

DANE COUNTY ZONING & LAND REGULATION COMMITTEE

REMOTE MEETING APPLICANT REGISTRATION FORM

Applicants for a rezoning petition must fill out this form prior to participating in a remote meeting of the zoning committee.

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Please submit completed forms by email at your earliest convenience. Attach your completed form to an email and send to: lane.roger@countyofdane.com.

DATE of Meeting: 8/24/21

Your Name: Gonzalo Reina

Your Mailing Address: 898 Sherman Dr

Marshall, WI 53559

Your Phone #: 608-338-8070

Zoning Petition/CUP#: 11727 & 02527

Your Email Address: gonzaloreina@hotmail.com

Please check all appropriate boxes below to indicate your interest in addressing the ZLR Committee and, if applicable, your acceptance of any town and/or staff recommended conditions of approval on the proposal.

Wish to Speak in Support

I Understand and Accept the Recommended Conditions

Wish to Register in Support

I Do Not Understand and/or Accept the Recommended Conditions

Available for Information

Please use the space below to provide a brief summary of any comments, concerns, or observations you would like to share with the ZLR Committee regarding the proposal.

I will be in attendance to support and answer questions about our proposal.

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DATE of Meeting: 8/24/21

Your Name: Jennifer Reina

Your Mailing Address: 898 Sherman Dr

Marshall, WI 53559

Your Phone #: 608-843-3490

Zoning Petition/CUP#: 11727 & 02527

Your Email Address: jenniferlreina@gmail.com

Please check all appropriate boxes below to indicate your interest in addressing the ZLR Committee and, if applicable, your acceptance of any town and/or staff recommended conditions of approval on the proposal.

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DATE of Meeting: 8/24/21

Your Name: Patrick. Runde

Your Mailing Address: 18 Ethan Circle

Madison, WI 53719

Your Phone #: 608-848-1234

Zoning Petition/CUP#: 11728

Your Email Address: Uwphd73@aol.com

Please check all appropriate boxes below to indicate your interest in addressing the ZLR Committee and, if applicable, your acceptance of any town and/or staff recommended conditions of approval on the proposal.

Wish to Speak in Support

I Understand and Accept the Recommended Conditions

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Both parcels are part of a farm I bought in 1971. Over the years I have developed a number of lots including the lot owned by the Kutz family which is about 8.5 acres. They have lived in the house that my wife and I built in 1970 and have lived there for more than ten or so years. They have maintained it very carefully and have done the same for the entire acreage. About ten years ago we were in the process of adding this 6.37 parcel to their existing lot but they and I agreed t delay the request which is the same request before you now. This spring I asked if they wanted to pursue the annexation now. They eagerly said they would. The unpaved road up to their property is the only access to the top of the hill and they are interested in insuring their safety and privacy by removing any reason for others to us their private drive. Thus, this request. Thanks to our Town Board and your help in this matter.

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August 8, 2021

RE: Zoning Amendment 3.26 acres, Pleasant Springs,
Section 29. Petition 11729

To Whom It May Concern:

In 1968 we bought 3/4 acre of land on Williams Dr., it had an abandoned home on it which eventually we tore down and built a new home, at that time there were only 3 homes that we could see in the neighborhood, there was nothing but cornfields surrounding the backyard. I raised my three boys in the country in Pleasant Springs.

In 1979 Don Squire, the man that owned the farm next to me, developed the land behind my home, it was completed in 1993. Two of those lots I bought from Mr. Squire because I wanted to keep a little of the rural character for myself and my family. There is a total of 62 homes in Rolling Meadows Subdivision.

Before the subdivision we used to have many sandhill cranes, deer, fox, but of course since all the homes they now have just a small area left to live in, the small acreage in my backyard and the small acreage across the street. We can look out our front window and still see Mother deer and her two fawns and several sandhill cranes. But development of those two acres will cause our view of any rural area to disappear completely.

