

Town of Verona
Open Space and Parks Commission Meeting Minutes
Wednesday, February 5, 2014

Present: Mathies, Stellick, Keen, Jellings, Hoffman and Miller

Absent: Siehr

Also Present: Kirk Feller, Curt Herfel, Mike Duerst, Tom Poast, John Wright, Clerk-Treasurer (C-T)

Called to order at 7:32 PM

Approval of Agenda

Motion made by Miller to approve the agenda as presented; 2nd Mathies. It was noted that the year on item 4 should be 2014, not 2013. Motion to approve the agenda carried as corrected.

Public Comments

Town resident Mike Duerst noted that trimming of tree branches along the Sugar River is creating problems with his farm equipment when they are carried downstream. C-T Wright questioned the relevance of airing this grievance before the Open Space and Parks Commission (OSPC) as it is not an activity the group is engaged in, nor commissioned by this body or the Town unless indirectly by the Upper Sugar River Watershed Association to whom the Town does pay annual dues. Mr. Duerst noted that the Chair of the OSPC conducts the trimming. Because Chair Keen is acting as an individual when performing the trimming and not sanctioned by this body or the Town, Wright requested that public comments focus upon those relating to the OSPC or the Town of Verona.

A discussion followed regarding a reference in the draft meeting minutes yet to be approved attributed to Chair Keen. The draft summarizes Keen's opinion regarding the distribution and size of environmental corridors along navigable waterways. According to the draft, Keen suggested that the corridor be equidistant from each bank and that no development be allowed within 100 feet of either bank. Keen agreed that the discussion did take place and that he considered the environmental corridor be considered a buffer zone; Keen was uncertain whether the 100 foot figure was to have been the total distance of the zone, i.e. 50 feet from the center of the navigable waterway outward from each bank. It was member Hoffman's recollection that Keen had stated 100 feet from each bank.

The visitors in attendance noted that development is already restricted adjacent to navigable waterways within floodplains and they expressed their concerns about a State or County agency further defining that standard or creating an additional one. Keen noted that he was expressing his opinion and that the OSPC has no authority to enforce a policy more restrictive than that which has been established by Dane County Zoning. Keen further noted that the balance of the discussion was focused upon ways to create contiguous greenways that tied existing public lands together, if possible. Keen merely thought the distribution of the aforementioned buffer zone should be equally distributed on either side of the river in a symmetrical manner.

Mr. Duerst noted that due to topography, an equal setback from the center of a navigable waterway or from each bank makes sense only when the area is on the same plane; however, when elevations are uneven, it makes sense that the setback would be asymmetrical instead. Duerst expressed his opinion that by defining regions as Natural Resource Areas, Dane County is establishing a stepping stone; the ramification of this classification could potentially further restrict what multi-generational stewards of the land can do on their property, according to Duerst. Keen stated he did not have a precise definition for Natural Resource Area or who at Dane County Parks and Open Space determined the areas that would be considered within this designation.

Member Hoffman noted that in some municipalities the definition of the floodplain can be broad. As a consequence, the landowner must prove the exact location of the floodplain and assumes the associated costs to do so. Curt Herfel agreed and cited the difference between the areas of the 100-year floodplain with the 500-year floodplain as an example. Kirk Feller noted that each time an area is defined on a map, it further devalues the land's utility and monetary worth. Member Stellick thought the Natural Resource Area was possibly intended to rank the desirability for land to be preserved for future generations and may, therefore, affect the ranking when applying for preservation grant money. There followed a brief discussion of a standard that would be acceptable and would reflect the various widths of navigable waterways; no standard was agreed to at this time. Mike Duerst conjectured that the Natural Resource Area would be used to support a future plan to place a walking and biking trail along the banks of the Sugar River and Badger Mill Creek. Without objection, it was agreed that C-T Wright would research the definition and documents related to Natural Resource Areas.

Chair Keen announced that Upper Sugar River Watershed Association (USRWA) Executive Director Megan Phillips will be leaving her position at the end of February 2014. Wade Moder will become the new Executive Director; his term will slightly overlap Ms. Phillips' term. C-T Wright noted that tonight's packet included a letter of support sent by Town Chair David Combs on January 21, 2014 in support of the Upper Sugar River Watershed Association's efforts to control aquatic invasive species.

Approval of Minutes

Motion made by Miller to approve the January minutes as presented; 2nd Jellings. C-T Wright asked Chair Keen if he misquoted Keen and whether the 100 foot figure should have been from the center of a navigable waterway instead of from each bank. Member Hoffman recalled that Keen had stated that distance from each bank. Keen accepted the quote as accurate. The motion to adopt the minutes from the January 8, 2014 meeting carried.

