



DANE COUNTY DEPARTMENT of PUBLIC WORKS, HIGHWAY and TRANSPORTATION

Commissioner / Director

Joe Parisi

County Executive

Phone: (608) 266-4261 • FAX: (608) 266-4269

2302 Fish Hatchery Road • Madison, Wisconsin 53713-2495

Gerald J. Mandli

To: Public Works, Highway and Transportation Committee

FROM: Pam Dunphy
Deputy Highway Commissioner

DATE: August 13, 2020

RE: Controlled Access Permit 20C009 CTH S
Syed Nizamuddin
Momin Farm – Nizamuddin Family
Near 9039 CTH S
Mt Horeb, WI 53572

COMMENTS: Staff at Dane County Highway denied the subject access permit since the parcel already has an existing access. The owner worked with the Town and County Highway staff to design a road to serve the properties. The Town dismissed the Town Road option and prefers that the owner have an additional driveway access onto CTH S. Please refer to attached Town of Springdale May 18 meeting minutes.

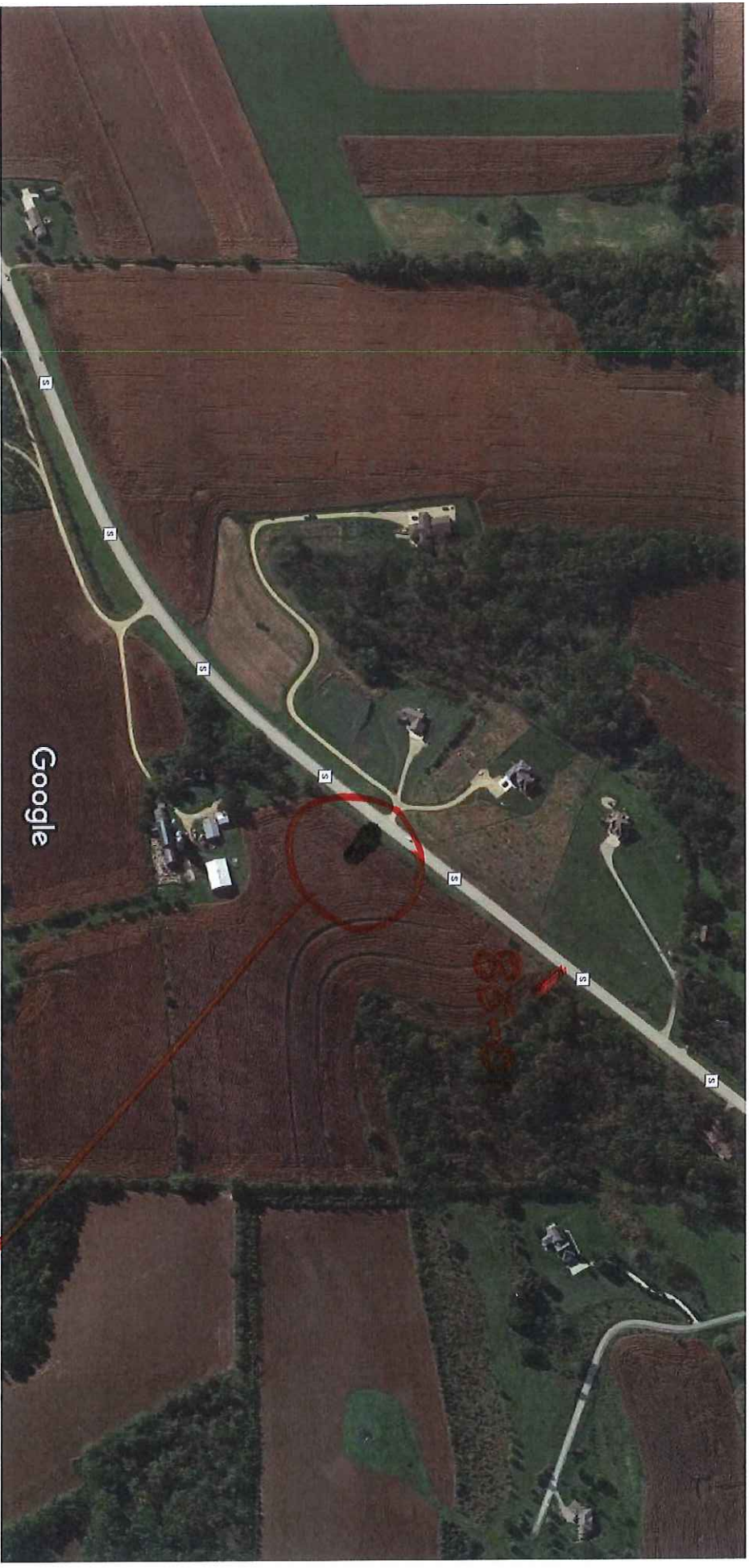
Staff does support the appeal by the landowner.

