

Dane County



Minutes

Tuesday, September 26, 2017

6:30 PM

City - County Building, ROOM 354

210 Martin Luther King Jr. Blvd., Madison
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Zoning & Land Regulation Committee

A. Call to Order

Chair Kolar called the meeting of the ZLR Committee to order at 6:30pm in Room 354 of the City-County Building.

Staff present: Everson, Lane, and Violante

Youth Governance Members present: Sam Fischer.

Present 5 - JERRY BOLLIG, MARY KOLAR, AL MATANO, PATRICK MILES, and DENNIS O'LOUGHLIN

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

No comments made by the public.

[2017](#)
[RPT-367](#)

September 26th registrants

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

[11180](#)

PETITION: REZONE 11180

APPLICANT: JDC PROPERTIES LLC

LOCATION: 263 RODNEY RD, SECTION 1, TOWN OF CHRISTIANA

CHANGE FROM: C-2 Commercial District TO C-2 Commercial District

REASON: modification to existing deed restrictions

In favor: Justin Spardin

Opposed: None

A motion was made by BOLLIG, seconded by O'LOUGHLIN, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

1) The existing deed restriction on the property shall be revised to reflect the following conditions: The land uses on the property shall be limited to metal working/engraving services and production, manufacturing, assembly, storage, distribution, display and sales of automotive diagnostic tools or other similar products; ancillary warehousing; and motor vehicle repair. Off-premise advertising signs shall be prohibited on the property.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11181](#)

PETITION: REZONE 11181

APPLICANT: SANDRA J HANSON

LOCATION: 1200 WASHINGTON RD, SECTION 7, TOWN OF ALBION

CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District, A-2 (1) Agriculture District TO A-2 (2) Agriculture District

REASON: shifting of property lines between adjacent land owners

In favor: Jason Carandante

Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11182

PETITION: REZONE 11182
APPLICANT: DAVID W SMITHBACK
LOCATION: SOUTH OF 2449 CENTER AVENUE, SECTION 21, TOWN OF PLEASANT SPRINGS
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District, A-1EX Agriculture District TO A-4 Agriculture District
REASON: creating one residential lot

In favor: Chris Miller

Opposed: None

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

- 1. A deed restriction shall be recorded on parcels 0611-164-9001-0, 0611-164-9526-0, 0611-211-8501-8, and 0611-211-8000-4 to prohibit residential development on the property zoned A-1EX Exclusive Agriculture and A-4 Agriculture. The housing density rights for this portion of the original farm have been exhausted.**
- 2. An agricultural access easement shall be recorded on the A-2 parcel to allow access to the fields to the east.**
- 3. Site plan approval shall be granted from the Town Board prior to the issuance of a zoning permit for a residence on the A-2 zoned lot.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11183

PETITION: REZONE 11183
APPLICANT: JOHN E CLICK
LOCATION: SOUTH OF 10434 LAWS DR, SECTION 28, TOWN OF MAZOMANIE
CHANGE FROM: RH-2 Rural Homes District TO A-4 Agriculture District
REASON: rezoning to an agricultural lot

A motion was made by MILES, seconded by MATANO, to suspend ZLR Committee rules to accept the Town Action Report. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

In favor: John Click

Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

- 1. A deed notice shall be recorded on the property which identifies that one housing density right is assigned to the property.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11184

PETITION: REZONE 11184
APPLICANT: LAUFENBERG REV TR, ANTHONY P & ALYCE J
LOCATION: 5516 BOX ELDER RD, SECTION 23, TOWN OF MEDINA
CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture District
REASON: separating existing farm residence from the farmland

In favor: Joyce Knapton
Opposed: None

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

1) A deed restriction shall be recorded on the property regarding the Town of Medina animal unit restrictions and the A-2(4) property shall be prohibited from further land divisions.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11185

PETITION: REZONE 11185
APPLICANT: SCOTT J WILSON
LOCATION: 2861 HENSHUE RD., SECTION 7, TOWN OF DUNN
CHANGE FROM: C-1 Commercial District TO RH-2 Rural Homes District
REASON: bringing parcel into zoning compliance prior to sale

In favor: None
Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

1. A notice document shall be recorded to terminate the deed restrictions on the property.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11186

PETITION: REZONE 11186
APPLICANT: KENNETH L PARIS
LOCATION: 5009 THORSON ROAD, SECTION 36, TOWN OF BURKE
CHANGE FROM: RH-2 Rural Homes District TO A-2 (4) Agriculture District
REASON: change zoning to allow for a limited family business (landscaping business)

In favor:

Mark and Aleacia Bursaw explained the proposed landscaping business activities. He stated that it is a small business with no winter activities. The normal work hours are from 7:30 to 5. The 5 business trucks will be parked inside. Evergreens will be planted to screen activity from neighbors. There will be no employees on-site during the day. Pam Venenga stated that the business appears to be a good fit in the neighborhood.

