

MINUTES of the  
Town of Cross Plains Plan Commission Meeting

7:00 P.M.

March 3, 2014

PRESENT

Plan Commission:

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

Board members: Greg Hyer (Chair), Greg Haack

Staff: Mary Scott (PC Secretary/ Deputy Clerk)

3 interested citizens

**Call to Order:** Parrell called the meeting to order at 7:05 pm.

**Approve Minutes:** Rhude moved to approve the February minutes as amended and Sherry Krantz seconded. The motion was passed unanimously.

**Public Comment:** Rhude commented that a Mineral Extraction Operations Ordinance is being recommended by the Towns Association's attorney Hazelbaker. Hazelbaker is recommending that each Town prepare its own ordinance and not adopt the County wide ordinance using the Town of Dane's ordinance as an example of such an ordinance. Hyer clarified that this is the development of a Blasting Ordinance for the Town of Dane with the purpose of regulating non-conforming mineral extraction sites the same as regulating new mineral extraction sites. Hyer's position is favorable to adopting the County's ordinance so that the County would pay to protect and enforce the ordinance. Otherwise, the individual Towns would have to protect and enforce an independent ordinance at its own expense. Parrell is concerned that the County's ordinance as it reads now would force mining companies to become active solely for the purpose of compliance with the County's regulation regarding use during the year or face being taken out of compliance at an otherwise "dormant" site. Unnecessary activity at these sites would become an economic loss for these companies and would result in higher prices being passed on to the Towns to maintain and repair roads. Hyer and Parrell agreed that adopting the County's ordinance would be preferable if the County would amend the ordinance to address this issue. This will be an April Agenda item for the Plan Commission for referral to the Town Board.

**Discussion/Action:** Bowar presented the information requested by the Plan Commission last month for approval of his development plan for the farm and parcel located at 8349 West Mineral Point Road and the acreage located across from Camel Hill Road (the Prindiville Farm). The Commission agreed that Bowar has established sending and receiving rights to support four parcels on the Prindiville Farm acreage and has shown that the sending unit is properly indicated as exhausted of further development

rights. The soil types for the sending and receiving areas are in accordance with the Town's Land Use Plan and Preserving Farmland Plan. The slope information presented shows that each parcel for development is within the 12% slope parameter. Furthermore, the private, shared driveway is workable for each of the four development parcels.

The Plan Commission recommends the Town Board of Cross Plains approve the rezones for the Town of Cross Plains Land Use Petitions and the Dane County Conditional Rezone Permits, DCPREZ-2014-10657 and DCPREZ-2014-10658 for 8349 West Mineral Point Road and the Prindiville Farm on Mineral Point Road with the following conditions:

- 1) The Transfer of Development Rights for two building rights to the receiving area on the Prindiville Farm from the sending parcel located 8349 West Mineral Point Road on the condition that a Conservation Easement is recorded on the sending parcel and a Deed Notice Restriction on the Prindiville Farm shows that all Development Rights have been exhausted.
- 2) The creation of a new lot at 8349 West Mineral Point Rd. of approximately four and a half acres rezoned to A2-4 contingent on the abandonment of the Town road to that parcel, and the creation of a private, shared drive. The private, shared drive requires submission and approval of a Town of Cross Plains driveway permit.
- 3) The creation four lots on the Prindiville Farm all zoned RH-1 with a private, shared drive. The private, shared drive requires submission and approval of a Town of Cross Plains driveway permit.

Rhude commented that this development plan adopts all the goals of the Town's Land Use Plan and the Preserving Farmland Plan.

Parrell motioned to approve and Rhude seconded the motion. The motion passed unanimously.

**Discussion:** The bridge located on South Rocky Dell Rd. is unsafe for use and a liability for the Town. The Town owns the bridge but the land under it is owned by the Wagner's. This difficulty presents the Plan Commission with limited options to resolve this problem. Hyer has imparted the options to the Wagner's several times with a deadline of April 2014 for response. To date, the Wagner's have not responded, therefore the Town Board will plan to move forward in April with the following: (1.) The bridge will be barricaded from further use; (2.) Any costs incurred by the Town for this project will assessed to the Wagner's. If a response is received from the Wagner's in time, the Town will abandon the road and provide the Wagner's with an easement to build a new gravel road as a bypass from this bridge which will be demolished.

**Discussion:** The private shared driveway located at 8349 West Mineral Point Rd. will be abandoned by the Town. Bowar has a private, shared driveway permit from the County.

**Discussion:** The DOT wants to provide local connection from Oak Valley Road to Rocky Dell Road to provide a bypass to Highway 14. Oak Valley Estates residents were polled and are opposed to this plan. The Town will abandon Oak Valley Rd. as a countermeasure to future development by the DOT.

**Discussion:** Kottler from Mead and Hunt Surveyors did not appear. However, Kottler forwarded information to the Plan Commission that the surveyors will redraw the map for the new Kwik Trip location to contain all development within the Village of Cross Plains, thus avoiding the need for a CSM.

**Public Comment:** none

There being no further public comment, Sherry Krantz moved to adjourn and Rhude seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:30 pm.

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

Wayne Parrell (Acting Chair): Deadline for the April agenda is March 28, 2014

*Submitted on April 14, 2014 by Mary Scott, TCP-PC Secretary/Deputy Clerk*