If the Committee determines that the access appeal should be approved, the following conditions should be included in the approval;

- Access to be restricted to 4 new home sites (maximum) and remaining agricultural land
- No additional access for the remaining properties

Attached please find the landowners appeal letter, Town of Springdale Meeting Minutes and location information.

If you have any questions, contact me at 608-266-4036(office) or 608-575-2244(cell).



Google

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200 ft



APPEAL OF DENIED ACCESS
PERMIT 20-C-09
CTH S TOWN OF SPRINGDALE
SYED NIZAMUDDIN

Aug. 12 , 2020

To, Pamela Dunphy, Assistant Commissioner Dane County Dept. of Highway

From; Nizamuddin Family, Land owners, 9039 CTH, "S" (Town of Springdale)

Subject; Appeal for Denial of access permit application for the South side of CTH, "S", (Ref. Letter June 25,2020, Kristine Walker)

Dear Ms Dunphy;

We humbly request the County Board for reconsideration and approval of the subject application due to the following ;

Background ;

Since the adoption of the Dane County land Use Plan by the town (about 2005) we made numerous attempts to exercise our right to subdivide and develop our land as per Dane County's, "Density Study Report" (Enclosure #1) and submitted to the Town of Springdale with different options to no avail .

In some cases The town's Plan Commission approved the concept plan layouts under Option #2 Board denied and recommended Option #3 .

For the Option # 3 submittal The town board required and / or Completed the following items;

- (1) Engineering drawings for the town road. (2) Signed a, "Developer's Agreement' with the owners
- (3) Required us to obtain an approval of , "B-2 Intersection CTH, "S" and the proposed town road

Then the board denied citing the Town Road Policies.

Conclusion;

The Town Board, more than once, had recommended that, "An additional access point on the South side of CTH, "S' will allow the subdivision to be split on both sides of the highway under Option #2 with shared driveways and eliminate the need for a town road. [Ref. T.B.Mt'g, May 18, 2019, & Nov 19, 2020]

We hope that the Board approves this appeal thus enabling us to gain our rights

Thanking in anticipation

Sincerely, *Syed Nizamuddin*

Nizamuddin Family. Contact; Nizam 608 217 8915, nizam460@yahoo.com--Enclosures;



DANE COUNTY
PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

March 17, 2020

Syed Nizamuddin
460 Presidential Lane
Madison, WI 53711

Dear Mr. Nizamuddin:

Attached is the Density Study Report and associated information you requested for your property in Section 5 of the Town of Springdale.

According to Density Option 3 under the *Town of Springdale / Dane County Comprehensive Plan*, and provided the development meets all town siting and other criteria, this property would have the potential for up to eight (8) additional homesites.

I hope this information is helpful. If you have any other questions or comments, please don't hesitate to contact me at (608) 267-4115 or via email at standing@countyofdane.com.

