

Springfield Town Hall
Plan Commission Meeting
Monday, October 3, 2011 @ 7:30 p.m.

Call to order, Roll Call, Pledge of Allegiance

The meeting was called to order at 7:30 p.m. by Chair Jeff Gabrysiak. Jim Pulvermacher, Karen Crook, George Pasdirtz, and Elliott Long, Attorney Mark Hazelbaker and Deputy Clerk/Treasurer Jan Barman were present. Scott Laufenberg and Jeff Endres excused absence. Jim Wills, Robert Procter and Town Board Chair Don Hoffman were also present. The Pledge of Allegiance was recited.

Confirmation of Compliance with Open Meetings Law

Deputy Clerk/Treasurer Jan Barman reported that notice of this meeting was met by posting at the Town Hall, corner of CTH K and Church Roads, Bong Excavating on Schneider Rd and on the website.

Minutes for September 12, 2011

Motion (Crook/Long) to approve the September 12, 2011 minutes. Motion carried, 5 – 0.

Informal Public Comment Time - None

Marie Ziegler Estate, 6878 Schneider Road, Jim Wills, agent

Jim Wills is looking at rezoning 4.23 acres from A-1Ex to C-2 for a total parcel of 6.94 acres (2.71 acres are currently zoned C-2). The property would be used for a commercial warehouse flex space and storage facility. Jim Wills has built a storage condominium facility on Muskie Dr and two of the proposed buildings would be the climate controlled storage units that are at the Muskie Dr facility. There will be storm water and bio retention area, wetland area will stay as is and probably the trees as well. If Jim Wills receives the rezone approval and can purchase this parcel, he will be better able to assess his plans. He is proposing 6 buildings, 12,000 sq ft/building and with the possibility of having some owner/operator occupied office space. All doors will be facing inside, not visible to the public. Jeff Gabrysiak stated that the applicant has presented a concept but it is not locked in to the proposal in writing. Jim Wills explained that the design review process covers the information Jeff is asking for, but that occurs after the rezone has been approved. Jeff Gabrysiak - once rezoning is approved, does it lower the standard for accepting what comes in after that as with the design review plan? Attorney Hazelbaker explained that was why he had provided the land use compliance and possible conditions for this request.

Attorney Hazelbaker then proceeded to review these items:

A rural location for the use is necessary to support the continuation of agricultural operations or to serve primarily agricultural customers. Mark explained that the commercial area in our land use plan has been built out and no other planned area at this time. Ag preservation area allows commercial if criteria are met. Channel development where it would be beneficial to the Town. Business location for a small contractor starting out would be ideal here as it is near Middleton, access to major highway – this type of structure is not in Middleton’s plan as it is not dense enough as it would use more land than they have available. Ideally small businesses that would serve the agriculture industry in this location would provide a valuable service.

Jim Pulvermacher explained the Town Board’s position they took at the Sept 20th meeting in approving conceptual approval to the rezone and for the Plan Commission to approve the use/conditions. Bob Bong Excavating building encroaches onto this property and does not apply to granting a rezone.

Jeff stated he has no objection to what Jim Wills is planning but he has no guarantee in that is what is going to happen. Attorney Hazelbaker explained again that is what we are here to do with the information he has provided.

George Pasdirtz expressed his concern over # 5 – the project will adhere to the development siting standards in Chap 7. Karen Crook later pointed out that in Chap 7 it states - to promote but is not required to follow all 15 steps.

Design site review gives the Town control over buildings, rezoning covers the uses/conditions.

Jim Pulvermacher asked that we go forward and select the uses and conditions/restrictions needed.

Jeff Gabrysiak mentions several times, he is not against this development/project yet his actions state otherwise. The precedent for the Plan Commission has always been to review the list of permitted uses and determine the acceptable uses and proceed with approval or denial. Jeff did not feel this was the Plan Commission's responsibility to take an hour and a half to go through the list. The Plan Commission recommends to the Town Board the uses/conditions/restrictions acceptable to them by following the Land Use Plan and Dane County Zoning ordinances. The only way to do that is to review and select from the permitted uses listed. There has never been a time limit for any request.

Karen - consistency is needed to avoid errors that were made in the past which is why we now have the design review site ordinance and is feeling comfortable that we have the tools to make this work. She is ok with zoning and selecting the uses/conditions.

Motion (Pulvermacher) for the conceptual rezone from A-1Ex to C-2 to tie a list of conditions to both to approve with 5 conditions and to move on to those uses/conditions. No second, motion fails.

Discussion followed

Motion (Crook/Pulvermacher) to conceptually approve the request to zoning change and therefore; review the list of uses for development and then this information will be brought to the attention of the Town Board. Motion carried, 4 – 1.

The Commissioners then reviewed the list of uses that Jim Wills had provided and removed the uses not acceptable and changed or added restrictions, if necessary, to the ones they accepted. (A complete list is at the end of the minutes). After reviewing this list of uses, Attorney Hazelbaker reviewed his list of 10 conditions to be added to the rezone change. (List follows at end of minutes)

Motion (Crook/Pulvermacher) to approve the rezone from A-1Ex to C-2 to be included in the whole parcel being C-2 including the conditions (listed on Land Use Plan Compliance) and allowable uses and changes, 10 general restrictions/conditions written by Attorney Hazelbaker. Motion tied 2 – 2 with Long abstaining. Motion fails. Attorney Hazelbaker will attend the Town Board meeting as well.

Discussion

No discussion items.

Communications/Announcements

TDR meeting on Wednesday, October 11 at 3 p.m. with Dane County Executive Joe Parisi at the town hall.

FUDA open house dates and places mentioned.

Senator Kohl's representative will be here at the town hall on Wednesday 11 a.m. to noon. Any concerns or questions we can ask, please let us know.

Adjourn

Motion (Pulvermacher/Pasdirtz) to adjourn at 10:05 p.m. Motion carried, 5 – 0.

Jan Barman
Deputy Clerk/Treasurer