

To: Town of Cottage Plan Commission

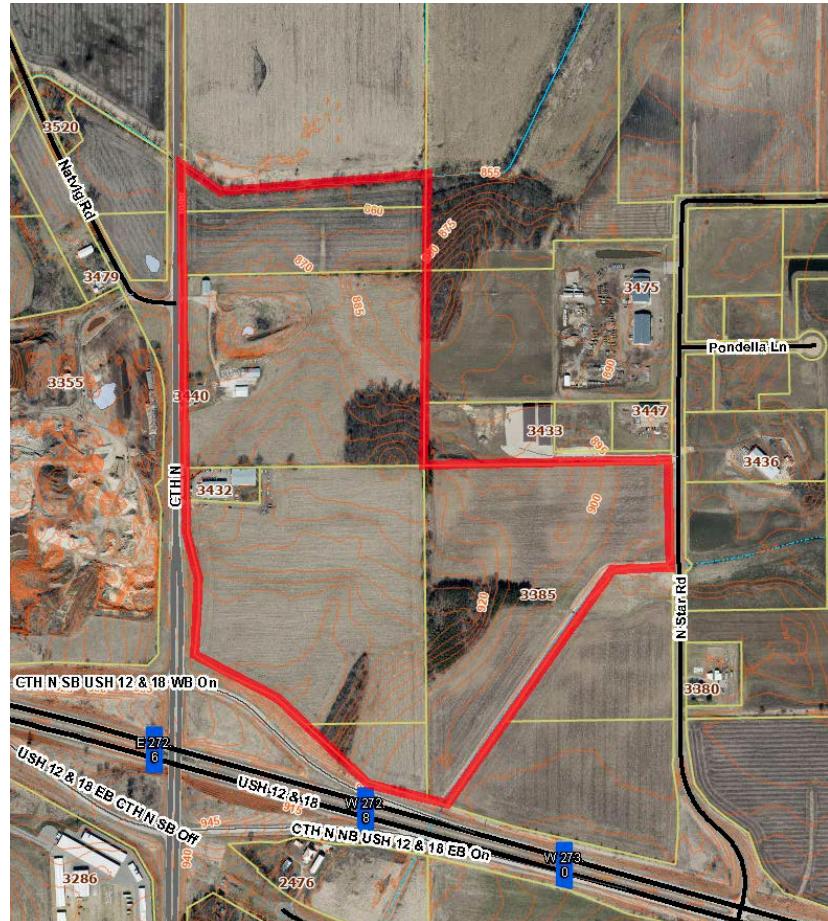
FROM: Mark Roffers, Town Planner

DATE: November 19, 2025

RE: Skaar Pit (Huston) Business Park Rezoning, Preliminary Plat, Certified Survey Map (CSM)

I reviewed the following submittals, together making up the latest plans for this proposed business park, the bounds of which are outlined in red on the map below:

- Town Petition for Change of Land Use, 10/29/25
- County Rezoning Petition and Attachments, Skaar Pit LLC property, 11/13/25
- County Rezoning Petition and Attachments, Everson property, 11/13/25
- Cover letter from Snyder & Associates, 10/15/25
- Everson CSM, 9/18/25
- Preliminary Plat of Skaar Pit, 10/16/25
- Preliminary engineering plan set, 9/22/25
- Preliminary stormwater management plan (inc. wetland delineation), 10/9/25
- Preliminary soil test report, Skaar Pit site, 9/16/25
- Soil test report, Paul Davis site, 7/11/24
- Traffic operations memo, 10/9/25
- Preliminary site plan exhibit, 10/15/25
- Proposed deed restrictions, 10/30/25



- Endangered resources preliminary assessment, 6/3/25
- Plants favored by Rusty Patched Bumblebee, 10/30/25



My review of these submittals or from the perspective of the Town Planner. See the Town Engineer's separate comments. My comments on this rezoning, preliminary plat, and CSM submittal are as follows:

