

DRAFT Minutes of the
Townof Cross Plains Plan Commission Meeting,
January 3, 2012

Present: Wayne Parrell (acting Chair); Sherry Krantz; Tom Rhude; Greg Hyer;
Absent: Mike Coyle
Amelia Williams (Secretary)
Attending: Vera Riley, Board member; 6 interested citizens
8:00 PM – 9:40 PM

Wayne Parrell called the meeting to order then asked for any corrections to the minutes of the December 5th meeting. There being no corrections, Hyer moved approval, Krantz seconded, and the motion passed unanimously.

Jared and Sarah Olsen Rezoning application.

The petitioners explained their pending purchase of most of the remaining land belonging to Bruce Flaig in Section 17. There are approximately 80 acres total, and the Olsens hope to build a house on 3 acres of a 19-acre parcel (020/070-173-8500). They submitted preliminary maps showing the site of the intended home and driveway. The area is quite hilly, and they hope to build a driveway off of Jim Garfoot Circle of approximately 1500 feet. Jared Olsen spoke of their intention to keep the land presently being farmed in agriculture, and their selection of the home site as the least possible disruption of farmed land. The Flaig farm presently has 3 splits remaining. Discussion followed about two of the smaller parcels which are not in this purchase, one of which now hosts a trailer. If, in the future, the Olsens are able to purchase the two other properties and splits, they could use them on the edge of the field which overlooks Garfoot Creek, but this is not part of the present plan. The Commission reminded the Olsens to be sure to include the designation of splits in their paperwork, and that the Commission requires a Survey Map before approving the plan. The Olsens were thus encouraged to continue the process and to submit the survey at the next Plan Commission meeting.

Janice Doyle submitted a revised CSM (Certified Survey Map), which the County thought necessary due to the omission of the “dedication of the road”. This means that the property boundary, which is the center line of the road, must be marked “dedicated to the public” on the CSM. Other details were also added to the map. The Committee thanked Ms. Doyle for her patience, and Hyer moved to recommend approval to the Board. Krantz seconded, and the motion passed unanimously. Doyle need not come to the Board meeting, as the details seemed clear to all.

TDRs.

The Commission took up the matter of publicizing the upcoming public meeting concerning a TDR program for the Town. Hyer, with the help of his computer and other commission members, incorporated changes to the letter requested by both Arnold Harris and Jerome Esser. Harris was concerned that this important topic might surprise some of the Town’s citizens, and that there was not enough effort put into encouraging

attendance. Rhude suggested changing the wording from “public hearing” to “informational meeting” and inviting Brian Standing and Jim Walsh to attend. Hyer altered the timing of the meeting from 8 pm to 7 pm on February 6th and included the names and phone numbers of the Plan Commission members. Esser thought that adding a question for landowners to mail back might help to encourage attendance and interest. Hyer made several of the suggested changes and all hoped that a good mailing list could be used to reach all residents and absentee landowners. The secretary was left with the details of sending out the revised letter and map. Rhude moved to send the letter as amended, Krantz seconded and it passed unanimously.

Other Matters:

Arnold Harris spoke briefly of County plans to broaden the scope of TDRs and complimented Hyer on the improvements made in the Town’s governance.

Rhude asked whether the Plan Commission was now officially set at five members. Hyer replied that he was still looking for recruits to fill two empty seats.

Rhude moved adjournment, Krantz seconded, and the meeting ended at 9:40 pm.

Submitted February 8, 2012 by Amelia Williams, Secretary TCP-PC

Please see maps and papers discussed on the website at

http://web.me.com/ameliawilliams/PlanCommissionTCP/Mtg_Info_Packs.html

On TCP Letterhead

January XX, 2012

Dear Town of Cross Plains Land Owner:

The Town of Cross Plains will hold a public hearing on a voluntary Transfer of Development Rights (TDR) Program for the Town on **February 6**, 2012 at the Community Center, 3734 County Road P at X:XX pm.

The Plan Commission has been studying a voluntary transfer of development rights (TDR) program for several months. The County Board, on a unanimous vote, passed an ordinance permitting Towns to create TDR programs managed by Towns and Dane County Planning staff.

The program was created to permit farm owners to voluntarily sell development rights without necessarily selling valuable farmland. Landowners in other areas of a town may buy the development rights to build homes in other areas. The goal is to encourage more concentrated development and preserve valuable farmland for agriculture.

