

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
March 23, 2016

1. Notice of the meeting was posted at Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Silvin Kurt, Dave Muehl, Wilmer Larson, Virgil Schroeder and Phil Bultman in attendance.
2. Chair Kris Hampton called the meeting to order at 7:00 P.M.
3. Approve minutes of the previous meetings: **MOTION** by Bultman/Kurt to approve the minutes of both the Joint Town Board Plan Commission and regular Plan Commission meetings held on October 28, 2016 as printed. **MOTION CARRIED 6-0.**
4. Public Concerns: None.
5. Mike Knipfer, owner/applicant – 1770 N. Jargo Road – seeking rezone of 18.12 acres from A1-EX to A-2 to create new single family residence for family member: The applicant intends to build a new house next to the horse barn for his daughter. He will retain ownership for now but eventually sell to the daughter. There is already a well on the property, and a perc test passed. Applicant also owns 80 acres on the north side of the bike trail. Density Study shows applicant has one RDU available. **MOTION** by Kurt/Schroeder to approve the rezone of 18.12 acres form A1-EX to A-2 for the purpose of creating a new single family residence. **MOTION CARRIED 6-0.**
6. Patrick Bucholz, owner/applicant – 2045 County Road BB - seeking rezone of 35.10 acres from A1-EX to A2 for single family home/primary residence: Hampton presented the request as the applicant could not be present. A density study shows the applicant has one RDU available. He wants to build a new single family residence south of his existing shed and the other residences along Hwy BB. **MOTION** by Kurt/Larson to approve the rezone of 35.10 acres from A1-EX to A2 for a single family residence. **MOTION CARRIED 6-0.**
7. ADJOURNMENT: **MOTION** by Kurt/Bultman to adjourn. **MOTION CARRIED 6-0.** The meeting was adjourned at 7:30 P.M.

Submitted by: Dave Muehl  
Approved 04-27-2016

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
April 27, 2016

1. Notice of the meeting was posted at Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Steve Anders, Silvin Kurt, Dave Muehl, Wilmer Larson, Virgil Schroeder and Phil Bultman in attendance. Attorney Connie Anderson was also present. See sign-in sheet for others in attendance.
2. Chair Kris Hampton called the meeting to order at 7:00 P.M.
3. Approve minutes of the previous meetings: **MOTION** by Schroeder/Kurt to approve the minutes of the March 23, 2016 meeting as printed. **MOTION CARRIED 6-0-1** (Anders abstained).
4. Public Concerns:
  - Tom Walz had a question on dividing his 38 acre farm on County Road AB, south of Siggelkow Road, into 4 parcels (2 residential). He was told to have a density study performed, but most likely he could only create one residential lot without purchasing additional development rights.
  - Tim Olson has clients wanting to create additional lots from their parcel across from the rugby field on Vilas Road. The parcel is in the receiving area, but there was concern that there may be problems with grade of slope.
  - Dave Riesop wants to develop his property at the corner of County BB and Kennedy Road. The property is in the receiving area but he will need to purchase development rights.
  - Greg & Nick Ewelt, 3188 Vilas Road, want to convert a garage for a limited family business, including a commercial kitchen. This would require a rezone of 1.3 acres from R-1A to A-2 with a CUP. The business would not create any additional traffic. They will be back.
5. Dennis Richardson, Applicant, Huston Living Trust, Landowners – parcel 0711-283-9800-06 at 3355 County Road N: seeking conditional use permit to allow for a composting site on 45 acres currently zoned C2 and A2: Richardson said the plan is to compost yard waste, wood chips and manure to make a growing medium for landscape plants. Manure would be brought in on demand from Huston Farms, all other raw materials are already on site. Finished product would be stock piled on graveled area. DNR permits are required and must be renewed annually.

Questions from public:

- Jeff Robinson, 2562 Hupmobile, is worried about odor and potential runoff from storms.
- Rick Schumal, 2578 Hupmobile, said the size of the site is limited by the DNR permit, so it cannot exceed the size shown on the diagram. He is worried about odor in the summer with south winds.

**MOTION** by Schroeder/Larson to approve the Conditional Use Permit for the composting site on the 45 acre site, zoned C2 & A2. Manure limited to horse and cattle only, no onsite storage of raw manure longer than 48 hours. All DNR and County permits to be in effect for all allowed operations, with copies to be filed with the Town Clerk. Hours to be the same as those specified by the non-metallic CUP, rows limited to the C2 area. Composting CUP to be reviewed every three years. The 6 conditions under DCCCO 10.255(2)(b) were all considered satisfied. **MOTION CARRIED 7-0.**

6. Viney Acres, applicant and landowner of parcel 071126485020 and Joseph Conway, landowner of parcel 0711-264-8530-0 at 1923 Nora Road: Seeking rezone of 2.061 acres from A-2(4) to A-2(2) and 4.529 acres from A-2(4) to A1-EX for zoning district compliance: **MOTION** by Kurt/Schroeder to approve the rezone as stated above for technical compliance. **MOTION CARRIED 7-0.**

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7. Donald Viney, applicant, Viney Acres, LLC, Landowner – parcel 0711-213-9720-7 at 3695 County Road N: Seeking rezone of 11.41 acres from A-1EX to R-1 to create a 16 lot rural subdivision: Kyle Broom and owner Don Viney said that the development would take care of an eyesore and is consistent with the long range plan. The current driveway on County N will be abandoned, site #8 will not have access to County N. An entrance off of Bass Road will be safer than one off of County Road N. The Village has agreed not to block this land division under their ETJ for two years. All parcels will be deed restricted for no sheds, etc.

Questions from public:

- Jim Weber, 3716 Crestview Drive, was concerned about water issues, especially from lot #14, and the potential for more traffic at Bass Road and Sky High Road as well as at Natvig Road and County N.
- Rich Schumal was concerned about the lots being smaller than those in the Rolling Wheels subdivision, thought the Town was trying to preserve farm land.
- John Loffler, 2574 Hupmobile Dr., was concerned about the potential for flooding, the small lot size, and loss of farmland.
- Dave Carlson, 3703 County Road N, said is main issue is with the lot sizes being inconsistent with neighboring lots, and thought that 12 lots would make more sense.
- Mike Dahl, developer for Rolling Wheels, wants larger lots, feels the plan is too dense and needs a water retention plan. He also saw a need for a long term plan for traffic, especially at Gladeview.
- Carol Marshall, 2575 Bass Road, is worried about Metro Gro. This was deemed not an issue as the parcel has never been in the program. She was also concerned about placement of her garage.
- Lori Maillefe, 2566 Hupmobile Dr., is concerned about green space within the development and loss of farmland. She does not like the feel of piece meal development.

**MOTION** by Anders/Kurt directing the developer to come back with a concept plan and drawing not to exceed 11 lots. The matter is tabled until that time. **MOTION CARRIED 7-0.**

8. Don Peckham, owner, 3013 County Road BB: seeking site approval for landscaping and excavating storage building: John Mulligan and Don Peckham were present, Mulligan presented the site plan to include: Light grey and charcoal grey metal siding with charcoal grey roof and white doors. No signage on the building. Shrubs and trees will block a lot of the view. **MOTION** by Hampton/Anders to approve the site plan as presented. **MOTION CARRIED 7-0.**
9. Annual review of the Smart Growth Comprehensive Plan: A receiving area owned by Dennis Midthun on Baxter Road was inadvertently left out of the plan with the 2015 revision. There were no other requests for changes from landowners. **MOTION** by Anders/Kurt to fix the error and send the revised map to the County. **MOTION CARRIED 7-0.**
10. ADJOURNMENT: **MOTION** by Kurt/Bultman to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 9:53 P.M.

Submitted by: Dave Muehl  
Approved 05-25-2016

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PLAN COMMISSION  
May 25, 2016

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

No commission action was taken.