Opposed:

Abe O'Brien stated that the approval of this proposal will set a precedence in the neighborhood which may attract more commercial activity. Elina Walsh submitted a petition by neighbors opposing the project. There will be too much noise and the business will negatively affect property values. The business is too large for the scope of a limited family business.

A motion was made by BOLLIG, seconded by O'LOUGHLIN, that this Zoning Petition be postponed due to public opposition and to allow the petitioner time to see if the Town would be willing to reconsider their denial. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

CUP 02386

PETITION: CUP 02386
APPLICANT: KENNETH L PARIS
LOCATION: 5009 THORSON ROAD, SECTION 36, TOWN OF BURKE
CHANGE FROM: RH-2 Rural Homes District TO A-2 (4) Agriculture District
REASON: change zoning to allow for a limited family business (landscaping business)

A motion was made by MATANO, seconded by MILES, to take no action on the Conditional Use Permit. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11187

PETITION: REZONE 11187
APPLICANT: KEVIN BRONKHORST
LOCATION: 1858 MEADOW VIEW LANE & LANDS SE, SECTION 2, TOWN OF COTTAGE GROVE
CHANGE FROM: R-1 Residence District TO R-3 Residence District, A-1EX Agriculture District TO R-3 Residence District
REASON: zoning compliance for structures

In favor: Kevin Bronkhorst

Opposed: None

A motion was made by BOLLIG, seconded by O'LOUGHLIN, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11188

PETITION: REZONE 11188
APPLICANT: REGAS COMPANY LLC
LOCATION: 202-206 REGAS RD, SECTION 4, TOWN OF BLOOMING GROVE
CHANGE FROM: M-1 Industrial District TO C-2 Commercial District
REASON: zoning to allow cup for kennel

In favor: Judy Underwood

Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

CUP 02387

PETITION: CUP 02387
APPLICANT: REGAS COMPANY LLC
LOCATION: 202-206 REGAS RD, SECTION 4, TOWN OF BLOOMING GROVE
CHANGE FROM: M-1 Industrial District TO C-2 Commercial District
REASON: zoning to allow cup for kennel
CUP DESCRIPTION: KENNEL

In favor: Judy Underwood

Opposed: None

A motion was made by MILES, seconded by MATANO, that this Conditional Use Permit be approved with conditions and contingent upon Zoning Petition 11188 becoming effective. The motion carried by the following vote: 5-0.

- 1. The conditional use permit is for operation of a Dog Kennel, Boarding, and Training facility.**
- 2. Any outdoor dog runs shall be fenced.**
- 3. Kennel operation shall have weekly refuse service, with dog waste disposed of in accordance with any applicable state or local guidelines.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11189

PETITION: REZONE 11189
APPLICANT: BANKS TR, BARBARA A E
LOCATION: 1546 STARR SCHOOL RD, SECTION 1, TOWN OF RUTLAND
CHANGE FROM: C-2 Commercial District TO RH-1 Rural Homes District, C-2 Commercial District TO A-1EX Agriculture District, M-1 Industrial District TO RH-4 Rural Homes District
REASON: creating two residential lots

In favor: Ron Lestikow

Opposed: None

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11190](#)

PETITION: REZONE 11190
APPLICANT: RUTH A MURPHY
LOCATION: 1397 RAMSEY RD, SECTION 6, TOWN OF ALBION
CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District, A-1EX Agriculture District
TO RH-1 Rural Homes District
REASON: separating existing residence from farmland

In favor: Ruth Murphy

Opposed: None

**A motion was made by BOLLIG, seconded by O'LOUGHLIN, that this Zoning
Petition be recommended for approval. The motion carried by the following vote:
5-0.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11191](#)

PETITION: REZONE 11191
APPLICANT: EILEEN M STATZ
LOCATION: 4897 CARYA RD, SECTION 32, TOWN OF BERRY
CHANGE FROM: A-1EX Agriculture District TO A-2 (8) Agriculture District, A-1EX Agriculture
District TO A-2 Agriculture District
REASON: creating one residential lot

