

Lane, Roger

From: Roman, Melissa on behalf of Planning & Development
Sent: Monday, October 18, 2021 12:33 PM
To: Lane, Roger; Allan, Majid
Subject: FW: Opposition to CUP#02533

Please see the email below.

Melissa

From: Craig Jordan <cjordan14@yahoo.com>
Sent: Monday, October 18, 2021 11:05 AM
To: Planning & Development <plandev@countyofdane.com>
Subject: Opposition to CUP#02533

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Thank you for the time and attention you are spending in considering Bright Beginnings Day School's request to operate a facility in Applewood Hill.

We want to register our strong opposition to permitting this business to operate in our neighborhood. It is out of character with the Applewood Hills neighborhood to have a customer-facing business operating in place of one of its residences. In particular, however, we believe the CUP should be denied due to the inability for the owner to address all of the standards required for the conditional use permit to be approved. Specifically, we don't believe that this business can satisfy Standard 1 or Standard 2.

Standard 1 The proposed land use will not be detrimental to or endanger the neighborhood health, safety, comfort, or general welfare. Explain how the proposed land use will fit into the neighborhood. If there is going to be lighting, noise, outdoor storage, traffic, or other outside activities, explain how the activities will be limited to a reasonable level.

Standard 2 The uses, values and enjoyment of other properties in the neighborhood already permitted shall be in no foreseeable manner be substantially impaired or diminished by establishment, maintenance or operation of the proposed conditional use. Explain how the proposed land use will fit into the neighborhood and what will be done to avoid potential nuisances, such as limiting the hours of operation, noise control measures, paving the parking area, or the screening of outdoor storage.

We have already experienced increased, unsafe traffic at the entrance to the neighborhood where it is difficult to safely get onto and off of Junction Road, and where traveling even at the posted 25 MPH speed limit causes safety concerns for our older neighbors and the many children under school age.

The applicant would like you to think she can be sure that there will be no endangerment to the neighborhood, but in reality how could she possibly know that having never lived in the neighborhood herself. This is not an existing day care serving seven children attempting to get approval to serve one more child. It is a completely new business establishment being put in a location where a single family has always lived. No family in our neighborhood has 10 drivers in it.

Further, this business has already impacted our enjoyment of our neighborhood; and, as testified to by nearly every one of our neighbors, we are not alone. If offering this service were so critical, then why does the applicant not run one from her own home? Does she, perhaps, wonder whether the neighbors she actually lives around would disagree with her presumption that her business can meet standard 2?

We believe the unique layout of the Applewood neighborhood -- that is a single street looping into and out of a single entrance onto Junction road, and without sidewalks for our residents to use -- must be taken into serious consideration as to whether a business such as BBDS can safely operate. We also believe the nearly unanimous opposition by our neighbors, as indicated by the petition that has been signed and the personal letters and emails that have been sent, to the establishment of this business in Applewood must be considered when deciding whether the standards can, in fact, be met.

Ms. Tuttle and her attorney have made misleading and false statements to the Town of Middleton Plan Commission and Board at public hearings on this topic, and we believe this further emphasizes the need to curtail the operation of this business. For example, Ms. Tuttle's attorney presented information about children in the neighborhood which was inaccurate -- counting my high school and college age children among the list similar to those she would serve at this business. In addition, the attorney presented a list of businesses existing in the neighborhood which was wrong and included a business being listed associated to our address. We have lived in this home for 16 years and have never operated a business from it. None of my neighbors operate customer-facing businesses from their homes. Furthermore, Ms. Tuttle and the teachers from her business that she incorporated into her plea for support at the Town of Middleton hearings on this topic commented on the criticality of providing quality childcare for Dane County residents. However, this location will not provide additional care since it is intended to replace a location Ms. Tuttle is vacating. Further, she could, but does not, operate such a business from her own home. She has represented that the home in Applewood would be occupied, but on all of our walks at night and weekends around our neighborhood we find the home to be vacant. We don't believe anyone actually occupies the residence, so the current operation is not a family child care center as Ms. Tuttle and her attorney have represented to the Town of Middleton Board members. Ms. Tuttle explained how she invested in the home by planting flowers and adding a flag to the front porch. However, if you review the improvements made to homes in Applewood over the past 15 years you will find the new homeowners have typically invested tens of thousands of dollars to refurbish and improve these homes inside and out. A flag and some flowers could not possibly be the kind of investment in upgrading the property that the neighbors around this property would have expected from a new owner.

This action by Ms. Tuttle seems little more than a thinly veiled attempt to take advantage of technicalities of the county ordinances for her financial gain without regard for the neighborhood and its residents that she is adversely impacting by these decisions. We believe that this business is not currently lawfully operating according to the ordinances for family occupied child care facilities. In addition, we urge you to deny the applicant's request for a conditional use permit due to the fact that the applicant cannot in good faith meet two of the eight standards required for the conditional use permit to be approved as outlined above.

Regards,
Craig & Sarah Jordan
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608-516-4415