There are a few things I would like to point out before any decisions are made:

With respect to the Dane County Ordinances:

1. *SFR-08 is not appropriate for this neighborhood of medium to large rural lots.*

Dane County Ordinance, Title 2A Zoning, Chapter 10.250 states “10.250 RESIDENTIAL ZONING DISTRICTS.

10.251 SFR-08 (SINGLE-FAMILY RESIDENTIAL, SMALL LOTS) ZONING DISTRICT.

(1) Purpose. The SFR-08 Single-Family Residential 08 district is designed to:

*(a) **Provide for single-family residential principal uses, compatible home occupations, and residential accessory buildings, appropriate to a compact neighborhood setting, on relatively small parcels.** The SFR-08 district accommodates uses which are compatible with residential uses, are typically found in a suburban or residential neighborhood and may or may not be on public sewer.”*

(4) Lot dimension

(a) Lots on public sewer.

1. Minimum lot size. All lots must be at least 8,000 square feet in area, excluding public rights-of-way.

*2. Minimum lot width. **All lots must be at least 60 feet wide.***

(b) Lots not on public sewer.

1. Minimum lot size. All lots must be at least 20,000 square feet in area, excluding public rights-of-way.
2. Minimum lot width. **All lots must be at least 100 feet wide.**

For nearby lots on Williams drive, the approximate lot widths at the road are:

- 1979 Williams Drive: 159 ft lot width
- 1983 Williams Drive: 266 ft lot width
- 2001 Williams Drive: 250 ft lot width
- 2019 Williams Drive: 788 ft lot width
- 2038 Williams Drive: 665 ft lot width
- 2048 Williams Drive: 179 ft lot width
- 2069 Williams Drive 529 ft lot width (Lot to be split)
- 2072 Williams Drive: 129 ft lot width
- 2078 Williams Drive: 211 ft lot width
- 2088 Williams Drive: 176 ft lot width
- 2098 Williams Drive: 160 ft lot width

The neighboring lot widths on Williams drive do not support the notion that this is a compact neighborhood setting. Zoning of SFR-08 which allows small parcel lots 60 feet wide is not appropriate for Williams drive. Splitting the original lot into such small parcels would be out of place and be in opposition to the purpose of SFR-08 per 10.251 (1) (a).

With respect to the Town of Pleasant Springs Comprehensive plan:

1. Objective Page 50, #6 says “To require that replacement development is limited to a similar character and density to the existing development.” Rezoning a 3.27 acre RR2 parcel into multiple SFR-08 parcels increases the density and changes the character from the rural neighborhood setting along Williams Drive to a compact neighborhood setting.

2. Objective Page 50 #7 says that sewer should include all lots in Rolling Meadows Subdivision, before creating any more new lots like the 2 being proposed. The Land Use Plan calls for exploration for expansion of service to be made available to the existing residences west of the Yahara River in the vicinity of Williams Dr. including all lots in the Rolling Meadow Subdivision. How many homes are not sewerred?

3. Policies: Page 51 #8 and #9, Creating these two new lots for some more homes in an area that is already over run with homes, what will happen when all the people on Williams Dr. owning small acreage decide they want to subdivide their land and sell sewerred lots?

4. Objective Page 50 #4, suggests we discourage urban growth around the lake and river to avoid urban runoff . These three lots are adjacent to the 100 year floodplain and bordering some wetlands. The houses on these lots will have runoff and will decrease the water quality in the lake.

I am hoping that you will also consider the huge increase of congestion to the intersection of Williams Dr. and Rolling View Rd by adding two more driveways. When Rolling Meadows was finished in the early 90's the traffic increased so much, it was like living in town. Within the last two years we have doubled the traffic on Williams Dr. we are in a 35 mile speed limit area, but most times they are going anywhere from 45 to 70 miles an hour, and sometimes more, so bad we have called Dane Co. Police many, many times which I might add has never been dealt with. Probably will not be until a tragedy occurs.