In favor: Eileen Statz

Opposed: None

**A motion was made by O'LOUGHLIN, seconded by MILES, that this Zoning
Petition be recommended for approval. The motion carried by the following vote:
5-0.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11192](#)

PETITION: REZONE 11192
APPLICANT: LEIN ACRES LLC
LOCATION: SECTION 26, TOWN OF CHRISTIANA
CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District, A-1EX Agriculture District
TO A-2 (2) Agriculture District
REASON: separating existing residence from farmland

In favor: Cindy Parme

Opposed: None

**A motion was made by O'LOUGHLIN, seconded by MATANO, that this Zoning
Petition be recommended for approval. The motion carried by the following vote:
5-0.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11193](#)

PETITION: REZONE 11193
APPLICANT: MARILYN S SCHMITZ
LOCATION: 3737 COUNTY HIGHWAY P, SECTION 27, TOWN OF CROSS PLAINS
CHANGE FROM: B-1 Local Business District TO R-1 Residence District, R-1 Residence District TO R-1 Residence District
REASON: shifting of property lines between adjacent land owners

In favor: Randy Larson
Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11194](#)

PETITION: REZONE 11194
APPLICANT: WISCONSIN FUEL LLC
LOCATION: 2763 COUNTY HIGHWAY N, SECTION 9, TOWN OF PLEASANT SPRINGS
CHANGE FROM: C-1 Commercial District TO C-2 Commercial District
REASON: expansion of an existing convenience store

In favor: Eric Drazkowski
Opposed: None

A motion was made by MATANO, seconded by MILES, that this Zoning Petition be postponed until 3 issues are resolved. The motion carried by the following vote: 5-0.

- 1) The landowner shall obtain a variance from the 75-foot wetland setback requirement.
- 2) Information shall be provided to show that the proposed on-site septic system (holding tank) will be allowed by the Dane County Health Department. Information shall be provided showing that the neighboring landowner will allow their existing on-site septic system to be removed from the septic easement area.
- 3) The landowner shall address the vehicular travel conflict on the west side of the building. The ingress and egress travel paths for tractor trailers conflict with the stacking queue area for the drive thru.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[CUP 02389](#)

PETITION: CUP 02389
APPLICANT: WISCONSIN FUEL LLC
LOCATION: 2763 COUNTY HIGHWAY N, SECTION 9, TOWN OF PLEASANT SPRINGS
CHANGE FROM: C-1 Commercial District TO C-2 Commercial District
REASON: expansion of an existing convenience store
CUP DESCRIPTION: DRIVE-IN ESTABLISHMENT

In favor: Eric Drazkowski
Opposed: None

A motion was made by MILES, seconded by MATANO, that this Conditional Use Permit be postponed. The motion carried by the following vote: 5-0

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11195

PETITION: REZONE 11195
APPLICANT: ALBION, TOWN OF
LOCATION: EAST OF TOWN HALL, 624 ALBION ROAD, SECTION 22, TOWN OF ALBION
CHANGE FROM: A-2 (2) Agriculture District TO C-2 Commercial District
REASON: accommodate concrete business and storage units

In favor: Robert Venske and Gary Tellefson

Opposed: None

A motion was made by BOLLIG, seconded by MILES, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

1. A deed restriction shall be recorded on the property with the following limitations: Limit the commercial uses exclusively to a concrete contracting business and mini-warehouses. Limit hours of operation of the concrete business to 6am to 9pm. Limit hours of operation of mini-warehouse business to 6am-10pm. Mini-warehouses shall be for storage of personal items only and not for business or commercial storage uses. Any outdoor storage of equipment or materials shall be behind existing buildings or otherwise screened from view of adjoining properties. Prohibit installation of off premises advertising (billboard) signs.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

CUP 02388

PETITION: CUP 02388

APPLICANT: CHRISTINE Z BORCHERS

LOCATION: REINER ROAD JUST SOUTH OF BURKE INTERSECTION, SECTION 26, TOWN OF BURKE

CUP DESCRIPTION: dumping of clean fill.

In favor: Paul Johnson

Opposed: None

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Conditional Use Permit be approved with 20 conditions. The motion carried by the following vote: 5-0.

