



## Dane County Planning & Development Land Division Review

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July 27, 2016

JSD  
161 Horizon Drive  
Verona, WI 53593

Re: Aspen Meadow Estates (final plat)  
Town of Middleton, Section 32  
(12 residential lots, 3 outlots, 25.3 acres)  
Current Zoning District – A-1

Attention: John Krebs

The Dane County Zoning and Land Regulation Committee, at its meeting of July 26, 2016 considered the proposed preliminary plat. The committee approved the plat, subject to the following conditions:

1. Compliance with the Dane County Comprehensive Plan is to be established.
  - *See attached memo from Planner Curt Kodl dated February 1, 2016.*
2. Appropriate turn-around arrangements are shown at the end of Keystone Lane and Pioneer Road. Both streets meet the minimum width requirements and all public land dedications devoted for highway purposes are to be clearly designated as dedicated to the public.
3. Outlot 3 (50' strip) is being shown as "Open Space" and the width will need to be amended or a land division waiver granted in order to allow the lot to have less than the required frontage along a public street.
  - *Land Division waiver approved by the ZLR Committee on February 23, 2016.*
4. The public park land appropriation requirement is to be satisfied (private park land does not satisfy this requirement).
  - *Fees are being paid to the town of Middleton in lieu of parkland dedication.*
5. Street names with respect to Ch. 76 of the Dane County Code of Ordinances are to be assigned.
  - *Dane County Surveyor approval has been obtained.*
6. Utility easements are to be provided.
  - *12' utility easements are shown on all frontages.*

7. Grading and surfacing. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Dane County Highway Commission and the Town of Middleton.
8. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established.
9. Compliance with Ch. 14.46 DCCO, Stormwater Control Permits is to be established.
10. 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:
  - *CORNETT HOMES INC*
11. The required approval certificates are to be satisfied.
  - *Town of Middleton*
  - *City of Madison*

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

Sincerely,

Dan Everson  
Assistant Zoning Administrator  
267.1541

Clerk, Town of Middleton  
City of Madison Planning – Tim Parks  
Dane County Land & Water Resources – Jeremy Balousek

# Town of Middleton

## Meeting Minutes

### Town Board

Middleton  
Town Hall

Monday, June 20, 2016  
7:00 PM

7555 W. Old Sauk Road  
Verona, WI 53593

#### Call to Order:

A regular meeting of the Town Board was held at the Middleton Town Hall beginning at 7:00 P.M.

Present were Bill Kolar, Chair; Tim Roehl, Paul Connell, Gary Whitney, and Brent Renteria, Supervisors.

Also present were David Shaw, Administrator; Rod Zubella, Vierbicher, Town Engineer; Tom Voss, Erbach and Voss, Town Attorney and members of the public.

#### 1. Proof of Posting and Notice.

Shaw affirmed that the agenda had been posted at the Town Hall, published on the Town's website, and emailed to the Town's subscriber list.

#### 2. Pledge of Allegiance.

The pledge was recited.

#### 3. Public Input (for items not on the agenda and limited to three minutes per speaker).

There was no wishing to speak on items not on the agenda.

#### 4. Minutes from the Meeting of June 6, 2016.

**A motion was made by Supervisor Whitney, seconded by Supervisor Renteria, to approve the Minutes from the meeting of June 6, 2016. The motion carried.**

#### 5. Engineer's Report.

Zubella had nothing to report on other than items on the agenda.

- Attachments:** S V Docs  
S V Maps  
2 156741 Title Documents  
10 156741 FullPrelimSWMPTechnicalMemo  
Spruce Valley Infiltration Calculations  
Spruce Valley Post-Development Runoff Calculations  
Spruce Valley Pre-Development Runoff Calculations  
Spruce Valley Sediment Control  
Spruce Valley Watershed Characteristics

Voss stated that he has represent Sprecher in the past but is not in the matter before the Board and would present the Board with a document to that effect at the next meeting.

The Board discussed the proposed plat with the applicants and expressed dissatisfaction with the layout, especially the "flagpole" lots and lots that are much longer than they are wide.

**A motion was made by Supervisor Renteria, seconded by Supervisor Whitney, that this agenda item be postponed until after it can be revised. The motion carried.**

16. Acknowledgment of receipt of withdrawal of Aspen Meadow Estates Plat applications.

**Attachments:** Van Ess Ltr

Roehl recused himself from this discussion and left the building.

**A motion was made by Supervisor Whitney, seconded by Supervisor Renteria, to recognize and agree to the withdrawal of any and all plats submitted by, or on behalf of, Tommy Van Ess prior to May 11, 2016. The motion carried.**

17. Public Hearing - Preliminary Plat Review - Aspen Meadow Estates, Revised.

Kolar opened the Public Hearing.

Tommy Van Ess, Applicant and his attorney, Robert Procter, presented the revised plat.

Kolar asked if there was anyone wishing to speak in favor or in opposition to the proposed plat.

