

APPROVED MINUTES OF THE SPRINGDALE PLAN COMMISSION MONTHLY MEETING FOR OCT. 28, 2019

IN ATTENDANCE: Rich Bernstein, Jim Hanson, Mike Healy, Amy Jester, John Rosenbaum, David Schmidt, (A quorum is present.)
Town Chair Mike Fagan, Town Clerk Susan Duerst Severson and Vicki Anderson, Deputy to the PC.

CALL TO ORDER: by A. Jester at 7 p.m. in the Springdale Town Hall, 2379 Town Hall Road, Mt. Horeb, WI 53572.

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. The final agenda was posted on 10/24/2019 in the three customary locations in the Town of Springdale as required by law, and as a courtesy to the citizens, a notice of the meeting was published in the *Mt. Horeb Mail* on 10/24/2019.

MINUTES: MOTION by Schmidt/Healy to approve the draft meeting minutes of the 9/23/2019 PC meeting. Motion to approve carried 5-0.

CONCEPT PLAN FOR DEVELOPMENT AREA/BUILDING ENVELOPE ON EXISTING CSM LOT/NEIL AND PAM JOHNSON/SPRING ROSE ROAD/SEC. 24: NO ACTION/DISCUSSION ONLY:

Background: Contiguous acres owned on the effective date of the Plan = 44.707 acres excluding right-of-way. In May and June, 2013, the Town approved the Johnson proposal for a two-lot CSM. At that time, approximately 33.903 acres were to be sold for agricultural use only with the remaining 10.804 acres as the buildable lot. No site visit nor concept plan was required at that time since no building on the agricultural lot was anticipated.

Current proposal: Now, the Johnsons wish to identify a development area/building envelope on the 34-acre CSM lot. This would be consistent with the density units/building areas available for an Option 1 concept plan per the Town of Springdale Land Use Plan.

Next step: A site visit is scheduled for Saturday, Nov. 2, 2019 at 9 a.m.

KARL AND JUDY HACKER/CSM TO BE CONSISTENT WITH APPROVED CONCEPT PLAN/CTH G/SEC. 25:

MOTION by Healy/Hanson to approve the draft of a preliminary CSM with the amendments as drawn showing: *Lot 3 to not exceed 3.8 acres in size and its Northern border to be consistent with the Northern border of the existing CSM Lot # 9688 which is Lot 2.

*Lot 2, the existing CSM Lot # 9688 shall remain at least 3.52 acres in size, (the acreage tally to include the flagpole to CTH G.) and

*Lot 1, located North and East of the existing Lot 2 shall contain the remainder of the land, approximately 16.32 acres. Discussion:

This approved layout is considered a hybrid of the two layouts proposed by the Hackers. It is generally agreed that it is consistent with the approved concept plan and with the Town of Springdale Land Use Plan goals and objectives of retaining the largest tract of agricultural land in one lot. The Hackers went back to the drawing board and proposed two different lot layouts since a previous PC meeting. All three lots contained 66' of frontage on CTH G and a proposed shared driveway from CTH G. However, the hybrid layout was proposed to avoid breaking up the agricultural land among three property owners. Motion to approve the draft of a preliminary CSM carried 6-0.

Next step: The Hackers will submit a preliminary CSM to the PC.

CAROL HOLLER LANDS/CSMS TO BE CONSISTENT WITH APPROVED CONCEPT PLAN & REZONINGS/CTH P/SEC. 4:

MOTION by Jester/Healy to recommend approval to the TB of the two CSMS, a 15.394 acre lot and a 60.93 acre lot, as consistent with the concept plan approved in 2003; with no further division of either Lot per the Town of Springdale Land Use Plan; and with a designated development area/building envelope in the Northeast corner of the 60 acre CSM, at the edge of the farmland, as depicted on the map to be filed in the Town Hall.