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

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

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

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

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

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

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

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

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

Submitted by: Dave Muehl

Approved 06-22-2016

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PLAN COMMISSION

June 22, 2016

1. Notice of the meeting was posted at Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Mike DuPlayee, Dave Muehl, Wilmer Larson, Virgil Schroeder, Phil Bultman and Ben Morrow in attendance. Attorney Connie Anderson was also present. See sign-in sheet for others in attendance.
2. Chair Kris Hampton called the meeting to order at 7:00 P.M.
3. Approve minutes of the previous meetings: **MOTION** by Schroeder/Bultman to approve the minutes of the May 25, 2016 meeting, filling in the blanks of who objected to the motion 7. a. as Bultman and Muehl. **MOTION CARRIED 7-0.**
4. Public Concerns: None.
5. Donald Viney, applicant, Viney Acres, LLC, Landowner – parcel 0711-213-9720-7 at 3695 County Road N:

a) Discuss and consider concept plans for a rural subdivision:

- o Dan Birrenkott presented a proposed plan with 15 lots, showing potential house sizes/locations and locations for primary and secondary septic systems.
- o Sandra Goke, 2570 Hupmobile, is very concerned about snow melt flow and proper drainage toward siltation ponds.
- o Greg Scalissi, 3637 Natvig, wants access to County N, stating that construction traffic was unbearable when Rolling Wheels was developed. He is willing to give up the North access of Natvig Road to County N. He suggested that the cul-de-sac be flipped, with access at County N and a bulb at the West end rather than a connection to Bass Road.
- o Maintenance of the two bio retention devices would be the responsibility of either the Town or a homeowners association.
- o There was a question as to whether the proposed plan still has too many lots planned. Bultman responded with expected tax revenue.
- o Rick Schumal, 2578 Hupmobile Drive, reviewed the history of meetings and votes (Town Board and Plan Commission).
- o Jim Weber, 3716 Crestview Drive, questioned whether the current driveway on County N could be used for construction traffic. This is a question for Pam Dunphy at Dane County.
- o Lori Grob, 3761 Sky High Rd, wondered about the effect of proposed closed access to Hwy 12 & 18 on traffic in this area.
- o Muehl wondered about closing N. Natvig Road to allow for access of Bass Road. Would require a 6' shave of Hwy N, and two private drives (Cynda Solberg and Dennis Viney)

**MOTION** by Larson/Muehl to defer decision until an answer is gotten from the Dane County Highway Department about the “construction entrance” idea on County N. **MOTION FAILED 3-4** (DuPlayee, Hampton, Morrow and Schroeder opposed).

**MOTION** by Muehl/Bultman to defer action until information is available on: Bass Road as a through street, with entrance on North side of Lot 7, combining the Solberg and Viney driveways with Bass Road and closing N. Natvig Rd. to County N. **MOTION CARRIED 4-3** (DuPlayee, Hampton and Morrow opposed).

- b) Discuss and consider request to rezone 11.41 acres from A-1EX to R-1 to create a rural subdivision, CONTINGENT ON PLAT APPROVAL: **MOTION** by Hampton/Schroeder to recommend approval of the rezone 11.41 acres from A-1EX to R-1 to create a rural subdivision, CONTINGENT ON PLAT APPROVAL. **MOTION CARRIED 7-0.**
- c) Discuss and consider next steps in the development process: Hampton will contact Pam Dunphy at Dane County Highway and Transportation, Cynda Solberg and Dennis Viney for answers to questions in motion for a) above.
6. Real Estate Mgmt Solutions – Applicant, Larry Skaar, Vicki Kraus, John Skaar, Owners – parcel 0711-332-9700-0 on Fieldview Lane: Seeking rezone of 24.84 acres from A-2 to C-2 for a self storage complex on approximately 50% of the site: Robert Roth and team presented a revised master site plan dated 06/22/2016:
- Temporary storage will be obscured by buildings and landscaping to the South East.
  - There will be no on-site residence.
  - Lighting will be low level but constant, all pointed downward. Building D will have lights on both sides.
  - There will be a chain link fence on the West and South sides.
  - Ponds will settle to about 4' retention. When asked if they will provide 100% retention, the answer was no, but they would be expected to retain 75-80% to match current flows.
  - Audience asked about exterior colors and green space use, which have not yet been determined.
  - Audience asked about fencing around ponds: Maybe, if necessary.
- MOTION** by Hampton/DuPlayee to recommend approval of the rezone of 24.84 acres from A-2 to C-2, limited to permitted uses “a” - C-1 (a) for office in front of building B, “q” - Parking or storing of motor vehicles with current vehicle licenses, and “u” - Mini-warehouses under DCCO section 10.14. **MOTION CARRIED 7-0.**
7. Ed Short - Applicant, Jeff and Sue Natvig – Owners – parcel 0711-294-8315-0 at 3505 Vilas Road: Seeking rezone of 6.3 acres for zoning compliance considering sale of .6 acres to neighbors: Mr. Short explained the situation using a map. Tim and Colleen Ward, 3545 Vilas Road, offered an alternative rezone/land swap to clear triangles. It was determined that rezone application failed to include a second rezone of the .6 acres from RH-3 to RH-4. **MOTION** by Hampton/DuPlayee to table pending correcting of application. **MOTION CARRIED 7-0.**
8. Discuss and consider recommending a change to TCG Ch. 15 – Land Division and Planning Code section 15.8.7 Lots: There is a disparity between this section and the Comprehensive Plan. **MOTION** by Hampton/Schroeder to recommend to the Town Board that section 15.8.7 be revised to be consistent with the Comprehensive Plan. **MOTION CARRIED 7-0**
9. Discuss and Consider recommending an update to the Smart Growth Comprehensive Plan:
- a) Include parcel 0711-212-9500-4, owned by MAC-FARM, LLC, in the Neighborhood Development Area: Don Viney spoke on behalf of the landowner, stating she is OK with the change. **MOTION** by Hampton/DuPlayee to recommend that parcel 0711-212-9500-4



be included in the Neighborhood Development area on the future land use map.

**MOTION CARRIED 7-0.**

- b) Revisions to Figure 3 Transfer of Development Rights (TDR) Program: Revisions to Figure 3 prepared by Planning Consultant Mark Roffers addressed a question about residual development rights, i.e. what happens when all 8 of the dwelling units resulting from the transfer ratio cannot be used on the target receiving area. Discussion was that fractional rights can only be used in a subdivision. Unused rights should be recorded on the plat.

**MOTION** by Hampton/Schroeder to recommend approval of the revisions to Figure 3 as presented. **MOTION CARRIED 7-0.**

- c) Revisions to Figure 7: Neighborhood Development Area Purpose and Policies: These revisions, also prepared by Planning Consultant Mark Roffers, add reference to Figure 3 as revised above. **MOTION** by Hampton/DuPlayee to recommend approval of the revisions to Figure 7 as presented. **MOTION CARRIED 7-0.**

10. Discuss/Consider scheduling a Special Plan Commission meeting for 6:30 P.M. on Tuesday, July 5, 2016: Not Necessary.
11. ADJOURNMENT: **MOTION** by DuPlayee/Larson to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 9:38 P.M.

Submitted by: Dave Muehl

Approved 07-27-2016

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PLAN COMMISSION

June 29, 2016

1. Notice of the meeting was posted at Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Mike DuPlayee, Wilmer Larson, Virgil Schroeder, Phil Bultman and Ben Morrow in attendance. Attorney Connie Anderson was also present. See sign-in sheet for others in attendance.
2. Chair Kris Hampton called the meeting to order at 7:03 P.M.
3. Donald Viney, applicant, Viney Acres, LLC, Landowner – parcel 0711-213-9720-7 at 3695 County Road N:
  - a) Discuss and consider concept plans for a rural subdivision:
    - o Current driveway can only be used for construction of Bass Road, not for any other purpose. Dennis and Kami Viney and Cynda Solberg are not willing to allow for changes to their driveway.
    - o Sandra Goke, 2570 Hupmobile, wants to ensure that water handling is properly addressed by the Town engineer. She is concerned that the 100 year flood plan is insufficient for spring melt water flow. The Town attorney explained the process for a stormwater management agreement; the county administers it fully.
    - o Carol Marshall, 2575 Bass Road, expressed discontent with the apparent disregard for the 11 lot plan, stating that the commission ignored the non-presentation by the developers. She states that the actions of the commission were “sloppy”.
  - MOTION** by Hampton/Schroeder to approve the 15 lot plan. No discussion. **MOTION CARRIED 6-0.**
  - b) Discuss and consider next steps in the development process: **MOTION** by Hampton/Schroeder to send the preliminary plat to the Town board for review, leading to a joint Town Board/Plan Commission meeting on July 18<sup>th</sup>. No discussion. **MOTION CARRIED 6-0.**
4. ADJOURNMENT: **MOTION** by DuPlayee/Schroeder to adjourn. **MOTION CARRIED 6-0.**  
The meeting was adjourned at 8:20 P.M.