1. Relationship to Town Plan: This proposed business park is consistent with and advances the Town Comprehensive Plan. It has potential to result in significant tax base growth, also with additional infrastructure, service, and maintenance expense. The Town Plan advises this property as part of a larger planned "Commercial Development Area" as detailed in the attached Conceptual Rural Business Park Development Plan map. Detailed comments relative to the Plan are as follows:
 - a. Figure 9 of the Comprehensive Plan suggests land uses "that emphasize storage (particularly outdoor storage) and outdoor display and activities should be minimized." Per the attached Plan map, some more interior parts of this proposed development are indicated as acceptable for larger outdoor storage yards (brown) due to lower highway visibility. The applicant has proposed the attached deed restrictions to address impacts associated with outdoor activities, including that outdoor *storage* would require a conditional use permit, could not be located within 200 feet of any highway, would be screened from all streets and highways, and cannot be the sole use without a building.
 - b. The applicant wishes to make it clear that outdoor *display* of equipment and vehicles for sale or lease may be important to one or more businesses. The applicant has therefore included provisions in the deed restrictions to provide for outdoor *display*, so that "display" areas are kept neat and do not change into "storage" areas without meeting outdoor storage screening and other requirements. There is a glitch in the proposed deed restrictions though—provisions e. viii. through xii. ought to be removed.
 - c. GC and HC zoning districts are listed among the "typical implementing zoning districts" for the Town's planned "Commercial Development Area". The applicant has proposed HC zoning for all business sites except for the expanded Paul Davis site, which would essentially remain zoned GC. The Town Plan also advises that the Town will sometimes limit the range and scale of land uses through deed restrictions. The applicant's proposed deed restrictions, combined with the Town's design plan approval process and requirements, should address any remaining concerns with HC zoning.
 - d. The Town Plan suggests a future public road extending from North Star Road through this proposed development area, to connect to Highway N at Natvig Road, which is exactly what is proposed here. This will be a tremendous improvement for business marketing and success, traffic movement, and public safety.

- e. The Town Plan also suggests potential for a secondary road connection to the northeast (labeled “ROAD E (if necessary)” on attached map) to connect at the northern “bend” of North Star Road, through parcel 071128482510 (Larry Skaar). Referring to features shown on the preliminary plat map, this potential road would have to weave among a wooded, steep sloped drumlin and a floodplain to its immediate north. As a second “N-to-North Star” road connection, it would also seem to have limited additional value for business marketing and success, traffic movement, and public safety. I advise this secondary road connection not be required.
- 2. Secondary Zoning Matters: In addition to the HC/GC zoning requests for the business park lots, the current zoning proposal suggests rezoning the eastern stormwater Outlot 1 to NR-C (Natural Resource – Conservation), the proposed common waste treatment Outlot 2 to UTR (Utility, Transportation, and Right-of-Way), and the proposed Everson CSM Lot 2 (intended mainly for stormwater management) also to UTR. Each of these zoning districts allows the intended uses. My minor concern is whether the UTR opens up CSM Lot 2 to any unwanted potential future land uses, like “utility services” (permitted use under County zoning ordinance) and “transportation, utility, communication or other similar uses, not required by law” (conditional use). I recommend either restricting against either of these potential uses for the CSM Lot 2/UTR zoning area with the Everson rezoning approval, or instead NR-C zoning for that lot.
- 3. Sanitary Waste Treatment:
 - a. The proposal furthers the idea of group/community wastewater treatment system, serving all the development except the Paul Davis lot. A gravity sanitary sewer interceptor is proposed to serve all lots in the development, leading to a common mound/drain field near the north edge of the development within Outlot 2.
 - b. The applicant has submitted soil tests for the Outlot 2 area to demonstrate that a mound system will work there. On the preliminary site plan, each proposed lot has a backup location for its own mound system, should the common treatment system arrangement break down in the future. It is not clear whether soil tests support these alternative system locations as of yet, which probably should be verified with final platting. The Town’s Plan requires would plat adjustments where necessary to achieve a non-holding tank solution for all lots.
 - c. The Town’s Land Division regulations require that “[p]rior to final [plat] approval, confirmation that the site is suitable for a private onsite wastewater treatment system in compliance with Wisconsin Admin. Code Ch. SPS 3ff1 and 385, and any other applicable Department of Safety and Professional Services or Department of

Natural Resources administrative regulation, shall be provided.” I advise that this be a condition of preliminary plat approval.

- d. Also, with final platting, the applicant should specify through restrictive covenant or otherwise the legal mechanism to address the ongoing private ownership and management of the entire common sanitary waste treatment system.
- e. None of the above comments should be interpreted to suggest any opposition to the proposed common waste treatment system—it is an innovative approach that provides a reasonable substitute for the public sewer system explored and ultimately rejected for this area in recent years.

