

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
August 19, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were in attendance. Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Dan Dresen, Attorney Connie Anderson, Engineer Thomas TeBeest and Deputy Jennifer Grafton were also present.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/Fonger to approve the minutes from the August 5, 2019 with corrections. **MOTION CARRIED 5-0.**

II. Finance Report and Approval of Bills:

- A. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33293-33318 from Monona Bank as presented. **MOTION CARRIED 5-0.**
- B. **MOTION** by Anders/DuPlayee to approve payment of \$3,937.17 to General Engineering Company for July building permits. **MOTION CARRIED 5-0.**

III. Public Concerns: None.

- IV. Road Right of Way Permits: Dresen reported that TDS has decided to abandon plans to suspend fiber on poles, and has submitted a new application to bury it instead. He asked the board whether to bill per boring or per lineal foot. **MOTION** by Hampton/Anders to bill per boring. **MOTION CARRIED 5-0.** The Clerk asked whether the board wanted any additional security deposit, consensus was it was not necessary.

V. BUSINESS:

- A. Review July Police Activities: The monthly report showed 292 calls for service and 212 citations issued in July. Deputy Grafton said the Traffic Team has been running a lot of speed enforcement grants, with a heavy presence on US Hwy 12 & 18 in the Township. Deputy Grafton also reported that:
 - Car thefts continue to be a problem throughout the County. Young teens are often the offenders, taking advantage of unlocked cars and using garage door openers or keys in the cars to even go into homes.
 - She would be in favor of putting speed bumps on Sandpiper Trl. Hampton said this could be considered for next year.
 - The new judge is doing really well.
- B. Discuss/Consider adoption of Resolution 2019-08-19 Conditional Approval of Preliminary Plat for Kennedy Hills: Developer David Riesop was present, along with his representative David Dinkel. There were no other interested parties present. Atty. Anderson said that the Town Engineer's report to the Board is not ready because TeBeest has not had the two weeks he requested to review the engineering documents from the developer. In the interest of meeting the statutory deadline to approve the preliminary plat, Atty. Anderson recommended a conditional approval as described in the resolution she had prepared. All of the conditions would need to be met to the satisfaction of the Town Clerk and Town Attorney prior to the Town signing the final plat. The Town Board will need to hear the Engineer's report to make decisions on anything that falls outside Town ordinances, Town practices and industry standards. Then the terms and conditions of the Engineer's Report will need to be incorporated into the Developer's Agreement, which is one of several documents required to

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be executed and recorded as a condition of the approval of the preliminary plat. TeBeest said he has not gotten the County's report on the stormwater permit application yet, which is one of the items he needs to complete his review. He expects it soon, hopes to have his report ready later this week. Atty. Anderson stepped through each of the conditions outlined in the proposed resolution. **MOTION** by Hampton/DuPlayee to adopt Resolution 2019-08-19 Conditional Approval of Preliminary Plat for Kennedy Hills as presented. **MOTION CARRIED 5-0.** It is anticipated that the Board will consider the Engineer's report at their September 3rd meeting, and a Developer's agreement at their September 16th meeting. Atty. Anderson advised Mr. Riesop to send the documents listed in section 6. of the resolution to her as soon as possible for the Town's review before they are recorded.

- C. Discuss/Consider approval of CSM to divide a 2.0 acre residential lot from parcel #0711-153-9001-0 on Uphoff Road owned by Dale & Dwight Huston (rezone approved 04-01-2019): **MOTION** by Hampton/DuPlayee to approve the CSM identified as drawing number 5333-19 dated 08-08-2019 as presented. **MOTION CARRIED.**
- D. Discuss/Consider options regarding location of welcome signs: The Board reviewed a memo from Atty. Susan Allen regarding the status of the easements for the welcome signs. Two are all in order, two were never recorded and the signs appear to be in the county road right-of-way. Fonger explained that the one on his property is not placed per the easement as he had them move it at the time of installation since it would not have worked as planned. The easement was probably not updated to reflect the move. Furthermore, he recently had his property surveying, and from eyeballing the line between the lot pins, he thinks the sign is entirely on his land. The Clerk said that the other one in question, on the Bulman property, may be on Village right-of-way, not County. **MOTION** by Hampton/Williams to find out who created the legal description of the sign locations on the easement documents, and have that same party create a new description for the sign on the Fonger property. Expenses to be paid using the Welcome Sign funds. **MOTION CARRIED 5-0.** Hampton will talk to the Village Planner to find out if the right-of-way under the Bulman sign is the jurisdiction of the Village or the County.
- E. Discuss/Consider enforcement of TCG Ord. section 11.09 Property Maintenance for:
1. 3671 W Jargo Road: The property owner faxed a response today, asking to be allowed until December 31, 2019 to paint the house and address the overgrown lawn. She said a professional landscaping crew suggested conducting a "Prairie burn" after the vegetation has dried rather than attempting to mow the overgrown lawn. Board members were concerned about the idea of burning near structures. The Clerk said that the Town's burning ordinance prohibits burning within 20 feet of any structure. Hampton asked that the owner be directed to make sure the address number is visible from the road. **MOTION** by Anders/DuPlayee to allow until November 30, 2019 for the owner to paint the house and address the overgrown lawn, directing the Clerk to send the burning ordinance and the ordinance regulating address numbers along with notice of the board's action on this item. **MOTION CARRIED 5-0.**
 2. 4672 Vilas Road: Hampton reported that the property owner called today and the big brush pile along Vilas Road was moved between 7:30 a.m. and 6:10 p.m. today. Dresen said the majority of the brush is gone. Consensus was to revisit the topic on September 16th.
- F. Discuss/Consider office computer upgrades: The Clerk said that two of the office computers were not up to the standards required by WisVote. She was able to update a 4 year old

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computer to a compliant state, but since the other is 8 years old, she suggested replacing it yet this year with a refurbished all-in-one unit from Horstman Computers at a cost of approximately \$549, plus \$125 for Office software. **MOTION** by Fonger/DuPlayee to purchase a computer and software not to exceed \$800. **MOTION CARRIED 5-0.**

VI. CLERK'S OFFICE UPDATE: The Facebook page is up to 95 likes and 98 followers, and 61 of 93 recent referrals to the Town's web site came from Facebook.

VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: The ditch mower brought just over \$2500 on the Wisconsin Surplus auction site, and 4 of the 6 doors were also sold there. The new tractor is expected this week. Public Works Employee Justin Madsen and his wife welcomed a new baby girl last week.

VIII. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton:

- The August edition of the WTA magazine includes attorney advice regarding removal of a hazardous burned out structure.
- He attended the Village Plan Commission meeting regarding Homburg Equipment's proposed 5th addition to Westlawn, and took with him recommendations from Town Engineer Tom TeBeest regarding stormwater issues that may affect the Town. Hampton advocated for planning for street connectivity. A City of Madison Planner who lives in the Village also advocated for street connectivity.
- He attended a pre-construction meeting for I-39 from Illinois State Line to Madison. Construction is to start today both day and night between County AB and USH 12 & 18. Hoffman Construction is the general contractor. Weekly meetings will be held on Thursdays at the old General Store on County N. Siggelkow Road will be closed at some point but not at the same time that County AB is closed.
- He has invited County Supervisor Melissa Ratcliff to the September 3rd board meeting, and asked what topics she should plan to discuss. Suggestions were: 1) closing of the County's compost drop-off site 2) Plans/location for a replacement site for the landfill 3) update on Alliant Center renovations and 4) update on the new jail.

B. Williams:

- She attended the open house at Capital Underground's new building, which was hosted by Wick Buildings in honor of their 75,000th building. They wanted to host it there because of having such a good working experience with the Town.
- She attended the Sustainability Leaders Collaborative hosted by County Executive Joe Parisi and Madison Mayor Satya Rhodes-Conway. She was interested to learn that Stoughton and Monona have solar panels on municipal buildings with the help of grants from WPPI and Focus on Energy. She volunteered to check into the grant possibilities for our municipal buildings. She had an offer from County Solid Waste Manager John Welch for a tour of the County facilities that use gas captured from the landfill. In addition to Williams, Hampton and DuPlayee expressed interest in such a tour. Williams reported that the county has 75 vehicles converted to utilize the renewable gas, and the City of Madison has 1400 vehicles total.

IX. COMMITTEE REPORTS:

**TOWN OF COTTAGE GROVE
BOARD RESOLUTION 2019-08-19**

**CONDITIONAL APPROVAL OF PRELIMINARY PLAT FOR
KENNEDY HILLS**

WHEREAS, in 2018, David C. Riesop and Riesop Farms, LLC, submitted a draft preliminary plat and concept plan for a single family residential development in the Town of Cottage Grove, Dane County, WI (“the Development”) and obtained input from the Town Plan Commission and Town Board on the Development; and

WHEREAS, on April 11, 2019, David C. Riesop (“Petitioner”) on behalf of Kennedy Hills, LLC, a single member limited liability company (“Developer”) paid the preliminary plat review fee and formally submitted a preliminary plat including Lots 1 -16 for single family residential development, Outlot 1 (stormwater) and Outlot 2 (park with trails) identified as the Preliminary Plat of Kennedy Hills (Drawing No. 4241-19; Dated 3/29/2019) (the “Preliminary Plat”), which Preliminary Plat is located in the NW ¼ of the NE ¼, Section 10, T 7 N, R 11 E of the Town of Cottage Grove; and

WHEREAS, the Developer anticipates two additions to Kennedy Hills north of the 16-lot single family residential development set forth in the Preliminary Plat, with the first addition including Lots 17 – 38 and the second addition including Lots 39 – 64, Outlot 3 (park with parking area) and Outlot 4 (stormwater), all as set forth in the concept plan; and

WHEREAS, the Petitioner has requested approval of the Preliminary Plat and rezoning of the lots within the Preliminary Plat; and

WHEREAS, the Town submitted a Town Action Report to Dane County recommending rezoning of the property within the Development consistent with the comprehensive plan and Dane County’s Transfer of Development Rights program, and Dane County has provided conditional approval of same; and

WHEREAS, the Plan Commission confirmed its recommendation for concept approval of the Development proposal and conditional approval of the Preliminary Plat as set forth in Plan Commission Resolution No. 2019-05-17, and the Town Board provided conceptual approval of the Kennedy Hills Development Proposal as set forth in Town Board Resolution No. 2019-06-07; and

WHEREAS, the Town Board acknowledges conditional rezoning of the Property, all in a manner consistent with Dane County’s rezoning approval, and now wishes to proceed with conditional approval of the Preliminary Plat, on the conditions set forth herein; and

WHEREAS, the Town Board has requested that the Town Engineer review Construction Plans and Specifications for the Development as well as Stormwater Facility Plans within two weeks of the date that Petitioner has provided same to the Town Engineer, and prepare an Engineer’s Report for the Preliminary Plat for consideration by the Town Clerk, Town Attorney and Town Board, as set forth herein; and

WHEREAS, the Town Board has considered the foregoing and shall take action as set forth herein.