Brad Dahlk, 3352 Meadow Road asked questions of the Board but did not speak in favor or in opposition to the proposed plat.

**A motion was made by Chair Kolar, seconded by Supervisor Connell, to close the Public Hearing. The motion carried at 11:55 p.m..**

- 18. Preliminary Plat Review - Aspen Meadow Estates, Revised (located at approximately 3401 Meadow Road).

- Attachments:**
- A M Brd Docs
  - A M Brd Maps
  - Aspen Meadow Estates Existing Runoff Calculations
  - Aspen Meadow Estates Infiltration Modeling
  - Aspen Meadow Estates Proposed Runoff Calculations
  - Aspen Meadow Estates Sediment Control

**A motion was made by Supervisor Renteria, seconded by Chair Kolar, to approve the Revised Preliminary Plat of Aspen Meadow Estates with the following conditions:**

- 50-foot front yard setbacks are indicated on the Preliminary Plat for all lots;**
- 90' x 90' x 90' vision corners be provided for driveways to Lots 1-3;**
- Park fees in the amount of \$24,805 (\$2,255/lot) be collected for the creation of 11 additional lots;**
- The City of Madison staff approve the following:**
  - Alignment of Pioneer Road;**
  - The typical street cross-section for Pioneer Road;**
  - The storm water management plan as it relates to Outlot 2;**
  - The right-of-way width of Pioneer Road;**
- The understanding that Town approval does not speak to any approvals required by the City of Madison;**
- Resolution of the items outlined in the Vierbicher letter dated May 26, 2016 except:**
  - To not require a landscape easement across Lots 1,2, 3, 4, and 12 as lots are small and the required driveway vision corners will virtually eliminate the easement area;**
  - To not require slopes greater than 20% to be shown on**

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the Preliminary Plat as the area is approximately 150 square feet, which is permissible as Town ordinance allows variances for areas less than 2,500 square feet.

The Town obtains a 20-foot wide primary trail easement along the western edge of the plat through Lots 1, 2, 3, 7, 8, and 11 and 20-foot wide secondary trail easement through Outlot 3. The trail should be 10-foot wide with a crushed stone surface, constructed at the time the plat is graded.

**The motion carried.**

- 19. Selection of the recipient of "Friend of the Town" award.

A motion was made by Chair Kolar, seconded by Supervisor Connell, to name Cathy Garfoot of the 2016 "Friend of the Town" award. The motion carried, 3-0-1 with Whitney abstaining.

- 20. Approval to remove approximately 11 trees in Goth Conservancy west of the grape arbor.

**Attachments:** [Goth memo to remove trees](#)  
[Adaptive Restoration Grape Arbor Work Plan for Goth](#)

A motion was made by Chair Kolar, seconded by Supervisor Connell, to remove approximately 11 trees in Goth Conservancy. The motion carried.

- 21. Approval to purchase two commemorative plaques for the donated amphitheaters in Goth Conservancy.

**Attachments:** [Memo to Plaques for Goth](#)

A motion was made by Supervisor Connell, seconded by Supervisor Renteria, to purchase two commemorative plaques for the donated amphitheaters in Goth Conservancy. The motion carried.

- 22. Reappointment of Scott Mindock and Erik Bush to the Park Commission, to serve another 4-year term to expire June 2020.

A motion was made by Chair Kolar, seconded by Supervisor

# Town of Middleton

## Meeting Minutes

### Town Board

Middleton  
Town Hall

Monday, August 1, 2016  
7:00 PM

7555 W. Old Sauk Road  
Verona, WI 53593

#### Call to Order.

A regular meeting of the Town Board was held at the Middleton Town Hall beginning at 7:00 P.M.

Present were Bill Kolar, Chair; Tim Roehl, Paul Connell, Gary Whitney, and Brent Renteria, Supervisors.

Also present were David Shaw, Administrator; Sara Ludtke, Deputy Clerk; Rod Zubella, Vierbicher, Town Engineer, Tom Voss, Erbach and Voss, Town Attorney and members of the public.

#### 1. Proof of Posting and Notice.

Shaw affirmed that the agenda had been posted at the Town Hall, published on the Town's website, and emailed to the Town's subscriber list.

#### 2. Pledge of Allegiance.

The pledge was recited.

#### 3. Public Input (for items not on the agenda and limited to three minutes per speaker).

Laura Dregel of the Town of Verona's Plan Commission introduced herself and stated that the Town is working on updating its Land Use and Comprehensive Plans. She said that if the Town of Middleton would be interested in any cooperative planning, Verona would be happy to discuss.

#### 4. Minutes from the Meeting of July 18, 2016.

**A motion was made by Supervisor Whitney, seconded by Supervisor Renteria, to approve the Minutes from the meeting of July 18, 2016. The motion carried with Connell abstaining.**

#### 5. Engineer's Report.

Zubella had nothing to report on other than items on the agenda.

6. Attorney's Report.

Voss stated that he had given Shaw releases of easement for Sonnet Drive and Meadow Valley Road which will be on the August 15, 2016 agenda. He also reminded the Board to visit the site of the potential road discontinuance on Sunset Ridge Drive if they have not already done so.

