

From: Hansen Law Office <hansenlawverona@gmail.com>
Sent: Tuesday, November 19, 2024 10:25 AM
To: Planning & Development <plandev@danecounty.gov>
Cc: Neva La Fleur <nevalstables@gmail.com>
Subject: Land located near Lafleur Stables; CUP 2640

Dear Committee Members:

In prior Town of Middleton and Dane County meetings/hearings, the argument has been made that this is a residential neighborhood.

While it is true that there are homes in the area, there are also farm fields in the area. Here are a few pictures taken within about a mile of the LaFleurs home and business.

Thank you for your consideration,

Sincerely,

Terry Hansen

From: Hansen Law Office <hansenlawverona@gmail.com>
Sent: Tuesday, November 19, 2024 4:07 PM
To: Holloway, Rachel; Planning & Development
Cc: Neva La Fleur
Subject: Re: Land located near Lafleur Stables; CUP 2640

I would like to add the following brief comments:

The LaFleurs run a great animal business and have, in this location for 29 years. They care about animals and people. They wish to provide a much needed service in their area.

The arguments against this conditional use permit are not based upon facts, but based upon fear. Primarily people are concerned with noise. The three sound studies conducted should dispel this concern. The LaFleurs held an open house so that people in opposition to the permit could see the facility.

I was there, but no one in opposition came to the open house. They did not see the building, so they cannot understand how the well constructed building can contain the sound.

In considering this permit application, please base your decisions on the facts before you and only the facts. The LaFleurs live on this property and they want a nice environment -- same as everyone else.

Thank you for your consideration.

Terry Hansen







From: Elly Robinson <ellyrobinson60@gmail.com>
Sent: Thursday, October 31, 2024 10:46 AM
To: Planning & Development <plandev@danecounty.gov> **Subject:**
Fwd: CUP # 2640 Four Paws Dog Kennel (In House Affidavit)

On Wed, Oct 30, 2024, 11:18 AM Nancy Froncek <nancyfroncek@gmail.com> wrote:

County Board members,

I'm resubmitting my affidavit from the Oct. 22nd zoning hearing concerning the Four Paws Dog Kennel because I will be out of the country prior to the scheduled Nov. 19th zoning hearing.

At the Oct. 22nd county zoning hearing it was evident that a couple voting members did not read all the written testimonies. My testimony is evidence that the LaFleurs were not only advertising their kennel on their website even after the town board directed them to take the website down in June, but according to my phone call inquiring about their dog boarding service, they were offering "in House" dog boarding - thus operating outside the ordinance and without a permit.

This shows little regard for the town and county's rule of law. Please bring this to the attention to all 5 Dane County Zoning board members, thank-you.

My affidavit is attached
Elly Robinson

CUP 2640

Four Paws Dog Kennels

3440 Meadow Rd. Verona WI

State of Wisconsin

County of Dane

The undersigned, on oath, deposes and states the following:

1. I am Ellen Robinson and I live at 3122 Grandview Blvd., Madison WI.
2. On or about June 1, 2024 called and spoke to Marlene LaFleur about boarding a dog in the proposed kennels, Four Paws.
3. Marlene LaFleur stated that they **are** currently boarding dogs “in-house” until issues with the government are settled. They will board dogs in their home with their own other 2 dogs.

Sworn and notarized by:

David Mandell

Ellen Robinson

Oct. 1, 2024

From: Nancy Froncek <nancyfroncek@gmail.com>
Sent: Monday, November 18, 2024 2:40 PM
To: Doolan, Michele; Bollig, Jerome; Postler, Don; Kroning, Jeffrey; Ritt, Michele
Cc: Holloway, Rachel; Lane, Roger; Violante, Todd; Everson, Troy
Subject: letter to commission
Attachments: DCPC Map La Fleur area.jpg

Follow Up Flag:
Flag Status:

To the dane County Supervisors and Zoning Commissioners, The No DogKennel attorney advised us to send a letter to the voting members and explain the background of the DCPC MidTown Neighborhood Plan set forth in 1999, for those members unfamiliar with west Madison area and those members new to the commission since the implementation of the county and city plan which transitions farmland into residential, commercial and greenspace areas. This is one very important reason that has been overlooked and one of a multitude of reasons we oppose granting this CUP.

