

## REGULAR MONTHLY BOARD MEETING MINUTES

### TOWN OF VERONA

January 2, 2018 6:30 PM

Town Hall, 7669 County Highway PD, WI 53593-1035

Present: Geller, Maxwell, Enburg, Dreger and Duerst

Absent: none

Staff Present: Arnold, Wright, Judd

Also Present: see sign in sheet

1. Call to Order/Approval of the agenda – Mark Geller called the meeting to order at 6:30 p.m. Manfred Enburg moved approval of the agenda. Second by Mike Duerst. Motion carried.
2. Pledge of Allegiance
3. Public Comment – None.
4. Announcements – None.
5. Discussion and Approval of Minutes from December 5<sup>th</sup> – Motion by Maxwell. Second by Duerst. Mark Geller corrected Mike Duerst's arrival time. Motion carried.
6. Reports and Recommendations
  - a. Plan Commission:
    - i. Discussion and Action re: Model Development Agreement for all condominiums – Doug Maxwell explained the difference between a development agreement and condominium declarations. Doug then presented a summary of what's in a typical development agreement. Laura Dreger asked about how staff time was tracked. John Wright asked about where language was about the Town being able to assess property owners. Doug responded that there was language to that affect in the condominium declarations. Manfred Enburg raised concerns about that amount that would be charged to the developer for staff time. He felt that limiting the charges to two times the staff's rate of pay wouldn't capture enough of the Town's overhead costs. Motion by Enburg to approve the model development agreement with the stipulation that section 3.1 (dealing with charges for staff time) be clarified. Second by Maxwell. Motion carried unanimously.
    - ii. Discussion and Action re: Development Agreement for property located at 3151 Shady Oak Lane submitted by JSD Professional Services for Jim Coons. Motion by Maxwell to move that the model be used and approved for Driftless Ridge located at 3151 Shady Oak Lane. Second by Enburg. Motion carried unanimously. There was a question about whether or not the condominium declarations would be discussed and it was decided that because those are an agreement between the developer and buyers, that they would only be reviewed by the Town's attorney for any issues pertaining to the Town.
    - iii. Land use application 2017 – 7 – for property located adjacent to 6440 Sunset Drive submitted by Tony Heinrichs on behalf of Steve Reinen. The purpose of the application is the rezoning from RH-1 to R4 to allow for condominium development made up of 16 single family units on 39.6 acres.
      - Presentation – Ron Klaas of D'Onofrio Kattke & Associates gave a presentation aided by Attorney Robert Proctor. Ron explained that they had moved Unit 16 converting additional acreage to an outlot, increased setbacks, and adjusted the Ice Age Trail. They also added a road easement to west. The developer is working with Dane County on stormwater management and had started to dig test pits. Mike Duerst asked about tree removal, and Ron responded that they plan to save as many trees as possible (not selectively harvest based on age). There was also a discussion about the construction of the actual Ice Age Trail. Robert Proctor explained that would be done by the Ice Age Trail organization.
      - Public comment – Kristie Schorr raised concerns about the number of homes, questions about the road easement, lack of long range plans for the area, and her desire to see two acre lots rather than a minimum of one and a half. Rosemary Bodolay echoed the same concerns. Pete Ragotzki was glad to see the improvements to the Ice Age Trail, but has concerns about the Brown Farm (Heinrich property) developing. He also wondered about lighting and if the kettles could handle the run off. Gregg McKarns didn't feel sixteen homes were an issue but the potential for future traffic was, particularly with the hills on Sunset. Susan Pigorsh raised concerns about the rate that the town is growing and asked that the road easement be removed. She also had concerns about erosion, and suggested that the Board set a limit on development. Nancy Rung raised concerns about the loss of rural character, flooding issues, and potential impacts on the water table. There was also a clarifying question about another development proposal for three new lots on the south side of Sunset Drive .
      - Discussion and Action – Doug Maxwell attempted to address some of the questions, explaining that the comprehensive plan allows for one house per two acres and so does the zoning. Sixteen homes is actually less than what would be allowed by right if it weren't for Fitchburg's extra-territorial jurisdiction. The Town's dark skies ordinance will cut down on light pollution, and Dane County will review all erosion and stormwater management issues. The project is expected to add 180 trips a day to Sunset, but other Town roads handle much more. The Town has been informed that individual wells do not impact the water table, rather City municipal wells do. Lastly, Doug advocated for the easement to the

west to allow for an alternate exit. Laura Dreger explained that she liked the improved plan, but she felt the Town was growing too fast.