NOW, THEREFORE, FOLLOWING CONSIDERATION OF THE ABOVE RECITALS, WHICH ARE INCORPORATED BY REFERENCE, IT IS HEREBY RESOLVED by the Town Board of the Town of Cottage Grove as follows:

The Town of Cottage Grove Town Board **Conditionally Approves** the Preliminary Plat for Kennedy Hills (Petitioner David C. Riesop and Developer Kennedy Hills, LLC) located in the NW ¼ of the NE ¼, Section 10, T 7 N, R 11 E of the Town of Cottage Grove, Dane County, Wisconsin, and as set forth in the attached Sheets 1 and 2 which are attached as Exhibit A and incorporated by reference, **subject to the following conditions, each of which Petitioner and Developer is required to meet and confirm to the satisfaction of the Town Clerk and Town Attorney prior to the Town's inscription of the Final Plat:**

1. **Statutory Approving Authorities.** The Petitioner shall obtain approval of the Final Plat from all other approving authorities, as required by law.
2. **Engineer's Report.** The Petitioner shall provide the information regarding the Preliminary Plat, Construction Plans and Specifications and Stormwater Facilities as required by Town ordinances and/or requested by the Town Engineer. Within two weeks of receipt of same, the Town Engineer shall complete his review of same and prepare an Engineer's Report summarizing his opinion as to compliance with Town ordinances, Town practices and industry standards. Where the Petitioner is requesting design or methods that are inconsistent with the above, the Town Engineer shall provide his professional recommendation with respect to same. The Engineer's Report shall be reviewed by the Town Board and is subject to Town Board approval. The terms and conditions of the Engineer's Report shall thereafter be incorporated in the Developer Agreement. Execution of the Developer Agreement is a required condition of approval of the Preliminary Plat.
3. **Dane County Land Division Review, Including Highway Permit and Intersection with Kennedy Road.** The Petitioner shall comply with the requirements set forth in the Dane County Land Division Review letter from Dan Everson dated August 14, 2019 ("Everson Letter"), which is attached as Exhibit B, and incorporated by reference. The Everson Letter references, among other requirements, the Dane County Highway Department requirements for the intersection of Kennedy Road and the County Highway as determined by the Dane County Highway Department. Based on a meeting between Petitioner and Pam Dunphy, PE, Deputy Commissioner of the Dane County Highway Department, the Petitioner shall apply for a County Permit which, in addition to standard requirements, will require that the entire improvement, passing lane and intersection with turn lane, will be completed by August 15, 2020. Petitioner's agreement to complete the Kennedy Road - County Highway in accordance with County requirements is a condition of approval of the Preliminary Plat. The terms and conditions of the Everson Letter and the Dane County Highway Permit shall be incorporated in the Developer Agreement. Execution of the Developer Agreement is a required condition of approval of the Preliminary Plat.
4. **Fire/EMS Approval.** Prior to the Town signing the Final Plat, Cottage Grove Fire Department and the Deer-Grove EMS (or designee) shall review the Preliminary Plat to provide recommended conditions of approval ("Fire/EMS Approval"), which Fire/EMS Approval is subject to concurrence from the Town Board following its consideration of additional comments (if any) from the Town Engineer, Town Attorney, Town staff, or other Town consultants. The Petitioner is responsible for acknowledging and complying with the conditions of the Fire/EMS Approval, which shall be incorporated in the Developer Agreement. Execution of the Developer Agreement is a required condition of approval of the Preliminary Plat.
5. **ETJ Approval.** Town approval of the Preliminary Plat is conditioned on the Petitioner and Developer obtaining extra-territorial jurisdiction approval from the Village of Cottage Grove on such terms as are acceptable to the Town. Prior to the Town signing the Final Plat, the Petitioner shall not only obtain

approval from the Village of Cottage Grove with respect to the Village's extra-territorial jurisdiction and but shall also obtain Village signatures on the Final Plat confirming such approval.

6. **Executed Documents for Recording.** Town approval of the Preliminary Plat is conditioned on the Petitioner and Developer presenting certain fully executed documents to the Town in the form acceptable to the Town prior to the Town's inscription on the Final Plat. Therefore, concurrent with presentation of the Final Plat, the Petitioner shall present to the Town Clerk the following fully executed original documents in a form suitable for recording along with the fees for recording of same:
 - a. A Developer Agreement, in a form satisfactory to the Town Board, Town Attorney and Town Engineer, covering the installation of public improvements for the proposed development *including security acceptable to the Town Board, Town Attorney and Town Engineer and in the amount of 120 percent of the cost of the public improvements.*
 - b. Easements, in a form satisfactory to the Town Board, Town Attorney and Town Engineer, ensuring compliance with the representations and requirements set forth in the Developer Agreement and the approvals related thereto.
 - c. A Declaration of Covenants and Restrictions, and related Home Owner Association documents, all in a form satisfactory to the Town Board and Town Attorney, ensuring the quality of the development and the representations made to the Town.
 - d. A Stormwater Management Agreement, in a form satisfactory to Dane County, Town Board, Town Attorney and Town Engineer, for all stormwater management facilities serving the Preliminary Plat.
7. **TDR Program.** Town approval of the Preliminary Plat is conditioned on the Petitioner presenting documents satisfying the TDR Program to the Town in the form acceptable to the Town. Prior to the Town signing the Final Plat, the Petitioner shall satisfy the requirements of the Dane County Transfer of Development Rights ("TDR") Programs, as opted-in to by the Town of Cottage Grove. See letter from Pam Andros at Dane County dated May 28, 2019 ("Andros Letter"), which attached as Exhibit C and incorporated by reference. It is the Petitioner's responsibility to obtain and provide to the Town all required original documents, which must be reviewed and accepted by the Town PRIOR TO RECORDING. Timing is of the essence. Petitioner's failure to fully comply with this provision will result in denial of the Final Plat.
8. **Erosion Control & Stormwater Facilities.** Town approval of the Preliminary Plat is conditioned on the Petitioner satisfying the Erosion Control & Stormwater Facilities requirements established and enforced by Dane County. Furthermore, the Developer Agreement shall contain a separate covenant to the Town that the Petitioner shall thereafter construct the stormwater facilities in accordance with the approved design. The Petitioner shall obtain approval of an Erosion & Sedimentation Control Plan and Stormwater Management Plan from Dane County and the Wisconsin Department of Natural Resources (WDNR), and provide confirmation of same to the Town Clerk. Copies of the following shall also be provided to the Town Clerk and Town Engineer:
 - a. Permits from Dane County for the approved Erosion & Sedimentation Control Plan and Stormwater Management Plan; and
 - b. The performance bond or other security in a form and amount acceptable to Dane County; and
 - c. A full set of the final approved plans for the facilities that comprise the approved Erosion & Sedimentation Control Plan and Stormwater Management Plan.
9. **Construction Plans and Specifications.** Town approval of the Preliminary Plat is conditioned on the Petitioner presenting Construction Plans and Specifications for the Development to the Town that are acceptable to the Town. The Petitioner shall obtain approval of the Construction Plans and Specifications, which shall be in a form that satisfies Town ordinances and specifications on file with

the Town, in writing from the Town Engineer. If the Petitioner includes items in its Construction Plans and Specifications that are not expressly described in the Town ordinances and approved specifications, then the Town Engineer shall exercise his professional discretion to set the requirement based on his professional expertise, current Town practices and general industry standards. Any deviations from these requirements shall require review and approval of the Town Board.