Sincerely,

Brian Standing, Senior Planner

Enclosures. cc:

Vicki Anderson, Town of Oregon

Electronic Town of Springdale Meetings - Monday, May 18, 2020

Annual Board of Review

Regular Monthly Town Board

7 PM -Board of Review Meeting 2020: Call to Order and Adjourn to Date to September 17.

May Regular Monthly Meeting of Town Board: Immediately after the action above,

Due to the COVID-19 pandemic, including Federal, State and County emergency orders limiting crowds, this meeting is being held via Zoom on the computer or via telephone. Members of the Plan Commission, Town Board, Town Officials, media and the public may attend by the following:

Join Zoom Meeting

<https://us02web.zoom.us/j/82912269024>

Meeting ID: 829 1226 9024

One tap mobile

+13017158592,,82912269024# US (Germantown)

+13126266799,,82912269024# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 829 1226 9024

Find your local number: <https://us02web.zoom.us/u/keq0UkSYcu>

During the meeting you will be asked to mute your speakers/phones, unmute your speaker/phones when you wish to speak **and** identify yourself by name before speaking.

If you need reasonable accommodations to access this meeting, please contact the Town Clerk at 608-437-6230 at least three (3) business days in advance so arrangements can be made to accommodate the request.

Town of Springdale BOR & Regular May Town Board Meeting – Electronic Meeting

Agenda Meeting 1 The Springdale Town Board of Review (BOR) Meet to Adjourn

Monday, May 20, 2020, BOR 7:00PM; Springdale Town Board regular monthly meeting at 7 PM. **Held** via Zoom. The final agenda will be posted at Riley Tavern, Town Hall, and Mt. Vernon Family Auto

Board of Review – AGENDA: items for discussion/public input/possible action:

- 1) Call to Order,
- 2) Designate alternate BOR member,
- 3) Election of Chair,
- 4) Assessor report on status of assessment roll,
- 5) Confirm date/times of Open Book and BOR,
- 6) Adjourn to designated time when assessment roll is complete

BOR – Meet to Adjourn (sec. 70.47(3)(aL), Wis. Stats.): Assessment roll will not be completed during the 45-day period beginning the fourth Monday in April -BOR must hold an initial meeting and adjourn

Open Book Thursday, August 12, noon – 7 PM Board of Review Tuesday, September 16, 4 – 6 PM

*Post 5/15/20 Publish 5/14/20 Publish Susan Duerst Severson, Clerk
Placed on Town Hall Door 4/19/2020*

Agenda Meeting 2 Regular TB Monthly Meeting Agenda:

The Springdale Town Board monthly meeting will be held on Monday, May 18, 2020, on Zoom immediately after the Board of Review (BOR) Annual Meeting action above, at approximately 7 p.m. The final agenda will be posted at Riley Tavern, Town Hall, Mt. Vernon Family Auto, and www.townofspringdale.org. Please contact the Town Clerk if you wish to make a public record request to obtain copies of the documents to be discussed at the meeting. If you need reasonable accommodations to access this meeting, please contact the Town Clerk at 608-437-6230 at least three (3) business days in advance so arrangements can be made to accommodate the request.

AGENDA: ITEMS FOR DISCUSSION/PUBLIC INPUT/POSSIBLE ACTION:

Call to Order;

Certification of compliance with the open meeting law. Quorum present,

Approval of the Agenda;

Minutes of the previous Town Board Meetings;

Reminder Annual Elector's Meeting tomorrow night at 7 PM

Public Input: Non-Agenda items;

Liquor License Operators for Marcine's, LLC – Marcine Gilbertson. 8646 Davis St, Mt Horeb (Mt Vernon)
New Operators -WI Seller/Server Certification: Ashley Gilbertson

Public Hearings - Plan Commission Recommendations

- **Concept plan revision-move building envelope/Henderson Farm CTH J Sec. 11, 12, 13,**
- **Concept plan/Option 3 rural conservation subdivision/Nizamuddin lands CO HWY S Sec. 5, Momin Rd**

DRIVEWAY PERMIT Part 1 &/or 2

Fred Runde -Springdale Center Rd; SEC 28 off Shared Driveway

SPRING CLEAN-UP, Saturday, June 13, Due to Covid-19, may need to move to a later date

