

APPROVED MINUTES OF THE JOINT MEETING OF THE SPRINGDALE PLAN COMMISSION AND TOWN BOARD AT THE PLAN COMMISSION MONTHLY MEETING ON APRIL 27, 2020

Due to the COVID-19 pandemic, including Federal, State and County emergency orders limiting crowds, this meeting was held via Zoom on the computer or via telephone. The Notice of the Meeting with instructions to access the meeting via the internet or telephone was posted in the three customary locations in the Town of Springdale, on the Town of Springdale website townofspringdale.org and via the Town-wide email distribution list. In addition, individuals needing reasonable accommodations to access the meeting were instructed to contact the Deputy Clerk to the Plan Commission at 608-839-0630 at least three (3) business days in advance to accommodate the request.

IN ATTENDANCE: Rich Bernstein, Ellen Bunn, Jim Hanson, Mike Healy, Amy Jester, John Rosenbaum, and Denise Sullivan. (A quorum is present.) Town Chair Mike Fagan, Town Supervisor Richard Schwenn, Vicki Anderson, Deputy to the PC, Susan Duerst Severson, Town Clerk, and Jackie Arthur, Town Administrator Clerk. Via the Zoom meeting, 28 participants were identified as logging-in to the electronic meeting via the internet or telephone.

CALL TO ORDER: by PC Chair A. Jester at 7:03 p.m. as a Zoom meeting via Internet or telephone. A. Jester provided an overview of the Zoom meeting process. During the meeting, attendees will be asked to mute their speakers/phones, unmute their speaker/phones when you wish to speak and identify oneself by name before speaking. A roll call vote will be called for each vote.

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. The final agenda was posted on 04/22/2020 in the three customary locations in the Town of Springdale as required by law. In addition, the final agenda notice was posted on the Town website and distributed via the Town-wide email list. A short notice of the meeting was published in the Mt. Horeb Mail.

ANNOUNCEMENT: TB Chair M. Fagan introduced the new Administrator Clerk Jackie Arthur to those in attendance. The Town Board is pleased to welcome Jackie to the position. Her work experience as a State Legislative Aide should be a nice fit for her position in our Town government. Town Clerk Susan Duerst Severson will leave her position and is working with Jackie during the transition.

MINUTES: MOTION by A. Jester/R. Bernstein to approve the draft meeting minutes of the 3/30/2020 meeting of the Plan Commission, PC, as distributed. Motion to approve carried as voice vote 7-0: Bernstein, Bunn, Hanson, Healy, Jester, Rosenbaum and Sullivan – ayes, zero – nays.

ACCESSORY BUILDING/R.WIPPERFURTH/3137 GETZ ROAD/SEC. 6:

MOTION by J. Rosenbaum/E. Bunn to recommend approval to the TB of a residential accessory building on Getz Rd., 56'x 36' and 25' high, with the understanding that this property may be subject to a Homeowners' Association agreement (for the residential development by Don Anderson on Getz Rd.), there shall be no commercial activity in the building, lighting shall be Dark Sky compliant (per the Town Dark Sky Ordinance) and the roof shall be non-reflective. Discussion included, but may not be limited, to the following: \*The 22-acre lot is zoned RM-16 and the land is leased for farming. Since the landowner is not engaged in farming at this time, the structure is considered a residential accessory building. \*The structure will be located within the Town-approved building envelope. \*The existing driveway will serve the building. \*In signing the Town of Springdale Accessory Building Permit Application, the applicant affirms compliance with any Homeowners' Association agreement.\*\* A. Jester, M. Fagan, J. Rosenbaum and D. Sullivan individually visited the site. Motion to recommend approval to the TB carried 7-0 as voice vote: Bernstein, Bunn, Hanson, Healy, Jester, Rosenbaum and Sullivan – ayes, zero – nays. 7:24 p.m.

(\*\*The application states: "No development agreements, covenant restrictions and/or other legal documents exist which would prohibit the construction of the AB. I certify that all the above information is accurate.")

JOINT MEETING OF THE TB FOR THE PURPOSES OF REVIEWING AND ACTING ON AGENDA ITEM ABOVE.

