

MEETING OF TOWN OF VERONA PLAN COMMISSION

Thursday January 20, 2022 6:30 p.m.

Due to the COVID-19 pandemic, the Town of Verona Plan Commission will hold its meeting as via Zoom. The Plan Commission meeting will NOT be held at Town Hall, 7669 County Highway PD, Verona WI.

To join the meeting online:

https://us06web.zoom.us/j/81335246465?pwd=NkFHMHcyOEVEMDRDazV6ZFI3amxOdz09

Meeting ID: 813 3524 6465

Passcode: 337106

Or dial by your location using the same meeting ID and password above

(312) 626 6799

SPEAKING INSTRUCTIONS

<u>Oral public comments</u>: Those wishing to speak during the Zoom meeting MUST be online at the beginning of the meeting. The Chair will ask the folks who have called in, if they want to comment and on what agenda item at the beginning of the meeting.

<u>Written comments</u>: You can send comments to the Plan Commission on any matter, either on or not on the agenda, by emailing <u>sgaskell@town.verona.wi.us</u> or in writing to Sarah Gaskell Town of Verona Hall, 7996 County Highway PD, Verona WI, 53593. You can also drop off comments in the dropbox in the vestibule of the Town Hall, which is open 24 hours.

<u>Applicants</u>: Applicants for an item of the agenda are asked to participate via Zoom and to join 5 min before the start of the meeting. The Chair will ask for a brief update from each applicant and should also be available for questions from the commissioners.

Call to Order/Approval of Meeting Agenda
 Review of the meeting format and identification of the people on the call. Please state

your name and address as a record of any persons participating in the meeting is required.

- Public Comment Opportunity for comment from persons in attendance on items not listed below over which this governing body has jurisdiction. Comments on matters not listed on this agenda could be placed on a future Plan Commission meeting agenda. If the Chair or staff have received written comments for items not on the agenda, these may be read.
- 3. Approval of Minutes from November 18th, 2021
- 4. Discussion and Possible Action: Land Use Application 2021-10 submitted by Norbert Repka for a CSM and rezone of parcel number 062/0608-284-8440-2 located at 2014 Manhattan Drive, Verona WI from RR-4 to SFR-1
- 5. Discussion and Possible Action: Land Use Application 2021-11 submitted by Ron Klaas on behalf of Olsen Trust for a 4-Unit Concept Plan Approval (parcel numbers 062/0608-361-9190-9, 062/0608-362-9500-2, 062/0608-361-9100-7 (21 acres in total)).
- 6. Discussion and Possible Action: Review of Recommendations from the Ad Hoc Committee to Study the Impact of Growth in the Town of Verona Final Report -The Impact of Growth in the Town of Verona
- 7. Project Updates
 - Timeline for Subdivision Ordinance Adoption Public Hearing February 1st, 2022
 - Blanket Rezone of the Cross County Road Neighborhood
- 8. Other
- 9. Next Meeting: Regular meeting February 17th, 2022

10. Adjourn

Per Resolution 2016-2 agendas are posted at the Town Hall and online at www.town.verona.wi.us. Go to www.town.verona.wi.us. and sign up for the Town List Serve to receive notices via email. If anyone having a qualifying disability as defined by the American With Disabilities Act, needs an interpreter, materials in alternate formats or other accommodations to access these meetings, please contact the Town of Verona office @ 608-807-4466. Please do so at least 24 hours prior to the meeting so that proper arrangements can be made. Notice is also given that a possible quorum could occur at this meeting for the purposes of information gathering only, of the Town Board, Natural and Recreational Areas Committee, and/or Public Works Committee.