10. **Fees and Costs.** Town approval of the Preliminary Plat is conditioned on the Petitioner and Developer paying the fees and costs associated with the Development. Prior to the Town signing the Final Plat, the Petitioner shall satisfy the Town of Cottage Grove's requirement for payment of Fees in Lieu of Land Dedication and Parkland Improvement Fees (if any), as determined by the Town in consultation with the Town Attorney and Town Engineer, and shall reimburse the Town for costs and expenses incurred by Cottage Grove in connection with the review and approval of the Preliminary and Final Plat to date.
11. **Zoning.** The Town acknowledges that the Petitioner has obtained conditional rezoning of the property within the Preliminary Plat from both Dane County and the Town.
12. **Reimbursement.** The Petitioner shall promptly reimburse the Town of Cottage Grove for all costs and expenses incurred by Cottage Grove in connection with the review and approval of the Preliminary and Final Plat, including, but not limited to, the cost of professional services incurred by the Town of Cottage Grove for the review and preparation of required documents, attendance at meetings or other related professional services. The Town shall not sign the Final Plat or provide any further approvals needed or desired by the Petitioner with respect to this Project if Petitioner fails to comply with this provision.
13. **Time and Expiration.** Time is of the essence as to Petitioner's compliance with the terms and conditions of this Resolution. The Town Board's conditional approval of the Preliminary Plat shall expire at the earlier of (a) termination of the Village of Cottage Grove's Waiver of its ETJ over the area included in the Preliminary Plat, or (b) twenty-four months from the date of adoption. Expiration shall have the effect of the Town Board's denial of the Preliminary Plat for failure to meet the conditions set forth herein.

The above and foregoing Resolution was duly adopted at a meeting of the Town Board of the Town of Cottage Grove held on the 19th day of August, 2019, by a vote of 5 in favor and 0 opposed.

TOWN OF COTTAGE GROVE


Kris Hampton, Town Chairperson

Attested by:

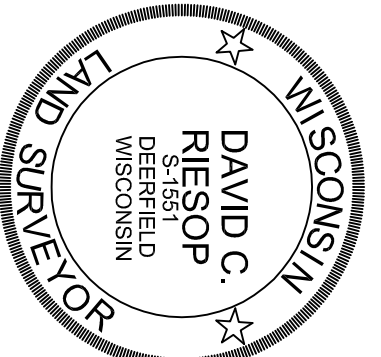
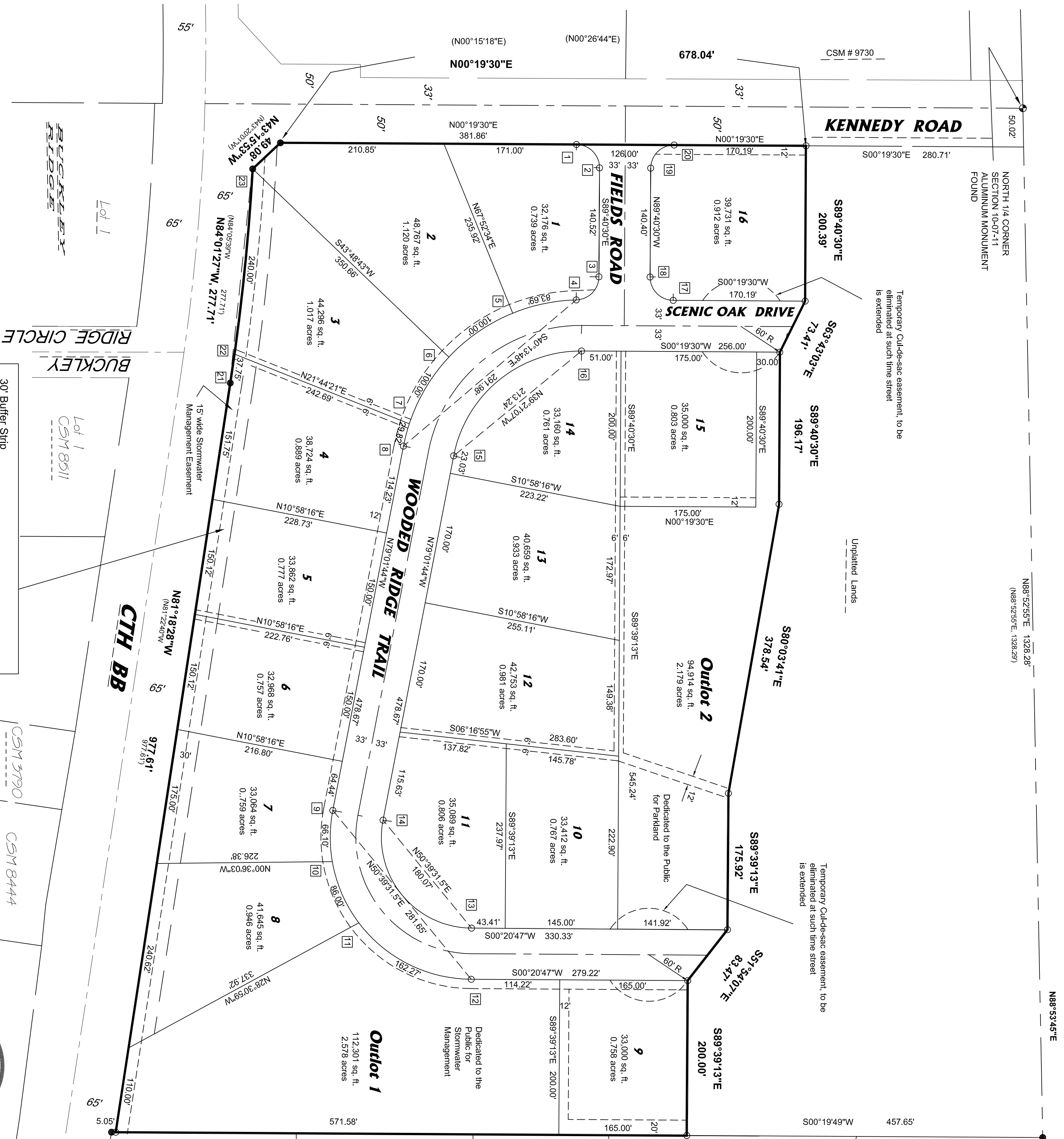
Kim Banigan, Town Clerk