- 1) The applicant shall submit an erosion control plan covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing filling operations.
- 2) The applicant shall apply for and receive all other required local, state and federal permits.
- 3) The operator shall develop and operate the site according to the proposed site operations plan.
- 4) Operations shall cease no later ten (10) years from the date of the CUP approval.
- 5) Only clean filled is allowed. Hazardous material, garbage, etc. is prohibited.
- 6) Reclamation shall be completed as required by Chapter 74 of the DCCO and NR135.
- 7) All driveways shall be paved a minimum of 100 feet from road. "Paved" can include recycled asphalt applied over graveled drive. The operator shall maintain the driveway in a dust free manner in accordance with local, state, and federal regulations, and shall clean any dust or mud tracked onto public roads.
- 8) The operator and all haulers shall access the CUP site through the existing access points on the site.
- 9) The access to the driveways shall have gates securely locked when the site is not in operation. The site shall be signed "NO TRESPASSING."
- 10) There shall be no blasting or further excavation of sand or gravel on this site.
- 11) Hours of operation shall be as follows:
 - a. Operations may occur at 6:00 am through 7:00 pm Monday through Friday.
 - b. Saturday operations may occur from 6:00 am through 12:00 pm.
 - c. No operations shall take place on Sundays or legal holidays.
- 12) There shall be a safety fence around the entire area at all times. This fence shall be comprised of a basic farm fence with posts and "NO TRESPASSING" signs at regular intervals of at least 100 ft. around the entire perimeter of the anticipated disturbed area.
- 13) The operator shall spray the site with water if and when needed to control dust.
- 14) There shall be no bulk storage fuel tanks on site. The operator may only bring in temporary bulk fuel tanks on site during fill placement operations.
- 15) All equipment and vehicles shall be fueled, stored, serviced, and repaired on lands three (3) feet above highest water table elevation to prevent against groundwater contamination from leaks or spills.
- 16) The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed current industry standards for noise abatement.
- 17) The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076.

18) Dane County and the Town of Burke shall be listed as additional named insureds on the operator's liability insurance policy, which shall be for a minimum of \$1,000,000 combined single limit coverage per occurrence. The operator shall furnish a copy of a Certificate of Insurance as evidence of coverage before operations may commence. The liability insurance policy shall remain in effect until reclamation is complete. Copies of appropriate insurance policies shall be filed with the Town of Burke.

19) The zoning administrator or designee may enter the premises of the operation to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. If the operation is not in reasonable compliance with the terms of this approval, such approval is subject to amendment or revocation.

20) An annual road maintenance fee in the amount of \$2,000 shall be paid to the Town of Burke.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

CUP 02390

PETITION: CUP 02390

APPLICANT: BETTY J STIVARIUS

LOCATION: 460' SOUTHWEST OF 2349 SPRING ROSE RD, SECTION 24, TOWN OF SPRINGDALE

CUP DESCRIPTION: 135' monopole communication tower

In favor: Nathan Ward

Opposed:

Adrian Smith stated that the tower will be less than 300 feet from his house. He is concerned that the proposed tower will have a negative effect on the orderly development of the surrounding property and that he has concerns that the radio waves will have a negative effect on his family's health.

Theodore and Diane Smith stated that the proposed location of the tower is too close to residences. The tower will impare the enjoyment of his property.

John and Zimmer stated that the tower should be moved towards Highway 151. The tower will impact her livelihood.

A motion was made by MILES, seconded by MATANO, that this Conditional Use Permit be postponed until town action is received. The Committee accepts the waiver of the 90-day decision requirement from the applicant. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

CUP 02391

PETITION: CUP 02391

APPLICANT: L&G INVESTMENTS LLC **Petition Withdrawn by Applicant**

LOCATION: 715' SOUTH OF INTERSECTION OF BRONNER RD & AIRPORT RD, SECTION 5, TOWN OF MIDDLETON

CUP DESCRIPTION: 150' monopole communication tower

Petition withdrawn by applicant

The conditional use permit application was withdrawn by the applicant. No action taken by the Committee.

CUP 02392

PETITION: CUP 02392
APPLICANT: ALBION, TOWN OF
LOCATION: 597 ACADEMY DRIVE, SECTION 21, TOWN OF ALBION
CUP DESCRIPTION: governmental use

In favor: Robert Venske

Opposed: None

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Conditional Use Permit be approved with 1 condition. The motion carried by the following vote: 5-0.

