

SPRINGFIELD PLAN COMMISSION
Meeting Minutes - February 3, 2020 @ 7:30 p.m.
Springfield Townhall, 6157 CTH P, Dane, WI

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

Chair Jeff Endres called the meeting to order at 7:30 p.m. Roll call shows Chair Jeff Endres, Commissioners Steve Beglinger, Nate Wagner, and Ron Wolfe present, as well as Town Board Chairman Jim Pulvermacher. Commissioners Bill Acker and Matt Wright were absent.

Also present was Clerk-Treasurer Dianah Fayas, Brent Hellenbrand, Dan Fargen, Steve Marx, Jim Greiber, and Jack Cox.

The Pledge of Allegiance was recited.

2. CONFIRMATION OF POSTINGS FOR OPEN MEETING LAWS

The Clerk confirmed that the agenda was posted at town hall and on the Town website and that the meeting is being recorded.

3. PUBLIC COMMENT TIME – Jim Greiber asked the Commission about the existing CUP for truck storage at Doug Middleton’s property on Lodi-Springfield Road east of County P and the feasibility of building another shed with an office at that location. Commissioners noted there is likely no undisturbed land remaining on the parcel, which would necessitate a holding tank, typically not permitted by the Town, to accommodate on-site staff and restroom facilities. Commissioners directed Mr. Greiber to contact the Clerk to be added to the next agenda for discussion.

4. APPROVAL OF PREVIOUS MINUTES: January 6, 2020

Motion by Mr. Pulvermacher, seconded by Commissioner Wagner to approve the minutes. Motion carried, 5-0.

5. PUBLIC HEARING

MOVE TO RECESS REGULAR MEETING AND ENTER INTO A PUBLIC HEARING

a. REZONE FROM R-1 LEGACY TO MFR TOWN ZONING: 7130 HWY. K NON-CONFORMING DUPLEX

MOVE TO CLOSE PUBLIC HEARING AND RE-ENTER REGULAR MEETING

Motion by Mr. Pulvermacher, seconded by Commissioner Wagner to recess the meeting and go into a public hearing. Roll call vote: Wolfe AYE, Wagner AYE, Pulvermacher AYE, Endres AYE, Beglinger AYE. Motion carried.

Mr. Fargen explained he is seeking to rezone his duplex from R-1 to MFR so the zoning district matches the residence and historical and current use. There were no comments from the public. Commissioners reminded the applicant that a conversion to a tri-plex would require a CUP.

Motion by Mr. Pulvermacher, seconded by Commissioner Wolfe to come out of the public hearing and return to the regular meeting. Roll call vote: Wolfe AYE, Wagner AYE, Pulvermacher AYE, Endres AYE, Beglinger AYE. Motion carried.

6. REZONE FROM R-1 LEGACY TO MFR TOWN ZONING: 7130 HWY. K NON-CONFORMING DUPLEX

During discussion, Commissioners noted that if there is a change to the garage, it will have to be built to current set backs.

Motion by Commissioner Wolfe, seconded by Commissioner Beglinger to accept MSA’s recommendation* on the basis as it currently stands, a 2-unit multi-family. Motion carried, 4-0; Mr. Pulvermacher abstained.

*MSA’s recommendation in the Jan. 29, 2020 Memorandum regarding the “Rezone Application for Parcel #0808-281-9930-6, Fargen,” states, “MSA recommends the Plan Commission approve the proposed Rezone Application of Parcel #0808-281-9930-6, contingent on the following: 1. Address any comments listed above**; 2. Any comments or conditions from the Town Attorney, Town Planner, and from the Town Zoning Administrator shall be addressed.”***

** (1 of 5) Parcel is located within the Rural Neighborhood Area. Proposed zoning of MFR is not listed as a typical Town Zoning District for this area however does allow for single-family residential as well as small scale commercial and institutional uses; (2 of 5) Per Ch. 4: Town Road Ordinances: Current existing driveway to accessory structure is closer than desirable to the intersection, and at a severe angle, however does meet the requirement of at least 15-ft from the extended street line, if this driveway is

considered a "field road." New structure and accompanying driveway should be encouraged to be relocated to an area that makes ingress and egress to the roadway safer (farther from intersection to extent possible and oriented to connect to the road at an angle closer to perpendicular); (3, 4 & 5 of 5) Per Chapter 11: Zoning Ordinances: Multiple Family Dwellings (2 units) are a permitted use within the proposed Multi Family Residential. Multiple family dwelling (3 or more units) is a conditionally allowed use within Multi Family Residential and would require the application of a Conditional Use Permit and Town review if applicant wishes to convert existing building to a 3-family structure; The existing garage structure is currently partially located within Town Right-of-Way for Church Road. If this is to be rebuilt, new structure would need to meet setback requirements of new zoning Multi Family Residence per Town of Springfield Zoning Ordinances; and, The existing principal structure does not appear to meet setback requirements of either existing or proposed zoning in both front and side yards.

