

I have the following concerns about Petition 12045, AT-35 Agricultural Transition District to SFR-1, SFR-2 and NR-C creating a 58-lot single family residential subdivision. My concerns include rezoning that did not follow established protocols, major rebuild of Sugar River Road and recognition of need for a secondary access for the subdivision not identified until after approvals with no information about who is paying for it or where it is to be sited, well set-backs that are insufficient to meet regulation, not adhering to published Ordinance 2022-01 that states the Town of Verona preferred home siting and conservation subdivision approach and the occurrence of a walking quorum of 3 Plan Commission members at the proposed site without prior public posting of such meeting. Much about this plan did not follow accepted procedure and because of this, I recommend that the plan be redone correctly.

My five major concerns are:

1. A rezone mapped of a 6.3-acre lot into a RR2 and RR4 on 5/9/24 was granted by the Verona Town Board on 6/4/24 without oversight by the Verona Plan Commission, without public hearing and without notification to adjacent landowners (attachment 1). The Board then sent the rezoned plan to Dane County ZLR without an amendment. This clearly did not follow accepted procedures that other landowners have been held accountable to follow. The rezone request needs to follow accepted proper procedures of public hearing, adjoining land owner notification and Verona Plan Commission review.
2. The Verona Plan Commission and Verona Town Board approved this subdivision plan without doing its due diligence with respect to creating clear criteria for what the Sugar River Road improvements are to be and who will pay for those improvements. One Town official said that the improvements were to be only minor resurfacing early in the discussions. However, the Town Engineer in a private conversation admitted that major improvements were going to be done including adding turning lanes, guardrail, cutting mature trees and taking easement from several landowners along the road. The single exit/entrance on a blind corner was said to be adequate at the time the plan was approved even though the lower part is in a FEMA flood plain (attachment 2). Now Town officials have recognized a need for a second access and are having discussions about location. The second access will require an amendment to the plan and should be sent back to the developer to map both entrances/exits and go through Plan Commission review and public hearing. The Town should not have approved a substandard plan.
3. Manure is spread on land adjoining the proposed subdivision. Set-backs for wells must be 300 ft. Verona Plan Commission minutes from 1/18/24 state that lots 19-22 may need to be shifted to accommodate the required 300 ft distance required between wells and manure application. Ron Klass, D'Onofrio and Associates, assured the Verona Plan Commission that wells for lots 19-22 would be platted so that wells will be a minimum of 300 ft from the rear property line as recorded in meeting

minutes of 2/15/24. However set backs have not shifted and remain less than 300 ft. The Verona Plan Commission and Verona Town Board both approved the plat map even though there is less than the required 300 ft set-back for wells of lots 19-22. The developer should be held accountable to correctly draw the required 300 ft set-back or reconfigure the lots to meet the requirement. Again, the Verona Town Board should not have approved a substandard plan.

4. The Town of Verona Land Division and Development Ordinance 2022-01 states in part when dividing land for development it encourages clustering homes on portions of a parcel, preserving scenic views by minimizing visibility of new infrastructure and construction of convenient and environmentally acceptable bike/pedestrian trails. The proposed subdivision does not limit homes from being built on the ridges, therefore being very visible to the surrounding landscape. In addition, there is no defined criteria in place to limit the number of stories that a home may have, just vague reference to the possibility of being limited to one story. The proposed subdivision is said to follow conservation guidelines and attachment 4 (schematic since removed from cover and interior of Ordinance 2022-01 July 2023) shows the Town of Verona's preferred concept with clustered homes on varied lot sizes and set-backs with plenty of open space interspersed. However, the proposed plan shows a fairly unimaginative, cookie cutter layout of almost all similar sized small lots, with the 'open space' shoved to the western edge where a wood exists and to the south on a steep slope. The path will be inconvenient for homeowners to use because of its location and its steepness, challenging for bikers and susceptible to severe erosion, all at odds with the Town's published desires. This may meet the minimum definition of 'conservation' but it clearly is not meeting the concept put forth in the Town of Verona's Ordinance 2022-01. The Verona Plan Commission and Verona Town Board should not have approved a plan that very clearly does not meet what is published in their Ordinance. They should have required the developer to reconfigure his design to meet their published preferred concepts.
5. On the weekend of May 13/14, 2023, 3 members of the Verona Plan Commission met at the site of the proposed subdivision creating a walking quorum. No public notice was issued for this meeting. Clearly this was an illegal action by members of the Verona Plan Commission.