Twenty Five years ago it was evident that the city of Madison's population continued to grow west of Madison and parts beyond. The county and city sought to accommodate growth by ultimately managing, controlling and organizing the expansion. Town of Middleton farmland became a land rush much like the land rush of the 1800's. In 1999, the Town of Middleton agreed to the county's plan to transition farmland into residential housing. Farmers began selling their land for development. Hundreds of people were affected by the Mid- High density

housing. The property in question is zoned Ag Transition and according to the planning map is designated to become Low and Medium density. Please refer to the attached document.

When the owners of the property, Dan and Marlene LaFleur purchased the property they were fully aware of the county's plan and what it entailed for their property and the entire area. The 3 commercial businesses that exist in this residential area were grandfathered in and are simply a landscaping company, a tree company and a soils company. The commercial and industrial park area set forth by the "plan" is located only a half mile from the LaFleur property with easy access to the main artery, Mineral Point Rd.

The CUP in question would be a commercial business, out of place, by the county's design in this continually growing populated residential area. By opposing the CUP you are **upholding the DCPC** plan and the City of Madison Development Plan for the MidTown Neighborhood, and upholding several Standards including # 1 and #2 pertaining to comfort and well being of the community - that are required to obtain a CUP.

The LaFleurs were granted a CUP for a horse business which has no negative effects to this growing neighborhood. Now they want to transform the stables into a dog kennel and dog daycare. Over the course of almost 2 years, they have agreed to decrease the number of dogs from a **staggering 400** dogs with an outdoor play area to 30 dogs with an indoor play area only. They have been denied the CUP several times at the town level and have sued the Town of Middleton. Their ultimate goal is to get their foot in the door so as to increase the number of dogs and add an outdoor play area a year from now. An

indoor **only** play area is counterintuitive to a dog day care where dogs are able to work off extra energy outdoors in larger play areas. By issuing this permit you are also opening the door to additional commercial businesses applying for a CUP in this highly developed residential area.

The county and city spent millions of taxpayers dollars developing, studying and initiating the plan that affects thousands of people. The town of Middleton, Dane County and the community have wasted enough time, money and energy on **one family's agenda**. A commercial dog kennel of any size belongs in a commercial area or industrial park. Thus the reason there are no kennels in residential areas in the city of Madison.

There is is a solution to this controversial and contentious CUP:

Require the owners to place a deed restriction on the property, limiting the number of dogs to 30 with ONLY indoor play areas until the year 2040. (2040 is when the DCPC plan is extended further west.)

A deed restriction would show their true colors given the fact they have ignored the town's request to remove their advertising website in June, as well as continuing to offer "indoor dog boarding" until recently, which clearly demonstrates a disregard for regulations and permits. (evidence and documentation was submitted prior to the Oct 22 hearing).

Enough is enough, let's put this dog to rest.

Pls vote NO to the CUP # 2640, and stick to the plan for which your job is to uphold.