Exhibits Incorporated by Reference:
Exhibit A – Sheets 1 and 2 of Preliminary Plat
Exhibit B - Everson Letter dated August 14, 2019
Exhibit C – Andros Letter dated May 28, 2019

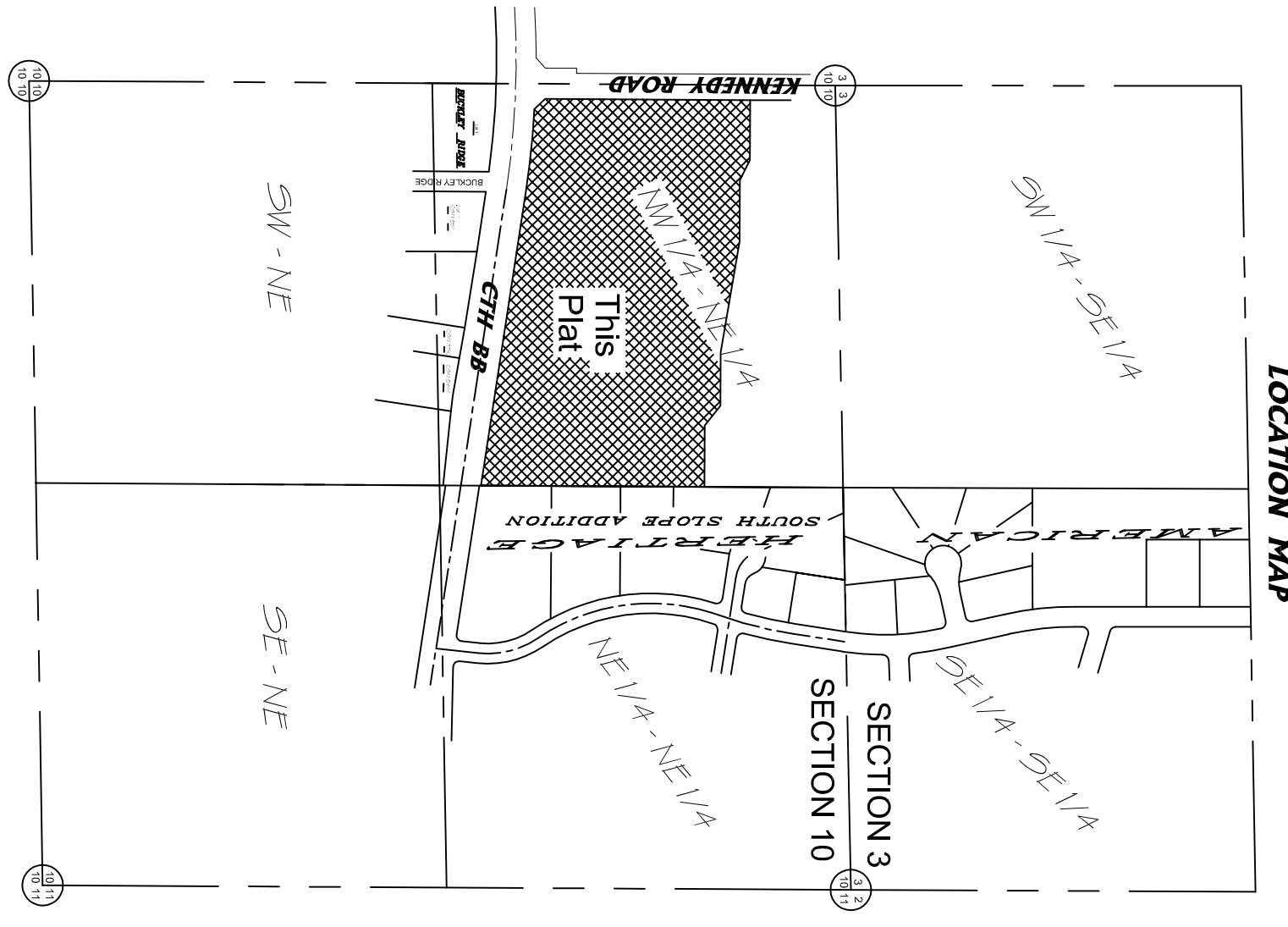
Part of the Northwest 1/4 of the Northeast 1/4 of Section 10, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin.

KENNEDY HILLS

30' Buffer Strip
 "This strip reserved for the planting of trees or shrubs by the owner, the building of structures hereon is prohibited, and the rear 30 feet of the strip shall not be counted as any required yard. Maintenance of this strip is a responsibility of the lot owner."



