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To: Town of Cottage Plan Commission and Mark Roffers, Town Planner

FROM: Moms CG Farm LLC - Dave Witte (Director) and David Dinkel (Realtor/Developer Property Shop - Deerfield, WI)

Cc: Kim Banigan, Town Clerk-Treasurer; Nick Bubolz, Town Engineer

DATE: June 10, 2026 **Town Planner's 6/16/26 Responses in Red**

RE: Response to the outstanding concerns regarding Moms CG Farm LLC Rezoning Request to Facilitate a Prospective Subdivision Plat Along Wittewood Lane dated May 19, 2026

1. N/A **Planner: Agreed, related to Town Plan future land use consistency.**
2. N/A **Planner: Agreed, related to TDR and the transaction process. Coordinating with County Planning staff on proper form of TDR transaction and conservation easement over sending area will be key. Current submitted agreement will require significant refinement.**
3. The SFR-08 is a fine choice. We will pass this information along to the Dane County Zoning. **Planner: I had recommended SFR-1 zoning in my May 19th memo, not SFR-08.**
4. The final design and size of the stormwater management basin is being engineered and upon completion, the NR-C zoning district is a good choice. We will communicate this information to the County and the engineers. **Planner: After speaking with County Zoning staff, I had suggested that UTR would be the better zoning district option for the 2.9-acre parcel east of S. Hope was mostly used for stormwater management, and NR-C would be better if mostly wetland and/or floodplain. It seems like this is yet to be determined based on floodplain/wetland analysis and at least preliminary stormwater planning. If such analysis suggests that the current 2.9-acre parcel may not be used for stormwater management for this new subdivision, then it's possible that it may be assigned NR-C zoning while a separate stormwater management outlot is assigned UTR.**
5. The engineering for the storm water management is not completed. Upon completion, the outcome will be shared with the County Land and Water Conservation Department for review. **Planner: I am not sure how one could be confident in the arrangement of lots/outlot(s), and therefore the dividing line between SFR-1 and UTR and/or NR-C zoning districts without some preliminary stormwater planning. When we met with the applicants on 4/1/26, their team included an engineer from Vierbicher Associates. Can this engineer be engaged to advance the wetland/floodplain analysis and stormwater management planning now? (Also, FYI, I learned on 6/15 that County staff will be recommending that its ZLR Committee postpone action on 6/23 for similar and other reasons.)**
6. a: Heartland Ecological Group, the company that completed the wetland delineation in 2020, will revisit the one 0.86-acre wetland within parcel 0711-301-8000-0 to ensure

that all state and/or federal regulations are met. All reports from Heartland Ecological Group will be provided to the County and the Town Planning Commission. **Planner:** In the normal course of events, a wetland delineation is performed as an initial step to determine “what you have” in terms of developable acres and where they are precisely. It is questionable whether land should be rezoned prior to obtaining that knowledge; certainly preliminary platting should not be done until an updated wetland delineation is done. When is Heartland scheduled to complete the delineation?

b: The engineers are consulting with the Dane County Land and Water Conservation Department on possible floodplain/stormwater limitations as this is part of the preliminary plan and final plat process. **Planner:** At least preliminary results of this consultation should be known before proceeding too far into this development. If the 2.9-acre piece just east of S. Hope cannot be used for stormwater management, then other land to its east will have to be redesignated from hoped-for residential lot area to new stormwater management outlot, which affects what land gets zoned to what zoning district(s).

c. The surveyor has completed the boundary and topographical graphing. The developers and engineers will determine a safe and appropriate solution to a driveway(s) that are in accordance with the Town’s ordinances. This determination will also include a restriction on disturbance in the development’s covenants. **Planner:** An approach to this matter should be brought forward. Are there in fact one or more ways to establish the southeast corner of the plat area as a buildable lot for a typical single family home without disturbing 20%+ slopes, and without relying on a driveway with any 12%+ slopes? What are they?

7. The soil tests have been done by Steve Tesmer of Eckmeyer Inc. The tests and the summary have been submitted to the Cottage Grove Planning Commission. The engineers will be sure the county staff also has this information. **Planner:** The Town Engineer reviewed this information and has noted that the area seems encouraging for septic mound systems. He asked whether there is a map that shows the soil boring locations. He also asks whether the test results have been submitted to the County Sanitarian/Environmental Health regarding septic feasibility.
8. A comprehensive development plan will be provided to the Town Planning Commission upon its completion as Moms CG Farm LLC continues to work collaboratively with its engineering firm. **Planner:** Submittal and review of soils information (see above), groundwater and bedrock evaluation, WDNR Natural Heritage Inventory (NHI) preliminary assessment, and a proposed development schedule are required by Town subdivision ordinance before this development moves to the preliminary plat stage. So, it either should be submitted with this rezoning consideration, or there would need to be a separate Comprehensive Development Plan Plan Commission review required before the applicant could make a preliminary plat application to the Town. It seems more efficient to tackle rezoning and Comprehensive Development steps all at once.
9. Covenants specific to this development by Moms CG Farm LLC are being drafted during the preliminary plat stage and a focus on limiting tree clearance and slope disturbance will be included in the covenants. **Planner:** OK.

Moms CG Farm LLC understands that rezoning would be conditional upon the preliminary plat and the final plat processes. **Planner:** With the shortage of up-to-date environmental (e.g.,

wetland, floodplain) investigation, preliminary stormwater planning informed by that investigation with County LWRD consultation, the uncertainty at this point seems too great for even conditional rezoning approval.

Respectfully submitted by:

Dave Witte, Director, Moms CG Farm LLC on the 10th day of June 2026