

TOWN OF COTTAGE GROVE
PLAN COMMISSION
JANUARY 26, 2011

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, Kristi Williams, Phillip Bultman and Virgil Schroeder (arrived at 7:10 P.M.) in attendance. Attorney Connie Anderson was present for the discussion of the Land Division ordinance revisions.
2. Chair Silvin Kurt called the meeting to order at 7:01 p.m.
3. Approve minutes of previous meetings: **MOTION** by Hampton/Anders to approve the minutes of the December 22, 2010 Plan Commission meeting as printed. **MOTION CARRIED 6-0.**
4. Public Concerns: Otto K Otteson and Kevin Shelley would like no new development along the "Rustic Road" portion of Nora Road.
5. Otto C. Otteson – 2171 Nora Road, parcel 0711-274-800-7 – rezone 6 acres from A1-EX to RH-2 to create a separate parcel for residence, using non-transferable RDU due to continuous ownership since January 1, 1981: Otteson's son Otto K. Otteson was in attendance. The rezone is for the existing residence, no further development is planned. It was noted that the original CSM needs to be corrected with respect to Otto K.'s parcel, including 66' of frontage on Nora Road. **MOTION** by Hampton/Anders approve the rezone of 6 acres or less from A1-EX to RH-2. As per page J-12 of the Comprehensive Plan, with continuous ownership since 1981, the use of the non-transferable RDU is allowed, and as per page J-17, the 6 acre parcel is allowed to include the existing farm residence and farm buildings. Otto K.'s CSM should be corrected at the same time, with both items to be presented to the Town Board on February 21, 2011. **MOTION CARRIED 7-0.**
6. Marc Lea, 2257 Nora Road, parcels 0711-271-9000-8, 0711-271-9500-2 & 0711-272-8000-9 – rezone of 7 acres from A1-EX to RH-3 to create a separate parcel for residence, using non-transferable RDU due to continuous ownership since January 1, 1981: There was no one attending to present the request. **MOTION** by Anders/Williams to table until the February Plan Commission meeting since no petitioners were present. The commission would like to have an aerial picture of the proposal. **MOTION CARRIED 7-0.**
7. Royal Oak Engineering, Applicant:
 - a) Ellery Jensen, Landowner – 2998 Gaston Road, parcel 0711-061-8500-9 – rezone of 2.0 acres from A1-EX to RH-1 to create a separate parcel for residence, using non-transferable RDU due to continuous ownership since January 1, 1981: **MOTION** by Hampton/Williams to approve the rezone of 2.0 acres from A1-EX to RH-1 using the non-transferable RDU based on continuous ownership since 1981. It was noted that this complies with the density requirements in the Ag district per page J-17 of the Comprehensive Plan. The road right-of-way along Gaston Road is to be dedicated to the Town. **MOTION CARRIED 7-0.**
 - b) James, Nola & Neli Skaar, Landowners – 1888 Nora Road, parcel 0711-261-9500-5 – rezone of 2.97 acres from A1-EX to RH-1 to create a separate parcel for residence, using non-transferable RDU due to continuous ownership since January 1, 1981: the petition was verbally amended to include 5.2 acres, which would call for RH-2 zoning. **MOTION** by Hampton/Schroeder to approve the rezone of 5.2 acres from A1-EX to RH-2 using the non-transferable RDU due to continuous ownership since 1981 as per page J-12 of the Comprehensive Plan. It was noted this complies with the density requirements for the Ag district on page J-17. The road right-of-way along Nora Road is to be dedicated to the Town. **MOTION CARRIED 7-0.**

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- c) Screamin' Norwegian Farm #1, Landowner – 1864 & 1872 USH 12 & 18, parcel 0711-351-9500-6 – rezone of 1.15 acres from A1-EX to R1 to create a separate parcel for residence, using non-transferable RDU due to continuous ownership since January 1, 1981: **MOTION** by Hampton/Anders to approve the rezone of 1.15 acres from A1-EX to R1 using the non-transferable RDU for continuous ownership since 1981 as per page J-12 of the Comprehensive Plan. It was noted that this complies with the density requirements for the Ag district on page J-17. A joint driveway agreement for the two residences is required. **MOTION CARRIED 7-0.**
- d) Screamin Norwegian Farms, LLC, Landowner – 3586 S. Jargo Road:
- Parcel 0711-252-9000-1 and 0711-252-9230-3 – rezone of 2.8 acres from A1-EX to RH-1 to create a separate parcel for residence, using non-transferable RDU due to continuous ownership since January 1, 1981: **MOTION** by Anders/Hampton to approve the rezone of 2.8 acres from A1-EX to RH-1 using the non-transferable RDU for continuous ownership since 1981 as per page J-12 of the Comprehensive Plan. It was noted that this complies with the density requirements for the Ag district on page J-17. The road right-of-way along Jargo Road is to be dedicated to the Town. **MOTION CARRIED 7-0.**
 - Parcel 0711-252-9230-3- rezone of 2.6 acres from A1-EX to RH-1 for zoning compliance: **MOTION** by Hampton/Williams to approve the rezone of Lot 1 of CSM 512 from A1-EX to RH-1 to correct improper zoning when the CSM was done. It was noted that this meets the density requirements for the Ag district as per page J-17 of the Comprehensive plan. Road right-of-ways along W. Jargo and S. Jargo roads to be dedicated to the Town. **MOTION CARRIED 7-0.**
8. Discuss/consider approval of revisions to TCG Ord. Chapter 15 Land Division and Planning Code: **MOTION** by Hampton/Kurt to approve the revisions to Chapter 15, including changes made tonight, and recommend adoption of the County's TDR program to the Town Board. **MOTION CARRIED 7-0.**
9. ADJOURNMENT: **MOTION** by Hampton/Anders to adjourn. **MOTION CARRIED 7-0.**
The meeting was adjourned at 8:17 P.M.

