

**Approved by Town Board September 17, 2018**

**Springdale Town Board Regular Monthly Meeting** Monday, August 20, 2018, at 7 PM  
In Town Hall, 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, Patrolman, Devin Dahlk; 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 8/16/18. As required by law, the final agenda was posted at Riley Tavern, Town Hall, and Mt. Vernon Family Auto in the Town of Springdale on 8/16/18. Quorum present.

**CALL TO ORDER:** 7:30 PM by Board Chair, Mike Fagan. All Board members were in attendance at 7 PM; however, meeting called to order late because everyone was cleaning up storm water that was seeping into the Town Hall.

**MINUTES OF PREVIOUS MEETING(S)**

- July 16, Regular monthly meeting: MOTION Fagan/Schwenn to approve as presented MOTION carried 3-0
- July 20, Special Meeting -Building Inspector Contract & Building Ordinance Code: Discussion: Rosenbaum emailed contract to Johnson July 21, Johnson approved. Clerk to finalize edits to the Ordinance and send to Johnson for review before contract and ordinance are finalized/approved by Town Board at the September meeting. MOTION Fagan/Schwenn to approve as presented MOTION carried 3-0

**PUBLIC INPUT – NON AGENDA ITEMS:**

- Rosenbaum – Town should review road/driveway/service policy when a developer creates a new development. Town should consider long term maintenance of roads; responsibility may remain with owner vs. town. Presented as future agenda topic.
- Fagan – Dark Sky Ordinance still being reviewed. Meanwhile, Building Inspector will enforce current ordinance.
- Rosenbaum – Town & Country Sanitation contacted the Town that they will be notifying residents who use trash receptacles that hold more than 35 lb. (max per contract). Their workers will distribute the notices/letters on trash day.

**DRIVEWAY PERMIT Part 1 & 2**

**Tim & Jody Schuetz** 2715 CTY HWY J 0607-114-9355-0 Lot 1 CSM 14263 Fagan did site visit. Discussion regarding County Rd access permit preceding Town Driveway Permit. MOTION Fagan/Schwenn to approve driveway as presented without penalty. MOTION carried 3-0

**Alan Freitag Living Trust** 2860 HWY J Lots 2, 3, & 4 CSM 14805-Shared Driveway 3 lots. Fagan did site visit. Discussion: Steps following TB approval of shared driveway include: Dane Co highway access permit: shared driveway agreement required – does not involve Town; however, copy required for Town's file; each resident will need to apply for a Town driveway permit from shared driveway to their home. MOTION Fagan/Schwenn to approve shared driveway to lots 2, 3, and 4 as presented upon Town receipt of shared driveway agreement. MOTION carried 3-0

**PUBLIC HEARING / PLAN COMMISSION RECOMMENDATIONS:**

**Rick Klinger III** –Lawn Works Madison, LLC, 2731 Gust Rd/Sec. 12 Rezoning from A-1 to LC-1 for landscape business for part of the lot to resolve zoning violation. Background: On April 20, 2018, Dane County Zoning mailed a zoning violation letter (on file) to Klinger listing land use/zoning concerns:

1. Illegal land divisions dating back to 1996.
2. Operating the landscape business on land zoned A-1 which does not permit commercial activity.
3. Impervious surfaces have been added to the property without adherence to storm water management rules and regulations.
4. A building has been constructed without a zoning or building permit.

Since the June 25, Plan Commission meeting, Klinger has revised his application by removing the two-lot CSM; instead, an area of the current A-1 CSM lot will be spot zoned for the LC-1 zoning, the lot is not eligible for a second lot, and the spot zoning will result in less strip development and a buffer of green space at Gust Road. Klinger also rescinded the CUP #02433 since there will be no significant outdoor storage of materials and the number of vehicles will not exceed 12. See file for letter to Klinger dated July 9 from Roger Lane, Dane County Zoning Administrator.

MOTION Fagan/Schwenn to approve recommendation of the Plan Commission for spot zoning to LC-1 conditionally upon compliance with Dane County Zoning and the Town Building Code for the existing building and with the deed restrictions talked about which are:

1. The spot zoning to LC-1 shall be limited to professional lawn care, mulch and stone installation, concrete flatwork and snow plowing/removal services. This is an off-site service-oriented business – no sales, no manufacturing, no assembly of products on the premises.
2. The hours of operation shall be Monday – Saturday, 7 a.m. - 5 p.m. in the summer and winter hours vary depending upon snowfall.

