



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Tuesday, January 9, 2024

6:30 PM Virtual Meeting: See top of agenda for instructions on
how to join the Webinar or call in by phone.

See below for additional instructions on how to attend the meeting and provide public
testimony.

A. Call to Order

Chair DOOLAN called the January 9, 2024 Zoning and Land Regulation
Committee meeting to order at 6:30 PM.

Staff present: Violante, Holloway, Everson

Present 5 - JERRY BOLLIG, MICHELE DOOLAN, TIM KIEFER, KATE MCGINNITY, and
MELISSA RATCLIFF

B. Public comment for any item not listed on the agenda

No comments made by the public.

[2023](#) January 9, 2024 ZLR Registrants
[RPT-476](#)

Attachments: [January 9th ZLR registrations](#)

C. Consideration of Minutes

[2023](#) Minutes of the December 19, 2023 Zoning and Land Regulation
[MIN-440](#) Committee meeting

Attachments: [12-19-23 ZLR Public Hearing Minutes.pdf](#)

A motion was made by BOLLIG, seconded by MCGINNITY, to approve the
December 19, 2023 meeting minutes. The motion carried by the following vote:
4-0-1. Supervisor KIEFER abstained as he was not present on December 19th.

Ayes: 4 - BOLLIG, DOOLAN, MCGINNITY and RATCLIFF

Abstain: 1 - KIEFER

D. Public Hearing for Zoning Map Amendments, Conditional Use Permits, and Ordinance Amendments

E. Zoning Map Amendments and Conditional Use Permits from previous meetings

[02609](#)

PETITION: CUP 02609
APPLICANT: EQUIPMENTSHARECOM INC
LOCATION: EAST OF 3475 N STAR ROAD, SECTION 27, TOWN OF
COTTAGE GROVE
CUP DESCRIPTION: outdoor storage of materials and equipment

Attachments: [CUP 2609 Staff Update](#)
[CUP 2609 Town Action](#)
[CUP 2609 Comment Response Letter 12-21-2023](#)
[CUP 2609 Site Plans revised 12-20-2023](#)
[CUP 2609 Lighting Plans revised 12-20-2023](#)
[CUP 2609 Fencing Plans 12-20-2023](#)
[CUP 2609 Comment Response Letter to Zoning Staff 11-17-23](#)
[CUP 2609 Site Plan revised 11-17-23](#)
[CUP 2609 Lighting Plans revised 11-17-23](#)
[CUP 2609 Comment Response Letter to LWRD 11-17-23](#)
[CUP 2609 LWRD Prelim Review PRL 11-02-2023](#)
[CUP 2609 Site Landscaping Lighting Plans 11-02-2023](#)
[CUP 2609 CSM 16140](#)
[CUP 2609 COTTAGE GROVE MAP](#)
[CUP 2609 APP](#)

A motion was made by RATCLIFF, seconded by BOLLIG, to approve the CUP based on the findings of fact as noted in the staff report and it has been determined that the proposal meets the standards for obtaining a CUP, with the conditions as noted in the staff report. The motion carried by the following vote: 5-0.

Standard Conditions for all Conditional Use Permits

1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operation plan and phasing plan.
2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet current requirements of applicable sections of Wisconsin Commercial Building Code or Uniform Dwelling Code.
3. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the county zoning administrator upon request.
4. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the county zoning administrator upon request.
5. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46 Dane County Code.

6. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
7. Off-street parking and circulation must be provided, consistent with s. 10.102(8) of County Ordinances.
8. If Dane County Highway Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
9. The County Zoning Administrator or designee may enter the premises of operation in order to inspect those premises and to ascertain compliance with these conditions or investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
10. The owner must post, in a prominent public place and in a form approved by the county zoning administrator, a placard with the approval of the Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
11. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
12. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given reasonable opportunity to correct any violations prior to revocation.
13. If any use allowed by an approved conditional use permit is not commenced within one year of issuance of the permit or is abandoned for one year or more, the associated conditional use permit shall be terminated. Future re-establishment of an abandoned conditional use shall require approval of a new conditional use permit.

Conditions Unique to CUP 2609

14. All equipment to be stored in the transport (down) position.
15. The landowner is responsible for obtaining site plan approval per the Town's Chapter 12 Design Review process. Exterior lighting, landscaping, and screening shall comply with the Town of Cottage Grove Chapter 12 ordinance requirements.
16. A stormwater management plan shall be approved by Dane County Land and Water Resources Department within one year of CUP approval. Evidence of compliance with Dane County stormwater management regulations shall be required prior to development, including arrangements for ongoing maintenance of the regional stormwater facilities.
17. This CUP shall become effective only upon Rezone petition 11964 becoming effective to modify the current deed restriction.
18. The outdoor storage area shall be screened with a combination of fencing and landscaping, to the satisfaction of the Town of Cottage Grove.

Ayes: 5 - BOLLIG, DOOLAN, KIEFER, MCGINNITY and RATCLIFF

F. Plats and Certified Survey Maps

[2023 LD-009](#) Halcyon Trust - Certified Survey Map
Town of Middleton
Exception to the frontage requirement of section 75.19(6)(b)

Attachments: [Waiver Report](#)
[waiver](#)
[ENDRES CSM \(11-9-23\) 23W-365](#)

A motion was made by MCGINNITY, seconded by RATCLIFF, that the Land Division waiver be approved. The motion carried by the following vote: 5-0.

Finding of fact: Residential zoning on proposed Lot 2 is not allowed and will be used for the Ice Age Trail Alliance.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

[2023 LD-010](#) Nicholas Rivera - Certified Survey Map
Town of Oregon
Exception to the frontage requirement of section 75.19(6)(b)

Attachments: [conditions](#)
[230858-CSM11062023](#)
[CSM Referral Sheet](#)
[Shared Driveway Easement 12.11.23 \(1\)](#)
[23-17 Rivera](#)

A motion was made by BOLLIG, seconded by MCGINNITY, that the Certified Survey Map be approved to allow lot 2 to have no public road frontage. Access to lot 2 will be through a shared access easement that meets the requirements of Ch. 75.19(8). The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

G. Resolutions

[2023](#)
[RES-262](#) AMENDING CONTRACT 15213 BETWEEN AYRES ASSOCIATES
AND DANE COUNTY

Sponsors: COLLINS, DOOLAN and ENGELBERGER

Attachments: [2023 RES-262](#)
[2023 RES-262 FISCAL NOTE](#)
[2023 RES-262 CONTRACT #15213A](#)

In Support: Fred lausly
Opposed: None

A motion was made by RATCLIFF, seconded by MCGINNITY, that the resolution be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,DOOLAN,KIEFER,MCGINNITYandRATCLIFF

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

K. Other Business Authorized by Law

[2023](#)
[RPT-466](#) Swalheim Business Park - Preliminary Plat
Town of Cottage Grove
Discussion on land suitability concerns

Attachments: [Land Suitability](#)
[Swalheim Letter_01-03-24](#)
[acceptance](#)
[11960 CAL Notice](#)
[210194-Preliminary Plat 111523](#)
[Hydric Soils Map](#)

Staff provided an update on the status of the plat, since it was scheduled for this agenda and is still under review.

In Support: Chris Casson

L. Adjourn

A motion was made by BOLLIG, seconded by MCGINNITY, to adjourn the meeting at 7:25 PM. The motion carried by the following vote: 5-0. The motion carried unanimously.