The program encourages Towns to map "sending areas" and "receiving areas". This makes some properties eligible to sell development rights and other areas eligible to buy development rights. A more detailed description of the program and a detailed map of "sending and receiving areas" being considered by the Commission are attached.

The Town Plan Commission looks forward to your ideas and suggestions at the meeting. You may also send written comments by email to tcppcsec@tds.net or by mail to Town of Cross Plains Plan Commission, 3734 County Road P, Cross Plains, WI 53528.

Sincerely,

The Town of Cross Plains Plan Commission Members:
Wayne Parrell, Vice Chair; Michael Coyle, Greg Hyer, Sherry Krantz, Thomas Rhude, Amelia Williams, Secretary

- Amelia Williams 11/19/2011 8:25 AM
Deleted: of Cross Plain
- Amelia Williams 11/19/2011 8:38 AM
Deleted: Town of Cross Plains
- Amelia Williams 11/19/2011 8:29 AM
Deleted: Town of Cross Plains
- Amelia Williams 11/19/2011 7:48 AM
Deleted: , for the last several months,
- Amelia Williams 11/19/2011 8:38 AM
Deleted: the Town
- Amelia Williams 11/19/2011 7:48 AM
Deleted: of Cross Plains
- Amelia Williams 11/19/2011 8:50 AM
Deleted: voluntary
- Amelia Williams 11/19/2011 8:30 AM
Deleted: to owners of land
- Amelia Williams 11/19/2011 8:34 AM
Deleted: with the goal of encouraging less spread out
- Amelia Williams 11/19/2011 8:34 AM
Deleted: ing
- Amelia Williams 11/19/2011 8:35 AM
Deleted: and farming
- Amelia Williams 11/19/2011 8:40 AM
Deleted: ,
- Amelia Williams 11/19/2011 8:40 AM
Deleted: which
- Amelia Williams 11/19/2011 8:41 AM
Deleted:
- Amelia Williams 11/19/2011 8:36 AM
Deleted: that is
- Amelia Williams 11/19/2011 8:37 AM
Deleted: or y
- Amelia Williams 12/6/2011 11:26 AM
Deleted: tcppcclerk
- Amelia Williams 12/6/2011 11:27 AM
Formatted: Font color: Red

Transfer of Development Rights (TDR) Background

Transfer of Development Rights, or TDR, programs are a method to shift residential development from one portion of a community to another, or from one community to another. The Town of Cross Plains could identify “sending areas” (where development is discouraged) and “receiving areas” (where development is encouraged). Landowners in sending areas could voluntarily sell all or some of their development rights (“splits”) based on the town’s one unit/house (“split”) per 35-acre density policy. Participation is voluntary, and landowners in sending areas would be free to use “splits” on their property, or to sell them to someone in a Receiving Area, as they saw fit. Landowners seeking to develop more “splits” than they have in a receiving area would first have to buy a certain number of “splits” from landowners in a sending area. Once a development right (“split”) is purchased and transferred, the landowner in the sending area records a conservation easement that prohibits development of that “split” on all or a portion of his or her property. Landowners who have transferred development rights retain other rights, including the right to farm, manage and keep their land private. Designated receiving areas would still be subject to any existing deed restrictions or other County development or environmental siting criteria.

The Dane County Department of Planning and Development maintains model local government resolutions and model comprehensive plan language to accommodate several different TDR program options. These documents are available online at: http://www.countyofdane.com/plandev/planning/transfer_rights.aspx, or by contacting the Department of Planning and Development.

Town of Cross Plains Options Under Consideration:

Option 1: The town would map sending and receiving areas and incorporate this map into the town and county comprehensive plans. For example, sending areas would include lands that meet any of the following criteria:

1. contain significant acreage of contiguous, active agricultural use;
2. are within the planned Ice Age Trail Corridor, or;
3. are within the Black Earth Creek Water Quality Protection Corridor.

