

TOWN OF COTTAGE GROVE

PLAN COMMISSION

April 24, 2019

1. Notice of the meeting was posted at the Town Hall and on the Town's internet site. A quorum was present with Kris Hampton, Jerry Meylor, Phil Bultman, Steve Anders, Dave Muehl, Wilmer Larson and Virgil Schroeder in attendance. Clerk Kim Banigan and Engineer Tom TeBeest were also present. Troy Eickhoff, who will take over Schroeder's spot next month, was present in the audience.
2. Chair Kris Hampton called the meeting to order at 7:00 P.M.
3. Approve minutes of the previous meetings: **MOTION** by Muehl/Bultman to approve the minutes from the March 27, 2019 meeting as printed. **MOTION CARRIED 5-0-2** (Schroeder and Larson abstained)
4. Public Concerns: None.
5. Presentation of Preliminary Plat of Kennedy Hills (phase 1, lots 1-16): Developer David Riesop was present, along with Realtor David Dinkel. Town Engineer Tom TeBeest had reviewed the preliminary plat and engineering plans and provided written comments for the Commission, which were shared with Mr. Riesop prior to the meeting. Hampton read the written response from Mr. Riesop's engineer, Cleveland F. Gombar, PE. Notable items included:
 - Dane County will be the authority for stormwater and erosion control permitting, the Town Engineer will review once approved.
 - The Developer will coordinate with local utilities regarding easements, and with the Dane County Highway Department regarding any required improvements to the intersection of County BB and Kennedy Road, and any stormwater discharge into the County road right-of-way.
 - Zoning of lots will be shown on the plat. It was noted that since the Town conditionally approved a rezone to residential last year, the Town has adopted the County's revised zoning code. The plat should reflect the new districts.
 - 15 exploratory test pits throughout the 69 acres were dug, 9 of which were within the 16 lot area. No Karst features were found to substantiate the concerns expressed by CARPC. One test pit did hit bedrock at 9 feet. Test pits indicate the site is suitable for septic systems.
 - TeBeest noted that some of the streets shown have less than the minimum 1% grade and plans would need to be revised.
 - TeBeest said the asphalt thickness in the street cross section shown is not thick enough, and suggested the cross section used for Viney's addition to Sky High be used as the standard.

Other discussion:

- Lot 53 will have a driveway onto Kennedy Road. There was no opposition to this, but it should be the only one.
- Lots 3 through 8 have double frontage, on both the new Conestoga and County BB, however a 30' buffer along County BB is provided.
- Lots 1,2,16,17-19, 22 and 54-56 have double frontage along Kennedy Road and another proposed street. Access to Kennedy Road from these lots should be restricted on the plat.
- The majority of the lots will fall under SFR-08 zoning, but lot 8 should be revised to be sure it will allow a minimum width of 100 feet at the building line. Lots 2 and 3 exceed 1 acre and should be zoned SFR-1.

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- Drainage easements should be labeled and limited to drainage purposes only. TeBeest suggested the Covenants include a provision for the Town to clear them out and restore to mowed grass as needed, and to assess the cost to the homeowners association. He said that as development occurs, the Town should still have access via truck or excavator to clear out. Outlot 1 fronts Conestoga, so that should not be a problem, however the retention areas in the final phase could be more problematic.
- The drainage easements on the existing lots to the east were mentioned. Hampton expected that water would not go there any more, but would rather go to the County ditch, but Riesop said the development only needs to keep any release of stormwater from being more than current conditions. Troy Eickhoff asked what the lowest point of Outlot 1 is in relation to homes to the east, and wondered about weeping from the pond, which Riesop confirmed was designed to hold and seep. TeBeest said the DNR would determine if a clay liner is needed, and will also require that the emergency overflow be clearly identified.
- Hampton confirmed that Riesop provided evidence of securing the required 2 RDUs for the 16 lots. Eickhoff asked Riesop if he has secured interest in RDUs for the remaining phases. He said he has not, but Dinkel said they are confident they will be able obtain them.
- Hampton noted that Mr. Riesop had been provided with a sample Development Agreement, which would also require agreements regarding covenants and restrictions and stormwater maintenance.
- Riesop reported that he has submitted the plat to the County, and is on ZLR's agenda for zoning on May 14th. The Village has so far had nothing to say under ETJ.
- Riesop asked the Commission's opinion about needing to improve the County BB/Kennedy Road intersection for phase 1, the response was that this would be up to the County.

There was no action taken by the Commission, but Hampton told Riesop to keep moving forward, including contacting Attorney Susan Allen to work on the Developer's agreement and Covenant.

6. Revisions to Smart Growth Comprehensive Plan - Discuss/Consider recommendation for changing future land use category of 126.39 acres east of North Star Road and North of US Highway 12 & 18 from Agricultural Preservation to Commercial Development: Owners of the affected properties were all present. Hampton said that the change of future land use does not change what the property can currently be used for, but it does change what new uses would be allowed, and does disqualify the property from farmland preservation credits.
 - Larry Skaar, Duane Swalheim and Kirk & Heidi Eihlenfeldt were all in favor of the change.
 - Jonathon Enriquez was not in favor, which was supported by emails from Andrea Enriquez who could not attend. He asked why this area was selected for commercial development. Hampton said the land on the west side of North Star Road has been planned commercial since 2000. considering the commercial development taking place there, the improvements to North Star Road, and the quarry to the east, it seems to make sense to extend the commercial development area to the east.
 - Richard Swalheim asked why homeowners on the south end of North Star Road were not notified, as they will have to look at the commercial development and it may change their property values. Hampton said they will be invited to public hearings if the Plan Commission votes to move ahead with the recommendation.

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- Anders did not believe the change is “ripe” at this point in time, he felt there is already plenty of commercial development area available in the Town, and wanted to take a wait and see approach to how much demand there will be. Kirk Eilenfeldt said while the Town may have time, the landowners may not.

MOTION by Anders to table for one year **FAILED** for lack of a second.

MOTION by Muehl/Bultman to recommend changing future the land use category of 126.39 acres east of North Star Road and North of US Highway 12 & 18 from Agricultural Preservation to Commercial Development, seeing that the major property owners are in favor.

MOTION CARRIED 5-2 (Anders and Larson opposed).

7. ADJOURNMENT: **MOTION** by Muehl/Anders to adjourn. **MOTION CARRIED 7-0**. The meeting was adjourned at 8:17 P.M.

Submitted by: Kim Banigan, Clerk

Approved 05-22-2019