Lastly on August 2, this year the two acres that is being considered by the Zoning Department and my two acres in back were cut by two farmers in the vicinity. We have been doing this for many years, so as not to waste the land. So we are keeping the rural character going in this area.

I thank you for your consideration

Sincerely

*Diana R. Olson
2048 Williams Dr.
Stoughton, WI 53589*

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DATE of Meeting: AUGUST 24th 2021

Your Name: DENNIS L. WILLIAMS

Your Mailing Address: 208 S. MADISON ST

Stoughton Wis. 53589

Your Phone #: 608-358-8104

Zoning Petition/CUP#: 11729

Your Email Address: Rappers1990@GMAIL.com

Please check all appropriate boxes below to indicate your interest in addressing the ZLR Committee and, if applicable, your acceptance of any town and/or staff recommended conditions of approval on the proposal.

Wish to Speak in Support

I Understand and Accept the Recommended Conditions

Wish to Register in Support

I Do Not Understand and/or Accept the Recommended Conditions

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[Empty box for comments]

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Your Name:

Your Mailing Address:

Your Phone #:

Zoning Petition/CUP#:

Your Email Address:

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- | | |
|---|---|
| <input type="checkbox"/> Wish to Speak in Support | <input type="checkbox"/> I Understand and Accept the Recommended Conditions |
| <input checked="" type="checkbox"/> Wish to Register in Support | <input type="checkbox"/> I Do Not Understand and/or Accept the Recommended Conditions |
| <input checked="" type="checkbox"/> Available for Information | |

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DATE of Meeting: 24 Aug 2021

Your Name: Dan Sarbacher & Lindsay Kruger

Your Mailing Address: 2313 Sugar River Rd.

Verona, WI 53593

Your Phone #: 314.503.6948

Zoning Petition/CUP#: 11731

Your Email Address: dansarbacher@gmail.com

Please check all appropriate boxes below to indicate your interest in addressing the ZLR Committee and, if applicable, your acceptance of any town and/or staff recommended conditions of approval on the proposal.

Wish to Speak in Support

I Understand and Accept the Recommended Conditions

Wish to Register in Support

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DATE of Meeting: 8/24/20

Your Name: David Quebbemann

Your Mailing Address: 1202 Thoroughbred Circle

Saint Charles, IL 60174

Your Phone #: 630-251-3928

Zoning Petition/CUP#: 02526

Your Email Address: quebbemann@comcast.net

Please check all appropriate boxes below to indicate your interest in addressing the ZLR Committee and, if applicable, your acceptance of any town and/or staff recommended conditions of approval on the proposal.

Wish to Speak in Support

I Understand and Accept the Recommended Conditions

Wish to Register in Support

I Do Not Understand and/or Accept the Recommended Conditions

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No concerns. I understand and accept the recommended conditions.

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Your Mailing Address: 898 Sherman Dr

Marshall, WI 53559

Your Phone #: 608-338-8070

Zoning Petition/CUP#: 11727 & 02527

Your Email Address: gonzaloreina@hotmail.com

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DATE of Meeting: 8/24/21

Your Name: Jennifer Reina

Your Mailing Address: 898 Sherman Dr

Marshall, WI 53559

Your Phone #: 608-843-3490

Zoning Petition/CUP#: 11727 & 02527

Your Email Address: jenniferlreina@gmail.com

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DATE of Meeting: 8/12/21

Your Name: Alexandru Muresan

Your Mailing Address: 304A. Surrey Ln.

Lake Forest, IL 60045

Your Phone #: 847-612-7833

Zoning Petition/CUP#: 02528

Your Email Address: amuresan3@yahoo.com

Please check all appropriate boxes below to indicate your interest in addressing the ZLR Committee and, if applicable, your acceptance of any town and/or staff recommended conditions of approval on the proposal.