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3. The number of employees shall be limited to six full-time equivalent employees with the number of hours tallied on-site to not exceed 40 hours per week per employee.
4. The vehicles and pieces of equipment used in the business shall be limited to 12.
5. No customers shall visit the site. No retail sales shall be conducted on the property. The on-site business shall not be open to the public.
6. Outside loudspeakers are prohibited.
7. Outdoor lighting, except for required security lighting, shall be operational only during hours of operation. All lighting shall conform to the Town of Springdale Dark Sky Ordinance and shall be shielded to prevent glare into the night sky or direct-beam illumination of neighboring residences. All new lighting fixtures shall use full cut-off fixtures which prevent all upward transmission of light.
8. Signage shall comply with the Town of Springdale Sign Ordinance.
9. The site plan shall conform to the exhibit submitted to the Town entitled "Site Exhibit" prepared by Vierbicher and dated 06/12/2018 which delineates the gravel employee parking and gravel equipment storage areas and the footprint of the shop and storage building within the spot zoned area.
10. Outdoor storage of material is prohibited.
11. The existing building shall comply with all Dane County Zoning and Town of Springdale Building Code requirements.  
Discussion: It was generally agreed that the Town Plan supports LC-1 with some stipulations in the Plan and the deed restrictions are similar to what has been done in the past. Prior to Klinger's land contract purchase of the property, the existing accessory building to be used for the business was expanded without the proper permits. Klinger shall contact Dane County Zoning for the required zoning permit after which he will contact the Town Building Inspector for the Town building permit. Since no office shall be contained in the structure, the building permit requirements are the basics. Dane County Zoning will work with Klinger to facilitate the removal of materials left behind by the previous owner. Klinger will continue to enhance the appearance of the property. For the spot zoning, no new CSM is required, rather a legal description of the area to be zoned LC-1 suffices.  
And with these additional conditions:
12. No burning of landscaping/business debris.
13. Any remodeling to existing structures must be pre-approved by the Town Board.
14. The existing unpermitted building is inspected by the Town Building Inspection, a building permit is issued and paid for.
15. A new Certified Survey Map (CSM) is approved by the Town and Dane County.
16. When the Building Permit and CSM are ready, Mr. Klinger is to come before the Town Board with the final documents. The goal date being September or October 2018.

MOTION carried 3-0

**INTRO OF RESOLUTION** to discontinue undeveloped roads in old plat of Byam's addition of Mt Vernon on Ken Wollersheim/Gary Lutz lands section 34. Two areas/road identified by drawing attached to Resolution. Fagan read Resolution aloud. Lis pendens to be filed with the Dane Co. Register of Deeds. MOTION Fagan/Rosenbaum to set public hearing date as October 15, 2018. MOTION Carried 3-0

**REPAIR ZANDER RD** after culvert replacement. Discussion: Fink's replaced the culvert per awarded bid. Patrolman explained circumstance and need, and presented an estimate for the repair by Fink's. Proposal cost \$4,800.00. MOTION Schwenn/Rosenbaum to approve payment of the additional cost to repair the culvert area of the Zander Rd project. MOTION carried 3-0

**LANDSCAPING AT TOWN HALL** Discussion: Exterior of old and new Town Hall are in need of maintenance. TB suggested removal of overgrown bushes and an addition of rain gutters. Summer storms have left the Patrolman without time for less urgent matters. Is this a project citizen's might be willing to volunteer for? No action taken.

**CREATING APPLICATION/PERMIT PROCESS AID FOR PUBLIC USE** Discussion: Fagan: Create resource to aid public and employees through the common processes that come before the Plan Commission and Town Board. A committee could be formed when time allows. There was general agreement that there is a need. No action taken.

**CALENDAR – Upcoming Meetings/Events**

- ✓ Board of Review Tuesday, August 21, 4-6 PM
- ✓ Plan Commission Monday, August 27, 7 PM
- ✓ Town Board Monday, September 17, 7 PM

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**BILLS –Treasurer Report –year to date.**

Discussion of getting charge cards, or prepaid cards for employees.

MOTION Schwenn/Fagan to increase payment for mowing/maintenance of Oak Hill Cemetery from \$40 to \$50/occurrence.

MOTION carried 3-0 MOTION to pay bills as presented

Officials & Staff Education & Training – Discussion to look into writing Town policy.

- UW Ext. Workshops for Local Planning & Zoning, Adj. & Appeals -Middleton Aug 30, Sept 24, & 27
- UW Ext. Fall Town & Village Workshop

MOTION Fagan/Schwenn to approve up to three employees to attend each of the above meetings. MOTION carried 3-0

**ADJOURN.** MOTION Schwenn/ Rosenbaum to adjourn MOTION carried 3-0

*Respectfully Submitted, Susan Duerst Severson, Clerk*