

TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # DCPREZ-2018-11342

Dane County Zoning & Land Regulation Committee Public Hearing Date 9-17-2018

Whereas, the Town Board of the Town of Montrose having considered said zoning petition, be it therefore resolved that said petition is hereby (check one): Approved Denied Postponed

Town Planning Commission Vote: 3X in favor 0 opposed 1 abstained

Town Board Vote: 3 in favor 0 opposed 0 abstained

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 9/5, 2018.

Town Clerk Julie Bigler Date: 9-6, 2018.

Town of Montrose
Regular Board Meeting Minutes
1341 Diane Ave., Belleville WI 53508
Tuesday, September 4, 2018

Meeting was called to order by Roger Hodel at 7:00 p.m.

Clerk stated for the record that meeting was posted according to Open Meeting Laws.

Present: Chair Roger Hodel, Supervisors Randy Francois and Dan Palmer, Treasurer Melissa Salisbury, and Clerk Julie Bigler

Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to approve August 7, 2018 minutes as read and corrected. Motion carried. *Correction made on page 2, paragraph 2-Corrected the name to Jim Pulvermacher instead of Mike and corrected the sentence in same paragraph from Nature Conservancy to joining Dane County Towns Association (DCTA). Page 2, Paragraph 3 crossed out the two words an extra out of the motion*

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to approve August 2018 Treasurers Report as read and corrected. Motion carried. *The amount for the 2013 tractor/mower payment should be \$5,295.08 instead of \$5,224.32 because this will be the final payment and treasurer did not receive the payoff amount until after report was printed.*

Announcements: Roger Hodel will contact the person who called regarding putting a wheeled trailer on the Mittenthal property to let her know a trailer will not be allowed. Roger talked with Junior Eichelkraut who will take the Land Use Chairperson position if Tim Schmitt will agree to be Land Use Vice Chair. Appointing both positions will be put on the October agenda. The November 6th Board meeting will be moved to November 14th in conjunction with the Budget Hearing. The date was changed due to the expected large turnout for November General Election on November 6th. The office and meeting room deadbolts and locks will be replaced. Budget Workshop will be held on October 13th.

Jim Pulvermacher with Dane County Towns Association (DCTA) presented information to the board regarding Act 67 which affects Conditional Use Permits and to ask if the town would like to join DCTA. No action was taken at this time.

Committee Reports: Tim Schmitt reported the Doerfer rezone request, which was requested by Steve Forrer, was withdrawn. The Land Use Committee recommends approval on the rezone request by Tom and Vicki Sarbacker. There were three non agenda items presented to the August 27, 2018 Land Use Committee. First, Debbie Meyer wants to bring Mike Meister's property at 7066 Gaffney Road into compliance. The committee recommend to Ms. Meyer to submit a township rezone request to Land Use Committee. Second, Steve Berkley asked if the

town might consider waiving the road frontage requirements for new parcels. Third, Jenny Corey-Heinrich and Walter Heinrich asked about swapping land and reconfiguring lot lines with their neighbors.

Nothing on Conversion of a Section of State Highway 69 into a Town Road

Request by Doerfer Brother Inc. John & Gary Doerfer to Rezone of 6.98 Acres, Parcel Number 0508-013-8750-0, Creating One Residential Lot. Dane County Rezone Petition DCPREZ-2018-11338 was withdrawn. No action taken by Land Use Committee at August 27, 2018 Meeting.

Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to approve request by Thomas & Vicki Sarbacker to Rezone 2.1 Acres, Parcel Number 0508-031-9600-3 from A-1Ex Exclusive Ag District to A-2(2) Agriculture District, Creating One Residential Lot. Dane County Rezone Petition DCPREZ-2018-11342. This will use up the last of the splits. Motion carried.

Motion made by Randy Francois, seconded by Dan Palmer, and made unanimous by Roger Hodel to approve Operator Licenses for Ryleigh Carson Peterson and Sarah Ann Hardyman. Contingent Upon Receiving All Necessary Paperwork and Fees Paid. Motion Carried.

Discussion held on the damages to the Town Hall from the rental on July 20 and 21, 2018. Original amount owed for damages was \$820.00. **Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to reduce the amount owed to Town Hall for damages to \$660.00. To be paid by September 28, 2018. Motion carried.**

Julie Bigler requested Closed Session be held in Open Session and discussion be held in open session. Discussion held between the Town Board and Julie Bigler on Wisconsin Retirement/Employee Trust Funds. Discussion held and item will be tabled for latter discussion.