Wish to Speak in Support

I Understand and Accept the Recommended Conditions

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I'm in agreement with, and would like to comply with the requirements presented. I would like to reiterate, that I was not aware of any past violations from 2011 as I was not the home owner at that time. As soon as I was informed that I needed a CUP I applied for the permits. Also, at that time I did not know that I was not allowed to rent the boat house. Again, as soon as I was informed that I cannot, I stopped, and I also removed all advertisement regarding the boathouse.

I want to make sure that the requirements listed are only for the CUP and not for changing the property deed.

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DATE of Meeting: 8/24/21

Your Name: Brad Tisch

Your Mailing Address: 175 Drammen Valley Road

Mount Horeb, WI 53572

Your Phone #: 608-523-1163

Zoning Petition/CUP#: DCCUP-2021-02529

Your Email Address: bltisch@yahoo.com

Please check all appropriate boxes below to indicate your interest in addressing the ZLR Committee and, if applicable, your acceptance of any town and/or staff recommended conditions of approval on the proposal.

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DATE of Meeting: 8/24/21

Your Name: Tom Mathies

Your Mailing Address: Town of Verona Supervisor

7669 CTH PD, Verona WI 53593

Your Phone #: 608-848-6082

Zoning Petition/CUP#: 2021 RPT-306 Report of A

Your Email Address: tmathies@town.verona.wi.us

Please check the appropriate box(es) below to indicate your position on the proposal.

Wish to Speak in Support

Wish to Speak in Opposition

Wish to Register in Support

Wish to Register in Opposition

Available for Information

Please use the space below to provide a brief summary of your comments and/or concerns regarding the proposal.

The salvage yards report does not adequately document conditions at salvage yards regarding a number of issues including compliance with stormwater regulations, operation within approved boundaries, and compliance with conditions of the conditional use permits – each of which has a role in protecting groundwater and surface water.

I ask that the ZLR Committee take action to ensure that the salvage yards report addresses these issues. I am concerned about the report. I am not speaking against individual salvage yards.

Comments on the Zoning Division 2021 Report on Salvage Yards

To: Dane County Zoning and Land Regulation Committee

From: Tom Mathies, Town of Verona Supervisor

Meeting Date: August 24, 2021

Summary

Salvage yards benefit communities by facilitating end-of-life recycling of vehicles and other items. However, there are potential health and safety impacts. For example, the Groundwater Element of the Dane County Water Quality Plan (2017) states:¹

Although groundwater quality problems have not been identified at many of these sites, leakage of hazardous materials from improperly managed junkyards and salvage yards can represent a pollution threat.

...

Active local and state oversight of hazardous materials at junkyards/salvage yards should be continued.

The Dane County Zoning Division has submitted this year's report on seven salvage yards² to be considered during the Zoning and Land Regulation Committee meeting on August 24, 2021.

The salvage yards report is part of the annual inspection of salvage yards provided by the Zoning Ordinance³ 10.103(17)(c)2, in part:

If, after such public hearing, the zoning committee finds that the premises are in conformity with the provisions of this ordinance, and that the site is suitable for the conduct of such business, the committee shall grant a license, and such license shall expire on July 1 of each year. Licenses may be renewed from year to year on authorization of the committee when inspection discloses that the business is being conducted in accordance with the provisions of this ordinance.

As documented below, the salvage yards report contains inaccuracies and omits significant information. This report is insufficient to make the determinations required by the Zoning Ordinance.

I urge the Committee to require the salvage yards report to document the following:

1. Compliance with State of Wisconsin regulations.
2. Salvage yard operations with respect to approved conditional use permit (CUP) boundaries.
3. Review of each condition in all applicable CUPs.

In addition, I urge the Committee to ensure the impartiality of the report as required by the Dane County Ethics Code.⁴ Currently the report relies on different standards for different salvage yards:

- Two sites are reported to have operations within approved limits. The report does not provide this information for the other five sites.
- The report documents the presence of a town official at one site but not for the other six sites.

The report does not provide rationales for these differences.

The Zoning Division is tasked with enforcing all conditions of all CUPs. Enforcement is typically complaint-driven. The annual inspection requirement indicates that responsibility for determining compliance with salvage yard CUPs lies with the inspectors.