Nancy Froncek

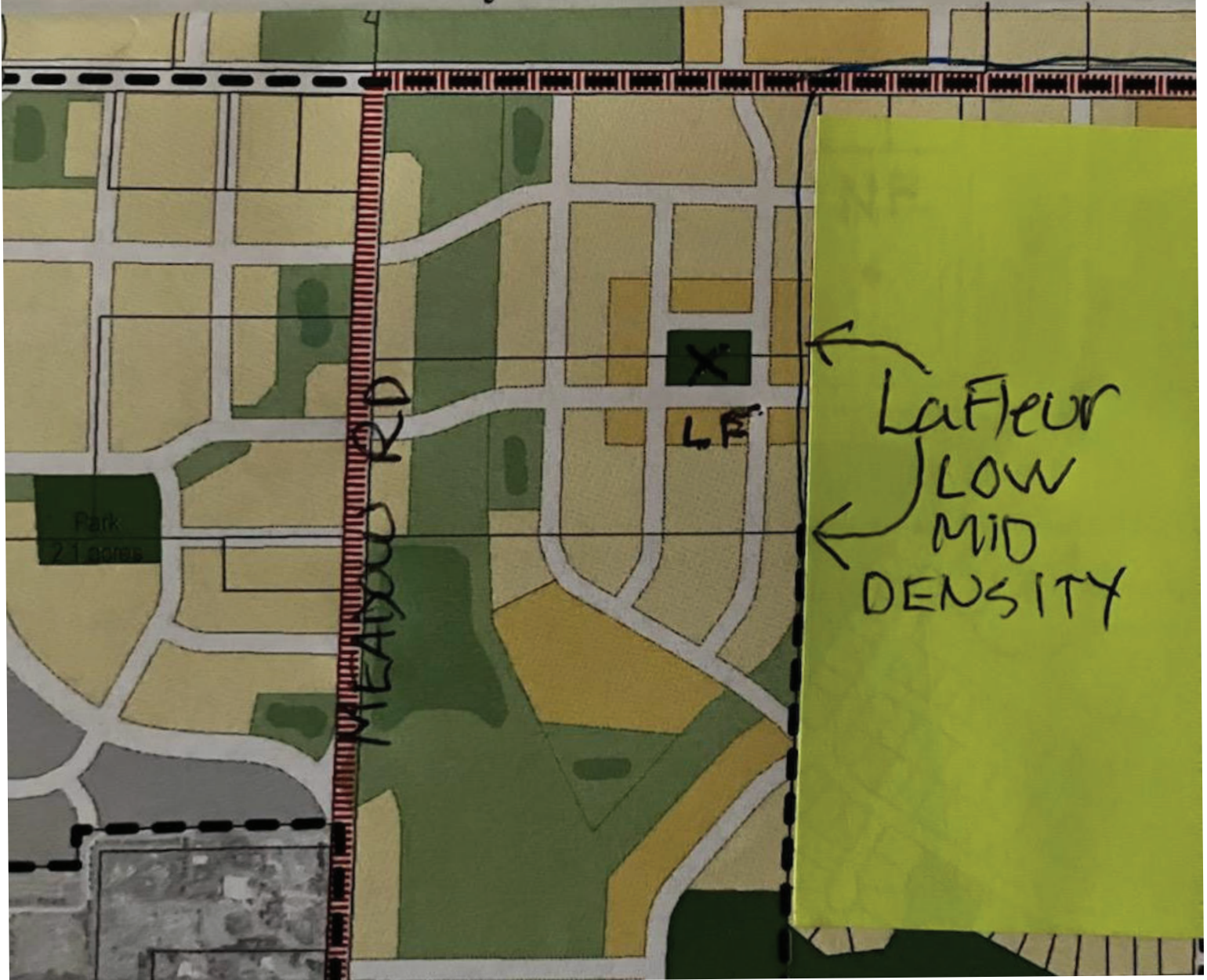
**City Of Madison
Department of Planning and Development
Planning Unit**

August 1999

Amendments Adopted:

May 2001

July 2004



From: Mary Ruth Marks <maryruthmarks@gmail.com>
Sent: Friday, November 15, 2024 9:31 AM
To: Planning & Development <plandev@danecounty.gov>
Subject: CUP# 2640. 3440 Meadow Rd.

Re: CUP# 2640
3440 Meadow Rd.

To: plandev@countyofdane.com

As a realtor and homeowner, I would NOT want to be in the vicinity of a dog kennel. For adjacent (and within 1/2 mile) homeowners, this would be a detriment to enjoying your own home/land and would be a deterrent to potential buyers of your home with a dog kennel so close. Especially in the country where the sound travels very far - like more than 1/2 mile and I know this from personal experience. Annoying, very annoying!!!

Mary Ruth Marks
7732 Riverside Road
Verona, WI 53593
608-513-7490

From: Carrie Cook <carrieinwi@outlook.com>
Sent: Sunday, November 17, 2024 10:12 PM
To: Planning & Development <plandev@danecounty.gov>
Subject: ZLR Testimony CUP 02460

I am a close neighbor in opposition of CUP 02460.