Submitted by: Ben Morrow

Approved 07-27-2016

TOWN OF COTTAGE GROVE  
JOINT TOWN BOARD / PLAN COMMISSION MEETING  
JULY 18, 2016

- I. Notice of the meeting was posted at the Town Hall and on the Town's Internet site.  
Town Board members present: Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee.  
Plan Commission members present: Kris Hampton, Mike DuPlayee, Dave Muehl, Ben Morrow, Virgil Schroeder, Wilmer Larson and Phil Bultman.  
Also present: Attorney Connie Anderson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, Treasurer Debra Abel, Town Engineer Thomas TeBeest and Town Planner Mark Roffers were also present, developers Don and Marilyn Viney and their consultants, along with a number of concerned residents.
- II. Hampton called both the Town Board and Plan Commission to order at 7:07 P.M.
- III. Presentation of Preliminary Plat for Viney's Addition to Sky High:
  - Dan Birrenkott presented the 15 lot preliminary plat and displayed the concept map showing placement of houses and septic systems and storm ponds.
  - Ryan Quam of Quam Engineering, LLC, spoke about drainage easements and ditching, bio retention devices between lots 12 & 13, and a retention pond in outlot 1 planned to hold 3-4 feet of standing water. Ditches would have a maximum slope of 9%, and easements would provide access for Town maintenance of stormwater facilities.
  - Mark Roffers of MDRoffers Consulting, the Town's planning consultant, presented an overview of his written review of the zoning request and preliminary plat for compliance with the Town's comprehensive plan and land division ordinance. Highlights included:
    - The plat area is in the Neighborhood Development Area of the future land use map, and has been recommended for residential development for many years.
    - Development of the area will require the use of the Town's TDR program, and will result in preservation of 70-80 acres of farm land based on the number of lots.
    - The original rezone application for R-1 zoning has been revised to ask for R-2. While R-2 would be acceptable in the Neighborhood Development Area, R-1 is more consistent with surrounding subdivisions, with the major difference being greater setbacks and lower maximum impervious surface areas. The setbacks drawn on the preliminary plat are consistent with R-1 zoning, and Roffers recommended staying with that.
    - The comprehensive plan calls for 80% of the development policies for the Neighborhood Development area to be met. Roffers felt this was attainable, but cautioned that careful evaluation is needed of septic areas, rare and endangered species, and access to common areas. Design standards he mentioned included:
      - Maintenance of rural character by minimizing the visibility of development through preservation of existing topography and vegetation/mature trees.
      - Streets should be an inner connected network. Since Dane County has indicated that no connection will be allowed to County Road N, and existing homes to the south do not allow connection to Hupmobile, the cul-de-sac approach seems reasonable, however the viability of future connection of the "proposed street" stub to new development to the north should be verified, and the "proposed street" needs a name on the plat.
      - Easement access from a Town road to common areas is needed to allow the Town to maintain ditches and ponds.

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- Tom TeBeest of Town and Country Engineering, the Town's contracted engineering firm, presented highlights of his report evaluating the preliminary plat for compliance with the Town's land division ordinance (Chapter 15). He noted that additional documents regarding grading and stormwater management were received directly from the developer's engineer within the last few days but these were not included in his review as they did not go through the proper channels. His comments on drainage were made in general based on the concept plan.
  - A number of small details as required by Chapter 15 are not addressed on the preliminary plat.
  - Stormwater management is a major concern/hurdle for the development.
  - Stormwater discharged to the County highway right-of-way must be permitted by the County.
  - Dane County will determine suitable on site waste water treatment systems and replacements, but the Town may want to require confirmation that the plat area is suitable for septic systems and has enough space for them before approving the preliminary plat.
  - Chapter 15 limits cul-de-sacs to 1,000 feet. The distance from Crestview to turn-around is over 1,200 feet. The stub labeled "proposed street" on the preliminary plat is less than 1,000 feet from the turn-around, however it is also a dead end. TeBeest strongly suggested that the plans for how and when development of the property to the North be evaluated.
  - Chapter 15 says that blocks should not be less than 600 feet in length. The block from Crestview to the "proposed street" is 450 feet. (Later input from Roffers was that the direction of the block should be measured north to south taking into account future development, which TeBeest said was reasonable).
  - There needs to be enough easement area for the Town to access and maintain the stormwater management facilities. The preliminary plat does not allow much room for such easements.
  - Drainage easements should be dedicated for drainage and not combined with utility easements.
  - Covenants should prohibit landscaping and structures in drainage easements.
  - Chapter 15 states that the Town Engineer should prepare a study of stormwater management, but TeBeest suggested this is redundant since the developer has to perform such a study as part of the permitting process with Dane County. The study should look at the entire area and if it is determined that the capacity of the facilities should be greater in anticipation of future development, the Town Engineer could determine what portion of the cost is attributable to future development so the Town could consider funding that portion.
  - The Town must decide whether the "proposed street" should be paved and/or barricaded, and whether driveways or parking will be allowed on it.
  - TeBeest recommended approval of the preliminary plat be contingent upon the development addressing the comments already made as well as any future problems identified as the developer makes additional submittals, and that all submissions from the developer's engineer go to the Town so they can be distributed and put everybody on the same page.

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- Discussion:

- Anders commented that he is more amenable to R-1 vs. R-2 zoning to create greater separation of residences and allow for stormwater and utility easements. He questioned whether there would be ditches or curbs. Quam stated the current plan is ditches.
- Roffers recommending finishing the “proposed street” stub for perception, otherwise there is a risk of property owners thinking of it as part of their lawn and being put off when it is eventually developed.
- Jeff Smith agreed with Roffers and suggested that the retention pond could be accessed from the existing farm driveway, he did not think the County could take it away.
- Schroeder recommended not allowing lots 1 and 2 to have driveways on the “proposed street” stub. Birrenkott said it is actually desirable to have driveways on a side street when possible. Larson noted that without driveways, there would not be a need to plow the stub. He suggested no driveways be allowed until the road is continued.
- Jim Weber, 3716 Crestview, suggested that stormwater is not properly addressed and actually pushes water to problem areas. He recommended use of a catch basin and storm sewers to direct water to the pond. TeBeest said while Mr. Weber made good points, storm sewers are typically designed for 10 year events, and anything above that would drain over the land.
- Carol Marshall, 2575 Bass Road, asked about the significance of the cul-de-sac exceeding the 1,000 foot limit. Atty. Anderson said it has to do with public safety, and a report should be requested from the Fire Department and EMS district.
- John Loeffler, 2574 Hubmobile, said there was a lot more information being presented at this meeting, offering the communication and transparency that in his opinion was lacking in the earlier meetings he attended. He felt that the Town Board presence was key to the integrity of the process.
- Anders wondered what can be done to prevent the retention pond from algae growth, odor and geese? TeBeest suggested that an aerator could help, and that the depth of the pond would determine how well algae could grow. He said the homeowners association could be responsible for the aerator.

IV. Consider/Adopt Plan Commission Resolution 2016-01 Recommending Approval of Preliminary Plat for Viney’s Addition to Sky High. Atty. Anderson explained that she drafted the resolution to recommend conditional approval of the preliminary plat based on the map submitted on June 22<sup>nd</sup> for 15 lots, incorporating the reports of the Town Planner and Engineer. The resolution contains 13 conditions. The Clerk stated that the preliminary plat was actually submitted to the Plan Commission on June 29<sup>th</sup>, when the concept plan was approved. **MOTION** by Schroeder/Morrow to adopt Plan Commission Resolution 2016-01 Recommending Approval of Preliminary Plat for Viney’s Addition to Sky High, correcting the date of Preliminary Plant submission to June 29<sup>th</sup>. **MOTION CARRIED 7-0.**

V. Consider/Adopt Town Board Resolution 2016-04 Approval of Preliminary Plat for Viney’s Addition to Sky High:

**MOTION** by Fonger/Anders to not approve the preliminary plat, but to send it back to the Plan Commission. **MOTION FAIED 2-3** (Hampton, Williams and DuPlayee opposed).