These comments and any errors herein are my own. The salvage yards report has not been discussed by the Town of Verona board.

State Regulations

The Zoning Code requires compliance with State regulations, 10.003(4)(a):

Regardless of any other provision of this chapter, no land shall be developed or used, and no structure erected or maintained in violation of any State or Federal regulations.

The DNR requires industrial storm water discharge permits under NR 216 Subchapter II⁵ for:

Facilities involved in the recycling of materials such as metal scrap yards, battery reclaimers, salvage yards and automobile junk yards

And for:

Facilities with bulk storage piles for coal, metallic and non-metallic minerals and ores, and scrap not otherwise covered under this subchapter

I asked the DNR for information regarding storm water permits for the seven salvage yards. The DNR reported no permit information on these three salvage yards:

Dave Toothman – Town of Oregon
4365 Old Stone Rd, Oregon WI 53575
AccessDane: <https://accessdane.countyofdane.com/Parcel/Index/051020491602>

John Mullarkey – Town of Oregon
936 Glenway Rd, Oregon WI 53575
AccessDane: <https://accessdane.countyofdane.com/Parcel/Index/050915489250>

Thayer Every – Town of Dunkirk
298 State Hwy 138, Stoughton WI 53589
AccessDane: <https://accessdane.countyofdane.com/Parcel/Index/051130485950>

The DNR reported that three salvage yards participate in a cooperative compliance program (CCP). CCP participants are required to conduct monthly inspections and maintain

documentation of these inspections on site. CCP participants are required to submit annual compliance reports to the DNR. These three salvage yards are CCP participants:

Diehl Neumaier Co – Town of Vienna
5466 Norway Grove School Rd, DeForest WI 53532
AccessDane: <https://accessdane.countyofdane.com/Parcel/Index/090922297210>
Most recent annual report date: 01/31/2017

Mount Horeb Truck Parts Inc. – Town of Perry
665 Dead End Rd, Mount Horeb WI 53572
AccessDane: <https://accessdane.countyofdane.com/050624490015>
Most recent annual report date: 11/5/2018

Rowley's Garage Inc. – Town of Verona
1748 Spring Rose Rd, Verona WI 53593
AccessDane: <https://accessdane.countyofdane.com/Parcel/Index/060831385101>
Most recent annual report date: 10/2018

The DNR reported one salvage yard that does not participate in a CCP. A non-CCP site is required to maintain annual and quarterly compliance reports on site:

Cindy's Classic Auto Parts – Town of Christiana
300 Hwy 12 & 18, Cambridge WI 53523
AccessDane: <https://accessdane.countyofdane.com/061202195612>

There are additional state regulations. For example, the DNR has requirements for refrigerant recovery⁶ and WisDOT licenses salvage dealers.⁷

CUP Boundaries



This image is a 2020 aerial view of the salvage yard at 300 Hwy 12 & 18 in the Town of Christiana. The boundaries of CUP 915 are from the Dane County Planning Viewer.

From the conditions of CUP 915:⁸

- 1). The site shall be located in a 300' x 300' area in the Northeast corner of the M-1 zoned area.
- 2). The perimeter of the area shall be screened by an 8' high solid fence and also by trees of fast-growing varieties that will achieve a height of 20'. The trees shall be planted in 1991 along the outside of the fence on the East, South and West sides. The fence and tree screening shall be diligently maintained.
- 3). All salvage or recycling items shall be contained within the fenced salvage area. Stacking of motor vehicle or equipment bodies is not permitted.

It is evident from the aerial view that the site is not in compliance with these conditions. However, the salvage yards report states:

On June 28, 2021, I conducted a site inspection of the salvage yard. No change from last year with regards to the number of salvage items. Other non-running vehicles are parked in an orderly manner along USH 12/18.

The salvage yards report does not document the lack of an 8' high solid fence or the lack of tree screening. The salvage yards report does not identify the items stored to the east.