I submitted the attached letter earlier for prior hearings, but due to all the revisions and reschedulings I am resending it here in hopes it could make a difference.

sincerely
Carrie Cook

07 October 2024

RE: commercial dog kennel CUP

Dear Town of Middleton Residents and Board Members:

In view of tonight's *de novo* hearing regarding the Conditional Use Petition for the Four Paws Pet Services LLC and the La Fleur family, am respectively submitting these brief comments as well as re-submitting for consideration a more comprehensive letter I tendered a year ago. This letter still reflects my understanding and objections to the proposed new kennel. The fact that CUP has been amended to reduce the number of dogs allowed does not change my objections. Commercial kennels and dog boarding facilities simply should not be located in residential areas. If anything, this is increasingly objectionable given the continued rapid residential growth in close proximity to the proposed business.

I am unable to attend tonight's meeting in person due to my active recovery from major surgery last Monday, nor even attend by phone or video due to a long-standing therapy appointment for my son to be held at the same time. Fortunately, my next-door neighbor Nancy Froneck has agreed to submit my paperwork tonight in my place. Feel free to contact me if more information is useful.

Over the last year I have occasionally heard excited barking of multiple dogs coming from the direction of La Fleur property, and although I was unable to confirm it was indeed coming from the proposed kennel site, it did reinforce how clearly the noise reaches my property and its abrasive, disruptive quality. I continue to work primarily from my home, located very near the proposed kennel, with my home office and bedroom both facing in that direction. I treasure the peacefulness of my property, which has largely persisted despite the recent influx of new neighbors. A dog kennel would surely disrupt that peace and negatively impact the desirability of my home in terms of commercial resale but more importantly, in terms of my current use and enjoyment of my long-term residence.

Since this issue was first raised, multiple CUP applications have been submitted and overwhelmingly rejected by Town residents as well as many affected Madison residents who are immediately adjacent to the property to the south. This outpouring of objection to this local issue by the public is highly unusual in my experience, and even more powerful in that it has not faded away across multiple appeals and repositionings. I encourage the Board to honor that unified and persistent stance and again deny this proposed CUP.

Sincerely,

Carrie Cook
7383 Valley View Road
Town of Middleton

From: Kevin McCarthy <mccarthy.kw@gmail.com>
Sent: Thursday, October 24, 2024 11:02 PM
To: Planning & Development <plandev@danecounty.gov>
Subject: CUP 02640 Opposition

Please consider our heartfelt, desperate opposition to the proposed dog
-boarding facility at 3440 Meadow Road.

My wife and I have lived in our home for just over one year now, with our backyard backing up directly to the Lafleur's property- we own perhaps one of the closest residences to where 30 dogs may be kept daily. Our love for the peaceful, natural area surrounding our home is what drove us to spend our entire lives' savings on this house.

The proposal to place a dog kennel directly in the middle of tranquil residential, agricultural and natural lands undoubtedly goes against Standard 1 of the CUP guidelines set forth by Dane County: "The proposed

land use will not be detrimental to or endanger the neighborhood health, safety, comfort, or general welfare."

In my line of work as a Police Officer, I often work irregular hours- resulting in the need for me to sleep during hours in which the facility would be operational. Though I do not expect the rest of society to conform to my

sleep schedule, I cannot imagine trying to sleep or otherwise rest (especially with any windows open) with a building holding- as this proposal requests- 30 dogs just beyond my backyard. I have taken several videos of just ONE dog barking incessantly on the Lafleur's property in the last month, clearly heard from inside of our home.

My wife and I are expecting a newborn in April of 2025, and while we should be filled with joy and excitement in becoming new parents, we are incredibly worried knowing that if this proposal is approved— our neighborhood peace, comfort and general welfare will be negatively impacted tremendously.

Thank you for your consideration of the concerns voiced by so many in the surrounding community.

Kevin McCarthy
1110 Feather Edge Dr