

PUBLIC HEARING FOR ORDINANCE AMENDMENTS

- I. Notice of the public hearing was posted on April 29<sup>th</sup> at the Town Hall and on the Town’s website and Facebook page. Town Chair Kris Hampton and Supervisors Kristi Williams and Mike DuPlayee were in attendance. Clerk-Treasurer Kim Banigan, and Highway Superintendent Dan Dresen were also present, along with those who signed in on the roster available at the Town Clerk-Treasurer’s office.
- II. Hampton called the public hearing to order, and asked if there were any questions or comments about the proposed amendments to Section 04.07 Fire Protection within Building – Knox Box or Chapter 15 – Land Division and Planning code. There were none.
- III. **MOTION** by Williams/DuPlayee to close the public hearing. **MOTION CARRIED 3-0.**

TOWN BOARD MEETING

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town’s website. Attendance was as listed for the public hearing above.
- B. Hampton called the meeting to order at 7:01 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meeting: **MOTION** by Williams/DuPlayee to approve the minutes of the April 15, 2024 meeting as printed. **MOTION CARRIED 3-0.**
- E. Finance Report and Approval of Bills:
  1. **MOTION** by DuPlayee/Williams to approve checks #37053-37117 (check #37116 is voided) and EFTs in the amount of \$37,265.43. **MOTION CARRIED 3-0.**
  2. **MOTION** by Williams/DuPlayee to approve April per diems as presented. **MOTION CARRIED 3-0.**
- F. Public Concerns: Monona Grove School District Student Representative Krishna Euwelle described the rooftop solar array on the Monona Grove High School building, stating that it is the largest one on a K-12 building in the State of Wisconsin, and is generating interest by other school districts in similar projects. He said it provides 50% of the building’s energy needs, was financed without any additional taxes and they expect to save \$1.5 million over the next 30 years. Projects under consideration for other buildings in the district could result in savings of \$6.42 million over the next 40 years.

II. BUSINESS

- A. Plan Commission Recommendations:
  1. Mary Wick, petitioner, Mary Wick & James Schmidt, property owners: DCPREZ-2024-12053 to consolidate parcels 0711-243-9010-0 (2.60 acres zoned RR-2 at 1784 Leon Lane), 0711-243-9040-4 (3.48 acres zoned RR-2 at 1788 Leon Lane) and .49 acres from parcel 0711-243-9000-2 (26.84 acres zoned FP-35) into a single 6.5-acre lot zoned RR-4 to allow for requirements for solar panel installation and to square off lot with adjacent farmland. **MOTION** by Williams/DuPlayee to accept the Plan Commission’s recommendation to consolidate and rezone 6.08 acres from RR-2 and .49 acres from FP-1 a single 6.57-acre lot zoned RR-4, to allow for solar installation on the same lot as the house, and to square off the lot. **MOTION CARRIED 3-0.**