AMERICAN HERITAGE SOUTH SLOPE ADDITION



- Lot Notes**
- 1) Lot zoning is SFR-08
 - 2) Building setbacks are Front = 30', Side = 10' minimum each side Rear = 50'

Referenced to the Dane County Coordinate System, with the overall North line of the NE 1/4 bearing N88°53'45"E

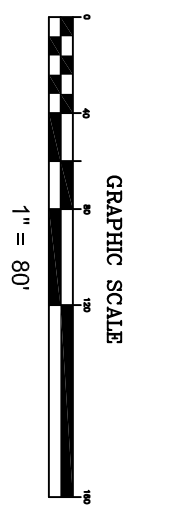
Legend

- = 3/4" dia. solid from rod found unless otherwise noted
- = 1" dia. pipe found unless otherwise noted
- = 1 1/4" dia. x 24" long solid from rod set, 4.17 lbs. per lineal foot.
- All other lot corners are marked by a 3/4" dia. x 18" long solid from reinforcing rod, 1.50 lbs. per lineal foot.
- = When different, parentheses indicate recorded as values

All distances shown along a curved line are chord length distances.

= Utility easement and width
 The final grade established by the subdivider on the utility easements shown shall not be altered by more than 6" by the subdivider, his agent, or by subsequent owners of the lots on which such utility easements are located, except with written consent of the utility or utilities involved.

In cases of overlap, Stormwater Drainage Easements have precedent over utility easements



CURVE TABLE

Curve	Delta Angle	Radius	Long Chord	Arc	Tangent Bearings
1-2	90°00'00"	30.00'	N45°19'30"W, 42.43'	47.12'	N00°19'30"E, S89°40'30"E
3-4	88°14'38"	30.00'	S45°33'11"E, 42.43'	41.77'	S89°40'30"E, S01°25'52"E
4-5	20°41'32"	233.00'	S11°46'38"E, 83.69'	84.15'	S01°25'52"E, S22°07'24"E
5-6	24°47'02"	233.00'	S59°17'57"E, 100.00'	100.78'	S22°07'24"E, S46°54'26"E
6-7	07°20'16"	233.00'	S75°21'36"E, 29.82'	29.84'	S46°54'26"E, S71°41'28"E
7-8	77°35'52"	233.00'	S40°13'48"E, 291.98'	315.55'	S01°25'52"E, S79°01'44"E
8-9	20°48'16"	183.00'	S89°26'00"E, 66.08'	66.44'	S79°01'44"E, N80°10'00"E
9-10	27°10'54"	183.00'	N66°34'19"W, 86.00'	86.81'	N80°10'00"E, N52°59'06"E
10-11	52°38'19"	183.00'	N26°39'51"E, 162.27'	168.12'	N52°59'06"E, N00°20'47"E
11-12	100°37'29"	117.00'	S50°39'31.5"W, 281.65'	321.39'	S07°04'47"W, N00°20'47"E
12-13	100°37'29"	117.00'	N39°21'07"W, 213.24'	205.48'	S07°04'47"W, N00°19'30"E
13-14	79°21'14"	167.00'	N59°19'30"W, 42.43'	47.12'	S00°19'30"W, N89°40'30"E
14-15	90°00'00"	30.00'	S45°19'30"W, 42.43'	47.12'	N89°40'30"W, N00°19'30"E
15-16	00°44'18"	2930.00'	N81°40'37"W, 37.75'	37.75'	N81°18'28"W, N82°02'46"W
21-22	04°44'18"	2930.00'	N84°23'35"W, 240.00'	240.00'	N82°02'46"W, N86°44'26"W
21-23	05°25'58"	2930.00'	N84°01'27"W, 277.71'	277.81'	N81°18'28"W, N86°44'26"W

Surveyor's Certificate

I, David C. Riesop, Professional Land Surveyor do hereby certify that in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the Chapter 15, Land Division and Planning Code of the Town of Cottage Grove, and under the direction of Kennedy Hills, LLC, owner, I have surveyed, divided and mapped the plat of Kennedy Hills, and that such plat correctly represents the exterior boundaries thereof and the subdivision of the land surveyed and is more fully described as follows:

Part of the NW ¼ of the NE ¼ of Section 10, T.7N., R.11E, Town of Cottage Grove, Dane County, Wisconsin, described as follows:

Commencing at the North ¼ corner of Section 10; thence N88°52'55" E, 50.02 feet to the East line of Kennedy Road; thence S00°19'30" E, 280.71 feet along said East line to the point of beginning; thence S89°40'30" E, 200.40 feet; thence S63°43'03" E, 73.41 feet; thence S89°40'30" E, 196.17 feet; thence S80°03'41" E, 378.54 feet; thence S89°39'13" E, 125.92 feet; thence S51°54'07" E, 83.47 feet; thence S88°39'13" E, 200.00 feet to the East line of the NW ¼ of the NE ¼; thence S00°20'50" W along said line, 726.58 feet to the North line of County Trunk Highway BB; thence N81°18'28" W along said line, 977.61 feet to the point of curvature of a curve to the left, said curve having a radius of 2350.00 feet and a delta angle of 23°58', the long chord of which bears N84°01'27" W, 277.71 feet; thence Northwesterly along the arc of said curve and North line, 277.81 feet; thence N43°15'53" W, 49.08 feet to the East line of Kennedy Road; thence N00°19'30" E along said line, 678.04 feet to the point of beginning.
The above described containing 924,275 square feet or 21.22 acres.

David C. Riesop _____

Owners Certificate
Kennedy Hills, LLC, As owner hereby certifies that it has caused the land described hereon to be surveyed, divided, mapped and dedicated a represented on this plat. It also certifies that this plat is required by S. 236.10 and S. 236.12 to be submitted to the following agencies for approval or objection:

Department of Administration
Dane County Zoning and Land Regulation Committee
Town of Cottage Grove
Village of Cottage Grove

In witness hereof, Kennedy Hills, LLC has caused these presents to be executed this _____ day of _____, 2019.

Kennedy Hills LLC, by: _____
David C. Riesop, member

STATE OF WISCONSIN)
COUNTY OF DANE)ss.

Personally came before me this _____ day of _____, 2019, the above named owner to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin
my commission expires _____

Consent of Mortgage Holder

Bank of Deerfield, a banking association duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this Certified Survey Map, and does hereby consent to the above certificate of Kennedy Hills, LLC, owners.

IN WITNESS WHEREOF, the said Bank of Deerfield has caused these presents to be signed by _____ its Authorized Officer, at Deerfield, Wisconsin on this _____ day of _____, 2019.