**MOTION** by Hampton/DuPlayee to adopt Town Board Resolution 2016-04 Approval of Preliminary Plat for Viney’s Addition to Sky High, correcting the date of preliminary plat

TOWN OF COTTAGE GROVE  
JOINT TOWN BOARD / PLAN COMMISSION MEETING  
JULY 18, 2016

submission to June 29<sup>th</sup>. The Town Board will take action on the amenities at their August 1<sup>st</sup> meeting.

Discussion:

- Anders asked about the 1,000 foot maximum length for the cul-de-sac, wondering if a policy of ignoring the ordinance was being established. TeBeest said an evaluation of the property to the north would give a bigger picture and demonstrate whether the location of the “proposed street” is a good spot for it to extend. Dennis Viney, 3707 County Road N, owner of the land to the north, offered to allow Birrenkott to draw his portion if that would help clear up road issues.
- TeBeest recommended that preliminary plat approval be contingent on a satisfactory drainage/stormwater plan with contingencies that the Town can mandate changes to lot configurations with easements to address stormwater management concerns.
- Loeffler alleged that prior approvals had been taken out of order, and looked for assurance that it won't happen again.
- Williams indicated she is not comfortable approving the preliminary plat tonight, that the comprehensive plan and ordinance must be followed and more information is needed.

**MOTION FAILED 2-3** (Fonger, Anders and Williams opposed).

**MOTION** by Williams/Anders to table until August 1<sup>st</sup>. **MOTION CARRIED 3-2** (Hampton and DuPlayee opposed).

- VI. Adjournment of the Plan Commission: **MOTION** by Schroeder/Larson to adjourn the Plan Commission. **MOTION CARRIED 7-0**. The Plan Commission adjourned at 9:08 P.M. and the Town Board carried on with their regular meeting.

Kim Banigan, Clerk

Approved by the Plan Commission on July 27, 2016

Approved by the Town Board on August 1, 2016

**TOWN OF COTTAGE GROVE  
PLAN COMMISSION RESOLUTION 2016-01**

**RECOMMENDING APPROVAL OF PRELIMINARY PLAT FOR  
VINEY'S ADDITION TO SKY HIGH**

**WHEREAS**, on June 22, 2016, Donald Viney ("Petitioner" or "Developer") submitted a preliminary plat for Viney's Addition to Sky High (the "Preliminary Plat"), which is located in the Town of Cottage Grove, Dane County, WI; and

**WHEREAS**, the Petitioner's application states that the Preliminary Plat will contain 15 single family residential lots, and maps indicate that the Preliminary Plat will be immediately adjacent to single family residential plats known as the Rolling Wheels 2<sup>nd</sup> Addition and the 3<sup>rd</sup> Addition to Sky High; and

**WHEREAS**, the Petitioner has requested approval of the Preliminary Plat and rezoning of the lots within the Preliminary Plat; and

**WHEREAS**, the Town Planner and Town Engineer have reviewed the request, prepared separate reports dated July 14, 2016 (collectively hereafter, the "Reports"), and submitted the Reports to the Town Clerk for consideration by the Plan Commission and Town Board, which Reports are incorporated herein by reference; and

**WHEREAS**, the Plan Commission has considered public input, the Preliminary Plat and the Reports, and wishes to recommend to the Town Board conditional approval of the Preliminary Plat, subject to Petitioner satisfactorily addressing the concerns and issues raised in the Reports to the satisfaction of the Town Board and the Town's consultants, all as set forth in this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Plan Commission of the Town of Cottage Grove as follows:

The Town of Cottage Grove Plan Commission recommends that the Town Board **Conditionally Approve** the Preliminary Plat for Viney's Addition to Sky High (Petitioner Don Viney) located in Lot 1, CSM No. 3894, and in the SE ¼ of the SW ¼, Section 21, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin, subject to the following conditions:

1. The Petitioner shall obtain approval for the Plat from all other approving authorities, as required by law.
2. The Petitioner shall address the technical comments set forth in the Planner's Report to the satisfaction of the Town Planner, Town Attorney and Town Board.
3. The Petitioner shall address the technical comments set forth in the Engineer's Report to the satisfaction of the Town Engineer, Town Attorney and Town Board.
4. Prior to the Town's inscription of the Final Plat, the Petitioner shall present to the Town Clerk the following fully executed original documents:
  - a. A Developer Agreement, in a form satisfactory to the Town Board, Town Attorney and Town Engineer, covering the installation of public improvements for the proposed development

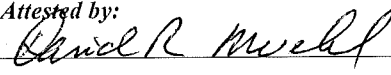
including security acceptable to the Town Board, Town Attorney and Town Engineer and in the amount of 120 percent of the cost of the public improvements.

- b. A Declaration of Covenants and Restrictions, in a form satisfactory to the Town Board, Town Attorney and Town Planner, ensuring the quality of the development and the representations made to the Town.
  - c. A Stormwater Management Agreement, in a form satisfactory to Dane County, Town Board, Town Attorney and Town Engineer, for all stormwater management facilities.
5. The Petitioner shall obtain approval of an Erosion & Sedimentation Control Plan and Stormwater Management Plan by the Town of Cottage Grove, Dane County, and the Wisconsin Department of Natural Resources (WDNR).
  6. The Petitioner shall obtain approval of the Construction Plans and Specifications, in a form satisfactory to the Town Engineer, for all public improvements prior to construction.
  7. The Petitioner shall obtain approval of the Preliminary Plat from the Cottage Grove Fire Department and the Deer-Grove EMS Inspector (or designee). The Petitioner shall comply with any and all recommendations by the prior to the Town signing the Final Plat.
  8. The Petitioner shall satisfy the Town of Cottage Grove's requirement for Fees in Lieu of Land Dedication, prior to the Town signing the Final Plat.
  9. The Petitioner shall satisfy the requirements of the Dane County Transfer of Development Rights ("TDR") Programs, as opted-in to by the Town of Cottage Grove, prior to the Town signing the Final Plat.
  10. The Petitioner shall obtain rezoning of the lots from Dane County as R-1 Residential
  11. The Petitioner shall install appropriate amenities to the development as required by the Town Board.
  12. The Petitioner shall promptly reimburse the Town of Cottage Grove for all costs and expenses incurred by Cottage Grove in connection with the review and approval of the Preliminary and Final Plat, including, but not limited to, the cost of professional services incurred by the Town of Cottage Grove for the review and preparation of required documents, attendance at meetings or other related professional services.
  13. This recommendation to the Town Board shall expire at the earlier of (a) termination of the Village of Cottage Grove's Waiver of its ETJ over the area included in the Preliminary Plat, or (b) twenty-four months from the date of adoption.

The above and foregoing Resolution was duly adopted at a meeting of the Plan Commission of the Town of Cottage Grove held on the 18<sup>th</sup> day of July, 2016, by a vote of 7 in favor and 0 opposed.

**TOWN OF COTTAGE GROVE PLAN COMMISSION**

  
Kris Hampton, Plan Commission Chair

Attested by:  
  
Plan Commission Member

**Incorporated by Reference:**

Exhibit A      Report from Town Engineer  
Exhibit B      Report from Town Planner



Link to Plan Commission Resolution 2016-01 exhibits:

<https://drive.google.com/drive/folders/1NlBApZ-9LKeuG7nckxFzZyvsorPhn6dt?usp=sharing>

**TOWN OF COTTAGE GROVE  
PLAN COMMISSION RESOLUTION 2016-01**

**RECOMMENDING APPROVAL OF PRELIMINARY PLAT FOR  
VINEY'S ADDITION TO SKY HIGH**

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**WHEREAS**, the Petitioner has requested approval of the Preliminary Plat and rezoning of the lots within the Preliminary Plat; and

**WHEREAS**, the Town Planner and Town Engineer have reviewed the request, prepared separate reports dated July 14, 2016 (collectively hereafter, the "Reports"), and submitted the Reports to the Town Clerk for consideration by the Plan Commission and Town Board, which Reports are incorporated herein by reference; and

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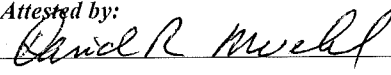
including security acceptable to the Town Board, Town Attorney and Town Engineer and in the amount of 120 percent of the cost of the public improvements.

