

Minutes of the Plan Commission – Town of Spring Green

June 12, 2018 - Spring Green Town Hall, E4411 Kennedy Road, Spring Green, WI 53588

Attendees: Richard DuBois, Irv Snyder, Sandy Lochner and partner

- 1. Meeting called to order by Iausly at 7:00 pm.**
- 2. Roll call** Plan Commission members present: Fred Iausly, Nate Robson, Carla Carmody, Michelle Thomas, Kolby Hirth; absent: none
- 3. Iausly attested that proper public notice had been made.**
- 4. Motion to approve minutes of the May 8, 2018 meeting** by Robson, seconded by Carmody.
- 5. Motion approving agenda as posted** by Thomas, seconded by Carmody. Motion carried.
- 6. Public comment:** None.
- 7. Updates & Communications:**
 - a. Tom Peck driveway.** Peck consulted with Town Inspector Tracey Johnson, then met with Iausly on site. The site is at the crest of a knoll approximately 275' off of Dyke Rd. Peck will clear brush and trees to give a clear line of site to the road and will angle the drive up the hill to keep the drive under 12% grade. Johnson will issue the building and driveway permits upon satisfaction of these conditions.
 - b. Maier subdivision.** Maier is planning to attend the July Plan Commission (PC) meeting for a consultation for a planned development off of Kennedy Rd west of Town Hall. In the meantime he will commence with clearing red pines from the site.
 - c. Hirth Plan Commission seat.** Hirth announced that their property on Highbanks Rd will soon be on the market and that the Board may consider replacement appointment at the July Board meeting. Hirth reported having relayed personal sentiment to Chairman Lins about the poor optics of being a commissioner while intending to sell, but offered to continue serving with full effort on PC & JEZC until replacement appointments were made or residency changes.
- 8. Business Items:**
 - a. CSM: Consultation/presentation by Sandy Lochner for a proposed CSM for properties at S11850 Raymer Rd and E6224 County Highway WC.**

Lochner wants to divide a non-conforming parcel of 34.89 ac to separate a rental house with more than 1 acre on Hwy WC and to combine the remainder with an adjacent lot on Raymer Rd. The action would result in conforming lots for both resultant parcels. During review of the Sauk County land information GIS web map of Lochner's parcels, it was noted that the County requires more than the 1-acre and 35-acre minimums because the County does not include acreage within a highway right-of-way (ROW). The resultant parcels of the proposed CSMs would exceed ROW acreage accounting and the Plan Commission cited no concerns. Lochner was advised to return with a preliminary survey.

b. CSM: Consultation/presentation by Mark Mahoney for a proposed CSM for properties at E2980 Phylane Rd.

Mahoney presented a draft CSM combining 2 nonconforming parcels off of Phylane Rd. The property is under contract for sale and the buyers want to build in the center of the combined lots. The combination will result in a conforming parcel of 1.95 acres. Well and septic tests have been completed. Robson noted that the CSM indicated a neighbor's satellite TV dish was within the road ROW, but it was not relevant to the parcels under consideration. Iausly motioned, Robson seconded to approve the CSM. Motion carried.

During review of the Mahoney CSM, Iausly relayed an update to last month's review of the Christianson CSM. Surveyor Nick Jennings obtained positive review by the Town Plan Commission and approval by Town Board, positive review by County Conservation/Zoning/Planning (CZP) and approval by the County, but the Treasurer's review called for some minor corrections prior to recording: width of County Line Rd be specified, width of a pipe be indicated, an abbreviation be defined, and correct spelling of Christianson. Surveyor Mahoney relayed that these minor issues happen occasionally with all surveyors and can be very easily corrected electronically. The Plan Commission requested that the updated CSM go directly to Town Chairman for signature without further review.

c. Trailer Park Expansion on Shifflet Rd: Consultation with Rick DuBois.

DuBois presented a Sauk County land information GIS web map and sketch of the proposed 22-unit expansion adjacent to the existing 55-unit trailer park. Iausly relayed that the area is currently zoned for a trailer park; the DNR is responsible for well approval; Sauk County is responsible for septic and drainfield; and the Town building inspector will issue building and driveway permits. DuBois relayed that he has consulted with septic and soil test specialists and plans to remove the existing drainfield, which services the current residents of the 55-unit park, and replace it with 2 separate fields aligned perpendicular to the existing drainfield. The new drainfield will service both the new and existing trailer parks.

Iausly inquired about maintaining service during construction of the new drainfields. DuBois explained that 8 existing septic tanks will effectively be short-term holding tanks and he has already contacted the pumper; and construction could be completed within 2 days.

Iausly inquired about wells. DuBois responded that the addition will be served by a new well, and the existing trailer park is served by a large well and a back-up. Iausly asked if DuBois would be abandoning a well. DuBois replied that he would only be adding a new well for the addition.

Robson inquired about lack of space for an alternate drainfield. DuBois replied that drainfield requirements have recently been updated; DuBois further explained that should soil become contaminated, then it would be hauled out and replaced with new sand-soil. DuBois added that, during construction of the new drainfield, soil from existing fields will be replaced.

Iausly inquired about planned setbacks. DuBois replied that sites will be much larger than required by code, and relayed that he wanted it to be an aesthetically

pleasing area for residents and the Township; he then elaborated on his efforts to demolish aging trailers and replace them with much more valuable units. DuBois affirmed his intention to continue that effort and extolled the improvements made since he purchased the trailer park.

Hirth inquired about screening for adjacent single-family residential. DuBois referred to the GIS map and pointed to a wide area of existing dense vegetative screening. Iausly elaborated that the adjacent residential area in the Phil Wald subdivision is not built due to a developer having previously requested annexation, then reconsidered and requested detachment for Town rural development, but then abandoned action.