(name, title)

STATE OF WISCONSIN)
COUNTY OF DANE)ss.

Personally came before me this _____ day of _____, 2019, the above named officer to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin
my commission expires _____

KENNEDY HILLS

Part of the Northwest 1/4 of the Northeast 1/4 of Section 10, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration



Town of Cottage Grove Certificate
This plat of Kennedy Hills has been approved by the Town Board of the Town of Cottage Grove as per action of the Town Board on _____, 2019.

Kim Banigan _____ dated _____
Clerk, Town of Cottage Grove

Village of Cottage Grove Certificate (Extraterritorial Jurisdiction)
This plat of Kennedy Hills has been approved by the Village Board of the Village of Cottage Grove as per Village Board action on _____, 2019.

Lisa Kalka _____ dated _____
Clerk, Village of Cottage Grove

Town Treasurer's Certificate
I, Debra Abel, being the duly elected, qualified and acting Treasurer for the Town of Cottage Grove, hereby certify that in accordance with the records in my office, there are no unpaid taxes and no unpaid special assessments as of _____, 2019 affecting any of the lands included in the plat of Kennedy Hills.

Debra Abel _____
Treasurer, Town of Cottage Grove

County Treasurer's Certificate

I, Adam Gallagher, being the duly elected, qualified and acting Treasurer for the County of Dane, hereby certify that in accordance with the records in my office, there are no unpaid taxes and no unpaid special assessments as of _____, 2019 affecting any of the lands included in the plat of Kennedy Hills.

Adam Gallagher _____
Treasurer, County of Dane

County Approval
This plat know as Kennedy Hills is hereby approved by the Dane County Zoning and Land Regulation Committee this _____ day of _____, 2019.

Jerry Bollig, Chair _____
Dane County Zoning and Land Regulation Committee

Register of Deeds Certificate
Received for recording this _____ day of _____, 2019, at _____ o'clock _____ M., and recorded in Volume _____ of Plats, _____ as document number _____.

Kristi Chlebowski _____
Dane County Register of Deeds



Dane County Planning & Development Land Division Review

August 14, 2019

Wisconsin Mapping
306 West Quarry St.
Deerfield, WI 53531

Re: Kennedy Hills (final plat)
Town of Cottage Grove, Section 10
(18 lots, 21.2 acres)
Rezone Petition #11283, AT-35 to SFR-08, *no sensitive environmental areas within this plat*
Review deadline: October 1, 2019

Attention: David Riesop, S-1551

The Dane County Zoning and Land Regulation Committee, at its meeting of August 13, 2019 considered the proposed final plat. The committee approved the plat, subject to the following conditions:

1. Compliance with the Dane County Comprehensive Plan is to be established.
 - *See memo from Planner Pam Andros that verifies that this plat is consistent with the land use plan for the Town of Cottage Grove.*
2. The public park land appropriation requirement is to be satisfied (private park land does not satisfy this requirement).
 - *The amount of land to be provided shall be at least 1,750 square feet of land for each proposed residential dwelling unit within the plat. 16 lots = 28,000 s.f.*
 - *Outlot 2 shown as park 96,305 s.f.*
3. All public land dedications are to be clearly designated “dedicated to the public.”
 - *Outlot 1 shown for storm water pond/management.*
 - *Outlot 2 shown as park. (2.18 acres)*
4. Comments from the Dane County Highway department are to be satisfied:
 - *ROW is acceptable as shown.*
 - *Type B2 intersection with passing lane needed in Phase 1.*
 - *Provide detail of pond outlet with respect to impact on County ROW. Due to past water issues at this location a drop inlet with discharge at grade may be required.*
5. Utility easements are to be provided.
 - *Easements across lots or along rear or side lot lines shall be provided for utilities where necessary, shall be at least 6 feet wide on each side of lot lines*

6. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Dane County Highway Commission and the Town of Cottage Grove.
7. Dead-end streets shall not be permitted without suitable turn-around. Appropriate arrangements shall be made for those parts of temporary turn-arounds outside of street right-of-way to revert to the abutting property owners at such time as streets shall be extended.
8. Comments from the Dane County Surveyor are to be satisfied:
 - *Updated road names and the configuration of such road names are acceptable.*
9. All street names shall be consistent with chapter 76 of the Dane County Ordinances.
10. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established, prior to any land disturbance.
11. Compliance with Ch. 14.46 DCCO, Stormwater Control Permit is to be established, prior to any land disturbance
 - *Storm water drainage facilities of a size and design that will adequately accommodate design volumes of flow and which will present no hazard to life or property shall be installed in accordance with plans and specifications approved by the committee.*
12. An Owner's approval certificate is to be included and contain the following language:
 - *As owners we certify that we caused the land described on this certified survey map to be surveyed, divided, mapped and dedicated as represented on this certified survey map. We also certify that this certified survey map is required by sec. 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee.*
13. All owners of record are to be included in the owner's certificate. A certificate of consent by all mortgagees/vendors shall be included and satisfied if relevant.
County records indicate the following owners:
 - *KENNEDY HILLS LLC*
14. The required approval certificates are to be included.
 - *Town of Cottage Grove*
 - *Village of Cottage Grove (extra-territorial jurisdiction)*
 - *Dane County Treasurer*
 - *Dane County Zoning and Land Regulation committee*

Please contact myself if you have any questions regarding this letter.