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  11. The Petitioner shall install appropriate amenities to the development as required by the Town Board.
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  13. This recommendation to the Town Board shall expire at the earlier of (a) termination of the Village of Cottage Grove's Waiver of its ETJ over the area included in the Preliminary Plat, or (b) twenty-four months from the date of adoption.

The above and foregoing Resolution was duly adopted at a meeting of the Plan Commission of the Town of Cottage Grove held on the 18<sup>th</sup> day of July, 2016, by a vote of 7 in favor and 0 opposed.

**TOWN OF COTTAGE GROVE PLAN COMMISSION**

  
Kris Hampton, Plan Commission Chair

Attested by:  
  
Plan Commission Member

**Incorporated by Reference:**

Exhibit A      Report from Town Engineer  
Exhibit B      Report from Town Planner

Link to Plan Commission Resolution 2016-01 exhibits:

<https://drive.google.com/drive/folders/1NlBApZ-9LKeuG7nckxFzZyvsorPhn6dt?usp=sharing>

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TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
JULY 27, 2016

1. Notice of the meeting was posted at Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Mike DuPlayee, Dave Muehl, Wilmer Larson, Virgil Schroeder, Phil Bultman and Ben Morrow in attendance. Town Clerk Kim Banigan was also present. See sign-in sheet for others in attendance.
2. Chair Kris Hampton called the meeting to order at 7:00 P.M.
3. Approve minutes of the previous meetings:
  - a) **MOTION** by DuPlayee/Morrow to approve the minutes of the July 18, 2016 Joint Town Board / Plan Commission meeting as printed. **MOTION CARRIED 7-0.**
  - b) **MOTION** by Schroeder/Bultman to approve the minutes of the June 22, 2016 Plan Commission meeting as printed. **MOTION CARRIED 7-0.**
  - c) **MOTION** by DuPlayee/Morrow to approve the minutes of the June 29, 2016 Plan Commission meeting as printed. **MOTION CARRIED 6-0-1** (Muehl abstained).
4. Public Concerns: None.
5. Discuss/Consider adoption of Resolution 2016-02 Recommending Amendments to the Town of Cottage Grove Comprehensive Plan: **MOTION** by Schroeder/DuPlayee to adopt the resolution as printed. **MOTION CARRIED 7-0.**
6. Ed Short - Applicant, Jeff and Sue Natvig – Owners – parcel 0711-294-8315-0 at 3505 Vilas Road: Seeking rezone of 6.3 acres from RH-3 to RH-2 and .60 acres from RH-3 to RH-4, for zoning compliance considering sale of .6 acres to neighbors (tabled from June 22nd meeting for correction of application): Hampton stated that an email from Dane County Zoning Administrator Roger Lane indicated there are zoning problems dating back to 2000-2002 that need to be corrected before this request can be considered. **MOTION** by Schroeder/Morrow to table. **MOTION CARRIED 7-0.**
7. Thomas DeBeck, Applicant, Gryffindor LLC, Landowner – Parcel 0711-313-9002-5 on County Road AB - Seeking Conditional Use Permit for sand pit, filling and crushing on 34.18 acres zoned A-2: Mr. DeBeck stated that he is the owner of Speedway Sand and Gravel and is looking to fulfill a need of society by removing the sand from the proposed site and providing a disposal site for fill generated from Interstate and County highway projects. He said a 10 foot seeded berm installed 170 feet from the centerline of County Highway AB would minimize visual and wind effects on neighboring residents. Brandt Road would be the access point to the site, with potential access from the Interstate. He said the site would remain open based on need, which he saw as a lot of extraction activity for less than 10 years, with filling activity being longer term. There would be no blasting, but there would be recycling of pavement using small urban crushers down in a pit with dust and noise control, mostly in April and May. Discussion:
  - Hampton said that Brandt Road would need to have a 22 foot paved surface with a base of at least 1 foot of crushed rock and a cul de sac at the end. He would also like a copy of what is being submitted to the County per DCCO 10.191.
  - An email opposing the sand pit, filling and crushing operation was received from Tom Walz, owner of the property to the north of the proposed site.
  - Steve Manthe, 3237 County AB, which is directly across from the site, presented a petition signed by 52 people opposing the conditional use permit for a sand pit, fill and and crushing site. He said there would be 30 homes affected, most within less than 1000 feet.

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
JULY 27, 2016

His concerns included large trucks, declining property values, noise and groundwater contamination. He provided copies of a document entitled "What's wrong with an industrial hard rock Quarry" that listed potential problems for rural residents near a massive mining operation nearby.

- Matt Byrne, 3174 Fjelstad Ln, said that 90% of the work on the South portion of I-90 is being done at night, and wondered if the pit would be able to operate at night. He also wondered about the need for a new pit with five other pits within a small area. He asked who would be liable for health problems caused by the pit operation.
- Ryan Johnson, 3245 Freeway Ct., said current morning traffic at County AB and US Hwy 12 & 18 already makes it difficult to get across 12 & 18, large trucks will make it even worse. His other concerns were well contamination, diesel fumes and noise.
- Michelle Eldridge, 3217 County AB, said big trucks will be dangerous on a road popular with bicyclists and motorcyclists.
- Liza Lightfoot, 3055 Siggelkow Road, has been there since 1997 and is familiar with water problems in a drainage way that the pit could have an effect on. It will spoil the character of the area, and no berm will hide it from neighbors to the east. She was also concerned over truck traffic on County AB and at the 12 & 18 intersection and well contamination. She said her 26 employees, nursery stock, and 6 organic vegetable farmers could be harmed by the dust.
- Tom Payne, 3063 Siggelkow Rd., grows pine trees as a forestry crop adjacent to the proposed site and is concerned about how the dust will affect them. He said water coming off the hill floods the marsh every spring, which he says the DNR is familiar with. That water could carry dirt that would have a big effect on the marsh. He also said that there are already four mineral sites along the interstate to provide plenty of product for construction projects.
- Dale Meyer, 3268 Freeway Ct., is chemically sensitive and is concerned about safety, pollution, and the effect of diesel fumes. His wife Sheila said they moved there in 2012 after a long search to meet their physical needs of good air and water quality close to work. She felt these would be reduced, along with property values.
- Eric Schnarr, 3059 Siggelkow Road, said he is concerned about the effects of dust and air pollution on his horses on pasture, along with well contamination. His wife Maggie said that concrete crushing results in corrosive dust, causing her to be concerned for the health of their animals as well as the wetlands on the property.
- Matt Femal, 3261 Freeway Ct., has young children and is concerned about large trucks, dust and water quality. He worked for a large general contractor and has seen constant dust from barren land despite watering attempts. He said there are other quarries in the area that have sand available.
- Brian Calabrese, 3237 Freeway Ct., wondered if the site would be a commercial lot when it was all done? Hampton confirmed that the Town Plan does call for commercial development there.
- Steve Manthe pointed out that an organic co-op farm is operated by tenants on the Walz farm at 3234 County AB, and suggested that they be contacted as this could destroy their operation.

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
JULY 27, 2016

- Bob Bailey, 3236 Freeway Ct., said it would take a 50 foot berm to shield his view. He said there is solid sandstone below, and feels the site is unnecessary with all of the other opportunities in the area.
- DeBeck said there would not be constant high volume traffic all the time, maybe 30-40 trucks per day for a few days or a week or so at a time. No retail business. Erosion control would direct water toward the interstate resulting in less water flow than there is now. Phasing would begin with the eastern third and work would be below grade. Southwesterly prevailing winds would typically blow away from houses.

**MOTION** by Hampton/DuPlayee to table until the August 24<sup>th</sup> meeting when the Town Attorney and Dan Everson from Dane County can be present. In the meantime a copy of the application to the County should be provided to the Town Clerk. **MOTION CARRIED 7-0.**

8. ADJOURNMENT: **MOTION** by DuPlayee/Morrow to adjourn. **MOTION CARRIED 7-0.**  
The meeting was adjourned at 8:15 P.M.

