

Final Minutes of the
Town of Cross Plains Plan Commission Meeting
August 6, 2012

Present: Wayne Parrell (acting Chair); Sherry Krantz; Greg Hyer, Tom Rhude, Mike Coyle
Amelia Williams (Secretary)
Attending Board members: Greg Haack
9 interested citizens
8:05 PM – 10:00 PM

Wayne Parrell called the meeting to order, then asked for any corrections to the minutes of the July 2nd meeting. There being no corrections, Hyer moved approval, Krantz seconded, and the motion passed unanimously.

Wiess request: Parrell asked for public comment on any agenda item. Ione Weiss brought up a problem she had encountered in the appraisal of her four+ acre parcel off Apple Wood Drive in section 2. The appraisal for 2011 had doubled, though nothing had changed and the parcel has only one building site at the road. The rest has steep slopes. She requested that the Town send a letter to a Mr. Cupp saying that most of the property was unbuildable so that the appraisal would not be doubled again in the future. The Commission members asked her about the history of the parcel. Mrs. Weiss said that she and her husband had bought it in the early 60's. This probably made it a substandard parcel, still zoned A1-Ex, and eligible for one split. Weiss intends to sell the parcel. The commission felt she would have one "split", or building right on this property, but thought that it would be best to ask for a density study from the County. They advised her to contact Brian Standing to request the study, to make sure she had the building right.

Fessel Rezone Application: Mark Gerhardt of Badger Surveying and Mapping Service, LLC, spoke for Josef and Franziska Fessel. He had previously spoken with Roger Lane at Dane County Planning, who had offered his advice on moving a split from one parcel of their land to another in section 7. These parcels are east of 9326 Braun Road. They would like to take the residential building right ("split") from the RH-3 zoned 9.92 acre parcel to a new 2 acre parcel. The 9.92 acre parcel zoning would change to A-4 (unbuildable) and the new 2-acre parcel would be taken out of A1-Ex zoning to be given RH-1 zoning (see map). The Fessels had found that the building site they had developed previously was not as good as one closer to Braun Road, and because they own the land between the new parcel and the Road, no driveway easement would be necessary. Coyle asked why they didn't simply let the first parcel become incorporated into the larger 70 acre A1-Ex parcel, and some thought that this might be because the cost of surveying the whole area would be quite expensive. The Commission asked Gerhardt and the Fessels to bring a contour map to the next meeting, to show that a driveway could be built, and a paper to show that the Fessels owned both parcels. Hyer said that the tax roll is enough to show ownership.

Gerald Haack's Rezone is put off for now:

Greg Haack spoke saying that Gerald wanted to hold off on the issue of rezoning land near the old school house on Braun Road. He would need to do this only if the potential buyer comes through. The issue of driveway applications came up when discussing this parcel, and Greg Haack mentioned that County soil disturbance, erosion and shoreline zoning permits had caused confusion and extra costs. Greg Hyer said that the Town should mention the need for such County permits on its driveway permit application.

Amendment to Furry Rezone:

The County had returned the Furry's rezone application in section 36 to the town for review. They had added the condition that the Certified Survey Map include a building envelope area that has slopes less than 12%. Rhude moved to approve, Krantz seconded, and the motion passed unanimously.

Jerome Esser Rezone, Sections 14-15

Jerome Esser was represented by his daughter, Michelle in asking for a rezone of his property off Pine Hill Road. His son Mark Esser already owns the first lot (Lot 1 on the preliminary survey map), and the Essers would like to enlarge the one parcel, and create a third, mostly extending the property into woodlands. The numbers of these parcels, from south to north are lot 1: 070714392400, lot 2: 070714392200, lot 3: 07071439200 and -070714390010. New Lots 2 and 3 would be enlarged to 5.5 acres and 5 acres respectively. Lot 2 zoning would change from RH-1 to RH-2, and Lot 3 zoning would change from A1-Ex to RH-2. She presented the CSM 9842 from 2000, showing three lots, and a new preliminary map illustrating the two parcels which would be increased to about 5 acres each. There is to be a shared driveway, requiring a shared driveway agreement. The commission cautioned that the Essers may be required to build turnouts in the driveway for emergency vehicles. A full application should be presented at the September meeting, then again at the October meeting for possible recommendation to the Board, and then at the Town board's October meeting.

