

## Violante, Todd

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**From:** Lane, Roger  
**Sent:** Tuesday, June 28, 2016 2:51 PM  
**To:** Violante, Todd  
**Subject:** Fw: Petition: Rezone 10992 (Meeting on 6/28/16 at 6:30pm)

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**From:** Williams, Danielle  
**Sent:** Tuesday, June 28, 2016 8:11:03 AM  
**To:** johneloeffler@charter.net  
**Subject:** Re: Petition: Rezone 10992 (Meeting on 6/28/16 at 6:30pm)

Good morning Mr. Loeffler,

Thank you for reaching out to me regarding your concerns about this petition. I appreciate hearing from you on this issue.

While I do not serve on the zoning committee, I am happy to pass along your email to committee members so that they can review your comments ahead of tonight's meeting. The best advice I can give is what you are already doing - attend tonight's meeting and provide your testimony. I have a conflicting meeting this evening, but plan to attend at least part of the hearing.

Again, thank you for writing. I look forward to meeting you tonight.

Sincerely,

Danielle Williams  
Dane County Supervisor - District 36

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**From:** johneloeffler@charter.net <johneloeffler@charter.net>  
**Sent:** Tuesday, June 28, 2016 12:06 AM  
**To:** Williams, Danielle  
**Cc:** 'rschumal@charter.net'; 'johneloeffler@charter.net'  
**Subject:** Petition: Rezone 10992 (Meeting on 6/28/16 at 6:30pm)

Dear Supervisor Williams--

My name is John Loeffler and I live at 2574 Hupmobile Drive in the Town of Cottage Grove. The purpose of this message is to address several concerns with the proposed re-zoning of this property, in addition to the "coincidental" events that have occurred since the waiver of the EPA from the Village of Cottage Grove.

I'd first like to highlight that I moved to the Town in August 2015 as I was very much attracted to the rural area that promised more space for my growing family. I have 4 children at varying age ranges and having a larger yard versus what we previously had was something very important to our family. Furthermore, the school district was a must as my two oldest children were already attending the district while we had lived in Madison. It seems this area really had everything we were looking for.

Prior to the Town Planning Commission meeting scheduled for 4/27/16, many neighbors received notification of this particular meeting as it pertained to the plot of land directly behind/adjacent to us. While I appreciated the opportunity to review this prior to the meeting, I was personally surprised that a subdivision was being considered. That being said, I found myself in attendance of this meeting with several of my fellow neighbors.

The proposed subdivision included 16 lots which were roughly 1/4 acre smaller than the majority of the neighborhood lots. As many neighbors voiced concerns over the increase in traffic, water drainage issues, potential decrease in property values, etc., I felt it necessary to speak my concerns as well. I did agree with all that was said and even commented that I was surprised a subdivision was being added altogether and I was met by a committee member stating that I should have done more research prior to moving to the town. As offended as I was, I can only thank him now because that is exactly what I have done - more research.

I feel it's important to address these concerns with you as I honestly feel there has been a **severe undue process** by both the majority of the Town of Cottage Grove Planning Commission in addition to "key" members of the Town of Cottage Grove Board. Below is a chain of events that have led to my concerns and ultimately why I strongly urge the ZLR Committee to suspend the moving forward with this approval until we get some answers:

- 1) 3/3/16: Village of Cottage Grove Planning Commission agenda states there will be a discussion and consideration request from the Town to approve 'Resolution 2016-03: Approval of a waiver of ETA Jurisdiction for Subdivision Area in the Town of Cottage Grove'. There were no minutes provided to the public regarding such meeting
- 2) 3/21/16: Village Board meets to discuss and consider recommendations from the Village Planning Commission to approve the waiver of the ETA. Town of Cottage Grove Chairman, Kris Hampton, was present to "answer any questions". Kyle Broom, a voting member on the Village Board, noted that the board had previously talked about having joint meetings between the Town and Village. A motion was made to approve the waiver and motion carried 4-0.
- 3) 4/27/16: Town Planning Commission discussed the subdivision which was originally proposed to include 16 lots. Anders (also a Town Board Member) and Kurt directed the developers to come back with a concept plan and drawing not to exceed 11 lots based on the discussion of the committee and the hearing the concerns of the neighbors. Matter was to be tabled with a motion made and approved 7-0. Kyle Broom was in attendance of this meeting as he was representing Mr. Viney in his professional capacity as a Realtor.
- 4) 5/2/16: Town of Cottage Grove Board meeting that I attended from beginning until all members left the building. Another property owned by Donald Viney was on the agenda and Board Member DuPlayee asked if this was the "one with all the issues". He was answered by Mr. Hampton stating that was a different issue. No further conversation took place regarding this property in question.
- 5) 5/16/16: Town of Cottage Grove Board meeting took place. There was no discussion recorded on minutes that any dialogue occurred around Subdivision 2016-03. Minutes did not reveal any closed session.
- 6) 5/25/16: Town of Cottage Grove Planning Commission Meeting - appears that Anders was replaced by DuPlayee on committee. Developers were back and were allowed to present a proposed 15 lot plan, not 11 as originally approved with a 7-0 vote. Broom was again present and he and DuPlayee have heated exchange

around school capacities and taxes. Neighbors speak up about other issues and DuPlayee remarks that he's heard all the concerns at the last board meeting - there was no mention of this in the last board minutes (was a quorum held that wasn't publicized???) A motion is made for the developers to come back with 11 lot plan as originally discussed and motion fails with Hampton, DuPlayee and Larson opposing. Discussion ultimately results in the original motion of 11 lots be relinquished and motion to move forward with 15 lots plan but wanted to see more detail regarding septic and house sizes on proposed lots. Motion eventually carries with 7-0 vote.

7) 6/6/16: Town of Cottage Grove Board Meeting. Agenda reads that there was to be a discussion and consideration with updating the subdivision ordinance. Just prior to this particular item on the agenda, Anders "steps away briefly". A motion is made and approved with a vote of 4-0, Anders would have been a 5th vote so it's evident Anders wasn't present for the motion or vote.

8) 6/20/16: Town of Cottage Grove Board Meeting. Agenda item listed to have a discussion around Residential Development Review Process - Plan/Commission/Board Roles, Concept Plans, Plat Approval Process, Land Use, etc... Anders not present for this meeting

9) 6/22/16: Town of Cottage Grove Planning Commission Meeting. Neighbors again speak concerns about water drainage, traffic, lot sizes, etc. Idea brought up about reversing cul-de-sac to opposite end with the end butting up to Bass. Hampton states that it would be difficult for emergency personal to get into the rest of the subdivision. Opposition stated that it's that way today, and that it would provide easier and faster service to those within the subdivision if the road leading in was directly off of Hwy N. Hampton suggests that the north entrance to Natvig would need to be shut down if we wanted to entertain this and several neighbors (including myself) agreed to the compromise. After further discussion, motion was made to have Dane County and the DOT explore the possibility of this concept. Motion carries 4-3, including Hampton and DuPlayee voting it down. Hampton was visibly surprised the motion carried and seemed in disbelief. During this meeting, I shared several concerns, some that are listed in the message, and the committee didn't not respond to any one item. It was also brought up that Mr. Hampton was overheard asking Anders to not come to the Planning Commission meetings anymore to which Mr. Hampton acknowledged he did have that conversation with Anders. He stated his reasoning was that Anders hadn't "read his packet" of information and wasn't prepared for the meeting.

Here are the conclusions that one could come to based on the 9 points:

- Potential conflict of interest between a voting member of the Village Board and the Realtor representing the land owner
- A quorum may not have been present to discuss such Subdivision without public notification - DuPlayee shouldn't have known about the "issues"
- An original motion to approve an 11 lot plan, completely overturn after the developers were able to present 15
- After original motion of 11 lots, Anders removed from Planning Commission Committee and doesn't attend two board meetings where this subdivision is discussed
- Planning Commission refuses transparency wit the public on reasoning and rationale of the decisions made. Attorney Connie Anderson very quick to state they don't need to answer the questions or state reasons on their voting decisions.

Supervisor Williams, I know this is short notice and recognize that you may not be able to attend this meeting tomorrow along our side. I'm hoping you can however, provide me some direction to voice my concerns. I'm

certainly not trying to cause issues within the town but I have grave concerns for this town based on the leadership I have witnessed over the past 60 days. I WILL be attending the Public Hearing tomorrow and ask that you join if you are able to.