Submitted by: Dave Muehl
Approved 02-23-2011

TOWN OF COTTAGE GROVE
PLAN COMMISSION
FEBRUARY 23, 2011

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, Kristi Williams (arrived at 7:07 P.M.) Phillip Bultman and Virgil Schroeder in attendance. Pam Andros of Dane County Planning and Development was also present.
2. Chair Silvin Kurt called the meeting to order at 7:01 p.m.
3. Approve minutes of previous meetings: **MOTION** by Hampton/Anders to approve the minutes of the January 26, 2011 Plan Commission meeting as printed. **MOTION CARRIED 6-0.**
4. Public Concerns: Otto K Otteson stated that he opposes development of any kind on the portion of Nora Road designated as a Rustic road, and does not want the drumlin disturbed. He would hope that the TDR program could come into play.
5. Marc Lea, 2257 Nora Road, parcels 0711-271-9000-8, 0711-271-9500-2 & 0711-272-8000-9 – rezone of approx. 6 acres from A1-EX to RH-3 to create a separate parcel for residence, using non-transferable RDU due to continuous ownership since January 1, 1981 (tabled from last meeting): Lea stated that he intends to tear down the old house and build a new one. The property was transferred to him from an aunt, to maintain continuous ownership, and application was made prior to January 1, 2011. Hampton inquired about rights to extend North Star Road. Anders would like to view the allocation of the three parcels.

(Anders left for an EMS call at 7:23 P.M.)

MOTION by Hampton/Williams to approve the rezone of approximately 6 acres from A1-EX to RH-2 for creation of a separate parcel for the residence and farm buildings, using the non-transferable RDU due to continuous ownership since January 1, 1981 as per page J-12 of the Comprehensive Plan. This complies with density requirements for the Ag district on page J-17. The road right-of-way along Nora Road is to be dedicated to the Town. **MOTION CARRIED 6-0.**

6. Recommendation regarding Implementation of County TDR Program in Town – Blanket Rezone for TDR Overlay District: Pam Andros provided a handout describing the blanket rezone for the TDR Overlay District, which would need to be applied to all TDR sending areas in the Town. It does not limit any other permitted or conditional uses in the underlying zoning, but adds a new permitted use allowing landowners to transfer their development rights away from their property. There is no cost to the Town or the landowners for the blanket rezone if initiated by the Town. **MOTION** by Kurt/Schroeder to recommend that the Town Board approve and initiate the blanket rezone process. **MOTION CARRIED 6-0.**
7. ADJOURNMENT: **MOTION** by Schroeder/Bultman to adjourn. **MOTION CARRIED 6-0.** The meeting was adjourned at 7:53 P.M.