DISCUSS FEE RESOLUTION

MIKE HEALY'S TWO YEAR TERM TO THE PC

POLICY -ITEMS TB CAN APPROVE DURING THE PC MEETING

BUILDING INSPECTOR CONTRACT

2020 RES-2020 AUTHORIZING A TAXATION DISTRICT TO WAIVE INTEREST AND PENALTIES ON PROPERTY TAX PAYMENT INSTALLMENTS DUE ON OR AFTER APRIL 1, 2020

CALENDAR OF UPCOMING EVENTS:

- May 19, Annual Town Electors Meeting, Tuesday, 7 PM
- June 1, Plan Commission, Monday, 7 PM (rescheduled due to Memorial Day)
- August 11, Partisan Primary Election
- August 13, Open Book, Thursday, noon to 7 PM
- September 17, Board of Review, 4 - 6 PM
- November 3, General Election

Oath of Office & Bank Authorization for New Clerk - Sign checks and VISA Card

Contract Mowing at Oak Hill Cemetery

Bills –Treasurer Report;

Adjourn

Post full agenda 5/15/2020 Published Notice only 5/14/2020 Town Clerk, Susan Duerst Severson

Agenda & Minutes of Springdale Monthly Town Board Meeting

Monday, May 18, 2020 via Zoom, 7 p.m.

CALL TO ORDER, Fagan, 7:07 p.m. Quorum present.

CERTIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW

Full agenda posted 5/15/20, Published Notice only 5/14/20 per Clerk, Susan Duerst Severson.

APPROVAL OF THE AGENDA

MOTION (Fagan) to move Runde driveway before Plan Commission (PC) recommendations for time efficiency. Rosenbaum seconded. 3 ayes, 0 nays, motion carried.

MINUTES OF PREVIOUS TB MTGS. April 27 (joint TB/PC) minutes, minor wording corrections made.

MOTION (Fagan) to approve 4/27/20 minutes. Rosenbaum seconded. 3 ayes, 0 nays, motion carried.

April 21 regular TB minutes, minor typos corrected.

MOTION (Rosenbaum) to approve 4/21/20 minutes. Schwenn seconded. 3 ayes, 0 nays, carried.

MOTION (Fagan) to approve minutes from 2 assessor meetings as presented - 4/20 & 4/29. Rosenbaum seconded. 3 ayes, 0 nays, motion carried.

REMINDER - ANNUAL ELECTORS MEETING TOMORROW AT 7PM

PUBLIC INPUT/NON-AGENDA ITEMS. Rosenbaum, Co. bridge aid funding program for Lewis Rd. bridge, 6/12 deadline approaching. Fagan, special town meeting with bridge co-owner Town of Primrose to discuss further. Fagan, Primrose should discuss at TB level first. No other public comments, Fagan closed public input.

LIQUOR LICENSE OPERATOR FOR MARCINE'S, LLC - New Operator, Ashley Gilbertson, present in mtg. for WI Seller/Server Certification. Required classes verified with Clerk (Susan) completed.

MOTION (Schwenn) to approve license for Ashley. Rosenbaum seconded. 3 ayes, 0 nays, carried.

DRIVEWAY PERMIT PART 1 &/OR 2 - Fred Runde, Springdale Ctr. Rd., Sec. 28 off shared driveway.

Fagan site visit last week, no issues seen with the driveway. Fred to appear before joint PC/TB next Monday to request moving existing building envelope, current one too close to center of airstrip. Shared driveway still under construction, potential water issues. Fred - no issues to date, final driveway must be pervious.

MOTION (Fagan) to approve Runde driveway off of Springdale Center Rd., conditioned on building envelope move approval by PC/TB. Rosenbaum seconded. 3 ayes, 0 nays, carried.

PUBLIC HEARINGS - PLAN COMMISSION RECOMMENDATIONS

- **Concept Plan revision - move building envelope, Henderson Farm, CTH J Sec. 11, 12, 13.** Tom and Mike Henderson present. **Discussion:** Fagan - PC rec. was to allow change in original concept plan for envelopes being moved, procedural, TB now required to review. Hendersons - lot names/numbers added to reflect PC recommendation to shrink lots down to 3, 3, 3, & 2 acres of tillable farmland. Rosenbaum clarified that entire parcel on all 4 lots are considered building envelope, lot numbering starts north and goes south on CSMs.

