

**TOWN OF COTTAGE GROVE  
PLAN COMMISSION RESOLUTION NO. 2019-06-17**

**RECOMMENDING CONDITIONAL APPROVAL OF  
THE PRELIMINARY PLAT OF KENNEDY HILLS**

**WHEREAS**, in 2018, David C. Riesop and Riesop Farms, LLC, submitted a draft preliminary plat and concept plan for a single family residential development in the Town of Cottage Grove, Dane County, WI (“the Development”) and obtained input from the Town Plan Commission and Town Board on the Development; and

**WHEREAS**, on April 11, 2019, David C. Riesop (“Petitioner”) on behalf of Kennedy Hills, LLC, a single member limited liability company (“Developer”) paid the preliminary plat review fee and formally submitted a preliminary plat including Lots 1 -16 for single family residential development, Outlot 1 (stormwater) and Outlot 2 (park with trails) identified as the Preliminary Plat of Kennedy Hills (Drawing No. 4241-19; Dated 3/29/2019) (the “Preliminary Plat”), which Preliminary Plat is located in the NW ¼ of the NE ¼, Section 10, T 7 N, R 11 E of the Town of Cottage Grove; and

**WHEREAS**, the Developer anticipates two additions to Kennedy Hills north of the 16-lot single family residential development set forth in the Preliminary Plat, with the first addition including Lots 17 – 38 and the second addition including Lots 39 – 64, Outlot 3 (park with parking area) and Outlot 4 ( stormwater), all as set forth in the concept plan; and

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

**WHEREAS**, the Town submitted a Town Action Report to Dane County recommending rezoning of the property within the Development consistent with the comprehensive plan and Dane County’s Transfer of Development Rights program; and

**WHEREAS**, the Plan Commission wishes to confirm its recommendation to the Town Board in support of conditional approval of the Preliminary Plat and the proposed Development, subject to the conditions set forth in this resolution.

**NOW, THEREFORE, FOLLOWING CONSIDERATION OF THE ABOVE RECITALS, WHICH ARE INCORPORATED BY REFERENCE, IT IS HEREBY 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 Kennedy Hills in the Town of Cottage Grove, Dane County, Wisconsin, subject to conditions to be established by the Town Board after due consideration of the items set forth herein:

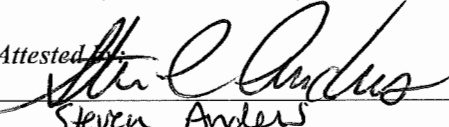
1. The Plan Commission recommends a report by the Town Engineer incorporating recommendations that assure that the Preliminary Plat will satisfy Town ordinances and construction in accordance with generally acceptable engineering standards in the Town, as determined by the Town Engineer.
2. The Plan Commission recommends that the Town Engineer work collaboratively with Dane County Land and Water Resources Department (LWRD) to review and establish by County permit those requirements necessary for: (a) soil and erosion control within the Preliminary Plat; and, (b) stormwater management facilities that fully satisfy County requirements and address stormwater runoff issues related to the Preliminary Plat.
3. The Plan Commission recommends that the Town require written certification by the Developer’s engineer, the same format as required by Dane County LWRD, that the stormwater management facilities as-built are in compliance with the permit and operating in accordance with the approved design.

4. The Plan Commission recommends that the Town Engineer work collaboratively with Dane County Highway and the Developer's Engineer regarding the design requirements for the County Highway BB and Kennedy Road intersection related to this Preliminary Plat and the anticipated first and second additions, and the stormwater discharge to the County Highway BB right-of-way, and report back to the Town Board regarding the status.
5. The Plan Commission recommends that Legal Counsel for the Town negotiate a Development Agreement with the Developer/Owner that is consistent with Town ordinances and addresses issues unique to the Preliminary Plat. The Development Agreement shall be reviewed by the Town Engineer and Town Board. When approved by the Town Board, the Development Agreement shall be executed by and between the Developer and Town. The Final Plat shall not be signed by the Town until the Development Agreement is fully executed.
6. The Plan Commission recommends that the Developer obtain and present to the Town confirmation of approval or waiver from the Village of Cottage Grove with respect to its extraterritorial plat review authority.
7. The Plan Commission recommends that the Developer obtain written confirmation from the Town Engineer of "no objection" to the Construction Plans and Specifications for all public improvements prior to construction.
8. The Plan Commission recommends that the Developer obtain approval of the Preliminary Plat from the Cottage Grove Fire Department and the Deer-Grove EMS District.
9. The Petitioner/Owner 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 written confirmation of appropriate rezoning of the Preliminary Plat from Dane County.
11. The above recommendations are in addition to requiring that the Petitioner obtain approval from all other approving authorities, as required by law.
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 twenty-four months from the date of adoption, unless extended by further action of the Plan Commission.

