

## TOWN BOARD ACTION REPORT - REZONE

Regarding Petition # DC PREZ-2016-10950Dane County Zoning & Land Regulation Committee Public Hearing Date March 22, 2016Whereas, the Town Board of the Town of Montrose having considered said zoning petitionbe it therefore resolved that said petition is hereby (check one): ☒ Approved ☐ Denied ☐ PostponedTown Planning Commission Vote: 4 In favor 0 opposed 0 abstained / 1 AbsentTown Board Vote: 2 in favor 0 opposed 0 abstained / 1 Absent

## THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

1. ☐ Deed restriction limiting use(s) in the \_\_\_\_\_ zoning district to only the following:  
\_\_\_\_\_  
\_\_\_\_\_
2. ☐ Deed restrict the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):  
\_\_\_\_\_  
\_\_\_\_\_
3. ☐ Deed restrict the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):  
\_\_\_\_\_  
\_\_\_\_\_
4. ☐ Condition that the applicant must record a Notice Document which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):  
\_\_\_\_\_  
\_\_\_\_\_
5. ☐ Other Condition(s). Please specify:  
\_\_\_\_\_  
\_\_\_\_\_

Please note: The following space is reserved for comment by the minority voter(s), OR, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, Julie Bigler, as Town Clerk of the Town of Montrose, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on March 1, 2016.

Town Clerk Julie Bigler Date: March 7, 2016.

Town of Montrose, Regular Board Meeting Minutes  
Tuesday, March 1, 2016, 8:00 p.m.

Meeting was called to order by Chair Roger Hodel at 8:05 p.m.

Clerk stated for the record that notice had been posted according to Open Meeting Laws.

Present: Chair Roger Hodel, Supervisors Dan Palmer, and Treasurer Jody Gerner.  
Excused Absences Randy Francois and Clerk Julie Bigler

Others Present: Land Use Chair Tim Schmitt

**Motion made by Dan Palmer, seconded by Roger Hodel to approve February 2, 2016 Regular Board Meeting minutes as read and corrected. Motion carried.** Motion from November 17, 2015 should be November 17, 2015

**Motion made by Dan Palmer, seconded by Roger Hodel to approve February 2016 Treasurer's report as read and corrected and to pay all bills Motion carried.** The payment amount of \$8,125.00 for Thermal Imaging Camera for Fire Department paid to Jefferson Fire & Safety was omitted.

Announcements: The Town extends congratulations to Cal Hageman on his 90th Birthday. There was a great turnout for the open house held for him on February 28th. The Annual Meeting for the Town of Montrose will be April 19, 2016 at 7:00 p.m. The EMS & Fire Association meeting will be held on 8:00 p.m., Tuesday, March 8, 2016 at the EMS Building. A representative may come to a board meeting to discuss a possible new library.

Roger Hodel added to Board agenda for regarding the design of the Hwy PB Paoli Bridge options. **Motion made by Dan Palmer and Seconded By Roger Hodel to go with the Concrete Type C-3 Rail with the Rough Look Lime Stone. Motion carried.** Pictures of different designs were submitted. Dan Palmer has concerns that snow removal may be more difficult. The bridge will cost the Town of Montrose about \$17,000. The county has stated they will not allow lights on the bridge. They will allow a pedestal with a plug in it. Lighting will be discussed at a later date.

Intergovernmental Sub-Committee, Land Use and/or Long Range Planning Committee. Reported by Tim Schmitt-the Land Use Committee approved both lots for Mussehl and Disalvo.



