

Springfield Town Hall
Plan Commission Meeting
Monday, July 12, 2010

Notice of this meeting posted at the Town Hall, Bong Excavating on Schneider Road, corner of Hwy K and Church Roads and on the website.

Called to Order

Chair Jeff Gabrysiak called the meeting to order at 7:30 p.m. Members present: Kate Hetzer, Jeff Endres, George Pasdirtz, Karen Crook, Scott Laufenberg, and Jim Pulvermacher, Town Attorney Mark Hazelbaker, Town Engineer Joe DeYoung and Jan Barman, Office Assistant. Also present were Tim Geoghegan, Jeff Kruchten, Paul Helt, Clarence Dresen, Marjorie Tesar, June Schacht, David Holmes, Rick & Peggy Bourne, Gilbert Helt, Robert Pafahl, John Niesen, Joan Niesen-Straus, Karen Niesen Smyth, Doreen Jackson, Joyce Niesen-Brown, Ron Brown, Ken Pientka, Kathy Hellenbrand, Tom Hellenbrand, Dan Fargen, Jeff Pongratz, Joe & Karen Wagner and Joe Henningfield.

Pledge of Allegiance

Minutes

Motion (Crook/Hetzer) to approve the June 7, 2010 minutes. Motion carried, 7 – 0.

Public Comment - None

Jim Pulvermacher and Karen Crook excused themselves from the Commission.

Yahara Materials, LLC, Greenbriar Rd, Tim Geoghegan, agent, requesting a long-term Conditional Use Permit (CUP) for a portable concrete batch plant. The demand for concrete vs asphalt has increased greatly for two reasons, the longevity of concrete and asphalt has become very expensive with the fuel oil prices. The Town did approve a portable concrete batch plant for Yahara Materials in 2008. There weren't any complaints in the file from 2008 when the plant operated. Tim suggested having signage for the truck drivers that no engine braking would be allowed, to reduce their speed and the trucks will work in a circular pattern for less backup warning noise. Because they will be operating throughout the night, they try to be considerate of their neighbors. Also, the batch plant will be inside the quarry with 50-90' walls, all lighting will be inside the quarry. It will be a dual drum plant similar to the one in 2008. This plant would be moved in and out as projects warrant it. The products needed are cement powder, sand, stone and water for the batch plant and Yahara only works with one paver at a time. This quarry has the highest quality aggregate in the State. This plant would use 8000 gallons of water per hour. This water use is reported to the DNR.

Atty Hazelbaker explained that this is a non-conforming quarry which means there are no regulations on the operations of this business because at the time it was established (1930's) there weren't any. With this CUP request we can regulate this portion of the business but can not make changes to the quarry operation.

Rick Bourne, Wildrose Ct, said he hears the noise from the machinery alarms early in the morning, which also bothers their dogs and then they start barking. He does not have any issue with truck traffic.

The Plan Commission concerns were the traffic and noise issues as well as future development in this area from the City of Middleton. Joe DeYoung from MSA recommended approval on the condition that this CUP is on a trial basis for the next two years and Yahara could re-apply for long-term after the trial period. The commission also requested a designated truck route be established for each project.

Tim thought the two years would limit them for future planning and to be competitive in their field of business. He also noted that the crusher makes a lot more noise than this batch plant will. Their crusher has operated 24 hours/day and we have not received any complaints.

Motion (Endres/Hetzer) to approve the conditional use permit (CUP) for a portable concrete batch plant with the following conditions:

Town engineer's conditions dated June 9, 2010 with modification to cond #3 (expiration date to November 30, 2012) and cond # 4 – limit night hours of operations to a maximum of 100 nights per season.

Designated truck route for each project is required and notification of route, dates and projects to be provided to the Town and the surrounding neighbors.

Lighting for the batch plant will shine down into quarry.

Portable concrete batch plant will be limited to size of the one used in 2008.

Operator is to use a circular route to limit back up warning noise at the plant.

Truck traffic to travel west to Parmenter St to Hwy 12 route, if a different route is needed they will have to obtain Town approval.

Motion carried, 5 – 0. (See attached conditions)

Karen Crook and Jim Pulvermacher returned to the commission.

Harmony Pond (formerly Springfield Highlands), 7384 Springhelt Dr, Roger Bowden and Pam McSherry, agents, request for final plat approval for a 10 lot subdivision. Atty Hazelbaker explained that the rezoning and the preliminary plat were previously approved and that this is just for the final plat. Roger Bowden explained that he had just been handed a copy of the conditions that were recommended by Atty Hazelbaker and Joe DeYoung after the meeting had started. The Plan Commission also just received them. Mr Bowden complimented our attorney and engineer on how easy it was to work with them and how knowledgeable they are in their respective fields. Discussion followed on the conditions. In question were numbers 10, 11, 20 and 22.

Number 10 was changed to: All lots shall be pre-planned to show the location of building envelopes for Lots #1-6 only.

Number 11 – Easements for storm water conveyance, access and management shall be shown on the plat. These easements shall include a 40 foot easement on the residential side and a 60 foot easement on the other side in the existing drainage ditch, allowing the Town or its designee to maintain the ditch. The Town may, at the town's option, increase the width of the easement to 100 feet. The easement shall grant the Town the right to enter and maintain the ditch widening, clearing, cleaning or deepening the ditch.

Number 20 was eliminated.

Number 22 – Future Access Road – New language will be written by Atty Hazelbaker on this point before Town Board approval.