2. John & Toni Skala, petitioners, Ben & Gwen Specht, property owners: DCPREZ-2024-12040 to divide parcel 0711-042-8290-7 at 2546 Gaston Road (2.56 acres zoned RR-2) into two lots, one to be 1.83 acres zoned RR-1 with the existing home, and a new SFR-08 lot zoned .73 acres for a new home: Williams questioned the location of the driveway for the new lot. Hampton referred to a stopping sight distance evaluation by Burse Surveying & Engineering that found the sight distance to be sufficient. **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 2.56 acres from RR-2 to 1.83 acres zoned RR-1 and .73 acres zoned SFR-08 to create a new home site. Gaston Road right-of-way shall be dedicated to the public. No RDU will be needed for the new lot since the property is within ¼ mile of the Village of Cottage Grove boundary and the original lot was created prior to 01/01/1981, as per items 3. and 5. under *Relationship to the Town's TDR Program* in Figure 8 of the Visions and Directions volume of the Town's Comprehensive Plan. **MOTION CARRIED 3-0.**
  3. David Riesop, petitioner, Kennedy Hills, LLC, property owner: DCPREZ-2024-12048 to rezone 47.6 acres from AT-35 to SFR-08 to create 50 additional residential lots in the Kennedy Hills subdivision: David Dinkel represented Kennedy Hills, and provided measurements made by Mr. Riesop showing that the northern parcel of the proposed subdivision is 1,275.45 feet (less than ¼ mile) from the nearest Village of Cottage Grove property. Kathy Wollschlager, 2170 Independence Cir., asked for clarification that only zoning is being considered now, and that platting will be reviewed later. She is concerned about stormwater runoff and also wanted confirmation that the water table can support that many new homes. Hampton referred to a CARPC report dated 5/21/2018 that he said indicated adequate water and septic sites are available. Krishna Euwell asked about leaching of nitrates and phosphorus. Hampton said in theory there will be less as cropland is converted to lawns. DuPlayee mentioned the wider roads required now as compared to phase 1, and Williams asked if there would be a dedicated bike lane. This will be determined during plat review. **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 47.6 acres from AT-35 to SFR-08 to create up to 50 additional residential lots in the Kennedy Hills subdivision. Since it has now been established that the northern parcel (#0711-034-9001-0) is within ¼ mile of the nearest Village of Cottage Grove property, no RDUs will need to be transferred for lots on that parcel as per item 3. under *Relationship to the Town's TDR Program* in Figure 8 of the *Visions and Directions* volume of the Town's Comprehensive Plan. Two RDUs (one for each 8 lots) must be transferred for the 12 lots planned for the southern parcel (#0711-101-8502-0). **MOTION CARRIED 3-0.**
- B. Review Non-metallic Mining Permit renewal applications and set date for public hearing: Renewal applications have been received from R.G. Huston Company for the Gaston Quarry at 2543 Gaston Road and the Skaar Pit at 3355 CTH N, and from Lycon, Inc. for the quarry at 2294 US Hwy 12/18. All applications indicated no changes to operations since prior Town approval. **MOTION** by Williams/DuPlayee to schedule a public hearing for the applications on June 3, 2024 at 7:00 P.M. **MOTION CARRIED 3-0.**
  - C. Discuss/Consider adoption of Ordinance 2024-05-06 adopting amendments to sections 04.07, 15.04(2)(b) and 15.13(2)(a) of the Town Code of Ordinances: **MOTION** by DuPlayee/Williams to adopt Ordinance 2024-05-06 as presented. **MOTION CARRIED 3-0.**
  - D. Review Town Attorney recommended revisions to the Town Code of Ordinances, and set date for a public hearing:

1. Section 09.097 All-Terrain Vehicles and Utility Terrain Vehicles: The ordinance was considered acceptable to move forward. **MOTION** by Williams/Hampton to schedule a public hearing for May 20, 2024 at 7:00 P.M. **MOTION CARRIED 3-0.**
  2. Chapter 12 – Uniform Building Code: The ordinance revisions were considered acceptable to move forward. **MOTION** by Hampton/Williams to schedule a public hearing for May 20, 2024 at 7:00 P.M. **MOTION CARRIED 3-0.**
- E. Discuss/Consider the Village of Cottage Grove’s proposed agreement to transfer County Highway BB from Buss Rd. to Damascus Trl. from County to Village Jurisdiction: Hampton stated he is not OK with item 4, which would require County tax dollars to perform maintenance on the road after the Village takes it over. **MOTION** by Hampton/DuPlayee to approve the agreement if item 4. is removed. **MOTION CARRIED 3-0.**
- F. Discuss/Consider approval of Dane County/City of Madison plans to install a sewer line under Luds Lane: Chris Dawson of JSD, which is working with Dane County on plans for the new 9-1-1 center, provided an overview diagram showing Luds Lane ending in a cul-de-sac, with Luds Court extending as access to Copart, and a future re-routing of CTH AB north to Femrite Drive. In the short term, this route will be temporarily created as an emergency egress route to Femrite Drive from Luds Lane. Board members expressed distaste with re-routing of CTH AB so soon after recent changes are complete. Dawson said he is not involved in that, but is here to ask for the Town’s approval to run a sanitary sewer line under the portion of Luds Lane that is in the Town. He said the road will be always open to both businesses unless prior arrangements have been made, and all Town permit requirements will be followed. Hampton asked if the two properties fronting that portion of Luds Lane could be offered sewer hookups without annexation if they need them in the future. Dawson said City Staff has said no to this request based on City policy. **MOTION** by Williams/Hampton to approve the installation of sanitary sewer under the portion of Luds Lane in the Town of Cottage Grove, with a request that another look be given at the policy prohibiting hookups without annexation. **MOTION CARRIED 3-0.**
- G. Consider approval of Committee/Commission 2024-25 Committee/Commission appointments: **MOTION** by Williams/DuPlayee to approve the appointments as presented. **MOTION CARRIED 3-0.**
- H. Consider location for carnival workers to camp for the Firemen’s Festival: Kevin Laufenberg, 2024 Festival Chairman, is looking for spots for carnival workers to park their camping trailers from June 10-17 since development in the Village has eliminated prior areas. Discussion was that the Town does not have a single spot that can accommodate all of them, but if they could be split up, possible sites would be the blacktop behind the Town Hall, the parking lot in front of the Town Garage, behind the Emergency Services Building, and the Police Station parking lot. Laufenberg will continue to search for other alternatives as well. He said that if damage was done to any grass areas, he would take care of restoring it.
- I. Consider participation in Market Place Dayz: DuPlayee thought the Town should participate, others thought there would be nothing for the Town to share. **MOTION** by Hampton/Williams to NOT participate in Market Place Dayz. **MOTION CARRIED 2-1** (DuPlayee opposed).
- J. Consider attendees for DCTA Annual Meeting on May 15<sup>th</sup>: Williams, DuPlayee and Hampton expressed interest in attending. Hampton will drive, departing the Town Hall at 6:15 P.M. **MOTION** by Hampton/Williams to allow up to 4 attendees. **MOTION CARRIED 3-0.**

K. Consider attendees for Cottage Grove Community Foundation's Annual Meeting on May 21<sup>st</sup>: Williams and DuPlayee expressed interest. **MOTION** by Hampton/Williams to allow up to 2 members to attend. **MOTION CARRIED 3-0.**

L. Consider attendees for American Legion Post 248 Memorial Day ceremony on May 25<sup>th</sup>: Hampton said to go if interested, but no per diem will be paid.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. Report of Road Right-of-Way permits issued: Dresen reported that an extension was granted for a permit issued to Alliant in 2023 for Uphoff Rd, W. Ridge Rd. and Savage Ct.

B. E-waste collection was finished up today, a semi-trailer was stuffed full. Discussion was that there were a lot of drop offs by non-Town residents.

C. He attended the WTA Road School last week, which he described as an overview on topics such as LRIP, ARIP, and bidding, and was well attended by sales reps.

D. The 6-20' culvert list is complete, just waiting on finalizing the replacement of the one on Vilas Road. That project still needs coconut mat, seeding and guardrail.

E. The Town Hall roof is done, the crew will need to paint some fascia boards and cap the roof ends.

IV. CLERK-TREASURER'S OFFICE UPDATE:

A. Banigan reported that communication from Village Staff indicates they do not plan to put out an RFP for refuse and recycling services, but to rather ask Waste Management to renew the expiring 10-year contract under similar terms. Considering it has been at least 13 years since the last RFP, she thinks the Town should see what other competitors have to offer. Hampton suggested she ask the Town Attorney if legally an RFP is required.

V. BOARD REPORTS AND COMMUNICATIONS: None.

VI. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: Williams reported that the Village has appointed two brand new board members to the Deer-Grove EMS Commission.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 3-0.** The meeting ended at 8:27 P.M.

Kim Banigan, Clerk-Treasurer