Zoning: Based on the Comprehensive Revision to the Dane County Code of Ordinances Chapter 10, the lands will be reclassified from A-1 zoning to RM-8 for the smaller parcel. The zoning district for the 60 + parcel will be researched with Dane County Planning and Development.*

Discussion: Per the 2003 Town approved concept plan, six development areas for the Holler lands were identified in addition to the historical farmhouse. Since 2003, the farmhouse is located on LotCSM # _____. A development area #1 was assigned to a vacant Lot....CSM # _____. Development area #2 is the current residence on this 76 acre lot being divided. Development area #3 will be located on the proposed new 60.93 acre CSM lot. The three remaining development areas will be assigned to the 49.18 acre parcel located near the corner of Bakken Road and CTH P. Motion to recommend approval to the TB carries 6-0.

Next step: The two CSMS lots will be forwarded to the November, 2019 TB meeting agenda.

*Since the meeting, Dane County Zoning recommends the 60 + acre parcel be zoned RM-16 to accommodate a single-family residence and agricultural use. The AT-35 zoning district does not pertain since only an agricultural residence would be permitted.

SYED NIZAMUDDIN/ACCESS POINTS ON CTH S/REVISED CONCEPT PLAN/CSMS TO BE CONSISTENT WITH AN APPROVED CONCEPT PLAN AND REZONINGS/CTH S/SEC. 5:

Background: Contiguous acres owned on the effective date of the Plan = 116 acres with an existing farmhouse. Option 1 = 5 new lots, Option 2 = 7 new lots and Option 3=8 new lots. The Nizamuddin lands extend on the North and South side of County Road S, a Dane County Highway Department controlled access highway. Prior to 2002 and the adoption of the Plan, the landowner developed 4 lots by CSM on the North side of CTH S and 2 lots by CSM on the South side of CTH S. (Dane County Highway required the existing

farmhouse access point on the South side of the highway to be moved to the West to be shared with the two new lots on the South side.)

Overview of recent PC meetings outlined by PC Chair Jester:

PC meeting on March 27, 2006: An Option 1 concept plan for 5 lots was presented to the PC by the landowner. It was denied at the March 2006 meeting because:

1. In 2006 it was stated that it did not meet the standards of the *Policy for New Town Roads*.^{***}... It is not the policy of the Town to approve a new town road for the sole purpose of enabling a landowner to develop land that otherwise would not have been developable. A proposed new town road must be clearly in the public interest, public good. Since CTH S is a limited access highway per Dane County Highway requirements, the shared driveway now serving the farmhouse, one newer house and a CSM lot is the only access permitted by Dane County. Therefore, without a new town road, no further development could occur. Historically, it was the policy of the Town to not approve any new town roads. The *Policy for New Town Roads* was adopted on 4/12/2004 (**and amended on 10/21/2013) to establish standards if a new town road were being considered. For example, a new town road would be worthy of consideration if development could have occurred and the new town road would improve the development and serve the public good ...^{***}

2. In 2006 it was stated that it did not meet the standards required for an Option 1 division with a new town road because of its negative impact on the farmland.

PC meeting on June 25, 2018: Per the request of the landowner, information about an Option 3 clustered rural subdivision was discussed.

PC site visit on July 11, 2018: A site visit was conducted by the PC on the Nizamuddin lands with discussion about an Option 3 development.

PC meeting on Sept. 24, 2018: The agent for the landowner presented an Option 2 concept plan to the PC which was approved contingent upon information from Dane County Highway about: additional access points on CTH S, number of homes to be served on the access point, necessary amendments to the existing shared driveway agreement serving three residences if it were to be expanded to serve more homes; and Town Board consideration of a new town road and its compliance with the Policy for New Town Roads.

Town Board in Sept. 2018: The Town Board consideration of a proposed new town road hinged on the understanding that more than one Dane County Highway access point on CTH S was feasible.

PC meeting on June 3, 2019: The landowner submitted a 4-lot CSM as part of the 7-lot layout on the concept plan. The PC voted that it appeared consistent with the concept plan and was approved with the caution that the TB needed to approve the proposed new town road. Subsequently, this 4-lot CSM was denied by Dane County Land Division Review Office because the lot layout did not meet the standards for frontage on a cul-de-sac and width of lots.

TB meeting on Sept. 19, 2019: The TB encouraged the landowner to contact Dane County Highway about additional access points on CTH S to approve adherence with the Town Policy for New Town Roads.