MOTION (Rosenbaum) to approve the recommended concept plan and envelopes from PC meeting of 4/27. All lots shall not exceed 3 acres of agricultural land, except for lot 4, which shall not exceed 2 acres of agricultural land. Fagan seconded. Schwenn added Henderson's did a great job with what they had to work with. Fagan agreed. 3 ayes, 0 nays, motion carried.

PC Deputy (Vicki) is waiting for preliminary CSMs for PC scheduling on 6/1 or 6/22 agenda.

- **Concept Plan/Opt. 3 rural conservation subdivision, Nizamuddin Lands, Co. Hwy. S, Sec. 5, Momin Rd.** **Discussion:** Rosenbaum - new roads must be in public interest/good; proposed road/cul-de-sac would

only serve residents in development. Opt. 3s must employ best conservation; 75% deed restriction must preserve best of ag land. Proposed 8 lots would all be on current ag land. Lots 3, 4 and 5 block access to ag field. Not our policy to approve road solely to allow development of otherwise non-developable land. Road policy, land use plan and subdivision code together do not support this new road. Nizam. engineer Ryan Quam - PC directed them to consider Opt. 3, so clustered subdivision was prepared. Design constraint is County limits on Hwy. S access pts. Clustering increased as PC tweaked their plan. Fagan - concept plan before TB is moot without the road. Town previously suggested Nizamuddin petition County to get more access points off S, no evidence of such was ever submitted to Board. Reminder that Town has been consistent on requesting a short road. Rosenbaum - Town has demonstrated opposition to new roads by discontinuing 33 town roads since 2013. State road funding has also decreased. Quam countered with alleged benefits of housing outweighing road costs, proposed road's efficiency per linear foot. Fagan - goal is to preserve rural nature and keep ag. land intact. Trying to stay rural, little development as possible. There was discussion about one other opt. 3 subdivision with Town Road (Hidden Ridge) keeps rural character because it is not highly visible as this Option 3 would be on Hwy. S. Schwenn - Hidden Ridge's road was under town plan at the time it was put in, before road funding started drying up.

MOTION (Rosenbaum) do not approve new town road or cul-de-sac off Hwy. S for Nizamuddin property, decline Opt. 3 development for reasons mentioned earlier with potential to revisit if County allows additional access points. No second, need further discussion, motion failed.

Imran Nizam. spoke to history, positives to new community. Fagan stated he could make argument that ag land is best preserved with no homes. In light of previous development years ago, boxed himself out having used up his access points. Reject new rd. w/out prejudice to concept plan. Do what's best for town, careful setting precedent.

MOTION (Fagan) to reject town road as presented for Nizam. land shown in April submittal to PC under Opt. 3. Rosenbaum seconded. Rosenbaum aye, Schwenn nay, Fagan, aye. Motion carried.

SPRING CLEANUP. Town & Country uncertain of reopening. Contingent on Dane Co. and Governor.

MOTION (Fagan) to keep 6/13 date until 5/26; if still tenuous on 5/26, circulate new fall date to citizens. Rosenbaum seconded. 3 ayes, 0 nays, motion carried.

DISCUSS FEE RESOLUTION. Fagan - due to zoning reclassifications need fee updates.

- **CSM prelim.** current fee is \$200; proposing \$25 for each additional lot (consistent with Dane Co).
- **CSM reapplication;** proposing "\$100-\$200 + \$25 for each additional lot." If no changes to a CSM, fee \$100, + \$25 for each additional lot. If any changes to the CSM, fee \$200, + \$25 for each additional lot. Clerk to report back if not easily administered.
- **CSM for lots of more than 35-80 acres;** new proposed fee of \$100 and separate Town engineer review fee. Fagan explained need for engineer review due to them not falling under normal CSM rules.
- No change in plat work fees, however, term "Option 1" was added for clarity.
- **Rezoning - per application;** fairest to charge per application. Add a fee of \$25 for each additional lot to the existing \$225 fee for rezoning. Change "rezoning per parcel" to "rezoning per application."

