

## **Minutes -Town of Springdale**

Monday, October 16, 2017, Board Meeting

7 PM in the town hall at 2379 Town Hall Rd., Mt. Horeb, WI.

**IN ATTENDANCE:** Board Chair, Mike Fagan; Supervisor I, John Rosenbaum; Supervisor II, Richard Schwenn; Treasurer, Rebecca Boelhower Santi and Clerk, Susan Duerst Severson.

**NOTICE OF THE MEETING:** pursuant to Wisconsin Open Meeting Law was confirmed. Notice of the meeting was published in the *Mt. Horeb Mail* on 10/12/17. The agenda was posted in the three customary locations in the Town of Springdale on 10/12/17, as required by law. Quorum present.

**CALL TO ORDER:** 7:07 PM by Board Chair, Mike Fagan.

**MINUTES:** MOTION by Rosenbaum/ Schwenn to approve the minutes of Sept 18 Town Board meeting as distributed. MOTION carried 3-0.

### **PUBLIC INPUT – Non agenda items:**

- Rosenbaum asked citizens in attendance for any new information regarding traffic on Norwegian Trail and Town Hall Rd. There was none.

**FIREWORKS PERMIT** Brian Ross, 1626 Erfurth Rd, Professional pyro technician, Andrew Ferstadt, scheduled Nov. 3. Discussion MOTION Fagan/Schwenn to grant as submitted. Carried 3-0

### **PUBLIC HEARING/PLAN COMMISSION RECOMMENDATIONS:**

**1. Conditional Use Permit 02395 Horse Boarding: Lisa and Taylor Maurer/2122 Bridge Lane/Sec.25,** Discussion: Town Board received written (via email) confirmation from Dane County that the applicant's manure management plan is approved and confirmation from Glacier Landscapes that it plans to remove the manure from the Town of Springdale.

MOTION: Rosenbaum/Schwenn to approve CONDITIONAL USE PERMIT #02395 HORSE BOARDING WITH SANITARY FACILITIES AND COMMERCIAL ACCESSORY BUILDING/LISA AND TAYLOR MAURER/2122 BRIDGE LANE, SEC. 25: as recommended by the Springdale Plan Commission with the following updated conditions:

1. Horse riding and boarding stable shall be limited for up to twenty horses.
2. The hours of operation are 7 a.m. to 10 p.m. seven days a week.
3. The number of employees shall be limited to one employee - full-time/40 hours/week or equivalent, non-family member.
4. Outdoor storage shall be limited to four (4) horse trailers.
5. Adequate off-street parking shall be provided as depicted on the site plan for the proposed addition to an existing horse barn, dated 8/21/17 by Glacier Landscape, Inc.
6. The construction of a 2400 sq. ft. addition to an existing horse facility shall be constructed as depicted on the site plan, dated 8/4/2017 by Glacier Landscape, Inc.
7. Events open to the public are prohibited.
8. Outside loudspeakers and amplified sounds are prohibited.
9. Owner is responsible for instituting a manure management plan approved by Dane County Conservation.

10. Sanitary facilities shall be permitted in the accessory structure, if needed, as depicted on the site plan for the addition to the existing tack room, dated 7/31/17 by Glacier Landscape, Inc. (See separate Motion regarding temporary holding tank)
11. Signage is prohibited.
12. No residential uses shall be permitted in the horse facilities.
13. Exterior lighting shall be dark-sky lighting and switch-activated for compliance with the Town of Springdale Dark-Sky Lighting Ordinance.
14. Owner is responsible for instituting a trash management/disposal plan
15. Conditional Use/Zoning expires with the sale of property or horse boarding business to an unrelated third party.
16. Owner shall comply with all information provided as part of the CUP/Zoning application.

Discussion MOTION Rosenbaum/Schwenn to approve carried 3-0.

- **SEPTIC HOLDING TANK** for Sanitary facilities permitted in the accessory structure (tack room), as depicted on the site plan for the addition to the existing tack room, dated 7/31/17 by Glacier Landscape, Inc. (See separate CUP **02395** Motion). Discussion: Maurer explained that the tank installed would be large enough to accommodate both the accessory building and the house should the home's septic system fail. A drain field will need to be constructed. The tank will be pumped when active. Maurer submitted a letter from Public Health Madison & Dane County outlining the conditions under which Dane County agree to grant a variance to DCO 46.06(5) until the existing distribution system is replaced with a new system that can handle the waste of both the house and the convenience bathroom in the stable. Condition:
  - Owner has a soil test performed in 2018 to identify a suitable area for the distribution system of a replacement POWTS to serve both the home and horse barn bathroom
  - The holding tank is no longer used as a holding tank once the replacement distribution system is constructed. The holding tank may be converted into a septic tank for the new system or replaced with a suitable tank for the system.
  - Owner agrees to maintain a valid servicing agreement and inform PHMDC of any changes to the servicing agreement within 10 days of the agreement being changed as required by Dane Co Ord 46.06(5) (b).
  - The owner agrees to have the holding tank pumped when the tank alarm is activated. If the tank does not reach this level in a given calendar year, the owner will call the Dept. to report that no pumping was necessary before the end of the year.

MOTION Rosenbaum/Schwenn to approve holding tank with conditions set forth in October 13 letter from Dane County for up to three years. If owner wants to extend use beyond three years, they will need to come back to the Town Board for approval. MOTION carried 3-0.

**2. CELL TOWER: VERIZON WIRELESS/Betty Stivarius lands/Zurbuchen Rd. /Sec. 24,**  
MOTION Fagan/Rosenbaum to approve CUP with conditions approved by our Plan Commission:

If it weren't for Wisconsin law, Act 20, passed in 2013, the CUP would be denied because the proposed location is inconsistent with the goals of the Springdale Land Use Plan with the proximity and density of residential uses of the neighboring landowners.