Submitted by: Dave Muehl

Approved 3-23-2011

TOWN OF COTTAGE GROVE
PLAN COMMISSION
MARCH 23, 2011

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, Phillip Bultman and Virgil Schroeder in attendance. Town Clerk Kim Banigan and Rebecca Houghtaling of Crispell-Snyder, Inc. were also present, along with those listed on the attendance 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 previous meetings: **MOTION** by Hampton/Anders to approve the minutes of the February 23, 2011 Plan Commission meeting with the adjournment time corrected to 7:53 P.M. **MOTION CARRIED 6-0.**
4. Public Concerns:
 - a) Larry Notstad, 1852 Hubred Lane, inquired about splitting off the farm house, buildings and 24 acres to sell. The commission advised that due to the 10 acre maximum lot size when creating a separate parcel for existing farm homes and buildings, the 24 acres would probably need to be taken in two parcels, one up to 10 acres with residential zoning for the house and buildings, and another zoned A-4 for the remainder.
 - b) Phillip Gilpin, 3836 Coyt Road, inquired about splitting his 9 acre RH-3 parcel into two RH-2 parcels. He had spoken with someone from County zoning who said this was allowed, but County Planner Pam Andros' email response to the Clerk's question about why a RDU would not be required indicated that the zoning inspector's answer was incorrect. Gilpin was encouraged to stick around as a similar topic was on the agenda for discussion later.
5. Richard and Joy Wood: petition for termination of Covenant Agreement regarding LC-1 zoning for a portion of parcel 0711-141-8610-9 at 1965 W. Ridge Road: Hampton stated that removing the covenant would mean that the partial parcel would be subject to current LC-1 zoning regulations, and Mr. Wood indicated that they have confirmed that they are in compliance. **MOTION** by Hampton/Muehl to recommend termination of the Covenant Agreement regarding LC-1 zoning for a portion of parcel 0711-141-8610-9 at 1965 W. Ridge Road. **MOTION CARRIED 6-0.**
6. Dave Hanson, applicant, Marc Lea Farms, LLC, Landowner, parcels 0711-2728-000-9 and 0711-271-8500-5 at 2257 Nora Road: Requesting rezone of 2 acres from A1-EX to RH-1 for new single family residence: The Commission had a lengthy discussion regarding the proposed 1000' driveway, and whether it should be required to be paved, or if it would better to leave as gravel for less impervious surface. The maximum slope was estimated at 10%. Hanson did indicate he may be willing to blacktop. Another consideration was that the required 66' wide driveway easement would leave a small building site that would not accommodate the septic system. Hanson intends to purchase a total of 45 acres, so this would not be an issue unless either parcel was sold, in which case an easement would be needed.

Otto K. Otteson, 2173 Nora Road, spoke in opposition, stating that he is against any building along the portion of Nora road that is designated as a Rustic Road. Kurt read an email from Jane Carrola, Rustic Roads Coordinator with the WDOT, who stated "While the Rustic Road designation comes from the state, there are no additional land use controls associated with the Rustic Roads designation. However, existing land use and zoning regulations do apply to the rustic road. If a local government wishes additional land use protection, then they must follow proper procedures to initiate it". Otteson acknowledged that it is up to the Town to protect the beauty of the Rustic Road, and encouraged the Plan Commission to allow the TDR program to work.

MOTION by Hampton/Anders to recommend approval of a rezone of 2.0 acres to RH-1 for a new single family residence. 33' of Nora Road right-of-way along the entire 45 acres to be dedicated to

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the Town. This meets the density requirements in the Ag district per page J-17 of the comprehensive plan. The remaining acreage to be deed restricted for no further development. After more discussion about the driveway, site location, and Rustic Road, Hampton and Anders withdrew the motion. **MOTION** by Anders/Schroeder to hold in abeyance until April 27, 2011. **MOTION CARRIED 6-0.**

7. Annual Review of Town's Comprehensive Plan:

- a) Overview of Statutory requirements for update of Comprehensive Plan: Houghtaling provided a handout outlining the schedule, including statutory requirements.
- b) Discuss/Consider recommendation regarding items of change to the Town Comprehensive Plan requested by landowners:

- James, Nola and Neli Skaar: request that 12 acres to the South and West of Skarstinden Road be placed in the Medium Density Residential Land Use District: Hampton noted that of the 4 original lots on Skarstinden, 3 have been sold and one has been built on. This same request that was made last last year.

Woody Knox, co-owner of 1737 S. Jargo Road, spoke in favor of the request. He said it makes good sense since the road is already there, and listed benefits including tax base for the Town and the Stoughton School District. He felt the Skaar's have done a professional job with the development there so far.

Jim Franke, 1677 Nora Road, spoke in opposition. He noted that this same request was pulled out of the amendment last year by Dane County. He disagreed with adding 8 more homes to the 6 already in the area, and felt that TDR receiving areas should be concentrated closer to existing services. Anders addressed this concern by explaining that most of the receiving areas in the Town are under the extraterritorial jurisdiction of either the Village of Cottage Grove or the City of Madison, and attempting to get their approval to proceed with development often meets resistance.

Otto K. Otteson, 2173 Nora Road, spoke in opposition, saying that adding more houses would turn that area in to a subdivision, which he did not think anyone wants. He suggested transferring the development rights somewhere more appropriate.

Troy Eichoff, 3632 Earlwyn Road, spoke in opposition. He was mostly concerned over increased traffic on Nora Road, and agreed with Otteson that there are better places for the development.

MOTION by Hampton/Bultman to recommend that the request to place 12 acres to the South and West of Skarstinden Road in the Medium Density Residential Land Use District move forward to public hearing. **MOTION CARRIED 4-2** (Schroeder and Muehl opposed).