MOTION (Fagan) - to amend res. 15-9-1, calling it 2020-5-1, updating with discussed fee changes.

A resolution to adopt fees pursuant to the town of Springdale code of ordinances Title 9, Chapter 3.16 Administrative Fees. Rosenbaum seconded. 3 ayes, 0 nays, motion carried.

MIKE HEALY - TWO YEAR TERM TO PC. Term expired, willing to serve another 2 years.

MOTION (Fagan) to renew Mike Healy for another 2 year term to PC. Schwenn seconded.
3 ayes, 0 nays, motion carried.

POLICY ITEMS TB CAN APPROVE DURING PC MEETINGS. Fagan - important for simple revisions to be approved on the spot in joint meeting rather than delay until next meeting.

MOTION (Fagan) to allow Board to act during joint meeting of TB & PC, on the routine rezoning accompanying the creation of new lots, that due to the new acreage of the lot, a new zoning district must be applied. Rezoning requests from landowners because of land use changes would not be acted on at joint meetings. Revision of building envelopes and concept plan changes are also made actionable by TB at joint meetings. Rosenbaum seconded. 3 ayes, 0 nays, motion carried.

BUILDING INSPECTOR CONTRACT. Clerk (Susan) confirmed Tracy is renewing as-is. No fees raised.

MOTION (Fagan) to approve keeping Tracy Johnson as building inspector, renew for another two years. Schwenn seconded. 3 ayes, 0 nays, motion carried.

2020 RES-2020 AUTHORIZING A TAXATION DISTRICT TO WAIVE INTEREST AND PENALTIES ON PROPERTY TAX PAYMENT INSTALLMENTS DUE ON OR AFTER APRIL 1, 2020. Dane Co. already passed it, they collect for us and will make us whole in September, 1 month later than normal.

MOTION (Fagan) to adopt Res. 2020-5-2, for the Town of Springdale in the County of Dane, waiving interest and penalties on property tax payment installments due on or after April 1, 2020 and following the language provided by WTA boilerplate resolution published in the May guide. Rosenbaum seconded.
3 ayes, 0 nays, motion carried.

CALENDAR OF UPCOMING EVENTS:

- 5/19, Annual Town Electors Mtg., 7 p.m.
- 6/1, Plan Commission, 7 p.m.
- 8/11, partisan primary election
- 8/13, Open Book, 12 -7 p.m.
- 9/17, BOR, 4-6 p.m.
- 11/3, General Election

OATH OF OFFICE & BANK AUTHORIZATION FOR NEW CLERK.

MOTION (Fagan) to give Jacilyn Arthur bank authorization as new Town Administrator/Clerk, also the ability to sign checks and obtain a Visa card. Schwenn seconded. 3 ayes, 0 nays, motion carried.

CONTRACT MOWING AT OAK HILL CEMETERY. Email request from Carol Statz for twice per month trimming compensation for increase in headstones over the past 2 years. Last increase was two years ago from \$40-\$50. Fagan, increase to \$60/mow and include trimmings as necessary.

MOTION (Fagan) to add \$10 per mowing for service contract with Carol Statz to mow & trim. Ok to act outside of budget because it's a service contract. Rosenbaum seconded. 3 ayes, 0 nays, carried.

BILLS - TREASURER REPORT. Treasurer had not seen bills. Potential need to shift money if old truck sale comes up short; spending more for elections & admin than planned. Could move some public works to admin budget. Treasurer to talk with Patrolman on what could be shifted.

MOTION (Fagan) to approve payment of bills. Rosenbaum seconded. 3 ayes, 0 nays, motion carried.

ADJOURN

MOTION (Schwenn) to adjourn. Fagan seconded. 3 ayes, 0 nays, motion carried.