4. Environmental Assessments:

- a. The submittal includes assessments of wetland, floodplain, shoreland, and woodland impacts, which appear manageable.
- b. No portions of development sites contain hydric soils, which bodes well for their development and non-reliance on holding tanks.
- c. The WDNR Natural Heritage Inventory for the property indicates the project overlaps the Rusty Patched Bumblebee High Potential Zone. The applicant submitted a list of favored plants, indicated that the use of native plantings in the bioretention basins qualifies as a Bumblebee conservation measure, and indicated that many different native plant species from the list will be used in and around the stormwater infiltration basins. A detailed planting plan should be included with the final plat/final stormwater management plan, and should draw from among these plantings. Not extending the secondary/northern road from North Star Road may also help preserve habitat via the adjacent wooded drumlin.

5. Traffic Impact Analysis (TIA)/Highway Improvements:

- a. In consultation with the Viney business park engineer, Town, County, and WisDOT representatives, the applicant's engineer is preparing a TIA to project traffic and identify what improvements to highway intersections and segments may be required. To the extent that highway or intersection improvements are required, associated engineering design and responsibility for construction and funding will need to be assigned.
- b. The TIA process is proceeding in parallel with the rezoning and platting process. The applicant has provided a “Traffic Impact Analysis – Traffic Operations” memo so far, which includes existing and projected traffic volumes and preliminary recommendations.
- c. For the USH 12/18 and North Star Road intersection, the memo advises construction of left turn lanes along USH 12/18 to improve safety, which seem to be advised

based on existing traffic alone. The memo also advises future consideration to construct a restricted crossing U-turn intersection along 12/18 in this location, with a cross-over constructed east of that intersection for northbound traffic to turn around and the Highway 12/18/N interchange utilized for any southbound traffic. An illustration of this potential future improvement concept would be appreciated.

- d. Another preliminary recommendation in the memo includes roundabouts at each of Highway N intersections with Natvig Road and the Highway 12/18 ramps.
- e. The memo suggests that one driveway access could be possible along Highway N, located approximately 1,000 feet from both the Natvig Rd and USH 12/18 Westbound Ramp intersections without impacting operations at either intersection. This appears to relate to the Paul Davis driveway.
- f. As authorized by the Town's Land Division regulations, preliminary plat approval should be conditioned on WisDOT and County approval of the final TIA and associated improvement designs, and a development agreement(s) assigning responsibility for the required improvements.

6. Everson CSM Comments: The CSM should include a note that describes what must be set back 75 feet from the wetland on Lot 2—presumably, including all buildings and other impervious surfaces (including gravel). The surveyor's certificate should also certify that the surveyor has met requirements of the Town's Land Division regulations.

7. Final Plat Design Matters: As this project evolves to the final plat stage, the following plat-related matters should be resolved:

- a. The boundary between plat Outlot 2 (group treatment mound/drain field) and CSM Lot 2 (stormwater management, etc.) varies between the preliminary plat/rezone exhibit/CSM and the preliminary engineering plans. This minor issue should be reconciled with the final plat. Resolution could either involve reconfiguring all of the stormwater facilities to be fully in CSM Lot 2, or by final platting a separate outlot covering that "eastern finger" area if stormwater facilities continue to be advised there. Then, if mutually agreed, CSM Lot 2 and the "eastern finger" land could be transferred to the Town (see below), leaving the western bulk of Outlot 2 in private hands.
- b. Stormwater accessing CSM Lot 1 should be addressed in an easement(s) provided across Outlot 2 on or within the final plat. Maintenance access to the stormwater basins in CSM Lot 1 will also need to be assured.
- c. The ownership and management of Outlot 2 should be resolved with the final plat, assuming the Town does not wish to maintain the private waste treatment system.

Similarly, the final plat—or some parallel easement document with reference on the plat—should provide an easement across lots for the private sewer line to Outlot 2.