Posted: 01/14/2022, Douglas Maxwell, Chair, Town of Verona Plan Commission

Town of Verona Plan Commission Meeting Minutes

Thursday, November 18, 2021 6:30pm Zoom meeting

Members Present: Doug Maxwell, Haley Saalsaa-Miller, Deb Paul, Tom Mathies

Excused: Sarah Slack

Staff: Sarah Gaskell, Administrator; Al Reuter, Town Attorney

Other: Rosemary Bodolay, Dale Malner, Susan and Hans Pigorsch, Marilyn Chohaney, Jim Wiederhoeft, Kirsten

Witte, Jeff Schleicher, Noa Prieve, Brett Stoffregan, Lee and Becky Stilwell, Mason Swanson, Mark Geller

Call to Order/Approval of Meeting Agenda – Maxwell called the meeting to order at 6:30 pm.
 Motion to approve the agenda with one change requested by Maxwell. Motion by Paul,
 second by Mathies. Motion carried by voice vote.

- 2. Public Comment none
- 3. Approval of Minutes from October 21st, 2021 Plan Commission Meeting; Motion to approve by Mathies, second by Saalsaa-Miller. Motion carried by voice vote.
- 4. Discussion and Possible Action: Land Use Application 2021-06 submitted by Noa Prieve on behalf of Stilwell Trust, 6411 Sunset Drive, for a 4-unit Preliminary Plat and Declaration of Covenants Approval (parcel number 062/060-364-8990-2 (20.3-acres)).
 - a. Staff summary: Gaskell explained that the 150' setback from the center line of Sunset will be adjusted for Unit 3; Attorney Reuter explained that the Town has no authority to intervene in driveway access agreements and that the original agreement from 1991 as drafted is sufficient for the Town's purposes.
 - b. Public Comments
 - i. Driveway easement needs to be a contingency of final approval of the Plat; property sales could be affected as well as titles; contradicting language between the three documents – Declaration of Covenants, the 1991 Driveway Easement Agreement, and IATA Easement Agreement – Jim Wiederhoeft
 - ii. Legally muddy issues should not be passed onto HOA; request delay of approval until driveway access easement agreement is approved by the involved parties Marilyn Chohaney
 - iii. Home on Unit 3 should be restricted to a single-story house Rosemary Bodolay; Mason Swanson
 - iv. Town can only regulate building heights as a condition of the plat approval if that condition is already included in a Town Ordinance; otherwise, it can be included in the Covenants, (comment from Town's Attorney)
 - c. Commissioner Comments
 - i. Agrees with setback realignment of Unit 3
 - ii. ROW dedication of Sunset should be handled prior to final approval; utility
 easement depiction for limited common area— not needed on plat because condo
 declarations reserve the right to grant utility easements as needed. The 1991
 Driveway Easement Agreement also contains language related to the utility right of
 way;
 - iii. Building envelopes on units 1 and 2 could be expanded further east; IATA agreement needs to be consistent with other related documents

- iv. Shared access agreement for shared driveway in the limited common area Town does not need to be involved. Attorneys for current property owners are working towards an agreement.
- v. Declaration of Covenants:
 - 3.4 add Town approval required for any changes/mergers to unit boundaries
 - Clarify allowable/disallowable uses of residences such as child-care facilities or home offices
 - Landscape plans If developer wants it included
 - Lighting plans should comply with Dark Sky Ordinance
 - Restriction to Single Story home on Unit 3 is up to the Developer
 - Define what is to be contained in the Building Envelope
 - Any amendments to the Covenants must be approved by the Town
 - Unit 3 mailbox will be on Sunset Drive
- d. Motion to recommend approval of Land Use Application 2021-06 submitted by Noa Prieve on behalf of Stilwell Trust, 6411 Sunset Drive, for a 4-unit Preliminary Plat by Saalsaa-Miller, second by Paul subject to the following conditions:
 - i. Sunset Drive ROW be dedicated to the Town prior to final Plat approval
 - ii. Building envelope on Unit 3 be reflective of the 150' setback from the center line of Sunset Drive
 - iii. Building envelopes on Units 1 and 2 can be adjusted further east if desired Motion carries 4-0 on a roll call vote.
- 5. Discussion and Possible Action: Land Use Application 2021-11 submitted by Ron Klaas on behalf of Olsen Trust for a 4-Unit Concept Plat and Rezone Approval (parcel numbers 062/0608-361-9190-9, 062/0608-362-9500-2, 062/0608-361-9100-7 (21 acres in total)).
 - a. Public Comments
 - Request setback from all outside property lines to preserve existing views (Kirsten Witte)
 - b. Commissioner Comments
 - i. Homes on Units 1 and 2 should have a setback to preserve forested view
 - ii. 30,000 sq. feet maximum clearance of trees
 - iii. Building envelopes should be added to Preliminary Plat
 - c. Motion to recommend approval of Land Use Application 2021-11 submitted by Ron Klaas on behalf of Olsen Trust for a 4-Unit Concept Plat and Rezone to MFR-08 by Maxwell, second by Mathies subject to the following conditions:
 - i. Units be deed restricted to single family homes
 - ii. Building envelopes be added to Preliminary Plat
 - iii. Shared driveway and common area maintenance shall be addressed in the Declaration of Covenants
 - iv. Development Agreement review
 - v. Sunset Drive ROW be dedicated to the Town prior to final plat approval Motion carries on 4-0 roll call vote.
- 6. Discussion and Possible Action: Recommend Approval of Adoption of the Town of Verona Draft Land Division and Development Ordinance upon Completion of the Class 2 Notification Period for Public Comment at Town Board Meeting in January 2022.
 - a. Motion to approve adoption of the Town of Verona Draft Land Division and

