the Homburg site, but crossing the interstate would be problematic.

**MOTION** by Hampton/Kurt to approve the CUP for a temporary concrete batch plant at 2543 Gaston Road for the 2010 through November 2011 with requirements of:

- Hours of Operation: 7:00 A.M. through 6:00 P.M., Monday through Saturday
- No work allowed at night, Sundays, or legal holidays
- Dust Control: Gaston Road and the quarry private road will be maintained free of dust, and Zinego will meet all State and Federal requirements on dust control.
- Flagged "Trucks Entering" signs to be installed on both eastbound and westbound Gaston Road.

All requirements under §10.255(2)(h) DCCO been met, and because the location is in the A-2 zoning district, it has been determined to be necessary in light of alternative locations and all factors listed in §10.123(3)(a) DCCO have been considered.

**MOTION CARRIED 3-0-2** (Bultman and Muehl abstained).

6. Review/Work on the Phase 2 amendment to the Town Comprehensive Land Use Plan: Discussion included:

TOWN OF COTTAGE GROVE

PLAN COMMISSION

September 30, 2009

- The Burnam Plan for Chicago in 1909.
- Responses to letters sent to the City of Madison and Village of Cottage Grove concerning participating in the Town's Land Use Plan did not contain any new information, just request for dates to meet.
- Review of the draft map from the last meeting, including long range uses.
- Sequencing of residential and commercial development areas not on the map – just use a chart.
- Sustainability component in developments.
- RTA – needs to have density to work.
- Partnering with other communities for comprehensive planning grants.

**MOTION** by Hampton/Anders directing Peterson to utilize the draft map prepared by the Plan Commission to revise the text and graphics in the land use plan for the next meeting on October 28, 2009. **MOTION CARRIED 5-0-0.**

7. **ADJOURNMENT:** **MOTION** by Hampton/Anders to adjourn. **MOTION CARRIED 5-0.**  
The meeting was adjourned at 9:09 P.M.

Submitted by: Kris Hampton and David Muehl

Approved 10-28-2009

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
October 28, 2009

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, Steve Anders, David Muehl, Sharon Fredenberg, Phillip Bultman and Virgil Schroeder all in attendance. Gary Peterson and Crystal Buck of Crispell Synder, Inc. were also present. Fredenberg left at 8:17 P.M.
2. Chair Silvin Kurt called the meeting to order at 7:00 p.m.
3. Approve minutes of the September 30, 2009 meeting: **MOTION** by Hampton/Anders to approve the minutes of the September 30, 2009 Plan Commission meeting as printed. **MOTION CARRIED 5-0-2** (Frendenberg and Schroeder abstained).
4. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item:
  - Donald Klongland, 3108 Gaston Road, stated that he would like the Town's comprehensive plan to show the area where I-94 intersects Gaston Road as planned residential, in line with Phase I of the City of Madison's plan.
  - Greg Zakowski, 4281 Vilas Hope Road (the old Strand farm), wants to build a second residence on a big field. The property is currently zoned R-1. The commission suggested he contact the City of Madison to see if they would object to a split of the property.
5. Discuss/Consider approval of a rezone of 42.11 acres for parcel 0711-114-8900-0 at the end of Rathert Road, owned by Soleil Development, Joseph Kuhn, applicant. 11.11 acres to be rezoned A-2(8), with the remaining 31 acres to be joined with parcel 0711-111-9570-2 owned by Randall Letlebo, 1908 Strawberry Road: Dan Paulson of Paulson & Associates (surveyor) explained that Soleil Development wants to sell part of Lot 2, currently zoned A-2. Paulson described three options for the cul-de-sac on Strawberry Road.

**MOTION** by Hampton/Schroeder recommending a zone change from A-2 to A1-EX for 31 acres (Lot 2), with no future development allowed. The remaining 11.11 acres (Lot 1) to be rezoned to A-2(8). Dedication for right-of-way for Strawberry Road to be as shown on drawing, increasing the right-of-way by ½ rod and allowing for a cul-de-sac on the north side the road (the south side of the road is owned by another party not involved in this rezone). **MOTION CARRIED 7-0.**
6. Review/Work on the Phase 2 amendment to the Town Comprehensive Land Use Plan, including:
  - a. Draft revisions to the Land Use Element chapter (Frendenberg left during this discussion): The committee reviewed the entire document, and revisions were noted. Also note that according to page J-13, the entire town would be a sending area, only certain areas can be receiving areas.
  - b. Draft revisions to Map J-4 Future Land Use: Minor changes were noted.
  - c. Draft revisions to Exhibit J-2, Allowable uses in the Land Use Districts: Minor changes were noted.Peterson and Buck will incorporate the revisions for the next meeting.
7. ADJOURNMENT: **MOTION** by Bultman/Anders to adjourn. **MOTION CARRIED 6-0.** The meeting was adjourned at 8:56 P.M. The next meetings will be November 18<sup>th</sup> and December 23, 2009.

