

Minutes of the Plan Commission – Town of Spring Green

July 10, 2018 - Spring Green Town Hall, E4411 Kennedy Road, Spring Green, WI 53588

Attendees: Chad Feiner, Gary Feiner, Dan Vetter, Jeff Maier, Todd Deibert, Greg Jewell

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 June 12, 2018 meeting by Robson, seconded by Carmody.

5. Motion approving agenda as posted by Carmody, seconded by Thomas. Motion carried.

6. Public comment: None.

7. Updates & Communications:

a. Broadband application.

Iausly relayed, as reported by Chairman Lins during the July 5, 2018 Board meeting, that the town will submit another broadband grant application. Due on July 16, 2018, this application is smaller in scope because the village and Westbrook subdivision are not included because they are currently served by Spectrum (formerly Charter Communications) and are, therefore, not 'underserved.' The MOU with Reedsburg Utility Commission, which provides 1-gigabyte service, was approved and the packet is ready with several supporting letters. The plan is to begin laying fiber along: Kennedy Road; from the fire station to the highway station; in the Beau Riverain subdivision; and along Jones & Timberline Roads. Subscriptions will finance expansions into the town, with connection to Lone Rock and the village and schools to be in a future expansion area. Sauk County wants to tie the airport to the fiber optic network and may contribute to its financing. Grant awardees will be announced in September.

8. Business Items:

a. CSM & PRD: Presentation by Chad Feiner for PRD along Neuheisel Rd.

Feiner presented a CSM along Neuheisel Rd. Iausly reminded the Plan Commission that the easement area was across Cty WC, as reviewed previously. Feiner relayed that the surveyor found a 6% grade at 200' and, therefore, should present no problem for the proposed driveway. Iausly explained that Sauk County drafts the easement agreement, which is co-signed by the Town and County, and needs to be recorded at the same time as the CSM. Feiner will need to bring both to the Board for approval and signature by the Chairman. Iausly noted that the CSM needed to be amended to include the requisite signature blocks for the landowner, Town and County. The CSM and easement must be recorded prior to parcel number

and fire number being assigned and a sanitary permit issued (County), and then driveway and building permits (Town) can be issued. Iausly motioned, seconded by Robson, to recommend approval of the CSM conditioned on modification of the signature block. Motion carried.

Gary Feiner asked a question regarding who decides the size of the culvert. Iausly answered that Inspector Tracey Johnson would make the determination, and may ask Ellory Schaeffer (civil engineer at Jewell and Assoc.) for a site visit and opinion, at landowner expense.

Gary Feiner also asked about possible cost sharing for repair of an agricultural drive that has been in place since before 1960 and that has holes in its culvert. Robson relayed the cost is the responsibility of the landowner. Iausly recalled many years ago some culverts were replaced on Dyke Rd during a major road reconstruction, but culvert repair on Ag drives is generally it is the responsibility of the landowner.

b. CSM: Consultation/presentation by Nick Jennings for proposed CSM at E2570 Olson Rd.

Dan Vetter presented a CSM for Dorothy Camacho, which showed Elizabeth St. from a plat dating back to the mid 1800s as vacated and the consolidation of 6 very small lots, which corrects a setback infringement of a legal, non-conforming shed. Iausly noted that the CSM erroneously had a signature block for the Plan Commission Chair and explained that the only person with signature authority for the Town is the Chairman. Iausly motioned, and Robson seconded, to recommend approval of the CSM conditioned on a corrected signature block. Motioned carried. Iausly advised that surveyor Nick Jennings promptly get the corrected CSM to Sauk County CZP for review in order to be ready for the August Board meeting. (Steve Sorenson recently retired; contact Brian Cunningham or Dave Lorenz)

There was further discussion and referral to Sauk County Zoning ordinance Sect. 7.075 regarding options for an accessory structure on the combined parcel: expanding an existing detached garage by an additional 18' to bring it to 1200 sf or connecting the existing garage to the primary structure and building a new 1200 sf accessory structure or dressing up (maintenance of) the existing shed within its existing footprint. Sauk County issues the land use permit and town inspector Tracey Johnson issues the building permit.

Robson asked about accessory structures without a primary residence. Iausly responded that one can petition for an accessory structure, but construction of the primary residence needs to be started within 1 year.

c. Subdivision: Consultation with Jeff Maier for proposed subdivision off of Kennedy Rd.