[\(See the attached map for an example.\)](#)

Options for receiving areas under consideration include lands that meet some, or all, of the following criteria:

1. Lands adjacent to the Village of Cross Plains. Note that a formal or informal intergovernmental agreement may be necessary for development within the Village’s Extraterritorial Plat Review jurisdiction (1.5 miles from the Village line).
2. Lands adjacent to the Rural Residential District as shown in the Town of Cross Plains Comprehensive Plan (including areas near the Oak Valley Estates and Glacial Oaks subdivisions and the west side of Pine Bluff). Some of these areas are also within the extraterritorial jurisdictions of either the Village of Cross Plains or the City of Madison.
3. Lands adjacent to the Pine Bluff Crossroads District (west side of Pine Bluff).
4. Existing legal, nonconforming parcels in the A-1(exclusive) zoning district between 4 and 35 acres. Note that the current town comprehensive plan allows owners of such parcels to divide them to create up to two building sites apiece. If designated as TDR Receiving Areas, such division would be permitted only if a building site is purchased and transferred from a property 35 acres or larger in a sending area.

Greg Hyer 11/18/2011 8:16 PM
Formatted: Font:Arial Bold, 12 pt, Bold, Not Italic

Greg Hyer 11/18/2011 8:18 PM
Formatted: Font:Arial, 12 pt, Bold, Not Italic

Greg Hyer 11/18/2011 7:24 PM
Formatted: Footer

Greg Hyer 11/18/2011 7:09 PM
Deleted: areas would be allocated

Greg Hyer 11/18/2011 7:12 PM
Deleted: transfer

Amelia Williams 11/19/2011 8:44 AM
Deleted: amount

Amelia Williams 11/19/2011 8:46 AM
Deleted: development rights

Amelia Williams 11/19/2011 8:46 AM
Deleted: (“splits”)

Greg Hyer 11/18/2011 7:24 PM
Deleted: e. -

Greg Hyer 11/18/2011 7:16 PM
Deleted:

Greg Hyer 11/18/2011 8:17 PM
Formatted: Font:Arial Bold, 12 pt, Not Italic

Greg Hyer 11/18/2011 8:17 PM
Formatted: Font:Arial Bold, Not Italic

Amelia Williams 12/6/2011 11:36 AM
Deleted: Option 1: -

Amelia Williams 12/6/2011 11:28 AM
Deleted: (See map, attached)

Amelia Williams 12/6/2011 11:36 AM
Formatted: Font:Arial Bold, 12 pt, Bold, Not Italic

Amelia Williams 12/6/2011 11:36 AM
Formatted: Font:Bold, Italic

Amelia Williams 12/6/2011 11:28 AM
Deleted: Sending

Amelia Williams 12/6/2011 11:28 AM
Formatted: Font color: Red

Amelia Williams 12/6/2011 11:37 AM
Formatted: Font color: Red

Amelia Williams 12/6/2011 11:28 AM
Formatted: Indent: Left: 0.25"

Greg Hyer 11/18/2011 7:20 PM
Deleted: east

5. Any receiving area would have to be between 2 and 5 acres. All other rules and regulations would have to be met in the new lots

Option 2: The town would not map sending and receiving areas, but would instead evaluate each TDR transaction individually, based on criteria developed by the town. Properties would be zoned into TDR Sending Area and Receiving Area districts at the same time. Potential criteria might include:

- development is transferred from properties with more productive agricultural soils to properties with less productive agricultural soils (as measured by the Dane County Land Evaluation system);
- development is transferred from parcels with large areas of contiguous agricultural use to properties with smaller, more scattered or no active agricultural use.

Combination of Option 1 and Option 2

It is also possible to combine these options, giving landowners in a sending area the ability to transfer development rights either to designated and mapped Receiving Areas, or, on a case-by-case basis, to another farm with poorer soils.

Amelia Williams 12/6/2011 11:36 AM

Formatted: Font color: Red

Greg Hyer 11/18/2011 7:07 PM

Formatted: Bullets and Numbering

Amelia Williams 12/6/2011 11:32 AM

Deleted: -

Amelia Williams 12/6/2011 11:34 AM

Formatted: Indent: Left: 0.5", No bullets or numbering

Amelia Williams 12/6/2011 11:36 AM

Formatted: Font:Bold

Amelia Williams 12/6/2011 11:34 AM

Deleted: ~~Page Break~~

Option 2: -

Amelia Williams 12/6/2011 11:36 AM

Formatted: Font:Arial Bold, 12 pt, Bold

Amelia Williams 12/6/2011 11:36 AM

Formatted: Font:Arial Bold, 12 pt, Bold, Italic

Greg Hyer 11/18/2011 7:26 PM

Deleted: agricultural

Greg Hyer 11/18/2011 8:18 PM

Formatted: Font:Arial Bold, 12 pt, Bold, Not Italic