1. Dane County CUP 2390 Staff Report Potential Conditions of Approval, dated Sept. 26, 2017 conditions 1-19, 21.
2. Dane County CUP 2390 Staff Report Potential Conditions of Approval, dated Sept. 26, 2017, condition 20 as amended as follows:

The tower lease area shall be surrounded by a security fence and landscaped screening which shall consist of a planted evergreen screen at least six (6) feet in width and initially landscaped with six (6) foot tall evergreens to ultimately form a continuous hedge that reaches to a height of at least 20 feet and maintained with healthy shrubs. The screening should be on all sides. If not currently possible on the east side, because of an existing unused structure, then, Verizon agrees to plant comparable screening were the structure removed.

3. The applicant shall comply with all information as provided in the CUP application and subsequent documents.
4. The use shall be limited to a wireless communication tower.
5. The hours of operation are 24/7.
6. There shall be no customers, no storage, no outdoor activities, no outside loudspeakers, no generation of trash.
7. Lighting on the cell tower structure is prohibited; lighting on the equipment building structure shall comply with the Town of Springdale Dark-Sky Lighting Ordinance and be switch-activated and shielded to direct the light downward.
8. Signage shall be limited to the FCC stipulated signage and identification only.

**PC MOTION to approve the CUP with conditions. Motion carried 7-0.**

**The Six Standards for a Conditional Use Permit Voted on by the Plan Commission:**

1. Nay 7...According to the Town Land Use Plan, the density of residences and their proximity makes this proposed use inconsistent with the current Plan.
2. Nay 7.The uses and value of neighboring property owners will probably be impacted since land values will probably decrease.
3. Yes – 6, nay – 1 Impact sale of land.
4. Yes- 7-0
5. Yes-7-0
6. Yes- 7-0.

The Plan Commission acknowledged that the six standards for a CUP were not met and would normally be the basis for the PC to recommend denial of the CUP to the TB. But, they recognize that the PC does not have the authority to deny based on State law.

Town Board Chair suggested that in the future companies bring their plans/options to the Town earlier in the site selection process so citizens and the Board could weigh in on options.

Town Board MOTION to Approve Carried 3-0

Discussion, driveway permit: Verizon will place stakes so Chair can do site visit before November Town Board meeting agenda.

**DRIVEWAY PERMITS Part 1 and 2**

1. Dianne Geissal 2007 Erb Rd 054/0607-274-8400-0 PD Discussion: Driveway to be used solely for agriculture purposes. Culvert required.

MOTION Fagan/Schwenn to approve Ag driveway as submitted on the application. MOTION carried 3-0

2. Brad/Karen Weisbrod- Ben Franklin St –0607-343-25900-PD Builder Steve Gerner Discussion: Culvert Required.

MOTION Schwenn/Rosenbaum to approve driveway as submitted on the application. MOTION carried 3-0

**UPDATE ON ROAD REPAIRS** Scott Construction Discussion –Patrolman still working with Scott to complete to Town’s satisfaction. No action taken.

**ASSESSOR PROPOSALS/IDEAS** Discussion. Residential is in compliance; land is two years out of compliance (Maximum is five years). Goal to have all citizens taxed in a manner that is equal/fair. Upcoming years- timelines, options, cost, total re-evaluation. No action taken.

**MT HOREB PUBLIC SAFETY BUILDING** Amend agreement with MHJFD Discussion: Mike Lamberty updated us on the new building – cost, bids, loans, township share (locked in). MOTION: Rosenbaum/Schwenn to authorize Board Chair to sign Amendment. MOTION carried 3-0

**RESOLUTION NATURAL HAZARD MITIGATION** Discussion: PLAN Required to benefit from FEMA funds. MOTION: Fagan/Schwenn to approve Town participation as a partner with DCEM dept. and adopt the Resolution to place our plan into the Dane County Emergency Management Plan. MOTION carried 3-0

### **TOWN BUDGET**

Fagan explained why the Town is proposing an increase to the tax levy limit and then read the proposal out loud. November 20, 7 PM, was selected as the date/time of the meeting of the electors to vote on the budget and related budget items. MOTION Fagan/Schwenn to approve the Proposed Resolution to Exceed the Levy Limit as read and the date of meeting of the electors. MOTION carried 3-0.

### **RECYCLING SERVICE** Town & Country 5 yr. Contract up Dec 31, 2017

Rosenbaum explained how proposals were sought and criteria requested for consideration. Discussion: an attending vendor pointed out timelines to set up conversion to new vendor in order to supply bins/trucks. Citizens voiced their experience with the current vendor and thoughts on changing to automated carts. □ The Town Board *may* convene in closed session to deliberate or negotiate competitive proposal for garbage and recycling. If a closed session is called, the meeting will reconvene in open session. MOTION by Rosenbaum/Fagan to move to closed session to review bids. Roll call vote, Rosenbaum, yes; Schwenn, yes, Fagan, yes. MOTION carried 3-0 MOTION to adjourn and to reconvene after the closed session Rosenbaum/Fagan MOTION carried 3-0

MOTION to reconvene open meeting session Fagan/Rosenbaum MOTION carried 3-0

MOTION Fagan/Schwenn to authorize Rosenbaum to further research and negotiate a trash/recycling contract. Discussion: Noting vendors need to prepare for any conversion, Town Board should not wait until the next regular meeting, they may need to call a special open Town Board meeting to vote on the contact.

**BILLS:** MOTION by Schwenn/Fagan to approve payment of bills submitted for Board review. MOTION carried 3-0.

**ADJOURN:** MOTION by Schwenn/Fagan to adjourn. MOTION carried 3-0.

Respectfully submitted

Susan Duerst Severson, Town Clerk