- Victor and Janice Horstmeyer: request that their property at 4618 County Road N be placed in the Limited Commercial Land Use District: Houghtlaing noted that since this property is adjacent to the Village, she had checked with the Village Administrator, who indicated that adjoining land use is commercial and residential, and expressed no verbal objection to the request. Dennis Viney, 3707 County Road, and prospective buyer of the property, spoke in favor. No one opposed. **MOTION** by Anders/Muehl to recommend that the request move forward to public hearing. **MOTION CARRIED 6-0.**

- c) Discuss/Consider map changes in Element J - Land Use.

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- Placing 4600 County Road N in the Limited Commercial Land Use District: Houghtaling explained that from a planning standpoint, it does not make sense to leave this parcel in the Agricultural district if 4618 County Road N is placed in the Limited Commercial District. Joe Bowers, co-owner of 4600 County Road N, had some questions but did not oppose the change. He stated that based on his research, Limited Commercial is similar to the planning district that the Village has his property in. **MOTION** by Hampton/Schroeder to recommend changing 4600 County Road N to the Limited Commercial Land Use District in the draft amendment for public hearing. **MOTION CARRIED 6-0.**
 - Placing Landmark Cooperative's "Corn Palace" at 3977 County Road N, three residential parcels at 4029, 4033, and 4083 County Road N, and the former Town Garage at 4091 County Road N, in the Agribusiness/Sustainable Commercial Land Use District: John Blaska and Randy Kyle of Landmark Cooperative expressed disappointment in the short notice they received of this agenda item, and requested that this be removed from the list of changes. They were most concerned about the 'sustainable' element, feeling that it was not well defined and could lead to unwanted restrictions. Kyle stated that this designation may be a good idea for areas of new development, but not as an overlay for existing development. Jim Stapelmann, 4033 County Road N, and Steve Grob, 4029 County Road N, spoke in opposition, seeing no benefit to them for the change. **MOTION** by Anders/Schroeder to leave Landmark Cooperative's "Corn Palace" at 3977 County Road N, three residential parcels at 4029, 4033, and 4083 County Road N, and the former Town Garage at 4091 County Road N in the Agricultural Land Use District. **MOTION CARRIED 6-0.**
 - Updates to Map J2 – Current Land Use: Houghtaling explained that the current Map J2 is outdated, based on 2000 aerials. The updated map is based on aerials from, and also shows current commercial uses that fall outside of the Limited Commercial district. **MOTION** by Anders/Bultman to allow the updated map to go forward to public hearing. **MOTION CARRIED 6-0.**
- d) Discuss/Consider text changes in Element J - Land Use.
- Allowing for changes in intensity and/or land area for existing commercial uses that fall outside the Limited Commercial Land Use District: Houghtaling stated that the new language for this, shown on page J-18, was approved by Dane County Planning and Development staff last fall. There is also a new related footnote on Exhibit J-2. This came up when an existing commercial property was not allowed by Dane County to change zoning to a different commercial category because it was not in a commercial land use district. **MOTION** by Muehl/Anders to include this language in the draft amendment for public hearing. **MOTION CARRIED 6-0.**
 - Allowing for splits of residential parcels created prior to January 1, 1981: The new language is on the top of page J-18 of the draft. Hampton stated that there is precedent for this in the Town. Houghtaling said there would be no continuous ownership requirement along with this, and that it is perfectly reasonable to allow infill by splitting large parcels that were zoned as residential prior to the first Town plan. Discussion that more "fleshing out" is needed lead to Houghtaling recommending the addition of another sentence stating that parcels resulting from such splits should be consistent with the majority of adjacent parcels. **MOTION** by Anders/Muehl to include this language, including the addition recommended by Houghtlaing, in the draft amendment for public hearing. **MOTION CARRIED 6-0.**
 - Rural Character and Design: Houghtaling said that this new language on page J-27 was suggested by the Town Attorney to provide for gathering of community input as part of the

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development process for an ordinance to regulate architectural and site design standards for commercial development. There is also a new sentence on page J-10 related to this.