Development Ordinance upon Completion of the Class 2 Notification Period for Public Comment by Saalsaa-Miller, second by Paul. Motion carries by voice vote.

- 7. Next Meeting: Thursday December 16th, 2021
- 8. Adjourn 9:11 pm

Submitted by Sarah Gaskell, Town Planner/Administrator
Approved



Planning Report

Town of Verona July 22nd, 2021

2014 Manhattan Drive

Summary: The applicant seeks a CSM and rezone for parcel 062/0608-284-8440-2. Currently the site is a 6.21-acre lot zoned RR 4. The updated CSM would create four SFR-1 lots of 1.50, 1.50, 1.50 and 1.70 acres each.

Property Owner: Norbert Repka

Property Addresses: 2014 Manhattan Drive, Verona WI 53593

Applicant: same

Location Map



At the October 5th 2021 meeting, the Town Board discussed Land Use Application 2021-07 submitted by Norbert Repka for a CSM and rezone of parcel number 062/0608-284-8440-2 located at 2014 Manhattan Drive. Motion by Maxwell, second by Londsdorf, to deny Land Use Application 2021-07 submitted by Norbert Repka for a CSM and rezone of parcel number 062/0608-284-8440-2 located at 2014 Manhattan Drive for the following reasons:

- Proposal will create 3 landlocked lots on a shared driveway
- Proposed Lots 1 and 2 are too small
- Proposed Lots 1 and 2 do not have the proper width to depth ratio. Friendly amendment by Mathies to add the reason that the land use division proposal is not consistent with TOV comp plan.

Roll call: Lonsdorf aye, Wiederhoeft aye, Mathies aye, Maxwell aye, Geller aye, motion carried.

The applicant has submitted a new CSM for consideration.

Comprehensive Plan Guidance:

The density of this area is Urban Residential - SFR, or 1 house per 1-2 acres. The smallest residential property in this town neighborhood is 0.80 acres in size, created in 1984. The existing neighborhood lots sizes are listed in the table below. The parcel is currently zoned RR 4 and the rezone would be consistent with the Future Land Use Map that defines this neighborhood as SFR with Private Septic.

Address	Lot size (acres)	Zoning Classification
1980 Manhattan Drive	2.47	SFR-2
1982 Manhattan Drive	2.4	SFR-2/LC
1986 Manhattan Drive	1.936	SFR-2
2014 Manhattan Drive	6.21	RR-4
1996 Manhattan Drive	1.515	SFR-1
1984 Manhattan Drive	1.997	SFR-2
2008 Manhattan Drive	2.0	SFR-1
2020 Manhattan Drive	5.0	RR-4
2021 Manhattan Drive	1.33	SFR-1
2015 Manhattan Drive	1.158	SFR-08
2009 Manhattan Drive	0.82	SFR-08
1979 Manhattan Drive	2.83	SFR-2

<u>Current and Proposed Zoning</u>: The current zoning for the parcel is RR 4. The proposed zoning would be SFR-1 for all lots.