Also discussed was the drainage problem that already exists on the neighboring lots, questioned if there is a maintenance agreement on the history of ditch. Basically, is there any documentation on the ditch cleaning/maintenance? This started out as a ditch but now the DNR classifies it as a stream. The two detention ponds with this subdivision will be for a 10 year storm event not a 100 year. One of the neighbors on Springhelt Dr expressed concern over the standing water that they have in their backyards now after a rainfall. What will happen after this development goes in? The problem is the water is being held up by the field road near the development. The Town is aware of this problem.

All outside structures on Lot 9 will be removed but the house is staying for now at least.

Motion (Laufenberg/Hetzer) to approve the final plat for Harmony Pond with the conditions (copy attached) stated from Atty Hazelbaker and Joe DeYoung and exact wording to be provided by Atty Hazelbaker for condition # 22 and the trail system needs to be noted. Motion carried, 7 – 0.

Tom & Kathy Hellenbrand, 5361 Rocky Hill, request to rezone 5.04 acres from A-1Ex to R-3A to create a homesite for a duplex for Tom and his son, Clinton and to rezone 1.78 acres from A-1Ex to LC-1 for his construction business. Tom had received approval from the Town in 2003 for the rezoning for the LC-1 but it was never finished at Dane County. The Commission questioned the number of splits left. A destiny study will be done when they apply at the county. The duplex will take 2 splits and the LC-1 another, for a total of 3 splits. Motion (Endres/Pulvermacher) to rezone 5.04 acres from A-1Ex to R-3A for a duplex lot and 1.78 acres from A-1Ex to LC-1 for his business with the following conditions:

- LC-1 limited to Dane County Ord #10.141(1) Permitted uses: (a) General, mechanical and landscape contracting businesses and buildings used in connection with such activity
- (b) Storage of construction equipment necessary for the operation of a general, mechanical or landscape contracting business. There shall be a limit of 12 items of equipment stored on each zoning lot.
- (e) Outside storage of materials or supplies used by a contractor in fulfilling his or her contracts and not offered for sale to a user or consumer.

Signage limited to 5 X 10' size

Lighting limited to current lighting

Hours of operation – Monday thru Friday, 6 a.m. to 10 p.m. Saturday 7 a.m. to noon, no Sundays or holidays

R-3A conditions: A shared maintenance/driveway agreement with all entities using this road and emergency turnouts if required

All conditions as recommended by MSA in memo dated June 23, 2010.

Motion carried, 7 – 0.

Wagners Milky Way Farms, Joe & Karen Wagner, 6675 Meffert Rd request to rezone 31.74 acres to bring into compliance. Motion (Pulvermacher/Crook) to approve rezoning 31.74 acres from A-1Ex to A-4 to bring into compliance. Motion carried, 7 – 0.

Jeff Kruchten, 7685 Grosse Rd request to rezone .72 acres from A-1Ex to RH-1 and to return .72 acres from RH-1 to A-1Ex (essentially redrawing the lot line) to build a storage structure. As stated in MSA's recommendations dated June 21, 2010 the issue of the single purpose roads are being looked at. Motion (Pulvermacher/Laufenberg) to approve the rezone of .72 acres from A-1Ex to RH-1 and .72 acres from RH-1 to A-1Ex and for the Town Board to determine the Grosse Road issue of the single purpose road. Motion carried, 7 – 0.

Jeff & Jackie Pongratz, Riles Rd, request to relocate the building envelope he had previously submitted to the Plan Commission and Town Board. Motion (Crook/Hetzer) to approve the relocation of the building envelope which will need to be submitted to the Register of Deeds and this building envelope includes all outbuildings and the house. Motion carried, 7 – 0.

TDR Program legal review

Atty Hazelbaker reviewed the changes he made to the TDR Program. He commended Planner Mark Roffers, Vandewalle & Assoc, and the committee on their hard work and very thorough job that was done in putting this program together. He encouraged the Commission to pass the TDR Program on to the Town Board, even with the minor changes that need to be done. The Rules & Procedures will/can be revised at the Town level and the amendments to the Comprehensive Land Use Plan will need County approval. Next steps after approval from the commission are to have the Town Board recommend a presentation to the County ZLR and then a Public Hearing before Town Board approval, then send to Dane County ZLR for their approval. Motion (Pasdirtz/Endres) to approve the changes that were stated in the legal review, to recommend adopting the TDR Rules and Procedures, the amendment to the Comprehensive Plan, amendment to the Land Division Ordinance and Resolution 2010-1 to adopt the TDR Program. Motion carried, 7 – 0.

For Discussion Only

St Andrew Lutheran Church, Schneider Rd, would like to add to their present sign another 3 X 11' piece to advertise their school. A variance would be needed. The commission suggested that they go ahead with the application for a variance.

Dan Fargen, 7130 CTH K, returned to the commission after receiving some answers on the parking space issues, if he would rezone his property. He did not have any information on the septic system. We need to have clarification on the road setbacks, staff to contact Kris Schutte at Dane County Zoning. Also in question is if Church Road is a 2 or 3 rod road.

Communications/Announcements

Informed commission on the WI AEA fees, which is similar to the ag conversion fees we already have and asked for their help informing applicants of these fees when rezoning land for a home site. Distributed county directories, also.

Adjourn

Motion (Endres/Hetzer) to adjourn at 11:30 p.m. Motion carried, 7 – 0.

Jan Barman
Office Assistant