1. This Conditional Use Permit is for governmental uses, including but not limited to, public works facilities, and indoor and outdoor storage of materials, vehicles, and equipment.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

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

CUP 02385

PETITION: CUP 02385

APPLICANT: SUN PRAIRIE CONCRETE INC

LOCATION: 5067 REINER ROAD, SECTION 26, TOWN OF BURKE

CUP DESCRIPTION: dumping of clean fill

A motion was made by MILES, seconded by MATANO, that this Conditional Use Permit be approved with 20 conditions with condition #4 reading, "10 years".

The motion carried by the following vote: 5-0.

- 1. The applicant shall submit an erosion control plan covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing filling operations.**
- 2. The applicant shall apply for and receive all other required local, state and federal permits.**
- 3. The operator shall develop and operate the site according to the proposed site operations plan.**
- 4. Operations shall cease no later ten (10) years from the date of the CUP approval.**
- 5. Only clean filled is allowed. Hazardous material, garbage, etc. is prohibited.**
- 6. Reclamation shall be completed as required by Chapter 74 of the DCCO and NR135.**
- 7. All driveways shall be paved a minimum of 100 feet from road. "Paved" can include recycled asphalt applied over graveled drive. The operator shall maintain the driveway in a dust free manner in accordance with local, state, and federal regulations, and shall clean any dust or mud tracked onto public roads.**
- 8. The operator and all haulers shall access the CUP site through the existing access points on the site.**
- 9. The access to the driveways shall have gates securely locked when the site is not in operation. The site shall be signed "NO TRESPASSING."**
- 10. There shall be no blasting or further excavation of sand or gravel on this site.**
- 11. Hours of operation shall be as follows:**
 - a. Operations may occur at 6:00 am through 7:00 pm Monday through Friday.**
 - b. Saturday operations may occur from 6:00 am through 12:00 pm.**
 - c.. No operations shall take place on Sundays or legal holidays.**
- 12. There shall be a safety fence around the entire area at all times. This fence shall be comprised of a basic farm fence with posts and "NO TRESPASSING" signs at regular intervals of at least 100 ft. around the entire perimeter of the anticipated disturbed area.**
- 13. The operator shall spray the site with water if and when needed to control dust.**
- 14. There shall be no bulk storage fuel tanks on site. The operator may only bring in temporary bulk fuel tanks on site during fill placement operations.**
- 15. All equipment and vehicles shall be fueled, stored, serviced, and repaired on lands three (3) feet above highest water table elevation to prevent against groundwater contamination from leaks or spills.**
- 16. The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed current industry standards for noise abatement.**
- 17. The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076.**
- 18. Dane County and the Town of Burke shall be listed as additional named insureds on the operator's liability insurance policy, which shall be for a minimum of \$1,000,000 combined single limit coverage per occurrence. The operator shall furnish a copy of a Certificate of Insurance as evidence of**

coverage before operations may commence. The liability insurance policy shall remain in effect until reclamation is complete. Copies of appropriate insurance policies shall be filed with the Town of Burke.

19. The zoning administrator or designee may enter the premises of the operation to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. If the operation is not in reasonable compliance with the terms of this approval, such approval is subject to amendment or revocation.

20. An annual road maintenance fee in the amount of \$2,000 shall be paid to the Town of Burke.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

E. Plats and Certified Survey Maps

[2017 LD-018](#) Preliminary Plat - Cherry Wood Ridge
Town of Middleton
Acceptance and schedule for future consideration.

No action taken.

[2017 LD-030](#) Final Plat - Maple Ridge
Village of Mount Horeb
Staff recommends a certification of non-objection.

A motion was made by BOLLIG, seconded by MILES, to certify the final plat with no objections. Motion carried by a voice vote, 5-0.

[2017 LD-031](#) Preliminary Plat - Tumbledown Farm
Town of Middleton
Staff recommends acceptance and schedule for future consideration.

A motion was made by MILES, seconded by MATANO, to accept the preliminary plat and schedule for future consideration. Motion carried by a voice vote, 5-0.

[2017 LD-032](#) Final Plat - Spruce Valley
Town of Middleton
Consideration of the 3/14/2017 conditional approval and execution of the plat document pursuant to established Committee policy.

A motion was made by BOLLIG, seconded by O'LOUGHLIN, to find that the final plat be signed as the conditional approval from 3/14/2017 has been met. The motion carried by a voice vote, 5-0. Chair KOLAR signed the plat.