- d. Per recent practice in multi-lot developments with public streets, my opinion is that stormwater outlots should be indicated as “dedicated to public for stormwater management.” This should also apply to CSM Lot 2 in some way, such as through deed transfer later. It would be the responsibility of the developer to improve each of these stormwater facilities including appropriate vegetation before the Town would accept them. State law requires developer stormwater maintenance until 80% of the lots are sold and a professional engineer has certified that each stormwater facility is in proper working condition, construction sediment has been removed and required plantings are fully-established and reasonably free of invasive species.
- e. The engineering plans suggest construction of a retaining wall near the north line of the expanded Paul Davis lot, seemingly of around 15 feet in height. The need for such a retaining wall versus a grading plan change should be further explained and explored. If the wall is kept, construction and maintenance details and responsibilities for the wall should be made clear with the final plans and covenants.
- f. The preliminary plat suggests a 42 foot setback along Highway 12-18, aligning with my understanding of WisDOT setback rules in Dane County. WisDOT will likely require more detail on the final plat.
- g. The preliminary plat includes new vehicular access restrictions to Highways N and 12/18. The driveways to the farmstead to its north would either be removed or replaced with the new public Road at the Natvig/N intersection. The plat appears to suggest a slight relocation or widening of the driveway to Paul Davis along N, which may come up in TIA review. In any case, the final plat should be clear on the agreed status of that access or accesses.
- h. It is possible that the County may seek additional right-of-way for Highway N, particularly north of the Paul Davis lot, but that would likely reveal itself from the TIA and its review.
- i. The applicant’s engineer reports that Oremus 3447, LLC has agreed to dedicate the northern 33 feet of the proposed 80 foot road right-of-way, which will allow that owner to eliminate the existing long gravel driveway currently serving the buildings in that development. This “win” should be reflected on the final plat, either by having Oremus 3447, LLC as a plat signer, or by having the land transfer occur before final platting.
- j. The proposed road through this plat exceeds the Town’s minimum “neighborhood connector” road standards. It is proposed to have an 80-foot-wide right-of-way (70 feet is Town minimum), a 34 foot pavement width (30 feet is Town minimum), and a 3 foot

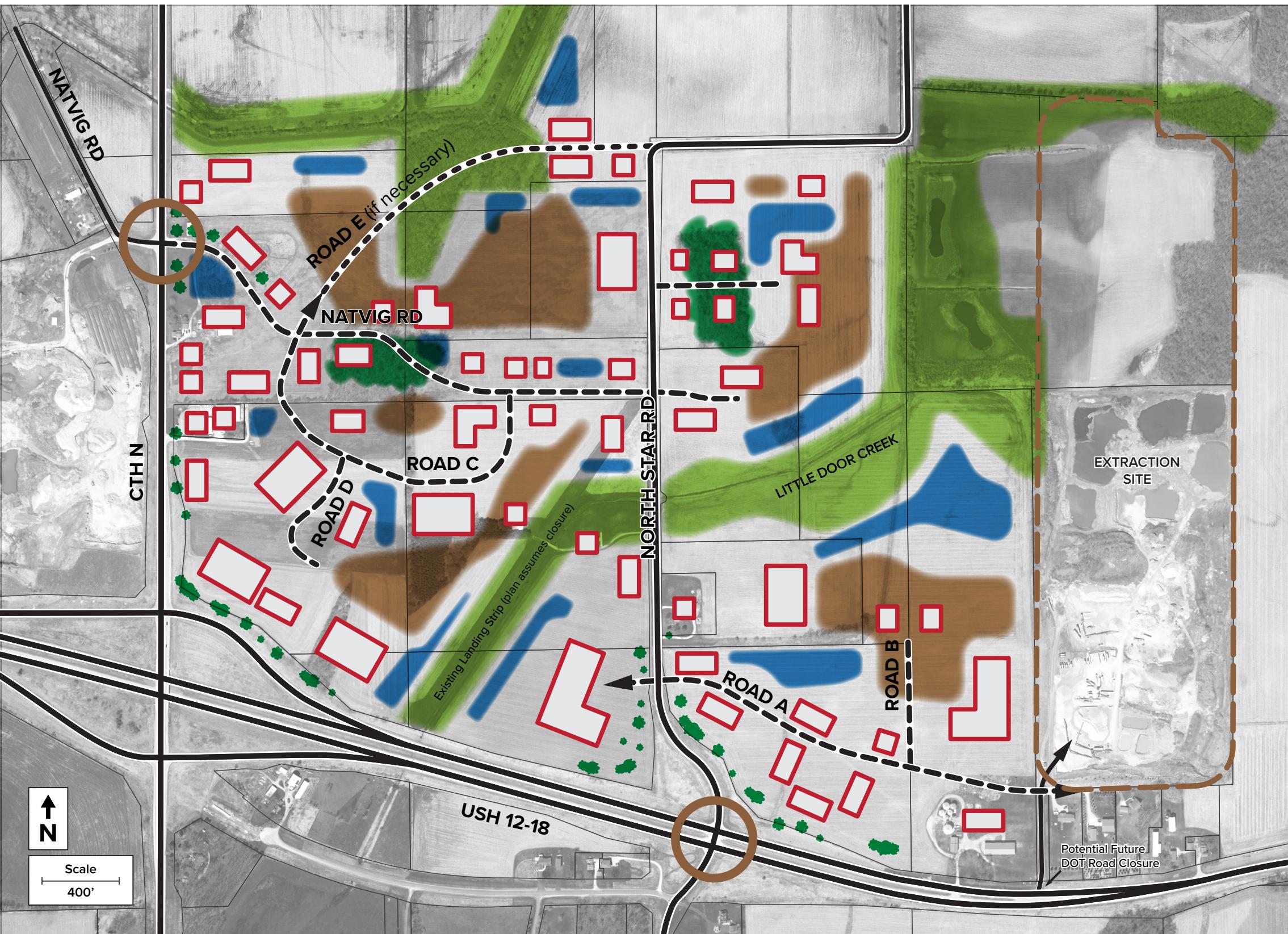
gravel shoulder on each side (Town requires shoulder, but not graveling). To meet Town standards, final plans should stripe bike/ped lanes near both pavement edges. Also, with the final plat, the applicant should verify a maximum curve radii of 150 feet and maximum grade of 8% to meet associated Town Land Division regulations.

