

Draft MINUTES of the  
Town of Cross Plains Plan Commission Meeting

8:00 P.M.

May 4, 2015

PRESENT

Plan Commission:

Wayne Parrell (Acting Chair), Greg Hyer, Sherry Krantz, Mike Coyle, Tom Rhude

Staff: Mary Scott (PC Secretary/ Deputy Clerk)

8 interested citizen

2 Board members: Vera Riley, Greg Haack

**Call to Order:** Parrell called the meeting to order at 8:10 pm.

**Approve Minutes:** Hyer moved to approve the April 6<sup>th</sup> minutes as amended and Sherry Krantz seconded the motion. The motion was passed unanimously.

**Public Comments:** Jim Garfoot revisited the issue of his previously denied TDR request for his parcels on Applewood Dr. and Garfoot Rd. He repeats that the County did not indicate his ownership of one of the parcels in error, but corrected this information in 2014. Garfoot did not request his TDR from the Town until the County recorded the correction in 2014. The TDR he requested was not in accordance with the most recent Comprehensive Land Use Plan. Therefore, the Commission and the Board formally denied the request upon receipt of his application and fee in 2014, as they had cautioned Garfoot they would prior to his formal application. Parrell explained that Garfoot would only have been eligible for a grandfather consideration under the former Comprehensive Land Use Plan had he formally applied and paid a fee prior to the changes made to the Land Use Plan in 2012, regardless of the County's error.

**Discussion/Review:** Mike Gallagher appeared with his suggestions for amending the current Blasting and Extraction Ordinance proposal. Gallagher made some suggestions for changes and questioned the legality of some inclusions in the Ordinance that are more restrictive than the States. Hyer reiterated that any suggestions will be considered, but reminded Gallagher that the Town must develop an Ordinance that will protect the Town by prudently restricting any new mining sites, as well as make concessions for the existing, non-conforming sites, such as Capitol Sand and Gravel's site. Gallagher was specifically in dispute with restrictions on "dawn to dusk operation", noise, truck covering, fencing of quarried areas, and the reclamation plan for new quarries. Hyer explained that some of these areas of concern may be subject to a grandfather clause as he brings the specific request forward to the Town. Again, Hyer emphasized that the Town fully intends to work with existing, non-conforming quarries such as

Gallagher's as much as possible.

**Discussion:** Karl and Laura Dettmann appeared to request a CUP for their property located on Hwy P across from the Hilltop Restaurant. Also, in attendance were some of the designers and planners for the project. Dettmann wants to develop a winery with a wine and cider tasting and sales, event hall, and outdoor theatre on this property. The property will host visitors, tours, and specific event rentals, as well as host day activities in conjunction with the United Way that are non-alcohol related. Parrell clarified that the license to sell wine and cider is permitted under a Federal agriculture license which is restrictive to the property, but does not require a license from the Town. The existing house on the property will remain with renovation, as previously planned. There will be three additional buildings added plus alpacas, in addition to the vineyard. His current plan has parking for 100 cars and anticipates a max capacity of 250 people with the septic and restroom facilities supporting this number. Realistically, he anticipates fewer tourists per day or event. Neighboring property owners were individually contacted by the Dettmann's for exchange of information and concerns. The chief concern amongst these is regarding the vehicle traffic and late night noise. Garfoot asked if any beer or hard liquor will be allowed during these events, as his license will only allow wine and cider. Dettmann informed that just as food can be catered in on the premises for events, there are business with the permits to cater beer and hard liquor any event should a renter choose to hire such a service. Riley wanted to know how minors will be protected from under age consumption of alcoholic beverages. Dettmann informed that parents may allow such consumption, but under-aged individuals will not be served unless they are 21 at the centralized service area. The serving area will card individuals at the bar in accordance with the class B license, though attendants are not carded at the front gate. Hyer questioned hours of operation and noise limits and the plan's adherence to the Dark Sky Ordinance. Dettmann informed that there will be some noise through the walls of entertainment buildings, as with any bar or restaurant. Dettmann assured adherence to current standards. The plan currently proposes hours of operation from 10 am to bar time with entertainment ending no later than 10 pm. Dettmann's supposition is that when the music ends, the attendees will leave at that time and does not expect the facility open to the public past midnight. Hyer informed that a commercial driveway will need to be permitted and standards for fire and safety vehicle access must be included in the driveway plan. Parrell noted that the traffic in and out will need to be considered as far as the impact on local traffic as well as entrance and exit to the Hilltop Restaurant across the street. Rhude wanted to know if there is other land use planned for the acreage. Dettmann explained that the current snowmobile and horse trails will remain open because this area is in the lower, part of the "swampy" part of the property. The events are far enough away from this activity to assume safety for all according to Dettmann. Rhude is concerned that the business plan is far greater than those that are allowed under a limited family business in order to financially support this plan. Dettmann assured that the plan will stay within this parameter of limited family owned business. Hyer explained that the County's response will be necessary to avoid delay in the decision by the Town and that the Town will need some information prior to the decision, such as adherence Dark Sky regulation, noise regulation, hours of operation, and the driveway plan.

**Public Comment for Discussion:**

- Coyle explained that John Madden from the National Parks Service contacted him regarding the Wilke property within the Ice Age Trail. Coyle currently rents the land in question for agricultural purposes. Madden explained that the land will eventually be developed into a National Park, but not any time soon due to funding. Coyle expects he will continue to farm the property until this future conversion.
- Garfoot wanted to know if a Town can install a turnaround at the end of property without the land owner's consent. Hyer explained that the Town can do this and charge the owner with the expense depending on the site.

There being no further public comment, Rhude motioned to adjourn and Sherry Krantz seconded the motion. The motion passed unanimously. The meeting adjourned at 9:20 pm.

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\_\_\_\_\_ Action Items \_\_\_\_\_

Wayne Parrell (Acting Chair) and Secretary: Deadline for the June agenda is May 22, 2015.

*Submitted on June 9, 2015 by Mary Scott, TCP-PC Secretary/Deputy Clerk*