*** From the Town Planner: "rezoning would not run afoul of Town plans and policies to my knowledge... MFR district allows duplexes by right, and requires a conditional use permit for 3+ unit buildings. This provides reasonable assurance that more units couldn't be created from the building under MFR zoning without a later public hearing and Town review... , it's likely that either the residence is encroaching on the residential lot to the west, an old garage is encroaching into the Church Street right-of-way (see second attached screenshot), or possibly even both. The Town might be able to leverage this rezoning request to get that old garage removed or relocated and the current driveway opening near the intersection vacated, perhaps even by delaying the effective date of the rezoning to the time that removal occurs." From the Zoning Administrator: "Recommend approval of the rezone to MFR."

7. DISCUSSION: STEVE MARX 5827 CTH P

Mr. Marx is considering purchasing the Joe Meier farm and using the four accompanying splits to develop four lots ranging in size from 10-14 acres in the northwest quadrant of the property, accessed by a shared driveway along the northern boundary. When commissioners noted the Town does not allow for new residential lots larger than 5 acres, the applicant explained the tentative lot sizes were to maximize views. Commissioners noted lots may be deed restricted to limit further division in the future and felt a site visit was warranted, which staff was instructed to schedule.

8. DISCUSSION: DAVE COYLE ON BEHALF OF CYRIL STATZ, REZONE 6100 HELLENBRAND

Mr. Coyle informed Town staff he was not ready to pursue a discussion at this time.

9. 2020 PLAN COMMISSION APPLICANT INTERVIEWS

- a. WILLIAM ACKER
- b. JACK COX

Motion by Commissioner Beglinger, seconded by Commissioner Wolfe to accept Mr. Cox's application and approve it and recommend appointment of Mr. Cox and Mr. Acker to the Plan Commission. Motion carried, 4-0; Mr. Pulvermacher abstained.

10. SHORT TERM RENTAL ORDINANCE

Mr. Pulvermacher directed staff to schedule a date and time for Mr. Tom Wilson of the Town of Westport to give his presentation on short term rental law changes and regulation to commissioners and supervisors.

11. OLD BUSINESS

- a. JAR STORAGE

Commissioners noted snow is currently being stored in the retention pond and in the State's right of way. The limited space for snow storage was one of the concerns noted during the site visit related to the applicant's request for a conditional use permit to allow for outdoor storage. Chair Endres asked staff to follow up on commercial restroom accessibility requirements for the former ag building, and whether JAR is currently in compliance, as well as to determine if the existing floor drains that empty into daylight are permissible.

- b. DESIGN REVIEW ORDINANCE REVIEW AND UPDATE

Commissioner Wolfe noted two corrections that need to be made to update the map number references; map 6 is now map 7 and map 7 is now map 8.

- c. HELLENBRAND BROS. EXCAVATING: DISCUSS ROAD AGREEMENT

Hellenbrand Brothers' Excavating's only concern was the last paragraph of the first page where it discussed liability for damage to the road in the future, compared to the condition of the road at the time of the execution of the road agreement. It was decided to amend the language to read, "In the event that damage to Town roads occurs from RDE and/or HBE business operations, by comparison to the condition the road was in at the time of the execution of this Agreement, as determined by the Town's road patrolman and documented by attached photos, RDE and HBE agree to be responsible for repair of such damage." Brent Hellenbrand noted that Ripp Road where the business was located for 20 years is in wonderful condition with no visible damage from Hellenbrand Brothers Excavating, whereas the section of Riles Road where they have relocated is already in a state of disrepair due to past and ongoing farming operations at the adjacent property. Mr. Hellenbrand believes the existing state of disrepair will lead to their equipment causing greater

damage to the road than would otherwise occur on an undamaged road. Staff was instructed to update the agreement with the added language and pictures and to remove the item from Old Business.

d. TDR SENDING AREA REQUIREMENTS—3RD PARTY HOLDER, UNLOCK TRIGGERS IN CONSERVATION EASEMENTS

e. SPLIT A LOT IN A SUBDIVISION CREATED BY CSM: 7225 CLOVER HILL DR.

Mr. Fargen provided aerial photos of the area noting that the lots created by CSM were surrounded by lots created by plat, with those plats being approved before and after the CSM lots were created. The lot in question is also encircled by the subdivision street, lending support to his assertion that the lot was intended as part of the subdivision area. Mr. Fargen noted approximately 1/3 of the homes in the subdivision are less than the 1.5 acre minimum lot size that the Town requires. The Plan Commission directed staff to schedule a site visit once Mr. Fargen has the area staked out for his proposed lot division.

12. COMMUNICATIONS/ANNOUNCEMENTS

Chairman Endres is working with Yahara Pride and in discussions with County staff to explore the feasibility of cooperatively rebuilding and dredging the pond behind the Springhelt subdivision to allow for greater holding capacity and lower water levels in the drainageways.

13. ADJOURN

Motion by Commissioner Wolfe, seconded by Mr. Pulvermacher to adjourn the meeting at 9:40 p.m. Motion carried, 5-0.