KJK Enterprises:

Though no representative of the property at 3752 County Hwy P was present at the meeting, Greg Hyer had spoken to Kit Kalscheur of KJK about the County's concern for code violations. Kalscheur has since removed the appliances for a duplex. He has also moved to Mt. Horeb. The question of CUP code violations is in the hands of the County, thus moot for the Town.

Agricultural Zoning Regulation Changes:

The County sent updates to the farmland preservation plan which were suggested by a committee and/or required by the new State laws. Parrell stated that they were not changing much, but were broadening the uses in the Agricultural zoning areas to include ag-related businesses. Examples were cheese makers and bed & breakfasts on the farms. The ag-businesses could be supported without needing to zone the property "commercial" with its many conditions. Hyer moved approval of the changes and moved to ask the board to send a letter of approval to the County. Rhude seconded, and the motion passed unanimously.

Chickens: Ordinance Amendment OA#11 allows up to 6 female domestic fowl to be kept in single family yards.

Residential districts in agricultural areas are not presently allowed to have live fowl. This issue came up because so-called "backyard chickens" are becoming more common in the cities and villages, but are not allowed in rural residential areas. Hyer felt the permit for keeping chickens was needlessly complex and detailed, but recognized that some rules were needed to enable neighbors to complain if the chickens got out of hand. After a bit of banter and fowl language, Hyer moved approval, if the rules are made easier to follow. Coyle seconded, and it passed unanimously.

CARPC's Water Quality Report:

An extensive report from CARPC detailed the ground water problems, which are being encountered in the County. Maps showed considerable nitrate concentrations in the Town of Middleton, and some in the Town of Cross Plains. Coyle felt that these might be in the older wells. Stefi Harris felt that the report lacked strong recommendations, but others felt that the report was basically intended for information, pointing to the real and potential problems facing our water supply. The Commission spoke of problems associated with sewage discharge on the land and the effects of the home septic systems on the ground water. The two-acre minimum lot size of residential parcels in the Town was an attempt to keep septic systems from harming the water supply. All agreed that the information supplied in the report was important, and that we should all be aware of these problems which affect us all.

TDR Discussion. (Transfer of Development Rights)

The commission discussed a letter to be sent to all residents and landowners in the town. The letter outlines the following schedule for a public meeting, review, public hearing decision and possible completion of a TDR program for the town.

Mid-August: Send letter to residents and landowners announcing a public meeting Sept 10th

September 10th : Public meeting on the changes to the Plan. Announce Public Hearing on TDR

October 9th: Discussion and changes due to input at a Public Hearing. Possible recommendation to the board to incorporate the changes to the Land Use Plan.

November 12th: Possible board action on the changes and adoption.

Commission members asked the secretary to post the meeting prominently on the opening website page, with the supporting documents easily accessible to all the townspeople.

Other issues discussed included the purchase of a plan commissioners handbook from the Towns Association: The secretary will purchase one copy. The budget, requested by the Town Board, listed expenses which totaled \$6,920.

The September meeting, falling on the Labor Day holiday, was moved to Tuesday, September 4, 2012.

There being no further business, Rhude moved to adjourn, Krantz seconded, and the meeting concluded at 10:00 pm.

ACTION ITEMS

Parrell: Agenda - due Thursday, August 23 for meeting on September 4th.

Williams: Send letter to town residents and landowners, send Public hearing of Oct9 to papers by Sept 9

All: Remind townspeople about the general meeting for TDRs on September 10th.

Submitted September 5 , 2012 with corrections by Amelia Williams, Secretary TCP-PC

Please see maps, letters, and papers discussed on the website at

<http://www.plancommissionTCP.com>

For the papers, select “Mtg Info Packets” at the top of the page.