MOTION by Anders/Kurt to include this language in the draft amendment for public hearing. **MOTION CARRIED 6-0.**

- Other minor/related text changes: Houghtaling stated that she had also made grammatical changes within the plan that do not affect content. She also removed language related to the non-transferrable RDU's that expired on January 1, 2011. **MOTION** by Anders/Bultman to include the minor text changes in the draft amendment for public hearing.
 - e) Discuss/Consider other comprehensive plan update issues: Houghtaling said that procedural updates will be needed, including the comprehensive plan history, table of contents, and cover page. **MOTION** by Kurt/Hampton to move forward with the necessary procedural updates. **MOTION CARRIED 6-0.**
 - f) Discuss/Consider adoption of a resolution recommending that the Town Board adopt the amendment to the Town of Cottage Grove Comprehensive Plan prepared by the Plan Commission: Hampton and Muehl split the task of reading the proposed resolution aloud. A correction to the title of the existing Comprehensive Plan was noted. **MOTION** by Hampton/Schroeder to adopt the resolution as amended. This will be Plan Commission Resolution 2011-01. **MOTION CARRIED 6-0.** Houghtaling will draft the amendment as discussed tonight, and she and the Clerk will complete the steps required to move the proposed amendment forward to a public hearing.
8. ADJOURNMENT: **MOTION** by Bultman/Anders to adjourn. **MOTION CARRIED 6-0.**
The meeting was adjourned at 9:50 P.M.

Submitted by: Kim Banigan
Approved 4-27-2011

TOWN OF COTTAGE GROVE
PLAN COMMISSION
APRIL 27, 2011

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, Phillip Bultman and Virgil Schroeder in attendance. A list of other attendees is available in the Clerk's office.
2. Chair Silvin Kurt called the meeting to order at 7:00 p.m.
3. Approve minutes of previous meetings: **MOTION** by Hampton/Anders to approve the minutes of the March 23, 2011 Plan Commission meeting as printed. **MOTION CARRIED 6-0.**
4. Public Concerns: None.
5. Dave Hanson, applicant, Marc Lea Farms, LLC, Landowner, parcels 0711-2728-000-9 and 0711-2718-500-5 at 2257 Nora Road: Requesting rezone of 2 acres from A1-EX to RH-1 for new single family residence (tabled at last meeting): Hanson specified that the exterior of the house will be brick, the gravel driveway will be greater than 1000 feet long, which is apparently within Town and County specifications. Anders initiated discussion about fire department services with such a long driveway.

MOTION by Hampton/Muehl to rezone 2 acres as RH-1 for a single family residence, which fits into the density requirements of the Ag land use district. The remaining acreage is to be deed restricted for no additional residential development, and the land under Nora Road along the entire length of the property is to be dedicated to the Town. **MOTION FAILED 3-3** (Bultman, Schroeder and Anders opposed). Reasons given: Bultman does not like to see development along the rustic road. Schroeder does not like the length and slope of driveway, concerned over future maintenance.

Hampton presented 2 alternatives: 1) Require the driveway to be a town road with a cul-de-sac or 2) change the motion to include a driveway maintenance responsibility.

MOTION by Hampton/Kurt to table until the next meeting when 7 commission members are present. **MOTION CARRIED 6-0.**

Discussion was to allow Hanson to present to the Town Board anyway. **MOTION** by Hampton to reconsider the tabling. **MOTION CARRIED 6-0.**

6. Dennis Viney, applicant, Victor & Janice Horstmeyer, landowners: parcel 0711-044-8590-2 at 4618 County Road N – Requesting rezone of 1.347 acres from R-1 to C-2 for ag, auto and truck parts and service business: Viney said he is looking to put in an auto service business with retail sales of auto parts and occasional used vehicle sales. He will remove the house from the property and the exterior of the new commercial building will be stucco. There will be parking to the east of the new building, with The driveway access will be off of County N with a right turn lane as requested by Dane County. Anders would like to know the Village's master plan for number of lanes on County N. The commission thought the house should be removed and customer parking put in, with service vehicles mostly stored inside. Anders would also like to see a berm and plantings be put in as screening for the neighbors to the south. **MOTION** by Hampton/Schroeder to approve the rezone to C-2, allowing only the following uses:
 - a) Under DCCO 10.13(1)(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 to size
 - b) Under DCCO 10.14(1)(b) Major repairs to motor vehicles
 - c) Under DCCO 10.14(1)(c) Sales of new and used motor vehicles.

Under the newest revisions to the Town's comprehensive plan, this parcel is in the limited commercial land use district, which allows for these uses. **MOTION CARRIED 6-0.**

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7. Larry & Linda Notstad – parcel 0711-234-8061-0 at 1882 Hubred Lane – requesting rezone of 23.9 acres from A1-EX to R-1 (.58 acres) and A-4 (remainder) to separate house and outbuildings from total acres: **MOTION** by Anders/Schroeder to approve the rezone of .58 acres to R-1, with the remainder to be rezoned as A-4 and deed restricted for no residential development. This would meet the residential density requirements of the Agricultural land use district. **MOTION CARRIED 6-0.**
8. Kurt Dairy – parcel 0711-013-8000-2 at 4544 Ridge Road – requesting Conditional Use Permit under Dane County Code of Ordinances 10.123 (3)(bm), for a secondary farm residence to be occupied by farm workers: Kurt recused himself and Hampton chaired the meeting for this item. **MOTION** by Schroeder/Hampton to approve the conditional use permit for a secondary farm residence to be occupied by farm workers. All six standards under DCCO 10.255(2)(b) have been determined to be satisfied, all factors under DCCO 10.123(3)(a) have been considered, and it has been determined to be necessary in light of the alternative locations. **MOTION CARRIED 5-0-1** (Kurt abstained).
9. ADJOURNMENT: **MOTION** by Schroeder/Hampton to adjourn. **MOTION CARRIED 6-0.**
The meeting was adjourned at 8:32 P.M.