2017 LD-033 Land Division Variance - Manhart Certified Survey Map
Town of Burke

Additional lands dedicated from centerline as per Dane County Highway.

A motion was made by O'LOUGHLIN, seconded by MATANO, to approve the land division waiver to allow the 2-lot Certified Survey Map to dedicate 33' to the public for highway purposes along CTH CV, not the 60' as being requested by the Dane County Highway department. Motion carried by a voice vote, 5-0.

2017 LD-034 Final Plat - Wellington Trace
Town of Bristol

Staff recommends a conditional approval.

A motion was made by BOLLIG, seconded by O'LOUGHLIN, to approve the final plat subject to the following conditions:

1. Compliance with the Dane County Comprehensive Plan is to be established.
2. The public park land appropriation requirement is to be satisfied (private park land does not satisfy this requirement).
3. All public land dedications are to be clearly designated "dedicated to the public."
4. Proposed street names are to be reviewed with respect to Ch. 76 of the DCCO.
5. Utility easements are to be provided.
6. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Dane County Highway Commission and the Town of Bristol.
7. The required approval certificates are to be satisfied.
 - Town of Bristol
 - City of Sun Prairie has waived their ETJ authority within this area.
 - Dane County
8. The town approval certificate shall include language accepting the public road dedications.
9. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established.
 - Approvals must be attained from the Dane County Land & Water Resources office prior to any land disturbance activities.
10. Compliance with Ch. 14.46 DCCO, Stormwater Control Permits is to be established.
 - A stormwater permit is required and new development standards must be met.
11. All basement foundations shall be at least two feet above the highest ground water elevation.
12. A Dane County approval certificate shall be added and properly reference the chair of the Zoning & Land Regulation Committee as Mary Kolar.

[2017 LD-035](#) Final Plat - The Community of Bishops Bay, The Prairie & The Farm - Phase 5
Town of Westport
Staff recommends conditional approval

A motion was made by MILES, seconded by MATANO, to approve the final plat subject to the following conditions:

1. Compliance with the Dane County Comprehensive Plan is to be established.
2. Several lots and street layouts do not meet the design standards requirements set forth within Ch. 75.19. This proposal falls under the City of Middleton Planned Unit Development.
 - Waiver was approved on June 27, 2017 by the ZLR Committee regarding Ch. 75.19(7).
3. The public park land appropriation requirement is to be satisfied.
4. Comments from the Dane County Highway department are to be satisfied:
 - CTH M is a controlled access highway.
 - Bishops Bay Parkway to be constructed as per plans approved by Highway Department. Preliminary plans have been submitted and reviewed. Intersection includes divided roadway to develop left turn lane, right turn lane and bike facilities.
 - 80 foot total right of way to be dedicated for highway purposes.
5. Street names with respect to Ch. 76 of the Dane County Code of Ordinances are to be assigned.
6. Utility easements are to be provided.
7. Grading and surfacing. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Dane County Highway Commission and the Town of Westport.
8. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established.
 - Approvals must be attained from the Dane County Land & Water Resources office prior to any land disturbance activities.
9. Compliance with Ch. 14.46 DCCO, Stormwater Control Permits is to be established.
 - Outlot 29, 4.5 acres, dedicated to the public for stormwater management. A stormwater permit is required and new development standards must be met.
10. The required approval certificates are to be satisfied.
 - Town of Westport
 - City of Middleton
 - Dane County

[2017 LD-036](#) Final Plat - Nature's Cove
Town of Middleton
Consideration of the 10/27/2015 conditional approval and execution of the plat document pursuant to established Committee policy.

A motion was made by O'LOUGHLIN, seconded by MATANO, to find that the final plat be signed as the conditional approval from 10/27/2015 has been met. The motion carried by a voice vote, 5-0. Chair KOLAR signed the plat

F. Resolutions

G. Ordinance Amendment

H. Items Requiring Committee Action

I. Reports to Committee

[2017](#) Approved Certified Survey Maps
[RPT-344](#)

No comments made by the Committee.

J. Other Business Authorized by Law

K. Adjourn

A motion was made by MILES, seconded by O'LOUGHLIN, to adjourn the September 26, 2017 Zoning and Land Regulation Committee meeting at 9:00pm. The motion carried unanimously.

Questions? Contact Roger Lane, Planning and Development Department, 266-4266, lane.roger@countyofdane.com