Todd Diebert, of Jewell and Assoc., presented preliminary plat for a 36-lot single family residential subdivision (Cedar Valley) south of Kennedy Road, east of the Big Hollow drainage ditch and west of Ivy lane in the Valley West subdivision. Because the entire area is very flat, drainage is to be facilitated by a 4-to-1 slope to a roadside ditch, rather than trying to funnel water to ponding areas; this meets with DNR requirements. Ingress/Egress from the subdivision is to be via a single road,

without cul-de-sacs or dead-ends, without culverts and with ditches deep enough to contain water in all temperatures. No lot will have driveway access to Kennedy Rd. By covenant, the lowest opening in all homes will be built at least 2' above road level, except for a possible drained window well for lower level egress.

Iausly remarked that this was the first preliminary plat review and the Plan Commission referred to town Chap 7 Land Division and Subdivision ordinance, Section 7.06 Preliminary Plat.

Pertaining to 7.06(2)(y)(ii) [indication of the level of tree clearing and trees that will be preserved], Maier relayed that tree clearing has not yet commenced due to poor market conditions for pulp wood; he eventually plans to remove the red pines and preserve the white pine and oak. Iausly said that some clearing for the planned road could start with this level of preliminary plat review.

Pertaining to 7.06(2)(y)(vi), Jewell commented that drainage, flowage and water level in the area has been well-studied, so there was no 300-ft grid of depth to ground water in the packet; the Plan Commission cited no concerns and did not request borings or other information.

Jewell also asked about street lighting; the Plan Commission generally agreed that street lighting was not desirable in the township for dark skies consideration.

Jewell pointed out that the distance from the platted subdivision road to the nearest intersection was 478', which is permissible but less than the desired 600' minimum. The Plan Commission noted the comparative depth of the western lots and cited no concerns.

Pertaining to 7.06(3)(h) traffic impacts, Maier offered extra width for future bike path to be included when dedicating Kennedy Rd to the town. The Plan Commission noted the existing public land across Kennedy Rd; an isolated segment of dedication would not be useful; future upgrades to Kennedy Rd could include shoulder accommodation for bikes; traffic will eventually demand an upgrade to Kennedy Rd; and accordingly, the Plan Commission did not recommend that suggestion.

Pertaining to 7.06(4)(c) and (f) for Dedication Calculation and Fee in Lieu of Land, it was generally agreed that there is plenty of public land within the township and a higher use would be to deepen the lots bordering Kennedy Road so as to provide a buffer, improve aesthetics and add value to the lots. Iausly suggested that the calculated fee in lieu of land could potentially be targeted to improving the boat landing at Bakkens Pond (*or bike path*). Thomas and Hirth remarked that would be of broad benefit, including to the proposed plat.

Iausly remarked that the northeastern lot (lot 21) had standing water during the 2008 flood event and Jewell responded that the lot would have fill brought in. General discussion of timing and completion of road construction ensued. Maier relayed that the subdivision would be completed in a single phase.

Maier relayed that covenants will require all wells to be drilled to at least 60' and 6" cased so as to prevent ground water infiltration. Robson remarked that 4" casing for sand points with submersible pumps could be pounded.

Maier also relayed that conduit for fiber optic broadband will be buried in the utility easement.

Robson remarked that the covenants should include a requirement that the 4-to-1 pitched roadside drainage not be modified and must be maintained as planned.

Jewell will send Iausly 3-4 sample Developer Agreements to include establishment of application fee, bond to cover Developer's Agreement & legal review and independent engineering review (previously by MSA in Baraboo or by Town & Country, after Jewell & Assoc. was designated by resolution to be the town engineering firm), dedication of public ROW, fee in lieu of land, timeline to complete road construction and dedication to town, no lot with drive onto Kennedy Rd, lowest level 2' above street, no street lights, conduit for fiber optic utility, covenant for maintaining and not altering roadside drainage ditches, etc.

Hirth inquired about covenant to include restriction on discharging firearms, especially semi-automatics with high-capacity magazines, noting recent conflicts within single family residential of approximately 1-acre lots in the town and remarking this is very detrimental to the desirability of the area. Iausly said that enforcement would be the responsibility for a Home Owners Association when half of the lots were sold, and generally falls by the wayside if lack of participation in an HOA. Hirth replied that the covenant restriction should be included because this is a known issue of notable conflict and merits appropriate action, including recorded covenant restrictions.

9. Next Meeting Date: August 14, 2018 at 7:00 pm

10. Adjournment: Motion to adjourn by Carmody, seconded by Robson at 9:05 pm. Motion carried.

(Kolby Hirth, Secretary)

(Fred Iausly, Chairperson)