

**TOWN OF PLEASANT SPRINGS
DANE COUNTY, WISCONSIN**

RECORD OF THE PLAN COMMISSION MEETING

OCTOBER 14, 2020

MEETING LOCATION: Due to the COVID-19 Pandemic, this meeting took place virtually via Zoom.

CALL TO ORDER

Chair Dalsoren called the meeting to order at 6:30 p.m.

PLAN COMMISSION MEMBERS PRESENT: Audra Dalsoren, Melanie Miller, Lila Lemanski, John Pitas, Claudia Quam, Keith Comstock, and Eric Olson, Liaison.

PLAN COMMISSION MEMBERS ABSENT: N/A

OTHERS PRESENT: Lisa Skar, Deputy-Clerk/Treasurer-Finance Accountant, Dennis Williams, 208 S. Madison St., Stoughton, WI 53589, Robert and Randy Ehle, 1898 Barber Dr., Stoughton, WI, Joe Freda, 1025 Talbot, Arlington Heights, IL 60004, Jerry McGuire, 1620 Chapin Ln., Stoughton, WI 53589, Thomas Walz, 3071 Sunnyside St., Stoughton, WI 53589, Brian & Colleen Remer, 2821 Door Creek Rd., Stoughton, WI 53589, TJ Vitense, 2820 Lakewood Cir., Stoughton, WI 53589, Andrew Walker, 2974 Shadyside Dr., Stoughton, WI 53589, Dan Trebac, Greg Quam, Chad Sorenson, Elizabeth Wolter, David Pfeiffer, 1838 Oakview Dr., Stoughton, WI.

MINUTES OF THE SEPTEMBER 9, 2020 PLAN COMMISSION MEETING

Motion by member Miller, second by member Pitas, to approve the minutes of the September 9, 2020 Plan Commission Meeting. Motion carried unanimously.

PUBLIC COMMENT:

None.

BUSINESS

Discussion and possible action on the Final Certified Survey Map # 5578-20, dated 09/09/20, regarding a rezone request from Robert and Randy Ehle, to rezone 1.6 acres of a total of 159 acres of parcel # 0611-232-8500-4 from FP-35 to RR-1 to sell off the farm house and buildings located at 2410 Hwy BN, Stoughton, WI 53589.

Chair Dalsoren suggested adding Pili's middle initial to the Final Certified Survey Map, prior to it going to the Town Board and including any utility easements. Per Member Olson, there are no utility easements on this property.

Motion by member Miller, second by member Lemanski, to approve the Final Certified Survey Map # 5578-20, dated 09/09/20, regarding a rezone request from Robert and Randy Ehle, to rezone 1.6 acres of a total of 159 acres of parcel # 0611-232-8500-4 from FP-35 to RR-1 to sell off the farm house and buildings located at 2410 Hwy BN, Stoughton, WI 53589

With the following conditions:

- Add the Clerk's middle initial on the Town signature page

All in favor. Motion carries.

Discussion and possible action regarding a rezone request from Dennis Williams, acting on behalf of the Estate of Lois Williams, to rezone 3.27 acres of a total of 3.27 acres of parcel # 0611-292-8340-6, located at 2069 Williams Dr., Stoughton, WI, from RR-2 to RR-1 to divide the 3.27-acre parcel into three one-acre parcels for residential development.

Dennis Williams was in attendance.

Member Pitas stated that he reached out to Majid Allan, of Dane County Planning & Development, and noted that there are a few things that make this request more complicated. He noted that Pleasant Springs Sanitary District is right next to the property, so the applicant would need to connect to the sewer and water, as no septic is allowed. He stated that Mr. Williams is aware of this and has begun to work on it. He said that Majid also mentioned that there are wetlands at the back of the property, where the two new lots are proposed, and it would require a setback of 70 ft from that area. With the surveys he would have done on the two new lots, they would have to show the 70 ft setback from the wetlands. He noted that Mr. Williams is aware of this. Member Pitas said it is not clear if the surveys were done.

Chair Dalsoren noted that if the applicant would want to remodel the original property, he would have to go through Dane County Shoring & Zoning to ensure lot one meets the wetland requirements.

Member Miller inquired about whether this request has been filed with Dane County yet and whether there are deed restrictions on this parcel.

Member Pitas said that Majid did not see any deed restrictions on this property.