Thank you for any assistance or guidance you can provide. I'm not opposed to the subdivision, just want a fair and do-process that all of the tax-payers deserve with their elected officials. Thanks or the taking the time to read this.

Best Regards,

John E. Loeffler

**From:** [Cynda Solberg](#)  
**To:** [Kolar, Mary](#); [Matano, Alfred](#); [Bollig, Jerome](#); [Oloughlin, Dennis](#); [Miles, Patrick](#)  
**Cc:** [Lane, Roger](#); [Violante, Todd](#); [Williams, Danielle](#)  
**Subject:** Re: Zoning Petition 10992- 3695 County Road N  
**Date:** Thursday, June 23, 2016 11:20:01 PM

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## Members of ZLR:

I am writing you in case for any reason I can't make to the public hearing on June 28th, and to get all points across in case I don't have enough time to speak. I live at 3703 County Road N. The site of this parcel borders mine to the south. I am not opposed to this zoning petition, however I am very concerned about an issue that was brought up by the neighbors in the sub division that surrounds this property concerning access to County Highway N.

The neighbors in the Rolling Wheels subdivision that borders this property to the south and west are opposed to this development. One of their reasons for opposition is that it will increase traffic through their neighborhood. They would like to have a road go from this sub-division to County N so the cars do not go out through Rolling Wheels. The Town of Cottage Grove has been told that the only way additional access to County Road N will be given is if my shared driveway (with 3703 County N-Dennis & Kami Viney) and Natvig road are closed.

It was voted on at the Town Plan Commission that this idea be explored. Both myself and Dennis Viney have expressed our strong opposition to this. I was told since we both have objected this issue is a dead one, but we want to be absolutely sure.

The first reason this idea is wrong that I have lived here for over 16 years, the Vineys longer than that, with access to County N. We do not think it is fair to ask us to give up our access and for us to have to drive out through the sub division to get out to the County N.

The second reason is that I would have sell a large portion of my 1.13 acre lot to accomplish building the road and turn lanes on to Highway N. (so I am told, I have not seen a drawing) I do not wish to drastically reduce the size of my lot. If I was forced to sell a large portion of my lot, it would seriously reduce the value and the appeal of what was left of my lot, to the point where I would have a hard time selling it. I also do not wish to have a road running into what is now my front yard coming close up to my house.

The final reason is that County Highway N is a very busy road. If access is given to the County Road off of Bass Road, it will not only be access for the 15 lots in this new subdivision, plus our two properties, it will create "short cut" for all the people that live at the top of the hill who want to get out to County N. I am not sure how many houses are in the Rolling Wheels sub division, but I would guess this could easily be 50 households that will take advantage of this new access to County N.

This is quite literally an accident waiting to happen. If all this traffic is allowed to come into County N, it will not be a matter of "if" but "when" someone is killed on County N, and it would be next to impossible to undo the access and bring it back to what it was.

You will hear from many residents that they do not want cars going through Rolling Wheels sub division to get out, but creating a new access to County N is not the right solution to this problem.

The number of lots that are to be created is something that could be considered to address some of the neighbors concerns. The comprehensive plan calls for lots up to the size of an acre. If the lots were at or close to an acre a piece, there would be 11 instead of 15 created, I think this is something that ZLR should consider because this would reduce the number of houses and therefore the number of cars going in and out of the neighborhood. At the first Town of Cottage Grove Planning Commission meeting this was voted on to be presented at the following meeting and it never was.

We have discussed the plans with Don Viney (applicant) and he has agreed to keep the mature trees on our side of the property and to doing some screening by planting scrubs or trees where there are none to create a little separation between our property and the sub division. My final request would be that this be reflected in the plan.

Again, my husband and I are not opposed to this development, and it is consistent with the comprehensive plan, but we want to be sure that the road access does not come at the expense of us losing our shared driveway to County N, losing a part of our lot, or by compromising public safety by allowing a new access to County N. We ask that the road access in the original plan be kept as it is.

Thank you,  
Cynda