For the non-running vehicles along USH 12/18 the report does not mention the Zoning Code requirement in 10.102(8)(g)5:

Except as provided in s. 341.266(4), Wis. Stats., a motor vehicle that is inoperable or unlicensed is considered salvage or junk and shall only be stored in a licensed salvage recycling center.

(The exception relates to car collectors. In that situation screening is required.)

These comments about CUP 915 are meant to demonstrate the inadequacy of the salvage yards report and do not imply that this is the only salvage yard operating outside of approved boundaries. Aerial views raise similar questions about compliance at other salvage yards.

CUP Conditions

As an example of CUP conditions, consider CUP 2366⁹ for the salvage yard at 298 State Hwy 138 in the Town of Dunkirk.

Condition 1 of this CUP requires "A sufficient metal gate will be constructed and installed for security and unwanted intrusion." Such a gate is not visible on this Google Earth view from June 2020:¹⁰



Condition 5 requires that “All metal inventory to be on racks or supporting structures which may include roll off containers. No metal or inventory will be stored on the ground.” The 2020 salvage yards report¹¹ included photos of salvage yards. The 2020 photo for this salvage yard appears to show inventory stored on the ground:



Condition 7 requires “The make-up of salvaged recycling material will be approximately 99% metal.” The two images above show a school bus and other vehicles as well as tires.

The 2021 salvage yards report does not document if this site is in compliance with these and other conditions. Instead the report states:

On June 28, 2021, I conducted a site inspection of the salvage yard. Some vehicles and various types of metals, dumpsters are within the site.

Again, this example is meant to demonstrate the inadequacy of the salvage yards report. This is not intended to be a complete review of this site. Numerous questions can be raised about compliance with conditions at other salvage yards.

References

- 1 Groundwater Element of the Dane County Water Quality Plan (2017)
<https://lwr.d.countyofdane.com/documents/pdfs/Plans--Studies--Reports/Plans/DCWQP-AppendixG-3-31-17-Final.pdf>
- 2 2021 "Report of Annual Review Salvage Yards" <https://dane.legistar.com/LegislationDetail.aspx?ID=5073684&GUID=73A937A8-FD2A-4146-BE89-BA5C95CAE51F>
- 3 Dane County Zoning Ordinance <https://countyofdane.com/documents/pdf/ordinances/ch010-01-31-20.pdf>
- 4 Dane County Ethics Code <https://countyofdane.com/documents/pdf/ordinances/ord009.pdf>
- 5 NR 216 Subchapter II Industrial Storm Water Discharge Permits
https://docs.legis.wisconsin.gov/code/admin_code/nr/200/216/ii
- 6 Wisconsin DNR Refrigerant Recovery Program <https://dnr.wisconsin.gov/topic/AirQuality/Refrigerants.html>
- 7 WisDOT Salvage Dealers list <https://wisconsin.gov/Pages/dmv/dlr-agents/tips-tls-dlr/buyerslicissued.aspx>
- 8 CUP 915 <https://planning.countyofdane.com/Weblink8Planning/0/doc/155894/Page1.aspx>
- 9 CUP 2366 <https://dane.legistar.com/LegislationDetail.aspx?ID=2880621&GUID=8E6D17B2-434B-48E6-9DEB-836E571F7129>
- 10 June 2020 Google Earth view of the area for CUP 2366
<https://earth.google.com/web/search/298+State+Hwy+138,+Stoughton,+WI+53589/@42.86296528,-89.23989966,275.51239747a,135.44351682d,35y,10.58356762h,59.99979421t,360r/data=CigiJgokCXaHpSwqYDRAEXWHpSwqYDTAGayv-IVEvWRAIcwdkSa4B1fA>
- 11 2020 Salvage Yards Report <https://dane.legistar.com/View.ashx?M=F&ID=8666898&GUID=18A1E569-060A-43E5-8673-9327C5C5EFFF>