Public Input: Marie Salisbury would like to have her trees replaced. She will bring the Town Board more information. Carol Larsen wants to donate a bench to Paoli Park in memory of Dave Schultz. Dan Palmer and Roger Hodel will talk with Patrolman Mark Mussehl and get back to Carol with information.

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to adjourn September 7, 2018 Regular Board Meeting at 8:38 p.m. Motion carried.

Respectfully Submitted,
Julie L. Bigler, Town Clerk

**Town of Montrose Land Use Committee
August 27, 2018 Meeting Report**

All Present: Deb Brucaya, Junior Eichelkraut, Jerome Gobel, Tom Sarbacker, Tim Schmitt
Minutes are not official until approved by land use committee (LUC) members.

Tom moved and Junior seconded to approve as read the minutes of the June 25, 2018 land use committee meeting. Motion carried unanimously.

The first agenda item, a request by realtor Steve Forrer, prospective buyer of land owned by the Doerfer Brothers, Inc., to rezone land along Sun Valley Parkway at Sayles Trail in Section 1, was dismissed when the applicant withdrew his request in light of the fact that there was no split available to create a new residential parcel. Prior landowner Max Kneebone had used the only split available on this parcel in 2000 when the original farmhouse was separated. **No action was needed or taken.**

The second agenda item was Tom and Vicki Sarbacker's request to rezone 2.1 acres of A-1 Exc. land at the far north end of their farm to A-2 (2) to create a home lot fronting on Range Trail Road. Records show the original Duppler Farm was 163 acres resulting in four splits. Vernon Duppler used the first split in the late 1970s, the second was approved by the LUC on September 24, 2012, and a third was approved by the LUC on November 26, 2012. It appears that approval of this request would exhaust all available splits on this land. A small amount of additional acreage may be needed after the land is evaluated for a septic system. There was minimal discussion. **Jerome moved and Deb seconded to recommend town board approval of Tom and Vicki Sarbacker's request to rezone 2.1 acres of A-1 Exc. land in Section 3 along Range Trail Road to A2 (2) to create a residential lot. Tom Sarbacker abstained from the vote. All other committee members voted to approve this request.**

There were no other agenda items. Three items were presented to committee members under public input, meaning there was no public notice of these topics and no decisions were made.

First, Debbie Meyer wants to bring Mike Meister's property at 7066 Gaffney Road into compliance with town and county regulations so the property can be sold. She explained that Mike, now deceased, owned Nine Mounds Excavating in Verona but conducted some business out of his Gaffney Road location where he built on a small lot a 60' x 80' shed for some of his equipment without a permit to do so. A house appears to be on a separate small lot zoned A-1 Exc., making it a substandard parcel. The combined acreage of the two lots is approximately 2.7 acres. Ms. Meyer, at the county's suggestion, asked the township what can be done to remedy these problems; might limited commercial zoning with a CUP for the house work? Ms. Meyer was told to submit a township rezone request so the LUC can formally review the facts and consider all options before making a recommendation to the town board, hopefully at the next LUC meeting. She was told to provide the shed's height so the LUC can evaluate which zoning category best fits this situation.

Second, Steve Berkley asked whether the town might consider waiving the road frontage requirement for new parcels. Steve owns the old Pabst Creamery building that currently houses, among other activities, Abel Galleries, formerly the Wisconsin Artisan Gallery, as well as land along the Sugar River north of the building. He continues to pursue solutions for the use of his land that would preserve the rural nature of Paoli Hamlet, before selling his property. Committee member Junior Eichelkraut offered to make calls and generally research options for this location.

Third, Jenny Corey-Heinrich and Walter Heinrich asked about swapping land and reconfiguring lot lines with their neighbor, Jesse Kneebone, along Sun Valley Parkway at Sayles Trail. A CSM may be required but no zoning changes appear to be needed. These town residents were referred to the county for additional guidance.

The meeting adjourned after unanimous approval of Deb's motion and Junior's second to do so.

Submitted by: Deborah A. Brucaya, Recording Secretary, Town of Montrose Land Use Committee

Eileen Berkley: 608-215-7763

Steve Berkley: 608-630-6375