Iausly requested affirmation that the trailers will have footings. DuBois affirmed that footings will be constructed and are part of the permit process. Alliant runs the gas lines to each site and DuBois hires an HVAC specialist, to run from the meter to each individual unit, as well as a plumber and an electrician. The County requires a building permit for each unit – for both installation and removal.

Iausly advised DuBois to start getting permits from the County, which are needed prior to Inspector Johnson issuing building and driveway permits.

Attendee Irv Snyder relayed a serious concern about the density of septic in the proposal, especially because of the immediate proximity to the existing high-density trailer park and close proximity to the Wisconsin River. Snyder remarked that nutrient load into the river needs to be reduced and that there is a sanitary system not far from the property. Hirth strongly agreed, but said the zoning for the trailer park already existed and the approval for septic and drainfield was outside the authority of the Plan Commission. Snyder suggested that a review of zoning be a priority, with special attention to watershed.

d. CSM & PRD: Presentation by Gary and Susan Johnson for PUD on Cty Hwy WC.

The Johnsons were not present, deferred until after Snyder CSM item. The Plan Commission reviewed a map from Sauk County CPZ showing two 5-acre PRD lots and the proposed PRD conservation area. Iausly explained that the process for all PRDs (Planned Rural Development) must start at the County level and that more than 1/3 go back to the County after Town review and changes to the proposed PRD conservation areas. Robson asked for clarification of proximity to the Lochner CSM previously discussed; Iausly confirmed it was across Cty WC from Lochner. The Plan Commission noted that the PRD lots were clustered and the PRD preservation area was prime ag land. Thomas motioned, Carmody seconded to recommend approval. Motion carried.

e. CSM: Consultation with Irv Snyder for proposed 2-parcel CSM at E4802 Snyder Rd.

Snyder presented a Sauk County land information GIS web map of an area in which he wants to reconfigure one parcel for a tear-down/new home construction and combine two other parcels. Snyder suggested that he extend an existing town road 70' (west end of Snyder Rd) in order to have 66' frontage and then dedicate it to the Town. Iausly relayed that he conferred with Brian Simmert at County CPZ and, though easements are required to be 66', the County has a process for approving easements

of only 49 ½' wide; residences are required to have only 40' of frontage. Iausly continued that this opens a few possibilities to consider and may obviate the need to extend Snyder Rd. Snyder pointed to an existing shared driveway, which he wants to remain. Iausly clarified that a shared driveway is an agreement, which needs to be surveyed and recorded in order to make it an easement.

Discussion continued with general consideration of options for the parcel to be refigured. A 1-lot CSM would not require a recorded easement, but would require creation of an outlot to an adjacent parcel. A 2-lot CSM would not require creation of an outlot, but would need to record an easement so as not to create a land-locked parcel.

An additional concern was that a neighbor's drainfield encroaches onto the parcel to be reconfigured. Iausly relayed that a CSM under that condition would not be approved, even though the situation has existed for several decades. Iausly recalled a similar situation existed a few years back with David Mack and Milton Sprecher off of Porter Road, which was remedied by selling a few feet to Mack.

Hirth requested clarification regarding how the option of creating an outlot does not create a land-locked parcel. Iausly explained that because the action does not affect another parcel – it is a reconfiguration of existing parcel only – it does not create anything. Iausly explained that all outlots, however, do need to be associated with something, like another parcel or defined in a plat. Iausly further explained that the 2-lot CSM option, which would not create an outlot but would require an easement, would be cleaner and preferable for the long-term; and, it would not require road extension because Snyder Rd is 49 ½' wide, which is legal for a town road according to DOT regulations. Snyder remarked that he is interested in finding where the width of Snyder Rd is recorded.

Discussion continued with Robson inquiring why there needs to be a Town Rd to access only 1 parcel. Iausly and Carmody remarked that the situation exists in multiple areas of the township (e.g. Blau, Peck, Snyder, end of Pearl Rds) and that many townships, including neighboring Town of Franklin, are in the process of vacating those roads.

f. Comprehensive Plan: Discuss the comprehensive plan and areas for potential update.

Discussion continued regarding PRD's with Robson inquiring about acreage owned by Johnson and the potential to eventually have 5-acre parcels lined along Cty Hwy WC. Robson asked if progressively larger conservation easements are required for successive PRDs by large landowners; Robson recalled the 3rd PRD required 70 acres and the 4th required 100 acres. Hirth asked why successive PRDs should require more than 30-acre land reserves each, and remarked that clustered rural residential development is desirable in order to maintain a threshold population for schools, local business and community vitality. Iausly explained that the intention was to give small- and large-tract landowners a more equal footing in development opportunities. Hirth responded that this should be clarified and then reviewed with adequate consideration to population and to avoidance of having only very large parcel farms, as opposed to family-scale farms. Carmody remarked that the trend is already moving that direction and is largely driven by suppressed milk and commodity prices. Hirth

reiterated that threshold population is a very important consideration for our rural community.

Robson remarked Ridgeway allows development of 1-2 acres without any conservation. Iausly affirmed that communities are addressing the issue in a variety of ways and gave a contrasting example of the Town of York requiring a minimum of 70 acre conservation for any development.

Iausly will check and report back on 1) Sauk County requirements regarding progressive size requirements for conservation easements of successive PRDs 2) transfer development rights to other communities. Iausly will stitch draft language into Section 7.5 Planned Unit Development for ongoing review and update to the Comprehensive Plan.

9. Next Meeting Date: July 10, 2018 at 7:00 pm

10. Adjournment: Motion to adjourn by Robson, seconded by Thomas at 9:00 pm. Motion carried.

(Kolby Hirth, Secretary)

(Fred Iausly, Chairperson)