Submitted by: Dave Muehl
Approved 5-25-2011

TOWN OF COTTAGE GROVE
PLAN COMMISSION
MAY 25, 2011

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, Phillip Bultman, Kristi Williams and Wilmer Larson in attendance. A list of other attendees is available in the Clerk's office.
2. Chair Silvin Kurt called the meeting to order at 7:00 p.m.
3. Approve minutes of previous meetings: **MOTION** by Hampton/Anders to approve the minutes of the April 27, 2011 Plan Commission meeting as printed. **MOTION CARRIED 7-0.**
4. Public Concerns: None.
5. Election of Chair and Secretary: **MOTION** by Anders/Williams to elect Kurt as chair. **MOTION CARRIED 7-0.** **MOTION** by Bultman/Hampton to elect Muehl as secretary. **MOTION CARRIED 6-1** (Muehl opposed).
6. Otto C. Otteson (a.k.a. J Double O LLC) – 2171 Nora Road, parcel 0711-274-800-7 – rezone 5.4 acres from A-1EX to A-2(4) to create a separate parcel for residence, using non-transferable RDU due to continuous ownership since January 1, 1981 (this is a change in lot configuration and zoning classification from a petition first considered and approved by the Plan Commission on January 26, 2011.): This is a change in the shape of the parcel and acreage (6.0 to 5.4 acres) compared to the original petition. A joint driveway agreement will still be required. There was no public comment.
MOTION by Hampton/Williams to rezone 5.4 acres from A-1EX to A-2(4) to create a separate parcel for residence, using non-transferable RDU due to continuous ownership since January 1, 1981. Application was made prior to December 31, 2010. This meets the residential density for the ag district. A shared driveway agreement is required, along with dedication of 235 feet of road right-of-way to the Town. **MOTION CARRIED 7-0.**
7. Heath & Kim Straka, applicant, Marc Lea Farms, LLC, landowner – parcel 0711-271-9000-8 on Nora Road – rezone of 2 acres from A1-EX to RH-1 for a single family residence, and rezone of 13 acres from A-1EX to A-4 for agricultural use: It was noted that there would be no flood impact of the new lot. Lori Otteson, 2173 Nora Road, opposed the new lot due to the impact on the Rustic Road. **MOTION** by Hampton/Anders to recommend approval of the rezone of 2 acres from A1-EX to RH-1 for a single family residence, and rezone of 13 acres from A-1EX to A-4 for agricultural use. This meets the density for the ag district. The 13 acres are to be deed restricted for no further residential development, and another 20 acres on the Lea farm will also be deed restricted to provide the RDU. The 13 acres of A-4 are also to be deed restricted to prohibit DCCO 10.129(2) (b) utility services. The road right-of-way of the entire 15 acres is to be dedicated to the Town. **MOTION CARRIED 7-0.**
8. ADJOURNMENT: **MOTION** by Hampton/Bultman to adjourn. **MOTION CARRIED 7-0.**
The meeting was adjourned at 7:47 P.M.

Submitted by: Dave Muehl
Approved 6-22-2011

TOWN OF COTTAGE GROVE
PLAN COMMISSION
JUNE 22, 2011

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, Phillip Bultman, Kristi Williams and Wilmer Larson in attendance. A list of other attendees is available in the Clerk's office.
2. Chair Silvin Kurt called the meeting to order at 7:00 p.m.
3. Approve minutes of previous meetings: **MOTION** by Williams/Bultman to approve the minutes of the May 25, 2011 Plan Commission meeting as printed. **MOTION CARRIED 7-0.**
4. Public Concerns: None.
5. Wade Cattel, Applicant, Sun Prairie Sand & Gravel, landowner – 2294 US Highway 12 & 18, parcel 0711-341-8600-0: Conditional Use Permit for a Concrete Batch Plant on 2 acres: Mr. Cattel said he is looking to relocate due to the economy, and plans to run a clean operation. He had an email expressing that WDOT has no issues relating to the entrance on U.S. Hwy 12 & 18. He presented an overview of the operation, including new berms on the east, west and south, with the north fenced. He said the manufacturing process will not produce any dust, and roads will be watered to control dust from truck traffic. The operation will use the existing well at a rate of about 6,000 gal/day.