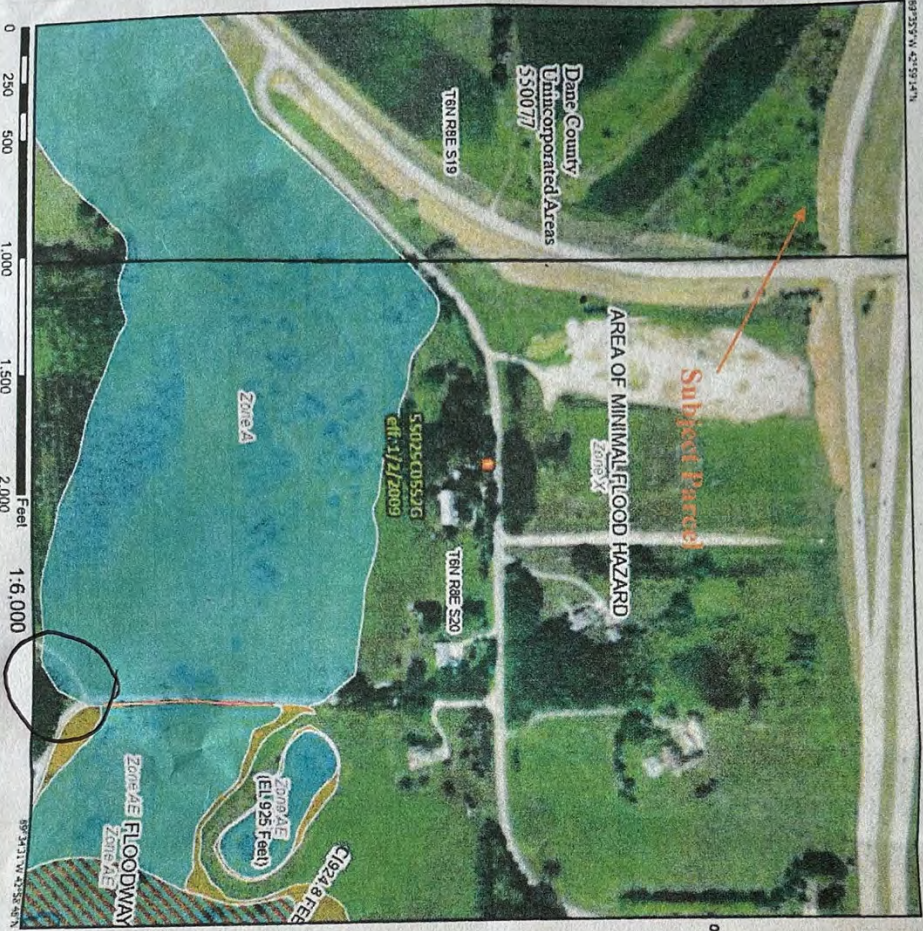
These are some of the irregularities that have occurred with the Petition 12045, AT-35 Agricultural Transition District to SFR-1, SFR-2 and NR-C creating a 58-lot single family residential subdivision. There is a lack of transparency with this plan and protocols/procedures have not been correctly implemented during the process. The plan should be sent back to the Verona Plan Commission.

Respectively submitted 6/11/24 by Sherry Combs, resident Town of Verona



Floodplain Map Per FEMA

National Flood Hazard Layer FIRMette



Basemap Imagery Source: USGS National Map 2023

Attachment 2

Legend

SEE THE REPORT FOR DETAILED LEGEND AND NOTES. MAP FOR FIRM PANEL CANNOT BE USED WITHOUT BASE FLOOD ELEVATION (BFE) DATA. A 1:500 WITH BFE OR DEPTH. 2004, 2013, 2018, 2022. REGULATORY FLOODWAY.

SPECIAL FLOOD HAZARD AREAS
 0.2% Annual Chance Flood Hazard, Average of 1.2% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile. 2004, 2013, 2018, 2022. Future Conditions, 1% Annual Chance Flood Hazard. Channel Flood Hazard. Areas with Flood Risk due to Levees. See Notes. Areas with Flood Risk due to Levees.

OTHER AREAS OF FLOOD HAZARD
 NO SCREEN: Area of Minimal Flood Hazard. Dike/Levee: LDMR3. Area of Undersaturated Flood Hazard. Channel Culvert, or Storm Sewer. Level, Dike, or Floodwall.

OTHER AREAS
 GENERAL STRUCTURES: Channel Culvert, or Storm Sewer. Level, Dike, or Floodwall. OTHER FEATURES: Cross Sections with 1% Annual Chance. Coastal Truncat. Water Surface Elevation. Base Flood Elevation Line (BFE). Limit of Study. Jurisdiction Boundary. Coastal Truncat Baseline. Profile Baseline. Hydrographic Feature.

MAP PANELS
 Digital Data Available. No Digital Data Available. Unmapped. The pin displayed on the map is an approximate point selected for reference and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps. The basemap shown complies with FEMA's data accuracy standards. The flood hazard information is derived directly from the authoritative NFHL web service provided by FEMA. This map was exported on 10/20/22 and does not reflect changes or amendments made after that date. The NFHL and effective information may change or become superseded by new data over time. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, FIRM panel number, and FIRM effective date. Map data for regulatory purposes.

TOWN OF VERONA

LAND DIVISION AND DEVELOPMENT ORDINANCE

Ordinance 2022-01
March 2022

Attachment 34



Source: Applied Ecological Services