Extra-territorial Review/Boundary Agreement Authority: This parcel is in Area D (section 8.05) of the boundary agreement with the City of Verona so further approvals are required. The CSM and rezone will need to be discussed at a meeting of the City/Town Joint Planning Committee.

<u>Surrounding Land Use and Zoning</u>: This parcel is part of a "town neighborhood" that consists of a mix of RR and SFR zoning parcels. The land use directly east of this parcel is AT-35.

<u>Site Features</u>: None of significance. Land slopes significantly to the northwest towards Badger Mill Creek.

<u>Driveway Access</u>: The current driveway that serves the existing residence will be incorporated into Lots 1 and 2. Lot 1 is the only lot with Manhattan Drive frontage. The easement will be over Lots 1 and 2 and access to lots 2, 3 and 4 will be provided via a shared driveway easement agreement.



Norbert Repka

2014 Manhattan Dr

Verona, WI 53593

1/10/2022

Petition for Land Division / Lot Split

Description:

The current lot at 2014 Manhattan Dr. as recorded on the CSM 5947, Volume 28, p. 163 has 6.21 acres. The owner wants to split the land for future residential development. The current zoning of the lot is RR-4 (Rural Residential District). Based on Town of Verona Comprehensive Plan (TVCP 2018-2038) this neighborhood is a "Town Neighborhood" and is designated as Urban Residential Area (as per Map 9.4 of the TVCP). Based on data in Access Dane, most of the neighboring lots are zoned SFR-08, SFR-1 or SFR-2 (Residential District) with lot sizes from 0.8 acres to 2.0 acres. The applicable policy for this neighborhood is specified under Urban Residences as shown below (as per TVCP 2018-2038, p. 112):

1. The Town will limit new development to a density of one (1) residential dwelling unit per one and a half (1.5) acres for single-family dwellings.

Based on the attached drawing (see Appendix and CSM), the lot split would consist of 4 residential lots:

- Lot-1: with a proposed area of 1.5 acres (proposed zoning SFR-1)
- Lot-2: with a proposed area of 1.5 acres (proposed zoning SFR-1)
- Lot-3: with a proposed area of 1.5 acres (proposed zoning SFR-1)
- Lot-4: with a proposed area of 1.7 acres (proposed zoning SFR-2)

Access to each lot will be provided via common shared driveway easement as shown in the CSM and drawing attached in the appendix. The attached drawing also shows the buildable area (delineated by SFR-1 setback requirements) for each undeveloped lot.

The proposed lot split complies with all requirements of the TVCP 2018-2038, Chapter 75 Dane County of Ordinances and Wisconsin State Statute 236.

As mentioned above this lot is located in the "Town Neighborhood" and is subject of the extra-territorial jurisdiction (ETJ). In 2016, the City of Verona and the Town of Verona approved a ten-year boundary agreement. Based on this agreement, any lot splits, land divisions, or rezoning of land is subject to the Joint Planning Committee (see Section 8, bullet 8.05 Area D: Town Neighborhoods) approval. As per this requirement, the owner would like to submit this petition for land division / lot split.

Thank you,

Norbert Repka, PhD.

CERTIFIED SURVEY MAP NO.