- k. The new road should be named on the final plat. "Natvig Road" initially seemed an obvious choice. However, the generally north-south orientation (and addressing) of existing Natvig Road to the west, and the fact that it intersects twice with Highway N, suggests a different name through this plat. A different name may also assist with wayfinding and more easily facilitate east-west addressing in this development.
- l. The Town's Land Division regulations suggest that "double frontage and reverse frontage lots shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation." I recommend approval of double frontage lots in this plat, as there does not seem to be a viable alternative because of highway access restrictions.
- m. The Land Division regulations require that "adequate easements, as determined by the Town Engineer, shall be provided and dedicated on each side of all rear lot lines, and on side lot lines where necessary, for the installation of storm and sanitary sewers, gas, watermains, electric lines, telephone and cable television communication lines." Such easements should be indicated on the final plat, following circulation to utility providers.
- n. The regulations also require that, where electric or communications facilities or both are to be installed underground, a plat restriction shall be recorded with the final plat or stating that the final grade within the utility easement shall not be altered by more than six inches by the subdivider, his agent, or be subsequent owners of the lots on which such utility easements are located, except with written consent of the utility or utilities involved. This restriction should probably also apply to sanitary and storm easements.
- o. Responsibility for removal of the existing bridge across the drainageway and existing buildings on all lots should be specified on or with the final plat.

8. Next Steps: Following rezoning and preliminary platting, the project may move to the final plat stage, which should be preceded by continued TIA preparation and review progress. The final plat stage includes provision for a development agreement, security for public improvements such as a letter of credit, submittal of full sets of engineering and stormwater management plans, and preparation and recording of covenants. Following platting, Town design review will be required for building development on any of the lots, per Section 12.08 of Town ordinances. Following the transfer of proposed Lot 3 to Paul Davis, it should be combined by CSM with the existing Paul Davis lot.

CONCEPTUAL RURAL BUSINESS PARK DEVELOPMENT PLAN
HIGHWAYS 12/18/N INTERCHANGE—NORTHEAST QUADRANT
TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN

OCTOBER 2021



LEGEND

- Commercial/Light Industrial Conceptual Building Footprints
- Larger Outdoor Storage Yards Allowed
- Existing Roads
- Conceptual Future Roads
- Conceptual Stormwater Management Areas
- Conceptual Resource Protection Corridors
- Woodland Retention and Landscape Emphasis Areas
- Business Park Gateways (entry signage, landscaping)

For permissible and recommended land uses, and for development design standards, see:

- Town Design Review Ordinance (Section 12.08 of Town Code)
- Applicable Land Division Ordinances (including Chapter 15 of Town Code and Chapter 75 of Dane County Code)
- Figure 8 of Town Comprehensive Plan Vision and Directions Volume (Commercial Development Area Purpose and Policies)
- Program to “Focus Commercial Development at the Highway 12/18/N Interchange Area” in Comprehensive Plan Vision and Directions Volume
- County Zoning Ordinance (Chapter 10 of County Code)
- County Erosion Control and Stormwater Management Regulations (Chapter 14 of County Code)