Sincerely,

Dan Everson
Assistant Zoning Administrator
267.1541

Town of Cottage Grove
Village of Cottage Grove
Dane County Highway
Dane County Land & Water Resources – Jeremy Balousek



DANE COUNTY
PLANNING & DEVELOPMENT

Room 116, City-County Building, Madison, Wisconsin 53703
Fax (608) 267-1540

MEMORANDUM

TO: Zoning & Land Regulation (ZLR) Committee

FROM: Pamela Andros, AICP, Senior Planner

SUBJECT: Kennedy Hills, Preliminary Plat, Town of Cottage Grove, Section 10

DATE: 5/28/2019

CC: Dan Everson, Assistant Zoning Administrator
Roger Lane, Zoning Administrator
Todd Violante, Director of Planning & Development
Kim Banigan, Town of Cottage Grove Clerk
David Riesop, Kennedy Hills LLC, Applicant

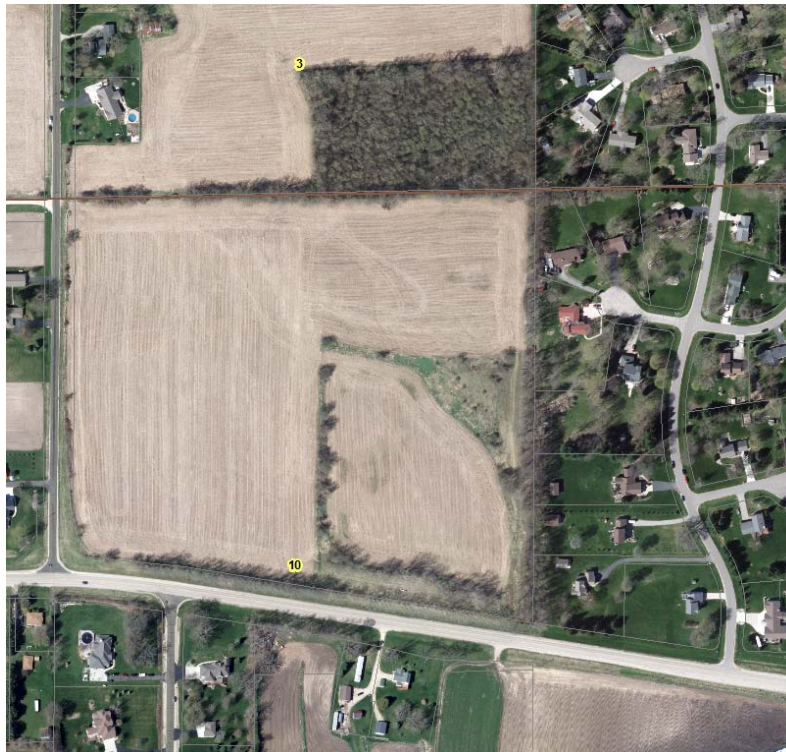
*Housing &
Economic Development*
(608)266-4270, Rm. 362

Planning
(608)266-4251, Rm. 116

Records & Support
(608)266-4251, Rm. 116

Zoning
(608)266-4266, Rm. 116

As requested by the ZLR, staff provides analysis of land divisions, comparing them against the local and county comprehensive plans. In this case, the analysis is of the consistency of this preliminary plat located in the town of Cottage Grove and the goals, objectives and policies of the *Dane County Comprehensive Plan*.



With this preliminary plat, Kennedy Hills, LLC wishes to split an existing 21.2 acre lot, into 16 lots. The lots range from 0.74 acres to 1.12 acres in size. The plat is located within the Village of Cottage Grove's Extra Territorial Jurisdiction (ETJ), and is outside of an Urban Service Area (USA).

The proposed subdivision is surrounded by residential development to the east, vacant land to the north and a small subdivision (Buckley Ridge) to the south. The subdivision is designed in such a way that it may be expanded northward in the future.

The *Dane County Comprehensive Plan* describes broad policy directions for new development, but refers to component town and municipal plans for detailed land use, subdivision and public infrastructure recommendations relevant at the land division scale.

The county-adopted *Town of Cottage Grove Comprehensive Plan* identifies the subject property in the *Neighborhood Development Area* of the future land use plan and map. The purpose of this area includes promoting sustainable residential development by encouraging infill around existing development and incorporating principles of conservation neighborhood design. The minimum residential lot size allowed in this district 20,000 square feet (provided that soil tests determine that the lot is suitable for an on-site waste treatment system), and the maximum lot size is 1.0 acre.

Plan policies include a transfer of development rights (TDR) program, requiring that development rights (residential development rights or “RDUs”) be transferred from a TDR sending area to the *Neighborhood Development Area* (a TDR receiving area) in order for creation of residential lots. Development rights are transferred at a 1:8 ratio, so two development rights are required to create these 16 lots.

Assuming that the correct number of RDUs are acquired, this subdivision plat is consistent with the town and county comprehensive plans.

I hope this information is helpful, and would be happy to answer any questions you may have. Please feel free to contact me at andros@countyofdane.com or (608)261-9780 if I can be of any further assistance.

AFFIDAVIT OF POSTING OF
TOWN OF COTTAGE GROVE RESOLUTION

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

I, Kim Banigan, Cottage Grove Town Clerk, being first duly sworn, on oath, state as follows:

On August 20, 2019 the following was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

**TOWN BOARD RESOLUTION 2019-08-19
CONDITINAL APPROVAL OF PRELIMINARY PLAT FOR
KENNEDY HILLS**




Kim Banigan, Town Clerk

Subscribed to and sworn before me
this 20th day of August, 2019.

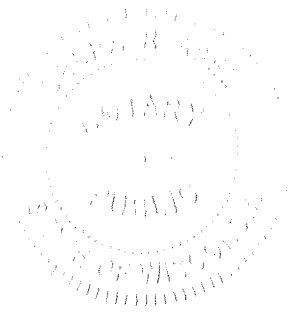
Signature of Town Chair person

OR



Debra R. Abel (print name)

Notary Public, State of Wisconsin
My Commission expires: March 7, 2023



TOWN OF COTTAGE GROVE

TOWN BOARD MEETING

August 19, 2019

- A. Deer-Grove EMS Commission: Williams reported that the next meeting will be on September 10th to work on the 2020 budget.
 - B. Flynn Hall Committee: The 2020 budget request is for \$6,500, the same as 2019. The Lions Club plans to install a concrete curb and a light pole in 2019. The Town will consider budgeting for blacktopping in 2020.
- X. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:31 P.M.

Kim Banigan, Clerk

Approved 09-03-2019