

**Neal and Joann Brunner  
7061 Applewood Drive  
Madison, WI 53719**

October 17, 2021

TO: Dane County Zoning and Land Regulation Committee

FROM: Neal and Joann Brunner, 7061 Applewood Drive

RE: CUP Petition (#2533) for Bright Beginnings Day School (BBDS)

The purpose of this letter is to convey to you our opposition to the establishment of a business, a day care center, in Applewood Hill, and specifically the Application for a Conditional Use Permit for 7069 Applewood Drive ("7069") currently before you.

The single street of the Applewood Hill subdivision, Applewood Drive is narrow, circular and has no gutters or sidewalks. Further, there are no stoplights and the only stop sign is as cars exit the street onto an increasingly busy Junction Road. There are no streetlights throughout the subdivision which requires cars to use extreme caution, especially when daylight savings time expires, as the street is also used as the walking and strolling path for the families that live in Applewood Hill.

Applewood Hill has grown and endured for over 55 years as a neighborhood of residents with a common goal – living cooperatively in a quiet, congenial atmosphere where residents are not just neighbors but friends who celebrate growing families and frequently gather for holidays.

Occasionally there arises questions about changing the features of a home, painting a home a specific color, erecting a fence, replacing shingles, etc., and the community Architectural Control Committee meets with the homeowner and perhaps their neighbors to work out an acceptable solution. It works, and that's why the neighborhood endures.

Recently, a company (purportedly owned at least partially by a Mr. and Mrs. Tuttle) purchased the single-family home located at 7069 Applewood Drive for the specific purpose of running a business there. The business is another location for the company's growing day care operation labeled Bright Beginnings Day School LLC ("BBDS"). (Interestingly, the word "School" is, according to the purchaser's attorney, just a marketing gimmick.) The purchaser scorned our Community's 55-year tried, tested and proven rules prohibiting the use of our properties for other than as a family residence; rules they had been given prior to their purchase.

The name of the purchaser's company is 11 Eleven LLC. It is unknown as to who are the owners of this company. The Tuttles appear to at least partly own it, and BBDS.

Our residence at 7061 Applewood Drive is next door to 7069. The day care center at 7069 opened for business last month even before it had approval from the State of Wisconsin Department of Children and Family Services, with seven children and two part-time baby sitters. It does not appear that any adult maintains their permanent residence at 7069.

There are five driveways within 100 feet of the ingress and egress to 7069. Three of the driveways front homes with small children. Our driveway is 50 feet from the exit from 7069. We are painfully aware that a day care business, with multiple cars coming and going morning and evening at that address, will inevitably magnify morning and evening traffic congestion to the street when members of the families who live in close proximity are also coming and going. Recently a day care customer's car exiting 7069 failed to look both ways and nearly collided with our car.

Applewood Hill's covenants specifically indicate that fences are not allowed. Despite that, BBDS constructed a fence at the rear of their property, ostensibly to enclose numerous pieces of playground equipment. As playground equipment is added, the fenced-in area in the back yard increases. When the owners of 7069 were notified by our Applewood Hill Homeowners Association Architectural Control Committee that fences are not allowed on properties without specific permission, the BBDS attorney responded with a letter threatening legal action against the Committee.

**BBDS is a business;** a business that brings a significant increase in traffic and congestion to a strictly residential neighborhood unprepared for business traffic; a business that detracts from the community. There are 41 homes in Applewood and all the home owners except whoever owns 7069, have signed a petition opposing a CUP for BBDS. **The owners of BBDS do not reside at 7069,** nor do they ever intend to. Their business brings dangerous conditions to Applewood, conditions they appear to care less about because they don't live in the neighborhood. Why didn't the owners of BBDS personally approach Applewood residents and neighbors prior to purchasing 7069 to discuss their plans? They didn't because they didn't plan to live here. They really weren't interested in becoming part of our Applewood community.

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The CUP application (#2533) before you requires that whoever owns 11 Eleven LLC and BBDS has to prove that their business –

- will not endanger the health, safety, comfort or general welfare of the other residents, and

- will not impair or diminish the values and enjoyment of other property or residents in the neighborhood.

As the next door neighbor to the business of BBDS, we can attest to the fact that they cannot prove or satisfy either of those requirements. Their business belongs in either a neighborhood built to accommodate a mix of residential and commercial uses or a commercially-zoned area. It does not belong in Applewood Hill.

We ask you to please deny the BBDS application for a CUP at 7069 Applewood Drive.

Thank you for your consideration,

Neal and Joann Brunner