

From: [Planning & Development](#)
To: [Hilbert, Hans](#)
Cc: [Holloway, Rachel](#)
Subject: FW: Comment on Petition 12283
Date: Tuesday, June 16, 2026 7:53:03 AM
Attachments: [Pasted_Graphic.png](#)
[PastedGraphic-1.tiff](#)

Thank you,

Sam Haack

Planning and Development
Clerk IV
608-266-4253

From: Peter Weil <pweil2@gmail.com>
Sent: Monday, June 15, 2026 8:04 PM
To: Planning & Development <plandev@danecounty.gov>
Subject: Comment on Petition 12283

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Dear Committee Members,

This comment is in regard to Petition 12283, which seeks to create two residential parcels at and near the intersection of Turkey and Blackberry roads in the Town of Black Earth.

There are a few points I'd like to bring to the Committee's attention regarding the parcel which runs along Turkey and Lily Valley Road, which the petition seeks to rezone to RR-4.

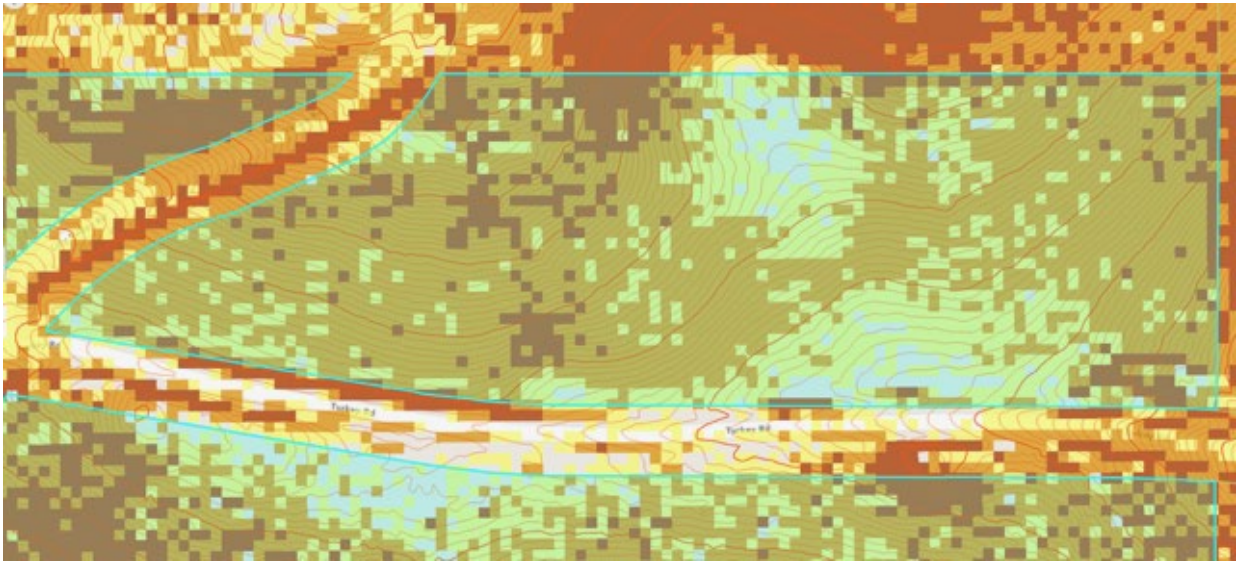
I am a member of the Town of Black Earth Plan Commission (for more than 20 years), but could not attend the meeting where this petition was discussed. My wife and I are also the owners of the property just to the north of this parcel. Our residence is located at the north end of Lily Valley Road, but have done all kinds of work on other parts of the property, including building a system of trails and engaging in woodland restoration activities, including burns and invasive species removal.

The key question I raise for your consideration is whether this parcel of land is suitable and appropriate for development, given the topography and the Town of Black Earth's view — as laid out in its Comprehensive Plan — of what constitutes land that is appropriate for development, and what does not.

My own view is that it is not, and I have included a series of photos and a image showing the topography from DCIMaps, as well as excerpts from relevant Town policies listed in the Comprehensive Plan.

Having lived here for nearly 30 years, I know this parcel quite well. It has been farmed for decades; not only the entire time we have lived here, but well before that.

As you can see from the image below (taken from DCIMaps), this piece of land is steeply sloped — perhaps not to the degree to fit the official definition of “steep slope”, but it is markedly sloped going from southern border along Turkey Road down to the neighboring property, which I happen to own. As you can see, there is an even steeper, precipitous drop just no over the property line (in dark orange). According to DCI maps, this land drops approximately 60–65 feet from Turkey Road down to our property. That’s quite a precipitous drop, especially when we are talking about water.



The attached photos, which were taken this week, provide a better sense of the topography of this parcel:



The flow of water on this field can get quite powerful when there are large storms — there was flooding on our property a few years ago stemming from water coming from this field. Now there are some rather large gullies near the northwest property border and on our side of the property to the north. One of these is shown below; it shows the force and amount of water that comes down from that sloped parcel.

The prospect of having one or possibly multiple buildings plus a driveway on this parcel increases the chances of erosion and excess water — and possibly flooding again — flowing down onto our property.

Given the sloped terrain and the lack of suitable building sites on this parcel, it is difficult to reconcile this petition with the Town of Black Earth's Land Use Policies, which can be found in the Town's Comprehensive Plan

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Page 3-4: Housing Policy

5. Encourage future residential development in areas that can be served with existing public roads.

Discourage new housing development in areas of agricultural land, steep and erosive slopes, and ridge-tops.

Page 3-10: Land Use Policy

6. Preserve lands identified as environmental corridors, including wetlands, floodplains, hydric soils, and lands with steep slopes. (See Policy 10, Conservation Design and Development Siting Standards)

10. Conservation Design and Development Siting Standards:

The Town recognizes that ridgetops, wetlands, floodplains, steep and/or wooded slopes, wildlife, and

agricultural lands are resources that need to be preserved and that conservation and protection of these

resources are essential in defining the distinctive character and scenic beauty of the Town.

Consequently,

the Town's guiding principle for new development is that building should, whenever possible, be

limited to those areas that are not capable of supporting agricultural practices within the Town.

a. Buildings should be located on non-tillable land and/or take a minimum of tillable land, land that is not economically viable for farming, or where there has not been a history of productive farming activities.

b. The building site must be adequate with regard to such factors as soil and drainage.

d. Structures should be sited to minimize the impact on the natural features and topography of the site.

The proposed development/structure shall not disturb or destroy important natural features such as

significant woodland areas, wetlands, steep slopes, etc.steep topography should be maintained.

(While the policy does state that the maximum slope for building sites is 15%, this does not necessarily mean that building on any land with a lesser slope is always appropriate. Common sense tells us that the entire context needs to be taken into consideration.)

Thank you very much,

Peter Weil

Resident, Town of Black Earth

Member, Town of Black Earth Plan Commission