Review Maps and Continue to Discuss Ideas for Future Conservation Efforts within the Town of Verona

There was continued discussion regarding how to define a Natural Resource Area relative to a navigable waterway. Most present thought 50 feet from the centerline of a navigable waterway was acceptable provided the adjacent land was within a floodplain. Chair Keen reported that he had email contact with Dane County Parks and Open Space Director Darren Marsh on January 9, 2014 regarding future plans for trails on the land acquired by the Natural Heritage Land Trust (NHLT). According to Keen, Marsh will discuss the matter with Chris James and Laura Guyer and will then report back to Keen.

Keen shared a map of the Sarbacker Farm that had been prepared for the NHLT. The map included an orthophoto of the land with areas identified as public access areas, proposed conservation easement areas, and lands acquired from the Bruce Company by the NHLT and Dane County. Keen reported that he had spoken with Jim Welsh of the NHLT about the proposed conservation easement and to inquire whether a trail was possible to increase accessibility to the public land that had been purchased. C-T reported that he searched the Wisconsin Department of Natural Resources Surface Water Data Viewer for possible locations within the Town of Verona that may have been specifically identified as potentially desirable properties for acquisition/preservation/remediation. Wright found the following, which he shared with the group present:

- two locations identified within the City of Verona that had been approved for nonpoint source runoff grants
- a two-page narrative from 1985 that identified the Lower Sugar River Watershed as an impaired river whose general condition was classified as poor or suspected poor
- a map of Potentially Restorable Wetlands

- a map of Waterway and Wetland Alterations
- a map indicating the locations where Stormwater Permits have been granted
- a map of wetland classifications
- and a digital hillshade map of the area

The members present reviewed the two GIS-based maps prepared by C-T Wright. The one map overlaid parcel shapes atop an orthophoto of Sections 26, 27, 34, and 35 of the Town and the other covered the same area with the owner names atop the parcel shapes. Wright noted that the parcel data was from 2011 and is slightly outdated. Those present reviewed the location of public lands including the Prairie Moraine County Park, the Scheidegger Forest County Park, and the Sugar River Wildlife Area as well as land accessible to the public owned by the Ice Age Trail Alliance. There followed a discussion of possible easements that could be sought to link these resources together. Keen noted that Gary Weinert, a Town resident near the Scheidegger Forest is a member of the Ice Age Trail Alliance. Keen agreed to contact Weinert regarding the Alliance's interest in assisting in this effort and what liabilities if any they have if an individual is injured on their land. It was noted that dogs are allowed on the Ice Age Trail provided they are on a leash; bicycle traffic is prohibited. Chair Keen also agreed to contact Jim Welsh regarding his strategy to secure easement agreements with private land owners and will contact Karen Godshall who has granted an easement to the Ice Age Trail Alliance across her property.

C-T Wright reported that the Town applied for a Town Road Improvement, Discretionary (TRI-D) grant through the Department of Transportation to improve Range Trail to include two four foot wide bike lanes. Grant recipients are expected to be contacted in early April, 2014. Wright noted this was a matching grant and wondered if the Town received the grant whether the Town should also apply for a Safe Routes to School Grant that is funded through the Wisconsin Department of Transportation. In order to qualify, the improvement (sidewalk, trail, pedestrian bridge, curb cuts, etc.) must fall within a 2-mile radius of an elementary or middle school. Member Hoffman wondered if the Ice Age Trail Alliance might be willing to exchange some of their property abutting CTH PB with a local landowner whose land abuts Range Trail and noted that the Ice Age Trail's land currently connects CTH M to CTH PB. There was brief discussion regarding possibly working with the City of Verona to require future annexations on the north end of Range Trail to provide access to the Ice Age Trail if that was agreeable with the Ice Age Trail Alliance.

Update on Open Space and Parks Commission Postings on the Town Website

C-T Wright has not had time to post any new material to the website beyond current agendas and minutes.

Update Regarding Attorney or Town Board Reactions to Recommended Brushing/Trimming Notification Letter

Wright stated that the Town's Attorney is in the midst of codification of existing Ordinances. The Town Administrator/Planner Amanda Arnold has requested that the Attorney not review the Brushing/Trimming notification letter until the codification review is substantially complete.

Establish an Agenda for the March 5, 2014 Meeting

Call to Order; Approval of the Agenda; Public Comments; Approval of meeting minutes for February 5, 2014; Clerk-Treasurer Report on Dane County's Definition of Natural Resource Areas; C-T Report on Recorded Conservation Easements within the Town of Verona; Continue Discussion of Future Conservation Efforts within the Town of Verona and Report on Responses from Resources Contacted Since February Meeting; Update on Open Space and Parks Commission Postings on the Town Website; Update Regarding Attorney or Town Board Reactions to Recommended Brushing/Trimming Notification Letter; Establish April Agenda; and Adjourn.

Adjourn

Motion to adjourn made by Miller; 2nd by Mathies. Motion carried at 9:53 PM.

John Wright
Clerk-Treasurer

Approved: March 5, 2014

Revised March 5, 2014