Member Lemanski asked if there is a regulation regarding distance from the railroad track. Chair Dalsoren said that the applicant would have to follow the setbacks presented in the CSM.

Member Comstock asked if lot one is currently serviced by the sanitary district.

Chair Pfeiffer said that the Urban service area annexed it into the Madison Metropolitan Sewer District. He said that they only annexed in the property with the home on it (lot one). He noted that the rest of the parcel is already within the urban service area. He said that it appears that the entire lot is within the boundary. PSSD would have to agree that MMSD can serve the property and would have to approve construction to service those lots. He said that according to his map, there is a main already extended under the road. The home that exists has a lateral that connects to that. The applicant would only need to construct laterals to the main that is already on that side of the road. He said that these details are very favorable to this request; however, he noted that none of the information he provided is official. Mr. Williams noted that the sanitary district told him that there is capacity to do that.

Member Miller asked if there is room for driveways for access to each lot. Mr. Williams stated that he does not know, as they have not pursued those details, since they were waiting to see if the request would be approved. Member Olson stated that the other two lots are 165 feet wide. Member Miller asked if there needs to be a certain distance between driveways. Chair Pfeiffer stated that the distance restrictions only apply between an intersection and driveway.

Chair Dalsoren said that this feels like a development and was concerned about whether there are buildable splits that will allow them to develop if they split the property. She said that splitting the property does not necessarily mean there is a building site on each split. She noted that the Town aims to preserve agricultural land. Mr. Williams noted that his parents purchased the property in 1957. At the time it was seven acres all together; however, when Skyline Drive was put in, his father sold the portion of the land on the other side of Skyline Dr. He said that the property was zoned agricultural until the 90's.

Member Olson said that he thinks this request would be comparable to what is across the street and is in a residential area, so he feels it fits in.

Town Board Chair Pfeiffer referenced an email from Majid that he received on August 25th. He noted that the lot is in the sanitary district, so one split per 35 acres no longer applies. The property is in an urban service area, so it can be divided without the limitation of a TDR or 1 per 35 restriction; however, he said this should be confirmed with Majid.

Town Chair Pfeiffer said that the DNR annexes a property into the urban service area, then MMSD has to annex it into their district.

Town Chair Pfeiffer offered to inquire about the service area boundary.

Motion by member Pitas, second by Member Comstock. to table this item for a future agenda until the Plan Commission has the necessary information as discussed.

All in favor. Motion carries.

Discussion and possible action regarding the Preliminary Certified Survey Map from Dennis Williams, to rezone 3.27 acres of a total of 3.27 acres of parcel # 0611-292-8340-6, located at 2069 Williams Dr., Stoughton, WI, from RR-2 to RR-1 to divide the 3.27-acre parcel into three one-acre parcels for residential development.

Motion by member Comstock, second by member Lemanski, to table this item for a future agenda.

All in favor. Motion carries.

Discussion and possible action regarding a rezone request from Andrew Walker to rezone 1.089 acres of a total of 1.089 acres of parcel # 0611-304-9600-4, located at 2967 Shadyside Dr., Stoughton, from single SFR-08 to double SFR-08 to build a second single-family house on the lot.

Andrew Walker was in attendance.

Member Olson stated that this request is a similar situation. The property is large enough to be split into two parcels and it is also in the sewer district. He said that the request would still fulfill the 15,000 square feet requirement and would not interfere with any easements.

Mr. Walker noted that he plans to have a shared well agreement for the two properties, but would be willing to drill another well if necessary.

Member Miller noted that this request does not require a rezone. Member Olson agreed, stating that the zoning is not changing, that just a split is needed.

The applicant's neighbor, Elizabeth Wolter, requested to speak; however, Chair Dalsoren stated that they must stick to the rules of only allowing public comment during the public comment portion of the meeting.

No action was taken, as a rezone is not required.

Discussion and possible action regarding the Preliminary Certified Survey Map from Andrew Walker to rezone 1.089 acres of a total of 1.089 acres of parcel # 0611-304-9600-4, located at 2967 Shadyside Dr., Stoughton, from single SFR-08 to double SFR-08 to split the lot to build a second single-family home on the lot.

Motion by Member Olson, second by member Comstock, to approve the Preliminary Certified Survey Map from Andrew Walker for 1.089 acres of a total of 1.089 acres of parcel # 0611-304-9600-4, located at 2967 Shadyside Dr., Stoughton, to split the lot to build a second single-family home on the lot.