Anders pointed out problems with the current non-metallic mining operation on the site, including a break in the east berm that allows run-off from the site during heavy rains, along with water flowing on the property to the north. He asked about gate maintenance, and Cattel said the gate will be closed and locked when the plant is not in operation. He estimated 2-6 trucks would be hauling on an average day, with 100 loads per week on average. He said this would be less truck traffic than the current operation. Hours of operation would be 6 a.m. to 6 p.m. usually. The plant would not make much noise, a generator would only be temporary until power could be brought in.

Larson questioned how long the material on the site will last, and whether the operation would continue after that point using trucked-in materials. Cattel's answer: for intents and purposes – yes. Larson asked for input on the actual amount of gravel on the site, to help determine whether the site is a good fit. Muehl suggested limiting incoming materials to limit the duration of truck traffic. Bultman also asked what the time frame for operation would be once on site materials were exhausted. It was noted that this is a non-conforming site so mining can continue indefinitely.

Cattel said existing material on the site will last 30-40 years at the planned workload. He occasionally recycles some material from job sites, so this site would be advantageous. He would not want to be limited, but once this site is exhausted, he will probably move on. Regrading will be done as needed to clean up the site and ensure that all water stays captive on the site.

Duane Swalheim, owner of land to the west, said he heard that borings made by Yahara were not suitable for a cement plant.

Donald Viney, owner of land to the east, said that tiling has been needed, and washouts from run-off are terrible. Traffic could also be an issue.

Noel Johnson, 2272 US Hwy. 12 & 18, thinks traffic will be an issue, especially with highway rebuilding. Cattel said he does not do, nor does he have any intents to do highway work.

An unnamed resident said he thought there would be a reclaimed pit, not a concrete plant, and he is concerned about well water.

Kirk Eihlenfeldt, owner of property to the north, wants to make sure the easement to his property is maintained with access, and said there is water flowing north from the pond.

TOWN OF COTTAGE GROVE
PLAN COMMISSION
JUNE 22, 2011

The Plan Commission considered the conditions per section 10.255(2)(h), and found them all to be satisfied. **MOTION** by Bultman/Hampton to recommend approval of the Conditional Use Permit for a concrete batch plant on two acres zoned A-2 for with the following conditions:

- No use of jake brakes by trucks
- An email must be furnished from the WDOT allowing for continued truck ingress/egress.
- Inquire with the WDOT regarding a “Truck Entrance” sign on west bound Hwy 12 & 18.
- The berm to the south is to be uniformly graded with pine trees at least 3 feet high, with existing neighbor's input.
- Berms to the west and east, and a fence to the north, are to be completed.
- Owner to work with neighbors to straighten out meandering berm and restore/maintain easement to the property to the north.
- All work to be completed prior to the beginning of operation of the batch plant.
- Acceptable work hours of 6 a.m. to 6 p.m., and some Saturdays. Operation outside of those times will require at least 7 days' notice to the Town and neighbors.

MOTION CARRIED 6-1 (Larson opposed.)

6. Walter J. Olson, vacant land on Kennedy Road, parcels 0711-101-8501-0 and 0711-034-9001-0: Discussion only regarding options to rezone from A-1EX to R-1 to create 4 residential lots: Olson said he wants to “test the market”: to gauge the demand for the whole 24 lots. He presented additional alternatives A & B, and stated he hopes to transfer development rights from land he owns in the Village of Deerfield. Hampton said it is OK to proceed, especially if the lawsuit goes away, and it doesn't matter where the development rights come from.
7. Per Dane County ZLR Committee request: Reconsider rezone of 2 acres from A1-EX to RH-1 for new single family residence for Dave Hanson, applicant, Marc Lea Farms, LLC, Landowner, parcels 0711-2728-000-9 and 0711-2718-500-5 at 2257 Nora Road: Hampton updated the commission on the recent denial by the Dane County ZLR committee due to a negative impact on the rustic road. He provided the rustic road regulations, which do not limit development on rustic roads. Hampton had discussed the driveway length with the Fire and EMS Chiefs, who had no concerns as long as the driveway is maintained. **MOTION** by Hampton/Larson to approve the rezone of 2 acres from A-1EX to RH-1 for a new single family residence, with the same conditions that the Town Board approved on April 18, 2011 (The road right-of-way along all of Hanson's property is to be dedicated to the Town.) **MOTION CARRIED 4-3** (Anders, Bultman and Williams opposed.)
8. ADJOURNMENT: **MOTION** by Hampton/Kurt to adjourn. **MOTION CARRIED 7-0**. The meeting was adjourned at 9:26 P.M.