Submitted by: Kim Banigan, Clerk  
Approved 08-24-2016



**TOWN OF COTTAGE GROVE  
PLAN COMMISSION RESOLUTION 2016-02**

**RECOMMENDING AMENDMENTS TO THE  
TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN**

**WHEREAS**, on October 28, 2015, the Town of Cottage Grove Board adopted an updated Town of Cottage Grove Comprehensive Plan (hereinafter "Plan"), under Section 66.1001(4), Wisconsin Statutes, in two volumes, with one volume titled Conditions and Issues and the second volume titled Vision and Directions; and

**WHEREAS**, Section 66.1001(4), Wisconsin Statutes; Section 15.20.2 of the Town Code of Ordinances; and Chapter 7 of the Vision and Directions volume of the Plan establish the required procedure for the Town to amend its comprehensive plan once updated; and

**WHEREAS**, the Town of Cottage Grove Plan Commission has the authority and responsibility to recommend amendments to the Plan to the Town Board, under Section 66.1001(4)(b); and

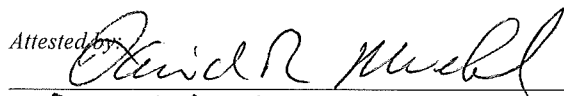
**WHEREAS**, with experience using the 2015 Comprehensive Plan, the Plan Commission recommends that the Town Board amend the Vision and Directions volume of the Plan, including amendments to Map 10: Future Land Use within Exhibit A and amendments to figures included in the Land Use chapter within Exhibit B (amended language crossed out or underlined).

**NOW, THEREFORE, BE IT RESOLVED** that the Plan Commission of the Town of Cottage Grove hereby recommends that the Town Board adopt an ordinance to constitute official Town approval of the amendments to the 2015 Town of Cottage Grove Comprehensive Plan, Vision and Directions volume, that are indicated in Exhibits A and B.

The above and foregoing Resolution was duly adopted at a meeting of the Plan Commission of the Town of Cottage Grove held on the 27<sup>th</sup> day of July, 2016, by a vote of 7 in favor and 0 opposed.

**TOWN OF COTTAGE GROVE PLAN COMMISSION**

  
\_\_\_\_\_  
Kris Hampton, Plan Commission Chair

Attested by   
\_\_\_\_\_  
David Muehle, Plan Commission Member

**Incorporated by Reference**

Exhibit A: Map Amendments, Comprehensive Plan, Vision and Directions Volume

Exhibit B: Text Amendments, Comprehensive Plan, Vision and Directions Volume

Link to Plan Commission Resolution 2016-02 exhibits:

<https://drive.google.com/drive/folders/104uIYpoTuhv31DG4e0mqauyuPBrv4de?usp=sharing>

Link to Plan Commission Resolution 2016-02 exhibits:

<https://drive.google.com/drive/folders/104uIYpoTuhv31DG4e0mqauyuPBrv4de?usp=sharing>

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
August 24, 2016

1. Notice of the meeting was posted at the Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Mike DuPlayee, Dave Muehl, Wilmer Larson, Virgil Schroeder, Phil Bultman, and Ben Morrow in attendance. Also present, Town Treasurer Debra Abel, Attorney Connie Anderson, and Dane County Assistant Zoning Administrator Daniel Everson. See sign-in sheet for others in attendance.
2. Chair Kris Hampton called the meeting to order at 7:00 P.M.
3. Approve minutes of the previous meeting: **MOTION** by DuPlayee/Larson to approve the minutes of the July 27, 2016 Plan Commission meeting as printed. **MOTION CARRIED 7-0.**
4. Public Concerns: None.
5. Thomas DeBeck, Applicant, Gryffindor LLC, Landowner – Parcel 0711-313-9002-5 on County Road AB – seeking Conditional Use Permit for sand pit, filling and crushing on 34.18 acres zoned A-2 (tabled from July 27, 2016 meeting):

Discussion: DeBeck stated that the site will have one scale house, no employees, only customers and hired trucks. A berm will be built with no trees planted. The sand pit will create better commercial property in the future. Prime property will be untouched. Crushing will be done near interstate. They will build berm as they go through phases while staying behind the berm using vegetation that the Town recommends, no mowing only spraying for weeds. Will use top soil on the berm located by Highway AB in the last phase. A well will not be added to the site, they will bring water trucks and use tanks or a retention pond to keep dust down. Hoping for sand on property but more of a fill site than sand pit. Adding an additional pit to the town will eliminate traffic going through the town.

- Hampton inquired if Mr. DeBeck knows where the water table level is. DeBeck stated that at this time it is unknown, possibly 10 feet. Hampton requested that he find out. Everson added that soil tests could be taken.
- Everson stated land has to go back to Ag use someday (after CUP expires). Can reclaim as they go. Clean fill and landscape material only (not a landfill). The average CUP timeline is a 10 year limit. Should be back in Ag by year 11. Could be extended by reapplication to Town and County. Positive to the pit is there will be no blasting and if applicant wants to blast he has to apply for a permit with the Town and County.
- Tom Payne, 3063 Siggelkow Road, concerned about run off going to his property and the woods filling with water. He is concerned about how close the pit will be to his property causing his entire property to flood. He pointed out his property on the map and where the drainage will affect him. Concerned about the future of his tree business and his retirement. DeBeck said drainage should be better because it will be directed to the interstate and overflow will go to the ditch.
- Tom Walz, owner of the property to the north of the proposed site, is concerned about if the pit would have access to the freeway and if so would there be traffic other than trucks using the sand pit access. Since it is a federal road the Town would not have control over that.
- Matt Femal, 3261 Freeway Court, wondered how the pit could improve the land if it is going back into Ag. Feels it will increase traffic on Highway AB. The pit will create a nuisance for kids and they will want to play there. He asked if there is a benefit to the Town to have a sand pit.

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
August 24, 2016

- Steve Manthe, 3237 County Highway AB, turned in a petition with 107 residents opposing pit. Likes the Town of Cottage Groves website. The maps on the Town website show small sand deposits. Conditional use permit doesn't make sense because there is not much sand on the land. He believes the federal government will turn DeBeck down for interstate access so all traffic will be on Highway AB which is already in bad condition. R.G. Huston Company has access to interstate with their pits. There is no need for another. He is also worried about damage to the Hmong and Avant Gardening crops.
- DeBeck knows he will not be granted access to the highway. He feels the location right off the interstate is a benefit of this property as a sand pit. When that section of the interstate is under construction, the contractors could use resources from his pit.
- Bob Bailey, 3236 Freeway Ct., inquired about long term plans with the pit. Can DeBeck be limited to the amount of trucks coming and going daily?
- Tim Dunston, 3262 Freeway Ct., feels it will be mostly a crushing pit.
- Sheila Meyer, 3268 Freeway Ct., concerned with the majority of the traffic on AB. She stated that according to her research even when pits follow rules dust got into everything.
- Maggie Schnarr, 3059 Siggelkow Road, concerned about protecting the water table and if an environmental study has been done. Everson wasn't sure but the most important thing is not going below the water table.
- Joel Glifcorn, 3274 Kowel Ct., DeBeck is not a good neighbor.
- Attorney Connie Anderson asked if the application could be narrowed down. DeBeck said he completed the application using the maximum program from his other sites. Anderson said that the way the application reads, it would be impossible to regulate and put limits on. It gives no protections to the Town.
- Michelle Eldridge, 3217 County Highway AB, said that with this new traffic it will be a bike hazard on Highway AB.
- County Supervisor, Dave de Felice wanted to read permit findings if denied.

**MOTION** by DuPlayee/Morrow to recommend denial of the application **MOTION CARRIED 5-2** (Muehl and Larson opposed). The six standards under DCCO section 10.255(2)(b) were considered with the following findings:

1. Failed
2. Failed
3. Approved
4. Approved
5. Approved
6. Approved

The Town Board will consider the Plan Commission's recommendation to deny the application on September 6<sup>th</sup>.

6. Avant Gardening & Landscaping, Inc., Applicant Elizabeth Lightfoot, landowner:
  - a) Parcel 0711-3149001-5 seeking rezone of 1.75 acres from A10EX and LC-1 to C-1 for storage of trucks, equipment and materials used for landscaping company. Becky

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Kielstrup, manager at Avant Gardening, stated they have outgrown the LC-1 classification. They have more land but it is not zoned properly.