CALL TO ORDER THE JOINT MEETING OF THE PC AND TB by Town Chair Mike Fagan for the purposes of discussion and action on the agenda item above recommended to the TB for approval by the PC.

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed.

WIPPERFURTH RESIDENTIAL ACCESSORY BUILDING/3137 GETZ RD./SEC. 6: MOTION by J. Rosenbaum/R. Schwenn/ to approve the residential accessory building building on Getz Rd., 56'x 36' and 25' high, with the understanding that this property may be subject to a Homeowners' Association agreement (for the residential development by Don Anderson on Getz Rd.), no commercial activity in the building, it is Dark Sky compliant and the roof shall be non-reflective. Discussion: No further discussion-consistent with submittals to PC. Motion to approve carried 3-0: Rosenbaum – aye, Schwenn-aye and Fagan -aye, no nays. 7:29 p.m.

ADJOURN THE JOINT MEETING OF THE TB: MOTION by M. Fagan/J. Rosenbaum. Motion to adjourn carried 3-0: Rosenbaum – aye, Schwenn-aye and Fagan -aye, no nayses.

REVISÉD CONCEPT PLAN-MOVE BUILDING ENVELOPES/HENDERSON LANDS/CTH J/SEC. 11, 12, 13:

Background: Contiguous acres owned on effective date of Plan – 164.402 acres. In 2009, the Hendersons voluntarily prepared an Option 1 concept plan for 7 new lots and the existing farmhouse. In 2016, the family revised the concept plan and moved a building envelope from the east side of the farm on CTH J to a CSM lot on the west side of CTH J.

Current proposal: In 2020, the family has submitted a revised concept plan with two building envelopes clustered along the woods north of the existing farmhouse and two distinct building envelopes south of the existing farmhouse. They have reviewed with Dane County Highway these three proposed new residential access points on CTH J. Since the 3/30/2020 PC meeting the Hendersons have staked the footprint of the proposed lots on the property and calculated the acreage of tillable, untillable, wooded and floodplain lands on each proposed lot. They propose four lots of 4 acres, 5.5 acres, 6.2 acres and 6.4 acres, a total of 22.1 acres, of which 18.3 acres is tillable land.

Discussion included, but may not be limited to the following:

- \*A goal of the Town of Springdale Land Use Plan is to maintain the maximum size agricultural fields in one contiguous parcel.
- \* Applicant volunteered to reduce the lot sizes of lots 1 and 2 to preserve an ag field in a floodplain north of tree line and to exclude a small field attached to lot 3 - bringing the proposed tillable land in the proposed lots to approximately 11 ac.
- \*The specific features of this farm create a challenge to locate lots on minimal agricultural land. The wooded and nonagricultural lands on the farm are located on the other side of a creek, wetlands and floodplain, making access problematic. The agricultural lands located along CTH J are easier to access. However, even along CTH J, site lines on the road limit safe access points. It was suggested that the lots could be larger if lands around the creek were included in the lots, instead of agricultural acreage, but the family wishes to retain ownership of the creek.

MOTION: M. Healy/J. Rosenbaum to approve the revised concept plan with the modification of the lot sizes: all lots shall not exceed 3 acres in size except for Lot 3 which shall not exceed 4 acres in size.

AMENDED MOTION: M. Healy/J. Rosenbaum to amend the motion: all lots shall not exceed 3 acres of agricultural land except for Lot 4 which shall not exceed 2 acres of agricultural land with agricultural land being defined as land in production as defined on maps provided by applicant at the meeting. Motion to approve the amended motion by voice vote 6-1-0: Bernstein, Bunn, Healy, Jester, Rosenbaum and Sullivan – ayes, Hanson -nay. 9:15 p.m.

MOTION by J. Rosenbaum/R. Bernstein that the entire Lot 1, 2, 3 and 4 shall be considered the building envelope. Motion to approve carried by voice vote 6-1-0: Bernstein, Bunn, Healy, Jester, Rosenbaum and Sullivan – ayes, Hanson -nay. 9:23 p.m.

CONCEPT PLAN/OPTION 3 RURAL CONSERVATION SUBDIVISION/NIZAMUDDIN/SEC. 5:

Background: Contiguous acres owned on effective date of Plan – 115.94 acres. The Nizamuddins request an Option 3 rural conservation subdivision – maximum of 8 new lots and the existing farmhouse.