PART OF THE NE 1/4 OF THE SE 1/4, SECTION 28, TOWNSHIP 06 NORTH, RANGE 08 EAST, TOWN OF VERONA, DANE COUNTY, WISCONSIN

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TOWN OF VERONA CERTIFICATE	7

Appendix: Proposed lot split of 2014 Manhattan Dr. showing buildable area delineated by SFR-1 setbacks 20 20 74,148 SQUARE FEET OR 1.70 ACRES MORE OR LESS LOT 4 9.69 30 30 GRAVEL DRIVEWAY 34.5 WELL 20 SCALE: 1" = 100' 30 CENTERLINE EASEMENT N 88°55'07" E 506.28' 66.00' WIDE JOINT DRIVEWAY EASEMENT SECTION CORNER MON. 3/4" X 24" REBAR SET WEIGHING 1.50 LBS/L.F. 1" IRON PIPE FOUND RIGHT-OF-WAY LINE CENTER LINE ROAD DIMENSION (FEET) RECORDED DATA **EASEMENT LINE** PROPERTY LINE UNDERGROUND ELECTRIC SECTION LINE LOT LINE GRAVEL DRIVEWAY UTILITY POLE **LEGEND** (40,) NGE 26 RIGHT-OF-WAY VARIES

Page 2

CERTIFIED SURVEY MAP NO. PART OF THE NE 1/4 OF THE SE 1/4, SECTION 28, TOWNSHIP 06 NORTH, RANGE 08 EAST, TOWN OF VERONA, DANE COUNTY, WISCONSIN

TOWN OF VERONA CERTIFICATE		
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Planning Report

Town of Verona November 18th, 2021

6466 Sunset Drive

Summary: The applicant is seeking approval for a Condo Plat for parcel numbers 062/0608-361-9190-9, 062/0608-362-9500-2 and 062/0608-361-9100-7. The plat would create four units of approximately 5.4, 5.4, 3.6 and 3.6 acres in size, all zoned MFR-08.

Property Owner: Olsen Trust

Property Addresses: 6466 Sunset Drive

Applicant: Ron Klass,

D'Onfrio Kottke and Associates

Location Map



Comprehensive Plan Guidance:

The density of this area is Residential RR 2-4 acres, so 1 house per 2-4 acres. The parcel is currently in Metes and Bounds so a rezone is required.

<u>Current and Proposed Zoning</u>: The current zoning is RR 2. The new zoning would be MFR-08 for each unit because is the parcel is a proposed condominium. Currently 21 acres, the total parcel would consist of 4 units of similar sized acreages.

Extra-territorial Review/Boundary Agreement Authority: This parcel is in Area C of the boundary agreement with the City of Verona and in the ETJ area of the City of Fitchburg. No further action is required with the City of Verona. The City of Fitchburg has indicated they will not approve any subdivisions for land in the ETJ area for parcels less than 35 acres and have no interest in rezone applications.

<u>Surrounding Land Use and Zoning</u>: The surrounding land uses are AT-35, RR 2 and MFR-08. The parcel is adjacent to the Deer Haven subdivision.

<u>Site Features</u>: The site features woodlands and a residence and numerous sheds. The topography is slightly varied. There is a driveway that provides access from Sunset Road to the residence located in the northeast part of the parcel.

<u>Driveway Access</u>: It is anticipated that driveway access for all of the units will remain unchanged. Units 1, 2, 3 and 4 will share the existing driveway via a shared common element.

<u>Other</u>: Due to the proposed size of the units, it is anticipated that stormwater concerns can be handled individually on each unit instead of via an outlot/common element. All of the lands proposed for the rezone are currently in Managed Forest Land, until December 31, 2022. The rezone will result in the early withdrawal of this parcel from the and the applicant is aware of this.

<u>Staff Comments</u>: Staff recommends approval of the Concept Condo Plan and rezone with the following considerations:

- Access to Sunset Drive be accomplished by designating the shared driveway as a common element.
- Development Agreement approval
- Declaration of Covenants approval
- Final Plat approval



EXISTING CONDITIONS
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LOCATED IN THE SEI/4 OF THE NWI/4 AND THE S

GRID NORTH WISCONSIN COUNTY

(DANE ZONE)

SCALE: 1"= 100'

0 50

DATE: 09-03-13 REVISED:

FN: 18-02-151 Sheet Number:

1 of 1

Olsen Condo Plat--aerial photo circa 1976



November 11, 2021

Dane County Mask

Dane County Mask

Road Names

Parcels