- Tom Payne, 3063 Siggelkow Rd., is concerned about additional vehicles on their shared driveway.

Will put restrictions on C-1 and also a deed to limit uses.

**MOTION** by DuPlayee/Schroeder to recommend approval of the rezone of 3.55 acres on parcel 0711-311-9001-5 from A1-EX and LC-1 to C-1 for storage of trucks, equipment and materials. **MOTION CARRIED 7-0.**

- b) Parcel 0711-313-8003-6 seeking rezone of 2.2 acres from A1-EX to AB and removal of deed restriction to allow for limited retail sales of nursery stock produced on the property:

Nursery stock is used for landscaping jobs. They would like to have a retail space to sell excess stock produced and add a parking lot. Open on Saturdays. This will add approximately 10 more cars and one truck a year. No plans for additional buildings in near future but maybe in 10 years.

- Tom Payne mentioned they started selling already without approval. He is concerned about the traffic increase and would like a better shared driveway.
- Kielstrup mentioned driveway is not wide enough to fit two cars but wide enough to get down.
- Possible concerns would be getting emergency vehicles down the road.

**MOTION** by DuPlayee/Morrow to recommend approval of the rezone of 2.2 acres on parcel 0711-313-8003-6 from A1-EX to AB and removal of deed restriction to allow limited retail sales of nursery stock produced on the property subject to conditions. **MOTION CARRIED 7-0.**

**MOTION BY Hampton/DuPlayee** that the following conditions must be met: Driveway must be improved to allow at least 2 bump outs to improve traffic flow. In five years, driveway must be paved from Siggelkow to the Avant Gardening office for dust control and a better road condition. **MOTION CARRIED 7-0.**

7. ADJOURNMENT: **MOTION** by DuPlayee/Morrow to adjourn. **MOTION CARRIED 7-0.**  
The meeting was adjourned at 9:17 P.M.

Submitted by: Debra Abel, Treasurer  
Approved 02-22-2017

TOWN OF COTTAGE GROVE  
PLAN COMMISSION  
September 28, 2016

1. Notice of the meeting was posted at the Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Mike DuPlayee, Dave Muehl, Wilmer Larson and Virgil Schroeder in attendance. Town Clerk Kim Banigan was also present. See sign-in sheet for others in attendance.
2. Chair Kris Hampton called the meeting to order at 7:00 P.M.
3. Approve minutes of the previous meeting: The August minutes are currently under review by the Town Attorney and not available for approval.
4. Public Concerns: None.
5. Discuss and Consider rezones associated with recent changes to the Future Land Use Map:
  - a) Rezone from A-1 (EX); TDR-S to A-3 (remove TDR-S) for the following parcels
    - 0711-173-9500-2 and 0711-174-9250-4 owned by Bruno Keller.
    - 0711-212-9500-4 owned by MAC-Farm LLC.

Hampton explained that the County has requested these rezones for Farmland Preservation compliance. The Clerk said she provided copies of the application materials and notice of tonight's meeting to both landowners. **MOTION** by Schroeder/DuPlayee to recommend the rezone of parcels 0711-173-9500-2 and 0711-174-9250-4 owned by Bruno Keller and 0711-212-9500-4 owned by MAC-Farm LLC from A-1 (EX); TDR-S to A-3, removing TDR-S. **MOTION CARRIED 5-0.**

- b) Rezone from A-3 to A-1 (EX); TDR-S(?) for parcels 0711-204-9500-4 and 0711-204-8000-1 owned by Joel and Marie Hammond: Hampton stated that the Hammonds informed him that they no longer want these parcels to be in the Ag Preservation area, and intend to petition to have them designated as Neighborhood Development with the 2017 review of the Comprehensive Plan. **MOTION** by Schroeder/DuPlayee to make no recommendation on rezoning parcels 0711-204-9500-4 and 0711-204-8000-1 owned by Joel and Marie Hammond. **MOTION CARRIED 5-0.**

6. Brent Jolma, Applicant, Haag Living Trust, landowner: Seeking rezone of 6 acres at 1640 US Hwy 12 & 18 from parcels 0711-361-8001-0 and 0711-361-8500-6 from A-2 to A-2 (4) to separate existing residence from farm land: Mr. and Mrs. Jolma were present and explained that John Haag, her father, would like to sell them the buildings and keep the remaining farm land to rent out as an income source. Hampton read policy 2. Farm Residencies from the Development Policies for the Agricultural Preservation Area in the Comprehensive Plan, which states that "A farm residence built before May 15, 1982 shall not count against the density policy, even if separated from the 1982 parcel". He also noted for new lots for a farm residence and/or farm buildings that existed as of May 15, 1985, the maximum lot size is whatever is necessary to encompass the farm residence and/or all farm buildings, but no greater than 10 acres. Discussion was that the buildings would not require 6 acres, but the Jolma's felt it was necessary to allow for pastures for their hobby farm animals. **MOTION** by Schroeder/DuPlayee to recommend a rezone of 6 acres from parcels 0711-361-8001-0 and 0711-361-8500-6 from A-2 to A-2 (4) to separate existing residence from farm land. **MOTION CARRIED 5-0.**
  7. Discuss and Consider Design Review under TCG Ord. Sec. 12.08 for proposed storage unit development by Real Estate Management Solutions, LLC parcel 0711-332-9700-0 on Fieldview Lane: Robert Roth, Project Engineer with Roth Professional Solutions, presented plans including phasing, stormwater management, fencing, signage, lighting, landscaping and building colors. Norbert and Tim Moy and David Caffisch were also present.

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- Phase I will include buildings A, B, C, D and a portion of G. Buildings E, F, H, I and the remainder of G will be added with a future phase.
- Stormwater and erosion control plans have been submitted to Dane County and the WDNR. Two detention ponds are planned, one on the North end and one on the South end. The site will direct runoff toward the ponds, with rooftop water piped underground to the ponds. A site hydrology chart showed the expected reductions in peak discharge for the North and South ends of the project compared to pre-construction conditions. DuPlayee questioned why the expected reduction for a 100 year storm event for the South end was 18.7 cfs while the reduction for the North area was only 5.3 cfs, and wondered if the North pond could be deepened for a greater reduction.
- A wrought iron fence will be installed along County Road N from the south corner of the property to the highway off ramp fence. Black chain link fence will surround the remainder of the property. There will be just one way into/out of the property.
- Towers on buildings A and C will have wall signs facing County N and US Highway 12 & 18, and there will be a ground sign on the frontage of Field View Lane. Total sign area does not exceed 300 square feet as required by ordinance.
- Signs will have passive lighting, all other exterior lights will be downward facing. Interior hallways for climate controlled units will have minimal safety lighting on all the time with additional motion activated lights.
- Landscaping plans include several Canada Red Chokecherry plants, spaced so as to allow some show through of the buildings. Stormwater features will have decorative rip-rap and landscaping.
- Buildings will be sided and roofed in earth tones, tower roofs will be copper colored.
- The office area will be 400 square feet (20 x 20)

Other discussion:

- Hampton asked if there is room to pile snow, Caflisch said there should be room on the site but there will be gates to allow it to be pushed into the green space area as well, or worst case it could be hauled out.
- Hampton wanted copulas or something on building D to break up the long, flat roof line.
- Roth said that they hope to begin construction yet this year, but it may not be until spring depending upon how quickly building plans come back from the State.

**MOTION** by DuPlayee/Muehl to approve the design but suggest an increase in the depth of the North pond for a greater reduction of flow for a 100 year storm, and copulas or something to break up the roof line on Building D. **MOTION CARRIED 5-0.**

8. **ADJOURNMENT:** **MOTION** by Hampton/Schroeder to adjourn. **MOTION CARRIED 5-0.**  
The meeting was adjourned at 8:15 P.M.