- Enburg moved to approve the rezoning of Parcel no. 062/0608-361-8810-0, Parcel no. 062/0608-361-9090-0 and Parcel no. 062/0608-361-8501-0 from RH1 to R4 conditional upon the review by the Town Attorney and signing by the Town Chair of the Developer Agreement. Second by Maxwell. Maxwell: aye, Enburg: aye, Duerst: aye, Dreger: no, Geller: aye. Motion carried.
  - Maxwell moved to approve the draft of the condominium plat with a maximum of 16 single-family residential units with no unit being smaller than 1.5 acres, 4 common areas (private road, shared driveway, and two out lots), with an easement to be recorded for the Ice Age National Scenic Trail as show on the condominium plat, and with an easement for a road to connection to the property on the West. For the road easement to be implemented to the West the Town Board would have to approve this road. Second by Duerst. There was a lengthy discussion about the road easement. Robert Proctor noted that the developer could have established the easement after approvals without notifying te Town. He also noted that many municipalities require such easements. Maxwell: aye, Enburg: aye, Duerst: aye, Dreger: no, Geller: aye. Motion carried.
  - Maxwell moved to approve the deed restriction limiting the plat to a maximum of 16 single-family units with no unit being smaller than 1.5 acres, 4 common areas (private road, shared driveway, and two out lots), with an easement to be recorded for the Ice Age National Scenic Trail as shown on the condominium plat map, and with a road easement to connect to the property on the West. Second by Duerst. John Wright clarified that nothing can be built on the out lots. Robert Proctor noted that small structures like a kiosk or mailbox could be built, but not a residence. Maxwell: aye, Enburg: aye, Duerst: aye, Dreger: no, Geller: aye. Motion carried.
- iv. Land Use application 2017- 9 – for property located at 11451 Mid Town Road submitted by Justin Temple for OAJ Development. The purpose of the application is the rezoning from A3 to R4 to allow for condominium development made up of 29 single family units on 62.9 acres. – Doug Maxwell recused himself from the conversation and left the table. Amanda Arnold took over the coordination of the presentation.
- Presentation – Justin Temple gave an overview of the project. He was asked to include road easements to adjacent properties to the north and south on the two out lots as the previous project had and he agreed to.
  - Public comment – None. Amanda pointed out a late arriving letter from a neighbor that she had printed and provided for the Board.
  - Motion by Duerst to approve the rezoning of lot of Parcel no. 062/0608-961-8295-0 (Lot 2 of CSM 14442), from A3 to R4 conditional upon the review by the Town Attorney and signing by the Town Chair of the Developer Agreement. Second by Enburg. Maxwell: abstained, Enburg: aye, Duerst: aye, Dreger: aye, Geller: aye. Motion carried.
  - Motion by Duerst to approve the draft of the condominium plat with a maximum 29 single-family residential units with no unit being smaller than 1.5 acres, 3 common areas (private road, and two out lots), and with an easement for a road to connect to the property on the North and South. For the road easement to be implemented, the Condo Declaration would have to have the Town Board approval to allow for this road. Second by Enburg. Maxwell: abstained, Enburg: aye, Duerst: aye, Dreger: aye, Geller: aye. Motion carried.
  - Enburg moved to approve the deed restriction limiting the plat to a maximum of 29 single-family units with no unit being smaller than 1.5 acres, 3 common areas (private road and two out lots) and with an easement for a road to connect to the property on the North and South. Second by Duerst. Maxwell: abstained, Enburg: aye, Duerst: aye, Dreger: aye, Geller: aye. Motion carried.
- b. Public Works
- i. Discussion and possible action re: plowing for contract in condominium subdivisions – Amanda explained that she had gathered a few more prices from private contractors and discussed the concept with the Public Works Committee, but they had some concerns. Manfred Enburg explained that he feels the Town has enough to do without taking on this extra responsibility. Mark Geller said he’s fine with doing it if the Town doesn’t compete with local contractors. He suggested charging double the going rate. Maxwell made a motion to approve the plowing of private roads at no cost (because they are already paying taxes). There was no second so the motion failed. Tom Mathies reminded the Board that governments are not supposed to make a profit off of providing services. Mike Duerst made a motion to plow private roads in condominiums and charge 1.5 times the average of three quotes from private contractors. Second by Maxwell. Amanda explained that she would have to work with the town attorney on a contract. Maxwell: aye, Enburg: no, Duerst: aye, Dreger: aye, Geller: aye. Motion carried.
  - ii. Manfred Enburg reported on his concept of breaking the public works road budget up into three categories: one fund for large capital project, another for chip sealing and small repairs, and a third for repairs that Mark Judd would make.
  - iii. Mike Duerst asked for more direction on the purchase of a generator. The Board discussed whether or not the town hall would ever be used as a shelter or an emergency headquarters, and decided that was unlikely. Mark Geller reported that he had talked to the architect of the building and he said it would take a long time for the building to get cold enough for pipes to break. Amanda Arnold added that she had talked to the power company and they said most power outages are in the summer and less than a day. The Board thus decided that a

generator was not a priority right now. Manfred explained that the public work committee was working on an equipment wish list.

- c. Ordinance Committee
    - i. Discussion and possible action re: seasonal Weight Limits Ordinance – John Wright reported that he's working on reformatting of this ordinance and will bring it forward at a future meeting.
  - d. EMS Commission – Mike Duerst reported that there had been 3000 EMS calls. 199 of those were in the Town year to date. Last year's town total was 126.
  - e. Town Chair – Mark Geller asked each committee chair to prepare a list of 2017 accomplishments and 2018 goals.
  - f. Supervisors – Manfred Enburg expresses some concerns he heard from a citizen about obstructions in the right-of-way.
  - g. Clerk/Treasurer - John Wright reported on tax collection and election preparation. He also mentioned that staff signed a new contract with the assessment service (the cost only went up by \$100) and he planned to bring forward some options for future revaluations.
  - h. Planner/Administrator – Amanda reported that the Dane County Sherriff's Office had encouraged the Town to host a program on what to do in an active shooter situation. She encouraged the board to attend the session which will be right before the next board meeting.
7. Approval of Payment of Bills – Motion by Duerst. Second by Enburg. Motion carried unanimously.
8. Adjourn – Motion by Maxwell. Second by Duerst. Motion carried at 10:03 p.m.

Approved:

Submitted by: Amanda Arnold, Planner/Administrator