Submitted by: Dave Muehl
Approved 9-28-2011

TOWN OF COTTAGE GROVE
PLAN COMMISSION
PUBLIC HEARING FOR TDR-S OVERLAY ZONING DISTRICT
AUGUST 31, 2011

1. Notice of the public hearing was posted at the Town Hall, Gaston Road at Brown Thrush, American Way and USH 12 & 18 at County BN. Dane County Planning and Development also mailed direct notice to all affected landowners.

Plan Commission Members present were Kris Hampton, Steve Anders, Phil Bultman and David Muehl. Kristi Williams arrived at 7:25 P.M. A list of other attendees is available in the Clerk's office, although not all in attendance signed in.

2. Hampton called the meeting to order at 7:00 p.m.
3. Pamela Andros, Senior Planner with Dane County Planning and Development, gave background and history of the Transfer of Development Rights (TDR) Program, and purpose of the TDR-S (sending area) blanket rezone. She provided copies of a FAQ sheet and an overlay map. She then answered several questions from citizens.

General consensus was that the blanket rezone would be OK as long as the property owners' options are not degraded, which they appear not to be.

4. Adjournment: **MOTION** by Williams/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 7:55 P.M.

Submitted by: Dave Muehl

Approved 9-28-2011

TOWN OF COTTAGE GROVE
PLAN COMMISSION
SEPTEMBER 19, 2011

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, Phillip Bultman, Kristi Williams and Wilmer Larson in attendance. A list of other attendees is available in the Clerk's office.
2. Chair Silvin Kurt called the meeting to order at 6:30 p.m.
3. Approve minutes of previous meetings: **MOTION** by Hampton/Anders to delay action on the minutes until the September 28th meeting, to expedite this meeting. **MOTION CARRIED 7-0.**
4. Public Concerns: None.
5. Douglas C. Allen: Discuss/consider approval of site plan for moving the residence from 4618 County Hwy N to 1987 Nora Road, followed by the removal of the existing residence: Applicant and daughter presented proposal. **MOTION** by Hampton/Anders to recommend approval of the site plan for the new house, and allow six months after issuance of an occupancy permit for the new house for removal of the existing house. **MOTION CARRIED 7-0.**
6. Discuss/Consider approval of Dane County Rezone Petition #DCPREZ-2011-10352: Town Blanket Rezone of multiple parcels in the Town from A-1EX Exclusive Ag District to TDR-S Transfer of Development Rights Sending Area Overlay District: A public hearing was held on this matter on August 31, 2011. No residents have requested to opt out of this blanket rezone. **MOTION** by Hampton/Kurt to recommend approval of Dane County Rezone Petition #10352: Town Blanket Rezone of multiple parcels in the Town from A-1EX to TDR-S. **MOTION CARRIED 7-0.**
7. ADJOURNMENT: **MOTION** by Hampton/Williams to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 6:47 P.M.

Submitted by: Dave Muehl
Approved 9-28-2011

TOWN OF COTTAGE GROVE
PLAN COMMISSION
SEPTEMBER 28, 2011

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, Phillip Bultman, Kristi Williams and Wilmer Larson in attendance. A list of other attendees is available in the Clerk's office.
2. Chair Silvin Kurt called the meeting to order at 7:00 p.m.
3. Approve minutes of previous meetings:
 - a) **MOTION** by Williams/Hampton to approve the minutes from June 22, 2011 with one correction: Motion in item 7 was made by *Hampton/Larson*. **MOTION CARRIED 7-0.**
 - b) **MOTION** by Williams/Anders to approve the minutes of the August 31, 2011 meeting as printed. **MOTION CARRIED 5-0-2** (Kurt and Larson abstained).
 - c) **MOTION** by Hampton/Anders to approve the minutes of the September 19, 2011 meeting as printed. **MOTION CARRIED 7-0.** As an update, the Dane County ZLR committee postponed the TDR-S blanket rezone petition until October 11th after Eugene Wagner asked for his property to be excluded.
4. Public Concerns: None.
5. Vikki Rogers, 3108 Hope Hollow Trail, parcel 0711-303-9200-7: Rezone 4.574 acres from RH-2 to A-2(4) with conditional use permit for unlimited animals: Rogers stated that she has a pony riding business and needs the property to house her 11 to 12 ponies. **MOTION** by Anders/Hampton to rezone 4.574 acres from RH-2 to A-2(4) with a Conditional Use Permit to allow for 8 additional animal units, for a total of up to 12 ponies on the parcel. Standards 1-6 listed in section 10.255(2) (h), DCCO have been considered satisfied. **MOTION CARRIED 7-0.**
6. ADJOURNMENT: **MOTION** by Hampton/Williams to adjourn. **MOTION CARRIED 7-0.**
The meeting was adjourned at 7:23 P.M.

Submitted by: Dave Muehl

Approved 1-25-2012