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
October 28, 2009

Submitted by: David Muehl  
Approved 11-18-2009

TOWN OF COTTAGE GROVE

PLAN COMMISSION

November 18, 2009

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, Steve Anders, David Muehl and Phillip Bultman all in attendance. Crystal Buck of Crispell-Synder, Inc. was also present, in addition to those on the attached sign-in sheet (available in the Clerk's office).
  2. Chair Silvin Kurt called the meeting to order at 7:02 p.m.
  3. Approve minutes of the October 28, 2009 meeting: **MOTION** by Hampton/Anders to approve the minutes of the October 28, 2009 Plan Commission meeting as printed. **MOTION CARRIED 5-0**
  4. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item:
    - It was noted that the Towns of Christiana and Sun Prairie both sent notices regarding their comprehensive plans.
    - George Ring wanted to understand TDRs with respect to his mobile home.
  5. Discuss/Consider approval of Conditional Use Permit for a communications tower (wireless phones) for US Cellular Operating Company, LLC at 3054 County Road BB, Wisconsin Cemeteries Holdings: Robert Gust, agent for US Cellular, and Jeff Stanley, Cemetery Superintendent, explained that the tower is needed for traffic and dropped calls. This is the most suitable site among the six A-2 parcels around to put up 3G technology as there are no homes in close proximity. **MOTION** by Hampton/Anders to approve the CUP for a communications tower on the .13 acres and site approval for mono pole, 160 feet tall. The tower is not be lit unless required by FAA regulations. Note that the commission considered all six standards from DCCO 10.255(2)(h), and determined all to be satisfied. **MOTION CARRIED 5-0.**
  6. Discuss/Consider approval of Town of Cottage Grove Annex to the Dane County Natural Hazard Mitigation Plan. No discussion was needed as the Town Board approved it without sending it the Plan Commission for review.
  7. Review/Work on the Phase 2 amendment to the Town Comprehensive Land Use Plan, including:
    - a. Draft revisions to the Land Use Element chapter: The draft of this chapter, in addition to drafts of the Issues and Opportunities Element and Housing Element chapters, were reviewed and no changes were noted
    - b. Draft revisions to Map J-4 Future Land Use: The draft map was reviewed, and it was noted that The Farm golf course has been annexed to the Village of Cottage Grove.
    - c. Draft revisions to Exhibit J-2, Allowable uses in the Land Use Districts: The draft was reviewed, with a suggestion to add "and restoration" to the Agribusiness/Commercial – Sustainable land use.
- Buck presented a handout outlining the steps involved in the comprehensive plan adoption process. The next steps will be:
1. January 20, 2010 – Plan Commission open house
  2. January 27, 2010 - Plan Commission public hearing and Resolution
  3. April 2010 – Public Hearing and Town Board Adoption
8. **ADJOURNMENT: MOTION** by Hampton/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:46 P.M. The next meeting will be December 16, 2009.

Submitted by: David Muehl

Approved 12-16-2009

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
December 16, 2009

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, Phillip Bultman and Virgil Schroeder all in attendance. Crystal Buck of Crispell-Synder, Inc. was also present, in addition to those on the attached sign-in sheet (available in the Clerk's office).
2. Chair Silvin Kurt called the meeting to order at 5:00 p.m.
3. Approve minutes of the November 18, 2009 meeting: **MOTION** by Kurt/Bultman to approve the minutes of the November 18, 2009 Plan Commission meeting as printed. **MOTION CARRIED 3-0-2** (Frendenberg and Schroeder abstained).
4. Public Concerns: Public's opportunity to speak to the Plan Commission about any subject that is not a specific agenda item: None.
5. Discuss/Consider approval of rezone of 1.0 acres from R1 to R3 for rear yard setback compliance at 4548 Falcon Court – David & Claire Doelger, owners: Fredenberg recused herself. Claire Doelger explained that they are requesting the rezone in order to come into compliance for the original home and a 1995 addition, as well as to add on to accommodate their handicapped son. **MOTION** by Schroeder/Bultman to approve the rezone from R1 to R3 in order to come into compliance for rear yard setback. **MOTION CARRIED 4-0.**
6. Review/Work on the Phase 2 amendment to the Town Comprehensive Land Use Plan, including:
  - a. Review draft of schedule for adoption: The commission was OK with the schedule for adoption.
  - b. Review draft public notice for Plan Commission public hearing: The commission was OK with the draft notice.
  - c. Review draft of Plan Commission resolution (no action will be taken until the January meeting): The commission was OK with the resolution as drafted.
  - d. Review draft press release for Public Open House: There was discussion as to how to notify residents – preference was to send it in letter form. The open house was scheduled for January 20, 2010 from 7:00 to 9:00 P.M. The commission was OK with the draft press release.
7. ADJOURNMENT: **MOTION** by Fredenberg/Hampton to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 5:45 P.M. The next meeting will be January 27, 2010.

Submitted by: Kris Hampton  
Approved 1-27-2010