The above and foregoing Resolution was duly adopted at a meeting of the Plan Commission of the Town of Cottage Grove held on the 17<sup>th</sup> day of June, 2019, by a vote of 4 in favor and 0 opposed.

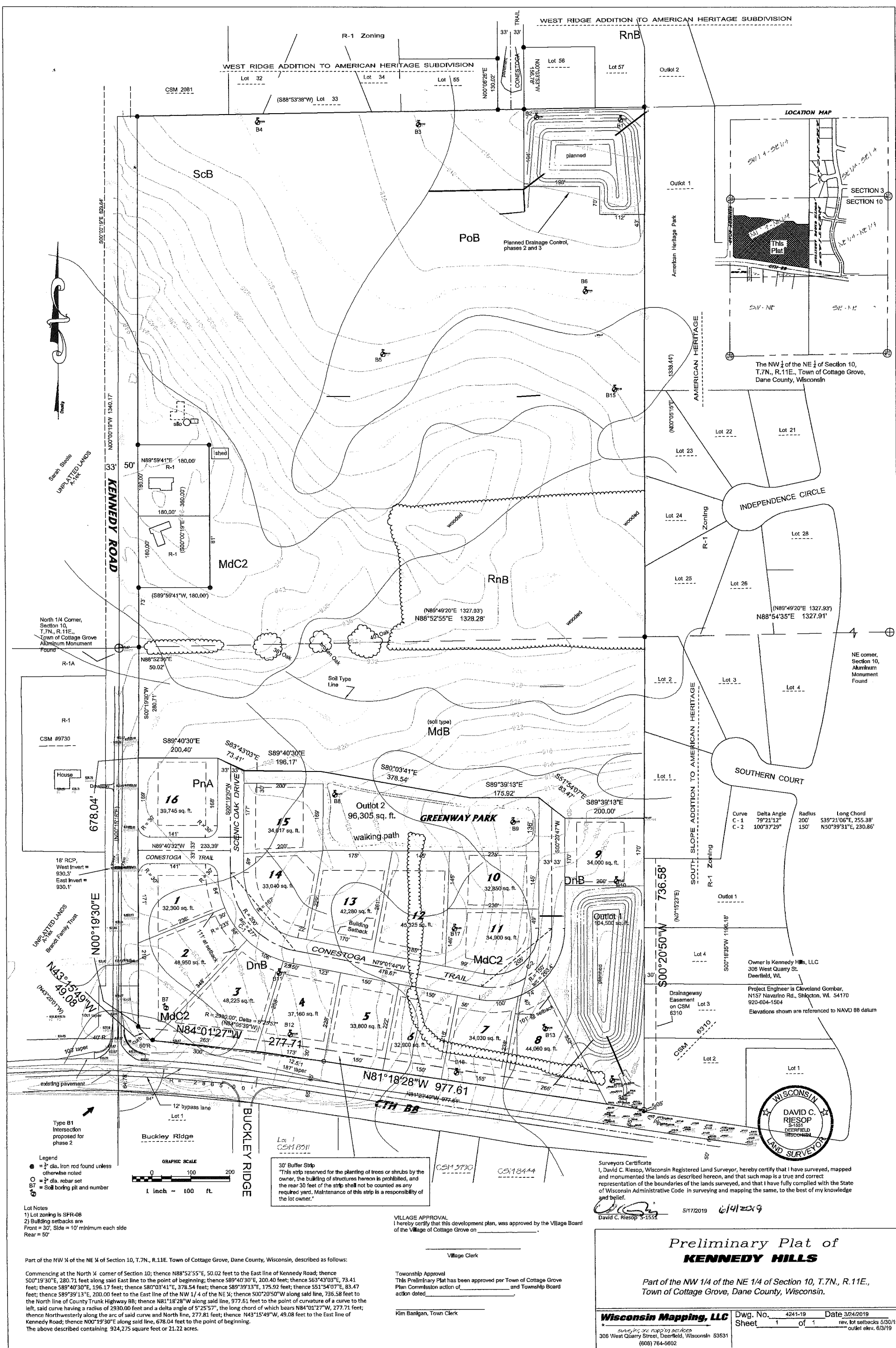
**TOWN OF COTTAGE GROVE PLAN COMMISSION**