Submitted by: Kim Banigan, Clerk  
Approved 10-26-2016



TOWN OF COTTAGE GROVE  
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OCTOBER 28, 2016

1. Notice of the meeting was posted at the Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Phil Bultman, Mike DuPlayee, Ben Morrow, Dave Muehl, Wilmer Larson and Virgil Schroeder in attendance. Town Clerk Kim Banigan was also present. See sign-in sheet for others in attendance.
2. Chair Kris Hampton called the meeting to order at 7:00 P.M.
3. Approve minutes of the previous meeting: **MOTION** by DuPlayee/Larson to approve the September 28, 2016 minutes as printed. **MOTION CARRIED 7-0.**
4. Public Concerns: None.
5. David Rush (MARCS President), applicant, Huston Holdings, LLC, landowner – parcel 0711-153-9001-0 and 0711-153-8500-8 north of 2342 Uphoff Road: Seeking to amend gas/glow flying hours from conditions set with zoning 10898 for RE-1 zoning on 1.03 acres: Mr. Rush presented a revised proposal that differed from the one provided with the application materials mainly by the addition of two Warbird and Scale Rally events to be held in the summer. These events would begin an hour earlier (9:00 a.m.) than the normal Saturday flying hours, and neighbors would be notified 30 days in advance. He also provided additional information including how the club generates revenue for the community, plans for “learn to fly” evenings, a look at the decibel meter and log book that are used, a list of flights from July through September. Wendell Hottmann, 4434 Windchime Way, spoke in favor of the proposal, stating that while he flies smaller and quieter planes, several elderly fliers have the older technology glow planes. **MOTION** by DuPlayee/Morrow to recommend approval of the conditions as presented tonight (attached as Exhibit A). **MOTION CARRIED 7-0.**
6. Ed Short, applicant, Jeff & Sue Natvig/Tim & Colleen Ward/Henry & Charlotte Handzel/Robert Hulbert, landowners – rezone involving multiple parcels on Vilas Road (0711-294-8315-0, 0711-294-8085-2, 0711-294-9255-0, 0711-294-9280-0 and 0711-294-9220-0 ), for zoning compliance and land swaps to allow for driveway to parcel 0711-294-9280-0 owned by Robert Hulbert: Mr Short outlined the proposed changes of land use:
  - A land swap between Hulbert and Handzel to provide driveway access to the Hulbert property. Both parcels are zoned RH-4 and no rezone is needed.
  - A land swap between Natvig and Ward to match existing edges of yard, then a sale between Natvig and Hulbert to provide driveway access to the Hulbert property.
  - Combining of Ward's R-1 and RH-3 parcel to make a single RH-1 parcel.
  - Rezoning Natvig's RH-3/R-1 parcel to RH-2.All of this will result in a new 4-lot CSM which should have road right-of-way along Vilas and Sime roads dedicated to the Town. No one spoke in favor or opposition. **MOTION** by Hampton/DuPlayee to recommend approval of the following:
  - Rezone of approx. 3.4 acres owned by Wards from RH-3 and R-1 to RH-1.
  - Rezone of approx. 7.2 acres owned by Natvig from RH-3 and R-1 to RH-2.
  - Rezone of approx. 16.2 acres owned by Hulbert from RH-3 and RH-4 to all RH-4.**MOTION CARRIED 7-0.**
7. Discuss/Consider recommendation Town Board regarding Final Plat for Viney's Addition to Skyhigh: Town Engineer Thomas TeBeest reported that the County has approved the Stormwater Management Plan, pending submission of a hard copy, and issued the erosion control permit.

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8. TeBeest received a revised preliminary plat from Birrenkott yesterday that addressed comments from his past two communications. There is some dispute over what is on the final plat vs. on the preliminary plat, but they are working that out. TeBeest's other comments were:
- The setbacks are different from the preliminary plat, they should match the approval for R-1 zoning.
  - Streets must be labeled Dedicated to Public *for Street Purposes* or else the County may assign them as a tax parcel owned by the Town.
  - Revised grading requested between lots 14/5 and 4/5 will require drainage easements.
  - Drainage easements should not include utility easements. If possible, utilities should stay in the existing easement to the south of the property. A 12' utility easement is shown to the north with no drainage easement. The biggest concern is getting the drainage right, and TeBeest thinks they have addressed that.
  - The County added an underdrain and outlot to the bio retention areas, which will mean a tile running underground for about 300 feet to the east at varying depths. This will require extra maintenance and care with installation of culverts.

**MOTION** by DuPlayee/Bultman to recommend preliminary approval pending all conditions outlined by TeBeest tonight and in his earlier communications are met. The final plat is not to be signed until a developer's agreement is signed and all fees are paid. **MOTION CARRIED 7-0.**

9. **ADJOURNMENT:** Prior to adjournment, Hampton shared an estimate made by Dane County Planning staff of how many "splits" the town has remaining. The ball park estimate was 175-180 splits. **MOTION** by DuPlayee/Bultman to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 7:40 P.M.

Submitted by: Kim Banigan, Clerk  
Approved 02-22-2017

## Plane Proposal

All planes that fly must be documented to have passed the 85 dB test at 50' away sitting on the ground.

Flights will be limited to 10 minutes maximum with a 5 minute break in between flights.

No more than two planes in the air at a time.

All Gas and Glow Plane Flights will be logged.

Neighbors may contact the MARCS' president if a plane seems too loud. The plane will be re-checked for dB level. If it is not the dB level, but the manner in which the plane is flown, the owner will be given notice and if the president receives an additional complaint about the same plane, it will be grounded.

To stay farther away from the Andrews' residence, gas and glow planes will fly no farther to the East than the Cattle Corral. The exception to this will be if the wind is out of a Westerly direction. Planes will go farther to the East to set-up landing into the wind. The power is much lower so the dB level for these landing approaches is way down.

### Flying Days

Monday, Wednesday, Friday - 10:00 a.m. to 3:00 p.m.

Tuesday, Thursday - 3:00 p.m. to 7:00 p.m.

Saturday - 10:00 a.m. to 5:00 p.m.

Sunday - No glow/gas flying

### Warbird and Scale Rally Events.

We would like to hold these two events on Saturdays in the summer.

The events run from 9:00 a.m. to 2:00 p.m. (Starting an hour earlier than the usual gas/glow time on Saturdays)

Neighbors would receive 30 days notice when these events would be taking place. These events are how our club generates money to pay for gas for mowing, the field lease, equipment maintenance, etc.

Electrics will continue unchanged from previous approval.

**Additional items:**

- 1. The club generates revenue for the community.**
  - a. Purchase fuel for mowing at the Cenex in town.**
  - b. When we fly early morning, many of us go for breakfast or lunch in town when finished.**
  - c. Our meetings from May through September are held at the field. If the weather is bad, we meet at 1855 instead.**
  - d. On meeting evenings, our board meetings are held after the regular meeting at 1855.**
- 2. Learn to Fly Evenings.**
  - a. We plan to start up our learn to fly evening to promote flying to community members.**
  - b. This is our outreach to children and their parents as well as adults looking for a hobby. The nice part is, they can come out and try flying without the expense of purchasing a plane, or Quad Copter. People have the opportunity to fly on a buddy box with a skilled pilot.**
- 3. Db Testing**
  - a. Meter**
  - b. Log Book**
- 4. Flight Log (After June 20th)**
  - a. July (23 flights)**
    - i. 11 - 1 flight - 3:25**
    - ii. 26 - 6 flights - 3:00, 3:35, 4:07, 4:31, 4:50, 5:10**
    - iii. 27 - 9 flights - 10:05, 10:16, 10:53, 11:12, 11:46, 12:11, 12:38, 1:14, 1:32**
    - iv. 30 - 7 flights - 11:00, 11:30, 11:55, 12:30, 1:05, 1:30, 2:45**
  - b. August (26 flights)**
    - i. 1 - 10:30**
    - ii. 3 - 11:32, 12:18, 1:17**
    - iii. 5 - 12:00, 12:32, 2:10**
    - iv. 6 - 10:00, 10:20, 10:45, 11:05, 12:05, 1:00, 2:15**
    - v. 8 - 10:00, 11:05, 11:15, 12:10**
    - vi. 17 - 11:00, 11:45, 1:30**
    - vii. 22 - 10:45, 11:45, 1:30**
  - c. September (4 flights)**
    - i. 1 - 5:05**
    - ii. 2- 10:28, 10:45, 11:49**
  - d. October (2 flights)**
    - i. 8 - 11:18, 11:35**