

Dear fellow Springdale residents and government officials,

Thank you for this opportunity to speak. I have been a resident of this beautiful and special township for more than 45 years. That's a long time. During most of that time, Bill Garfoot's air strip has been on the minds and in the sense fields of many of us residents. Having his (one) plane circle around Sunday mornings has become an accepted fact of life. Expanding to ten planes however seems both inappropriate and not in keeping with the peace and quiet of country living. \*

We all understand that there are essentially TWO forms of liberty – positive and negative. This idea is at the core of legal theory. Positive liberty is the freedom to do something: freedom of speech or freedom of worship. An example of negative freedom is the Third Amendment that the government cannot quarter troops in the home of any private person, and the Fourth Amendment which protects citizens from unreasonable searches and seizures.

The complicated part is when somebody's freedom to do something meets somebody else's wish to be free from it. Should you be allowed to do whatever you want on your own property when your actions make it hard for your neighbors to do the same? A current example: you can make your own medical decisions for yourself and your family .. but your decision not to vaccinate affects everyone you meet. The question is: what is up to us and what is not up to us? Luckily we have an elected town government. Residents can meet and decide together what we want and what we don't want.

I very much hope a reasonable middle ground can be found in the matter of airstrip expansion.

\*The air strip is purely for recreational purposes, unlike farming which has the serious purpose of growing food.

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28 May 2019

ZLR Committee, Dane County Board  
RE: CUP 2019-02466, ZLR Agenda 05/28/19  
cc: Roger Lane

Dear Chair Bollig and ZLR Committee,

Our family farm is contiguous to the land containing CUP 2019-02466. We understand that CUP #999 will terminate with the pending sale of two residential lots containing airstrip land, hence the application for CUP 2019-02466. The application for CUP 2019-02466 represents significant expansion in both the amount of land included in the CUP and the intensity of airstrip usage allowed currently in CUP #999. We urge the ZLR Committee to support the 21 conditions approved by the Springdale Town Board. The 21 conditions simultaneously meet (a) the goals of Springdale's Land Use Plan, Town precedent for CUP approval, Act 67, and concerns expressed by the Springdale community and Town Board at Springdale's Public Hearing (5/20/2019) and (b) the applicant's immediate needs (rather than long-term wishes) for recreational usage of the airstrip for four named pilots (see Town Board condition 1). The detailing of the 21 conditions also responds to the applicant's statements at the Springdale Public Hearing (4/22/19) about having previously violated several conditions in CUP #999.

We urge the ZLR Committee to consider the following evidence in answering the question: "Does the proposed conditional use fit into the neighborhood?"

- CUP #999 currently authorizes two resident-landowner pilots (co-owners of the airstrip easement) to have three operational aircraft and up to ten aircraft operations per day (i.e., "five airplanes the ability to take off and land"). During most of the recent 25 years of CUP #999 only one resident-landowner has been actively using the airstrip.
- The ZLR Committee should note that each of the two co-owners of the airstrip easement has an approved Springdale concept plan for additional single-family dwellings:
  - Three single-family dwellings in addition to the existing duplex on one property
  - Two single-family dwellings in addition to the existing single-family dwelling on the other propertyfor a future potential of seven or eight resident-landowners. If all of the potential resident-landowners were to become users of the airstrip, even with a limit of 10 operations per day, that could result in an eight-fold increase in usage of the airstrip from what Springdale currently experiences (including Dane County's Donald Park, which is located relatively near the CUP #999 airstrip.)
- The Staff Report for CUP 2019-02466 states that "The applicant has suggested that the airport be limited to 10 operations per day (same as CUP #999) and the use limited exclusively to the landowners within the CUP boundaries."

**BUT** at Springdale's Public Hearings at the Plan Commission (4/22/19) and Town Board (5/20/19), the applicant stated that usage of the airstrip under CUP 2019-02466 should include resident-landowner pilots and "visiting" pilots, the latter including personal guests of the airstrip residents arriving by aircraft, as well as pilots they haven't previously met who would like to use the airstrip in order to take advantage of a local activity in Dane County [e.g., a Badger football game, lunch in Mt. Horeb, etc.,]).

- Conditions 1 and 2 as approved by the Springdale Town Board Condition carefully increase the number of resident pilots under CUP #999 from two to four under CUP 2019-02466. That doubles the amount of users and gives the Springdale community the needed opportunity to experience a doubling in the level of recreational aircraft activity prior to considering a much larger expansion. That increase gives the two co-owners of the airstrip easement the opportunity to each sell one single-family dwelling site to a pilot with the added value of usage of the private airstrip. We contend that



increasing the potential number of recreational resident-landowner pilots beyond four **at this time** is inconsistent with goals of Springdale's Land Use Plan, Town precedent for CUP expansion, Act 67, and the applicant's public admission of prior violations of CUP #999.

If the land area and number of operational aircraft were to increase as requested by the application of CUP 2019-02466, the property values of five approved building envelopes and one existing residence (half of duplex) would undoubtedly increase. While the co-owners of the airstrip easement would benefit monetarily from essentially creating an "airport subdivision," neighboring landowners to the airstrip would undoubtedly experience a decrease in property value. We would need to disclose the presence of a busier "private" airstrip. Many people would not voluntarily choose to purchase land near or contiguous to an active private airstrip in an otherwise quieter rural community. Using ourselves as examples, it is obvious that the potential pool of buyers of our land will be smaller due to airport expansion, not to mention the decrease in the property values of our land and improvements.

- Approving CUP 2019-02466 for the usage of four recreational landowner-pilots would likely increase the usage of the airstrip up to 10 aircraft operations per day, 20 per weekend, 70 per week. Having guest pilots using the airstrip would almost guarantee that amount of usage on good-weather days and represent a level of expansion inconsistent with Springdale's Land Use Plan that needs to be denied.
- At one of Springdale's Public Hearings (4/22/19), the applicant stated that recreational pilots barter for goods, services, and time. We also urge the ZLR Committee, therefore, to support the Town's Condition 13 that "Commercial business/bartering, including the sale of fuel, shall not be permitted."

The precedent in the Town of Springdale for evaluating applications for a Conditional Use Permit and/or Limited Family Business has been to: (1) identify the applicant's immediate needs vs. the applicant's long-term goals and dreams, (2) identify concerns about potential nuisances expressed by the neighbors, community, and Town of Springdale regarding the proposed conditional use, (2) formulate conditions that both mitigate the expressed concerns and meet the immediate needs (not intended long-term expansion) of the applicant, (4) require the applicant to return for a new CUP for further expansion of the conditional use, and (5) deny a CUP or expansion of a CUP that does not meet the goals of the Land Use Plan or Dane County's Eight Standards for conditional use. In other words, the Town Board balances the immediate needs of the applicant with the concerns expressed by the Springdale community, thereby considering and guiding potential expansion incrementally, rather than giving an applicant every requested possibility for future growth.

The applicant for CUP 2019-02466 has not complied with CUP #999 and has not complied with the requirements of Act 67. Document-3/14/19 submitted by the applicant to Dane County does not "demonstrate, with substantial evidence, that an application and all requirements and conditions relating to the conditional use are, or will be, satisfied." The Town has already compromised with the applicant by approving CUP 2019-02466 that allows for growth in the usage of the airstrip despite violations of CUP #999.

We urge the ZLR Committee to support the 21 conditions approved unanimously by Springdale's Town Board (public hearing on 5/20/19).

Thank you for your consideration.

Sincerely,



Ellen Bunn  
Henry Bunn