PC meeting on Sept. 23, 2019: The landowner submitted a revised preliminary CSM with a significantly longer proposed new town road that was inconsistent with the approved concept plan. Therefore, in the meeting discussion with the landowner, he was encouraged to discuss additional access points on CTH S with Dane County Highway and/or to consider an Option 3 development.

PC meeting on Oct. 28, 2019: The Town had been notified by Dane County Land Division Review Office that a 4-lot preliminary CSM had been submitted to their office by the landowner and Town action is needed per the Town of Springdale Land Division and Subdivision Code for lots by CSM.

Discussion: Since there is no approved concept plan consistent with the 4-lot CSM dated 10/14/2019, the application is deemed incomplete and the landowner may not be eligible for a new town road unless an Option 3 development is proposed or additional access points exist on CTH S. It is not the policy of the Town to approve a new town road just to increase the number of lots for development. A new town road shall be in the public interest, the public good.

MOTION by Hanson/Bernstein to recommend denial of the proposal to the TB for the November TB meeting agenda. Motion to recommend denial carried 6 -0, 8:50 p.m.

(*The Policy below was presented as a Power Point slide during this agenda item.

Policy for New Town Roads –Adopted by the Town Board 102113-Town of Springdale, Dane County, Wisconsin

1. *A proposed new town road must be clearly in the public interest/good.*
2. *A new town road may be accepted for an option 3 development.*
3. *A new town road may be accepted for an option 2 development only when the proposed new road, or the extension of an existing road, clearly improves compliance with the Land Use Plan, Residential Density Option 2, Sections (B) and (C), and meets all the following goals from option 3:*
 - a. *Residential development (lots) shall be clustered on twenty-five (25) percent of the contiguous acres owned on plan effective date. Additionally, shared driveways may be required to enhance the effect of clustering development areas.*
 - b. *Residential driveways shall be sited and constructed in a manner which best minimizes their impact on agricultural land.*
4. *A new town road may be accepted for an option 1 development only when the proposed new road, or the extension of an existing road, clearly improves compliance with the Land Use Plan, Residential Density Option 1, Sections (B) and (C), and meets all the following goals from option 2:*

- c. *Residential driveways shall be sited and constructed in a manner which best minimizes their impact on agricultural land.*
 - d. *The building envelope(s) shall be designed to minimize their visual impact when viewed from public roads and from the surrounding countryside. On properties with prominent, exposed hill tops or ridges, it is desirable for roof tops not to extend above the hilltop or ridge line.*
 - e. *The location of building envelope(s) shall demonstrate that the impact on the town's rural character has been minimized.*
 - f. *Clustering is desirable and may be required when there is the potential for three or more building envelopes to be created.*
5. *In the case where a town road has been converted to a private driveway by action of the Town Board after Sept. 29, 2013, and development of permitted new lots cannot proceed without a town road, the Town Board will consider reestablishing the private driveway as a public right-of-way.*

****Date the 2004 Policy for New Town Roads was slightly amended. ***An excerpt from the Approved March 27, 2006 PC meeting minutes.**

PLAN COMMISSION PROCEDURES:

Next PC business meeting: Nov. 25, 2019 Submittals for the November monthly business meeting should be submitted to the Town Clerk by Monday, Nov. 11, 2019.

Site Visit: A site visit will be conducted on the Neil and Pam Johnson lands on Saturday, Nov. 2, 2019, 9 a.m.

Next PC special meeting: On Nov. 14, 7 p.m., the TB and PC will conduct the public hearing on the updates to the Plan, Land Division and Subdivision Code and the Town Comprehensive Plan as part of the Comprehensive Revision of DCCO Chapter 10. A. Jester has prepared the clean copy of the updated Town Land Use Plan available to citizens on Aug. 29 in electronic format or on the Town website. A Class 1 and Class 2 notice, as legally required, have been published in the paper and posted in the three regular locations to provide notice to citizens of the public hearing.

ADJOURN: MOTION by Schmidt/Hanson, motion carried 6-0. Respectfully submitted, Vicki Anderson, Deputy to the PC