**Motion made by Dan Palmer, seconded by Roger Hodel to Approved the Application for the License to Serve Fermented Malt Beverages and Intoxicating Liquors (Operator License) for Shane M. Andree Contingent Upon Receiving All Necessary Paperwork. Motion carried.**

**Motion made by Dan Palmer, seconded by Roger Hodel and made unanimous by Roger Hodel to Approve Shifting of Property Lines Between Adjacent Land Owners, Andrew and Amanda Mussehl, 7091 Frenchtown Road, 1.159 Acres, Lot 1, Section 22, Parcel Number 0508-223-9060-5 from A1-EX to R1-A and by Joe Disalvo, 7079 Frenchtown Road, 0.712 Acres, Lot 2, Section 22, Parcel Number 0508-223-8810-9 from A1-EX to R-1A. Motion Carried.**

**Motion made by Dan Palmer, seconded by Roger Hodel to proceed with 2016/2017 Bridge Inspection Requirements Contract. Motion Carried.**

**Motion made by Dan Palmer, seconded by Roger Hodel to Change the April 5, 2016 Board Meeting to April 4, 2016 at 8:00 p.m. Change Due to the April 5th Presidential Preference & Spring Election. Motion Carried**

Public Input: None

**Motion made by Dan Palmer, seconded by Roger Hodel to adjourn March 1, 2016 Regular Board Meeting at 9:00 p.m. Motion carried.**

Respectfully Submitted,  
Jody Gerner, Deputy Clerk/Treasurer  
Julie Bigler, Clerk

Minutes not official until approved by Town Board

**Town of Montrose Land Use Committee****February 22, 2016 Meeting Report****Present:** Deb Brucaya, Junior Eichelkraut, Tom Sarbacker, Tim Schmitt**Absent:** Jerome Gobel**Minutes are not official until approved by land use committee (LUC) members.**  
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Junior moved and Tom seconded to approve as read the minutes of the January 25, 2016 land use committee meeting. Motion carried unanimously.

The only agenda item was concurrent requests to rezone two neighboring lots. To comply with Dane County zoning, Andrew and Amanda Mussehl want to rezone Lot 1 at 7091 Frenchtown Road from A1-Exc. to R1-A and Joe Disalvo wants to rezone Lot 2 at 7079 Frenchtown Road from A1-Exc. to R1. Mr. Disalvo wishes to build a new home on Lot 2. A residence already exists on Lot 1.

Joe Disalvo and Ed Short were available to present the requests and to answer questions. A recent survey revealed a lot line anomaly that the two owners have agreed to correct at this same time. The rezone requests apply to the lots as they will exist after the lot line has been adjusted as shown on a map presented to the committee at the meeting. These lots were created before the town's land use plan went into effect and they currently exist as substandard A1-Exc. parcels. Because the lots pre-existed the town's plan, no variance from the town's 2-acre minimum parcel requirement is needed.

Kirt Boers, who is Disalvo's neighbor to the east, sent an e-mail message to object to these requests. Mr. Boers' objection referenced Dane County Zoning's mission statement in which natural resources are to be protected, community character maintained, sustainable economic development promoted, and public and private needs balanced. Mr. Boer also referenced an excerpt from county ordinances regarding variances granted by the Board of Adjustment. Committee members determined that the objections raised were not relevant in this instance for these reasons: This is an existing rural residential area. No new lot is being created; rather, these lots existed before the town's land use plan was adopted on February 9, 1981. Last, no county Board of Adjustment variance or town land use plan variance is needed to act on these rezone requests.

**Junior moved and Deb seconded to recommend the town board's approval of the requests by Andrew and Amanda Mussehl to rezone Lot 1 from A1-Exc. to R1-A and by Joe Disalvo to rezone Lot 2 from A1-Exc. to R1, based on the proposed lot line adjustment as shown on the map presented to the committee on 2-22-16. Both lots are in Section 22 and are located on the south side of Frenchtown Road. The committee acknowledges that the lots do not need to meet the town's 2-acre minimum because they were created before the town's land use plan was adopted, and further acknowledges that the line between the two lots will be realigned as shown on said map. Motion carried unanimously.**

There were no other agenda items or public input. The meeting adjourned after unanimous approval of Junior's motion and Deb's second to do so.

Submitted by:

Dcborah A. Brucaya, Recording Secretary  
Town of Montrose Land Use Committee