With the following conditions:

- Include the Town's wording on the CSM to include setback markings on the building envelope
- Ensure that the actual building meets the shoreland setback (since the building on the CSM is just an example)

All in favor. Motion carries.

Discussion and possible action regarding a Preliminary Certified Survey Map from Tim Vitense and Brian Remer, to adjust the lot line of parcel #s 0611-071-9150-1 and 0611-071-9010-0, located at 2843 and 2821 Door Creek Rd, Stoughton.

Tim Vitense and Brian Remer were in attendance.

Chair Dalsoren stated the applicants just want to adjust the lot line to create additional frontage and open up backland of current lot two along Door Creek Rd. She said that it is essentially a land swap.

Tim Vitense said that he owns one of the lots and it is t-shaped. He would like to give Brian land in front of his house so it is not so narrow near his driveway and in exchange, Tim would like to take some of Brian's land off the back of his lot.

Chair Dalsoren requested that any additional utility easements be noted on the final CSM. She also requested that the applicants amend the verbiage to reflect township verbiage. She also noted that the map should be marked "preliminary."

Motion by member Olson, second by member Pitas, to approve the Preliminary Certified Survey Map from Tim Vitense and Brian Remer, to adjust the lot line of parcel #s 0611-071-9150-1 and 0611-071-9010-0, located at 2843 and 2821 Door Creek Rd, Stoughton.

With the following conditions:

- Use Township required verbiage
- Include any utility easements on the CSM
- Change the title to "preliminary CSM"

All in favor – motion carries.

Discussion and possible action regarding a variance request from Thomas and Kimberly Walz, to reduce the minimum aggregate side yard under Section 10.251(5)(b)3.a of the Dane County ordinances of parcel # 0611-183-6237-8, located at 3071 Sunnyside St., Stoughton, from 15 feet to 14.4 feet, to allow for a home remodel.

Thomas Walz was in attendance.

The applicant, Tom Walz, was in attendance and stated that the current structure does not meet the current building code. The existing house is 5 or 6" short of the required

aggregate side setback – total of 15 ft. He believes the foundation may have been within the requirements; however, it may have exceeded it when insulation and siding were applied. He would like to extend the garage, 13 ft on the garage and 8 or 10 on the house. He would like one straight line, so he is requesting a variance on aggregate side setbacks. He stated that he has shown plans to the neighbor located on the side where the remodel would take place and they have no objections.

Member Olson asked if the applicant is scheduled to meet with the Dane County Board of Adjustment. Mr. Walz stated that he has been in contact with them; however, they do not have any meetings planned. He is not planning to start construction until September of 2021, so he is hoping to have the opportunity to present his request to Dane County by then.

It was noted that, while this request would be nonconforming, it would not be encroaching on any neighbors.

Motion by member Pitas, second by member Quam, to approve the variance request from Thomas and Kimberly Walz, to reduce the minimum aggregate side yard under Section 10.251(5)(b)3.a of the Dane County ordinances of parcel # 0611-183-6237-8, located at 3071 Sunnyside St., Stoughton, from 15 feet to 14.4 feet, to allow for a home remodel.

All in favor. Motion carries.

Discussion and possible action regarding a rezone request from Jerry McGuire, acting on behalf of Joe and Barb Freda, involving parcel #'s 0611-183-7810-0 and 0611-192-0025-0, to rezone .03 acres of a total of .716 acres of parcels #s of the parcel of land located between 2379 and 2375 Williams Point Dr., Stoughton, WI, from HAM-M to SFR-08 to increase the lot width from 44.13 feet to 60 feet in order to decrease the front setback from 107 feet to 30 feet – which is a standard lot size, as opposed to a triangular shape, to allow enough space for a building footprint.

Agent Jerry McGuire and property owner Joe Freda were in attendance.

It was noted that this request does not encroach or cause other lot or structures to fall within the setback.

Member Olson said that the road right of way had been abandoned many years ago. It was cleaned up by the Town Board. When the adjustments were made, it goofed up some of the lots. The applicants are attempting to clear this up to make it more equitable.

Mr. McGuire noted that he has applied with Dane County and has included the signed petition, petition number 011617, from Roger Lane.