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

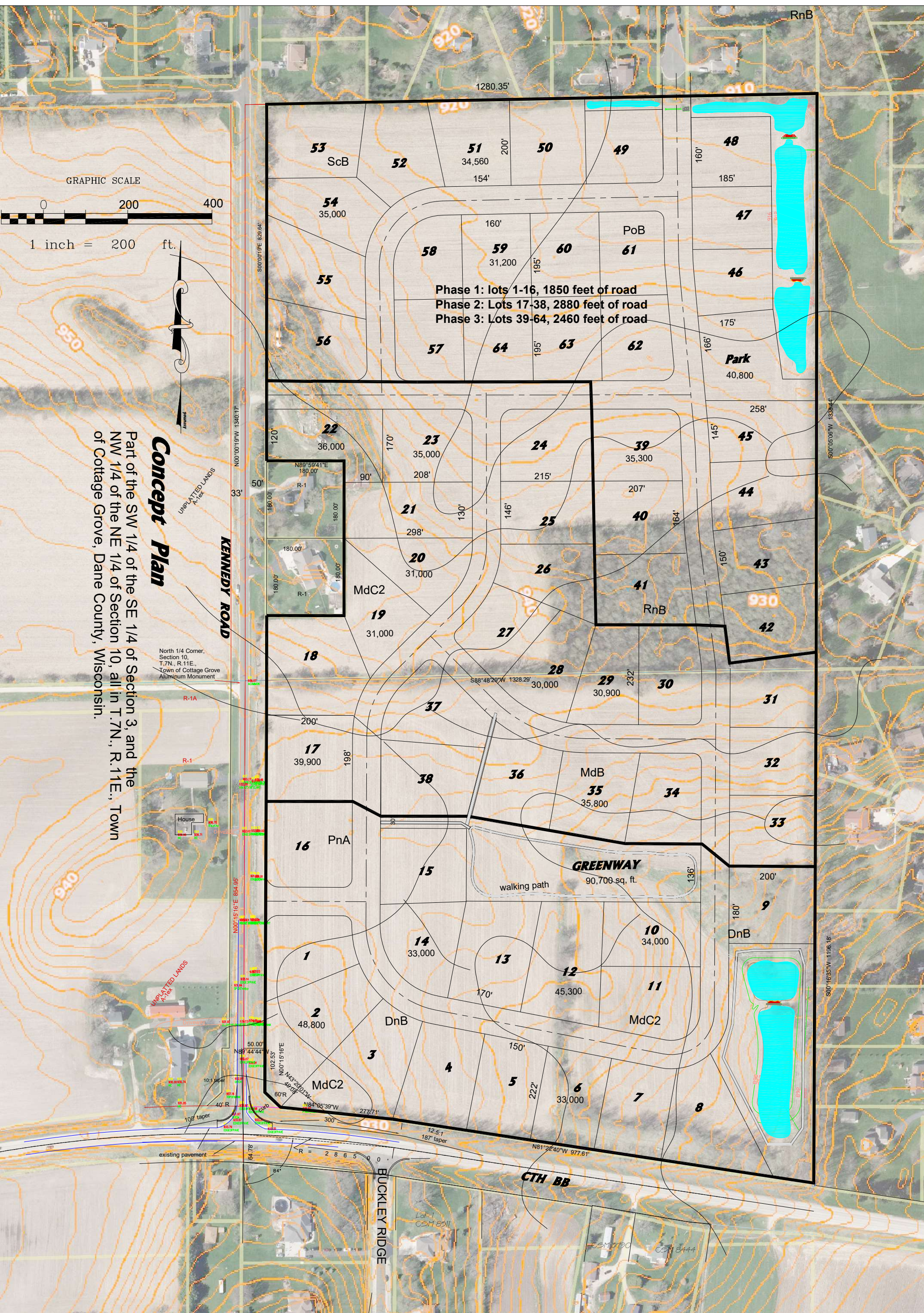
Attested by:   
\_\_\_\_\_  
Steven Anders  
Plan Commission Member

**Incorporated by Reference:**

Exhibit A      Preliminary Plat for Kennedy Hills  
Exhibit B      Concept Plan for Development









AFFIDAVIT OF POSTING OF  
TOWN OF COTTAGE GROVE RESOLUTION

STATE OF WISCONSIN     )  
  ) ss.  
COUNTY OF DANE         )

I, Kim Banigan, Cottage Grove Town Clerk, being first duly sworn, on oath, state as follows:

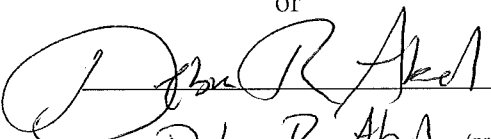
On June 20, 2019 the following was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

**PLAN COMMISSION RESOLUTION 2019-06-17  
RECOMMENDING CONDITOINAL APPROVAL OF  
PRELIMIARY PLAT OF KENNEDY HILLS**

  
\_\_\_\_\_  
Kim Banigan, Town Clerk

Subscribed to and sworn before me  
this 20<sup>th</sup> day of June, 2019

\_\_\_\_\_  
Signature of Town Chair person

or  
  
\_\_\_\_\_  
Debra R. Abel (print name)

Notary Public, State of Wisconsin

My Commission expires: 3/7/2023