7. Crew Report.

Shaw had nothing to add to the report.

**This agenda item was received and filed.**

8. Staff Report.

Shaw had nothing to add to the report.

**This agenda item was received and filed.**

9. Review and possible approval of Aspen Meadow Estates Developer Agreement.

Tommy Van Ess, Developer; Robert Proctor, Attorney; and Hans Justeson, Engineer, came before the Board to discuss the details of the Aspen Meadow Estates Developer Agreement and Final Plat. Zubella reviewed the Developer Agreement with the Board and discussed some of the issues that were recently agreed to. The Applicant, the Applicant's Attorney, the Applicant's Engineer, Town Engineer and Town Attorney all agreed to terms of the Developer Agreement as discussed.

**A motion was made by Supervisor Renteria, seconded by Supervisor Whitney, to approve the Developer Agreement dated June 29, 2016 as drafted and presented with the following conditions:**

**The Developer to pay \$28,000 towards the cost of a new culvert to be installed under Meadow Road by the Town in 2017 or 2018;**

**The final approval of the Town Engineer and Town Attorney;**

**The Town shall allow the Developer to begin earthwork prior to the signing and recording of the final plat provided the Minimum Requirements Before Beginning Work policy is followed.**

**The motion carried.**



**10. Review and possible approval of the Aspen Meadow Estates Revised Final Plat.**

Zubella reviewed the draft motion he had provided to the Board and discussed how it would need to change to include the agreement to have the developer pay \$28,000 toward the installation of a culvert under Pioneer Road.

The Applicant, the Applicant's Attorney, the Applicant's Engineer, Town Engineer, and Town Attorney all agreed to terms of the motion as discussed.

**A motion was made by Chair Kolar, seconded by Supervisor Connell, to approve the Aspen Meadow Estates Revised Final Plat with the following conditions:**

**The conditions laid out in the June 30, 2016 Vierbicher review letter noting:**

**Per item #21, page 3, that 50-foot setbacks from public road right-of ways with an exception for Lots 4 and 12 which may have a 30-foot setback from all street frontage, and Lots 8-11 which may have a 40-foot setback;**

**Per item #25, page 4, the Town collect \$24,805 fees in lieu of park land dedication for the creation of eleven new lots, with the fee to be paid prior to the Town signing the Final Plat;**

**Per item #26, page 4, the trail constructed in the 20-foot wide Public Recreational Trail easement along the west edge of the plat on Lots 1, 2, 3, 7, and 8 be a primary trail, have a 10-foot wide crushed stone surface, and be reimbursed by the Town;**

**Per item #26, page 4, the trail constructed in the 20-foot wide Public Recreational Trail easement in Outlot 3 be a secondary trail, have an 10-foot wide crushed stone surface and be paid for by the developer, with a portion reimbursed by the Town as detailed in the Developer Agreement;**

**Per item #27, page 4, to not require a landscape easement across Lots 1, 2, 3, 4, and 12 as these lots are smaller and the required driveway vision corners will virtually eliminate the easement area; and**

**Per item #29, page 4, to not require slopes greater than 20% to be shown on the Final Plat as the area is approximately 150 square feet, which is permissible as Town ordinance allows variances for areas less than 2500 square feet;**

The 36-inch culvert under Meadow Road be replaced by the Town with a larger culvert, recognizing it is currently undersized, the Town will pay for replacement, however, because the development will cause the need for the culvert size to also increase, the Developer shall pay the Town \$28,000 toward the cost of the replacement. This will be detailed in the Developer Agreement and indicate that the payment shall be made before the Town signs the Final Plat. The Town will reconstruct the culvert prior to January 1, 2019;

The Town allowing the Development to break ground if the Developer meets all the requirements of the Town's "Minimum Requirements Before Beginning Work" policy;

The City of Madison staff approve the following:

Alignment of Pioneer Road;

The typical street cross-section for Pioneer Road;

The storm water management plan as it relates to Outlot 2; and

The right-of-way width of Pioneer Road;

The understanding that Town approval does not speak to any approvals required by the City of Madison;

All Final Plat documents, including Deed Restrictions and Protective Covenants are subject to final review by the Town Attorney and Town Engineer;

The Developer agreeing to resolve any and all conditions of Final Plat approval to Town staff's satisfaction prior to staff directing the Clerk to execute the Town's Certificate of Approval on the Final Plat and any related documents; and

That a Developer Agreement also be approved by the Board that outlines the responsibilities of the Developer and Town with regard to street and stormwater Improvements and associated Final Plat items, and that the Developer Agreement is signed before the installation of any of those improvements.

The motion carried.

**11.** Approval of Ironman Wisconsin - 2016

A motion was made by Supervisor Whitney, seconded by Supervisor Renteria, to approve the Ironman Race on September 11, 2016 with the following conditions:

The Town of Middleton being named as a loss payee on