Motion by member Miller, second by member Pitas, to approve the rezone request from Jerry McGuire, acting on behalf of Joe and Barb Freda, involving parcel #'s 0611-183-7810-0 and 0611-192-0025-0, to rezone .03 acres of a total of .716 acres of parcels #s of

the parcel of land located between 2379 and 2375 Williams Point Dr., Stoughton, WI, from HAM-M to SFR-08 to increase the lot width from 44.13 feet to 60 feet in order to decrease the front setback from 107 feet to 30 feet – which is a standard lot size, as opposed to a triangular shape, to allow enough space for a building footprint.

All in favor. Motion carries.

Discussion and possible action regarding the presented Exhibit Map from Jerry McGuire, acting on behalf of Joe and Barb Freda, involving parcel #'s 0611-183-7810-0 and 0611-192-0025-0, to rezone .03 acres of a total of .716 acres of parcels #s of the parcel of land located between 2379 and 2375 Williams Point Dr., Stoughton, WI, from HAM-M to SFR-08 to increase the lot width from 44.13 feet to 60 feet in order to decrease the front setback from 107 feet to 30 feet – which is a standard lot size, as opposed to a triangular shape, to allow enough space for a building footprint.

Deputy-Clerk/Treasurer-Finance Accountant Lisa Skar mentioned that the preliminary CSM was turned in after the Plan Commission cutoff deadline; however, Chair Dalsoren said that it was okay to proceed, since the exhibit map is essentially a CSM and the Plan Commission members all have the official preliminary CSM now.

Motion by member Olson, second by member Pitas, to approve the preliminary certified survey map # 15543 from Jerry McGuire, acting on behalf of Joe and Barb Freda, involving parcel #'s 0611-183-7810-0 and 0611-192-0025-0, to rezone .03 acres of a total of .716 acres of parcels #s of the parcel of land located between 2379 and 2375 Williams Point Dr., Stoughton, WI, from HAM-M to SFR-08 to increase the lot width from 44.13 feet to 60 feet in order to decrease the front setback from 107 feet to 30 feet – which is a standard lot size, as opposed to a triangular shape, to allow enough space for a building footprint.

All in favor. Motion carries.

Review of Building Inspectors reports issued in August, 2020.

The Plan Commission reviewed the August, 2020 Building Inspector's reports.

Report from Town Board liaison, Eric Olson, concerning any Plan Commission agenda items discussed or acted upon by the Town Board.

Liaison Olson stated that he had nothing to report.

Communications / Correspondence

The Plan Commission reviewed communications and correspondence.

Agenda items for future Plan Commission meeting(s):

- Comprehensive plan – ongoing
- Any other items, as needed or requested

Other Items of Note:

Chair Dalsoren inquired about the RM-16 letters. Town Chair Pfeiffer stated that he had not heard any follow-up from Majid Allan. Deputy-Clerk/Treasurer-Finance Accountant Lisa Skar stated that she was instructed to hold off on mailing the letters until approval from the Plan Commission Chair and Town Board Chair was received. Chair Dalsoren said that she and Chair Pfeiffer would take this off line and ensure that everything is up to date so we can get going on this.

Member Lemanski asked if Town Chair Pfeiffer could provide an update on the City of Stoughton's Whitewater Park proposal.

Chair Pfeiffer said that the DNR did not approve the city's grant request this time; however, it does not mean this proposal was shut down. He noted that our Plan Commission and Town Board established resolutions expressing opposition to the proposal. He also said that concerned residents are still pushing the city to address their concerns. He said that Mark Hale has been in contact with the DNR regarding modifications to the city's plans that would protect water levels upstream; however, there has not yet been a resolution regarding this. He said the proposal is not moving forward as fast; however, the city will likely reapply next year.

Chair Pfeiffer asked if any Plan Commission members had been contacted regarding a property on Linnerud Dr. that is not in the sanitary district service area, but the owner would like the property to be serviced. No Plan Commission members had been contacted. Chair Pfeiffer stated that this may be a future agenda item.

Chair Dalsoren requested that Town Chair Pfeiffer send out the service area information, so the Plan Commission members can see the maps and know what properties could be affected. Chair Pfeiffer agreed to do so. He said he will forward the email to the Plan Commission regarding steps to annex into PSSD.

ADJOURNMENT

Motion by member Pitas, second by member Comstock, to adjourn at 8:09 p.m.
Motion carried unanimously.

Respectfully submitted:

Lisa Skar

Deputy-Clerk/Treasurer