Current proposal: Since the pre-application discussion with Ryan Quam, Quam Engineering, LLC and the Nizamuddin family at the 2/24/2020 PC meeting, the landowners have submitted an 8-lot concept plan. It includes \*8 lots ranging in size from 1.34 acres to 1.95 acres, \* access via a proposed new town road cul-de-sac estimated to be 460' long. \*open space for the residential lots of 14.06 acres labeled forest stewardship and natural habitat preservation and 0.39 acres of pond, \*two CSM lots of agricultural land to be preserved-50.86 acres and 36.67 acres, and \*the existing farmhouse is associated with the 50.86 acres.

Discussion included, but may not be limited to the following:

\*It was generally agreed that the 4/27/2020 concept plan is an improvement from the 2/24/2020 submittal: the open space is retained in a larger piece with the lots clustered to the north and a lot has been eliminated from the agricultural field closest to the existing farmhouse.

\*The NW lot with no frontage on the proposed new town road appears to be squeezed into the layout just to reach 8 lots.

\*It was encouraged to consider the shortest town road and joint driveways as possible.

\*8 lots are not required. Maybe fewer lots could better meet the goals of the Town Land Use Plan.

\*The lack of access on CTH S, a controlled access highway; the terrain; and the lots created by the Nizamuddins prior to the adoption of the Plan, present a challenge to the development of this farm.

MOTION by A. Jester/R. Bernstein to approve the concept plan as submitted, subject to review by the TB because of the proposed town road. Discussion: The length of the proposed new town road will be discussed by the TB. Applicant requested town road maintenance costs per foot on a road for a rural conservation subdivision. Motion to approve carried by voice vote 4-3: Bernstein – aye, Bunn – nay, Hanson – nay, Healy – aye, Jester – aye, Rosenbaum-nay, Sullivan – aye.

PRE-APPLICATION-REZONING FOR AGRICULTURAL USE WITH POTENTIAL FOR FUTURE ACCESSORY BUILDING/WOODBURN LANDS-K. BIENEMAN, AGENT/STATE ROAD 92/SEC. 29:

Discussion: K. Bieneman is interested in purchasing two existing CSM lots from J. Woodburn with the intent of farming the 14.4 acre lot. The lot is currently zoned RR-8 and he is researching rezoning to RM-8 to enable him to build an agricultural accessory building

without a residence on the lot at a later date.\* Dane County Zoning has outlined the steps by which he would need to establish agricultural production on the land prior to applying for an Agricultural Accessory Building Permit. The Town defers to Dane County Zoning to make the determination of agricultural production/income/etc. It was generally agreed that the proposed rezoning to RM-8 is consistent with the Town Land Use Plan. As a neighbor said – they support keeping the rural historical area rural and historical. Bernstein-aye, Sullivan-aye, Rosenbaum-aye, Bunn-aye, Hanson-aye, Healy-aye, Jester-aye, no naves. 7-0 in support. (\*Dane County Code of Ordinances Chapter 10 states for RM-8: “Except for agricultural accessory buildings or for property maintenance sheds specifically approved by a conditional use permit, accessory buildings may not be constructed on a property without a principal residence.”)

**PC PROCEDURES:**

Next meeting: The regular monthly meeting for May is scheduled on Monday, 06/1/2020 at 7 p.m. due to Memorial Day on the 4<sup>th</sup> Monday of May. The deadline for submittals for the meeting is Monday, 05/18/2020. If the COVID-19 virus stay-at-home orders are lifted by 06/01/2020, the meeting may be entirely on Zoom or as a hybrid. Details to follow.

PC and TB work session shall be conducted immediately prior to the 06/01/2020 meeting at 6:30 p.m. The purpose of the work session is to review the amendments to the Town Land Use Plan and the recent training by Dane County Planning and Development re: the recommended procedure for processing CUPS. Handouts of the material have been emailed to the PC and TB.

ADJOURN: MOTION to adjourn by unanimous consent.      Respectfully submitted, Vicki Anderson, Deputy to the PC