

Town Of **SPRINGFIELD**



MEETING MINUTES

Tuesday, February 23, 2021, 7:30 P.M.

Town Board Meeting
Clover Hill CSM & Rezone

via teleconference & video conference

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Chair Jim Pulvermacher called the meeting to order at 7:30 p.m.

Roll call shows Chair Pulvermacher and Supervisors Dave Laufenberg, Bill Statz, Art Meinholz, and Dan Dresen present and appearing at town hall.

Also present and appearing at town hall were Clerk-Treasurer Dianah Fayas, Robert Procter, attorney for the applicant, Philip Andris, Casey Bruketa, Mark Meinholz, Dan Fargen and Jeff Endres. Among those appearing via tele &/or video conference were Attorney Mark Hazelbaker, Ron Klaas and Tom Barman.

Pledge of Allegiance was recited.

2. CONFIRMATION OF COMPLIANCE WITH OPEN MEETINGS LAW

The Clerk confirmed that the agenda was posted at town hall and on the Town website. The meeting is being recorded for use during the drafting of the meeting minutes.

3. INFORMAL PUBLIC COMMENT TIME – None.

4. RECONSIDERATION OF PLAN COMMISSION RECOMMENDATION - CLOVER HILL CSM & REZONE: HISTORY, CSM/REZONE SYNOPSIS, UPDATE, DISCUSSION & POSSIBLE ACTION

Plan Commission Chairman Jeff Endres provided supervisors and attendees with a summation of the Plan Commission's consideration of the Certified Survey Map (CSM) and rezone request, noting the discussion of a preferred, alternative site during the site visit, and the subdivision's stormwater and drainage concerns raised by neighbors. Chairperson Endres stated commissioners felt the town shouldn't allow home sites on lots requiring a lot of fill that have to be built around the house. Legal counsel informed supervisors that they have the option of approving or denying the CSM, or refer the application back to the Plan Commission with or without additional direction. The applicant posits the CSM is valid and should be deemed approved as more than 30 days lapsed from the time of application, with no determination by the board, nor timeline extension granted by the applicant in writing. Attorney Procter addressing the board on behalf of the applicant believes the plan commission exceeded their authority by addressing items beyond their purview that shouldn't be addressed for land division requests, stating it's not the duty of the plan commission to plan the end product; the issue before the plan commission is compliance rather than design. He argued the proposed lot sizes are consistent with current Legacy zoning and that the stormwater from the lot runs to the culvert on the lot, noting the town recently upgraded the culvert size in the area for the town benefit. Engineers estimate a new home will have minimal impact on downhill drainage Attorney Procter argued there is enough buildable area

on the proposed lot unaffected by 20% slopes and that the soil is suitable to host a septic field. While sympathetic to the neighbors, their objections aren't enough to forestall approval of the proposed CSM, arguing there has been no evidence of property value loss, and the privacy loss is not really applicable as they are >1 acre lots. Attorney Procter stated there needs to be objectionable standards; the questions rightly raised have been addressed. Neighbors in attendance noted the new lots don't meet the 1.5 new lot size required under new town zoning and that previous lot divisions in the subdivision did not have the many objections from neighbors this proposal is facing. Neighbors argue they object due to flood concerns and the increase to the watershed in the area; they would like a comprehensive stormwater management plan for the development prepared and adopted, as none such existed when the neighborhood was developed. Neighbors report the new culverts don't carry the water until they're half full, with the water just pooling in and around the culverts for days. Supervisors assured residents that the culverts were just a starting point, with additional follow up work to be done this spring to help keep the water draining. Neighborhood residents would also like a soil survey to be done to ensure soil suitability for septic and building purposes. Attorney Procter objected to a neighbor's claim that the town may be liable if the lot division is allowed to proceed and stated that letting neighbors make the decision is against the ordinance; custom and practice can't supersede an ordinance. After discussion, and with sincere thanks to the Plan Commission for their tireless work, the board decided not to refer the application back to the Plan Commission for reconsideration, but to keep the decision at the board level.

Motion by Chairperson Pulvermacher, seconded by Sup. Meinholz to have attorney Hazelbaker draft a set of conditions for the Fargen property for approval and have it available for the second board meeting in March. Motion carried, 5-0.

5. ADJOURN

Motion by Sup. Laufenberg, seconded by Sup. Meinholz to adjourn the meeting at 9:00 p.m. Motion carried, 5-0.