

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
SEPTEMBER 06, 2022

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Deputy Clerk Amber Steele, Treasurer Debra Abel, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the public hearing and Town Board meeting on August 15, 2022 as printed. **MOTION CARRIED 4-0-1** (Fonger abstained).
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #36654-35725 as presented. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/Williams to approve payment of August per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: Dresen reported that he has issued four permits since the last meeting: 1) Alliant Energy/Intercon Construction to replace electric cable at Bass Ln and Gladview Rd. 2) Charter/Unite Utility to install conduit on north side of Lane St. 3) Charter/Unite Utility to install cable on Whiting Rd 4) Charter/Unite Utility to install new service at 3589 Vilas Rd.

II. BUSINESS

- A. Consideration of funding source for \$22,307.60 of chip sealing on Vilas and Coffeytown Roads: **MOTION** by DuPlayee/Williams to use ARPA funds. **MOTION CARRIED 5-0.**
- B. Plan Commission Recommendations: Donald Viney, Applicant, Viney Acres, LLC, Owner of parcel #0711-311-8010-0, 32.643 acres zoned FP-1 on Siggelkow Road: Proposing to rezone 2.672 acres to RR-2 and transfer a RDU from parcel #0711-363-9020-0 to create a single-family residence (DCPREZ-2022-11889): The Plan Commission's recommendation included a requirement for Mr. Viney to consult with Dresen about how much land should be dedicated as right-of-way for future changes to smooth out the curve on Siggelkow Road. Dresen had obtained emailed advice from Town Engineer Nick Bubolz to move the beginning of curvature points approximately 75' with a radius around 120' to achieve a design curve of 25 mph. (See Exhibit A). Discussion was to draw a diagonal between the new points rather than a curve. **MOTION** by Williams/Anders to accept the Plan Commission's recommendation to approve the proposed lot, transferring a RDU from parcel #0711-363-9020-0. The farm on Schadel Road and the balance of parcel 0711-311-8010-0 must be deed restricted against further residential development. Right-of-way on the curve of Siggelkow Road to be dedicated as per Exhibit A, moving the curvature points each by 75' with a straight line rather than a curve between the two points. **MOTION CARRIED 5-0.**
- C. Discuss/Consider adoption of Resolution 2022-09-06a Acceptance of Public Improvements in Kennedy Hills Phase 1: Correspondence from Dane County Land and Water Resources and Town Engineer Nick Bubolz indicated all improvements have been completed in a satisfactory manner, and Dresen agreed that everything looks good. Bubolz noted that final construction costs for the park path have not been supplied, and that while monumentation

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documentation has been verbally approved, he has not received any documents yet.

MOTION by DuPlayee/Williams to adopt Resolution 2022-09-06a as presented. **MOTION CARRIED 5-0.**

- D. Consideration of Waiver of Conflict of Interest for Axley Brynelson, LLP's continued representation of Enclave Development, LLC: **MOTION** by Williams/DuPlayee to approve the waiver of conflict of interest. **MOTION CARRIED 5-0.**
 - E. Consideration of request by Boy Scouts to camp behind Town Hall on September 9th and 10th: No one from the Boy Scouts was in attendance. **MOTION** by DuPlayee/Anders to table due to lack of information. **MOTION CARRIED 5-0.**
 - F. Discuss/Consider adoption of Resolution 2022-09-06b Authorizing the borrowing of \$323,790.00, providing for the issuance and sale of a general obligation promissory note therefor; and levying a tax in connection therewith: This borrowing is to fund 2022 road maintenance projects. **MOTION** by Anders/DuPlayee to adopt Resolution 2022-09-06b as presented. **MOTION CARRIED 5-0.**
 - G. Discuss/Consider adoption of Ordinance 2022-09-06 amending s. 08.03(1)(b) of the Town Code of Ordinances (Right-of-way permits): **MOTION** by Williams/DuPlayee to adopt Ordinance 2022-09-06 as presented. **MOTION CARRIED 5-0.** Right-of-way permit approvals will now be reported under the Public Works Department Activity Update agenda item.
 - H. Consideration of attendees for Wisconsin Towns Association Annual Convention on October 9-11: There was no interest in attending.
 - I. Consideration of attendees for Dane County Towns Association meeting on September 21st: All five board members plan to attend.
 - J. Set dates for 2023 budget workshops: A workshop was scheduled for October 18th at 6:30 P.M., with subsequent dates of October 24 and 25th if needed.
- III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen reported that all 2022 re-paving and seal coating projects are complete, and they are now working on center-striping. Both new bridges opened last Friday. Williams asked about the process used to notify residents of road projects, as she had received a complaint from a resident on Graham Paige Road. Dresen said signs are put out ahead of time, although notice from the contractors is not always very far in advance or specific.
- IV. CLERK'S OFFICE UPDATE: The Clerk reported that the recount for Congressional District 2 went smoothly and there were no changes to the originally reported results.
- V. BOARD REPORTS AND COMMUNICATIONS:
- A. Hampton asked if anyone was interested in attending the Local Land Use Planning Presentations at the Town of Verona on September 10th. There was no interest. He and Dresen attended a pre-construction meeting for County AB/12&18 last Wednesday. Luds Lane is supposed to be extended by October 14th.
 - B. Williams reported that she attended the Agricultural Community Engagement Twilight Meeting at McFarlandale Dairy and was very impressed by the operation.
- VI. COMMITTEE REPORTS:

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- A. Deer-Grove EMS Commission: Hampton reported the committee expects to complete the 2023 budget at the next meeting. They are still negotiating on the revisions to the district agreement.
- B. Cottage Grove Fire Department Committee: The district budget was approved; they will look at the ESOB budget at the September meeting. The Village is drafting the new district agreement.

VII. ADJOURNMENT: **MOTION** by Anders/DuPlayee to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:10 P.M.

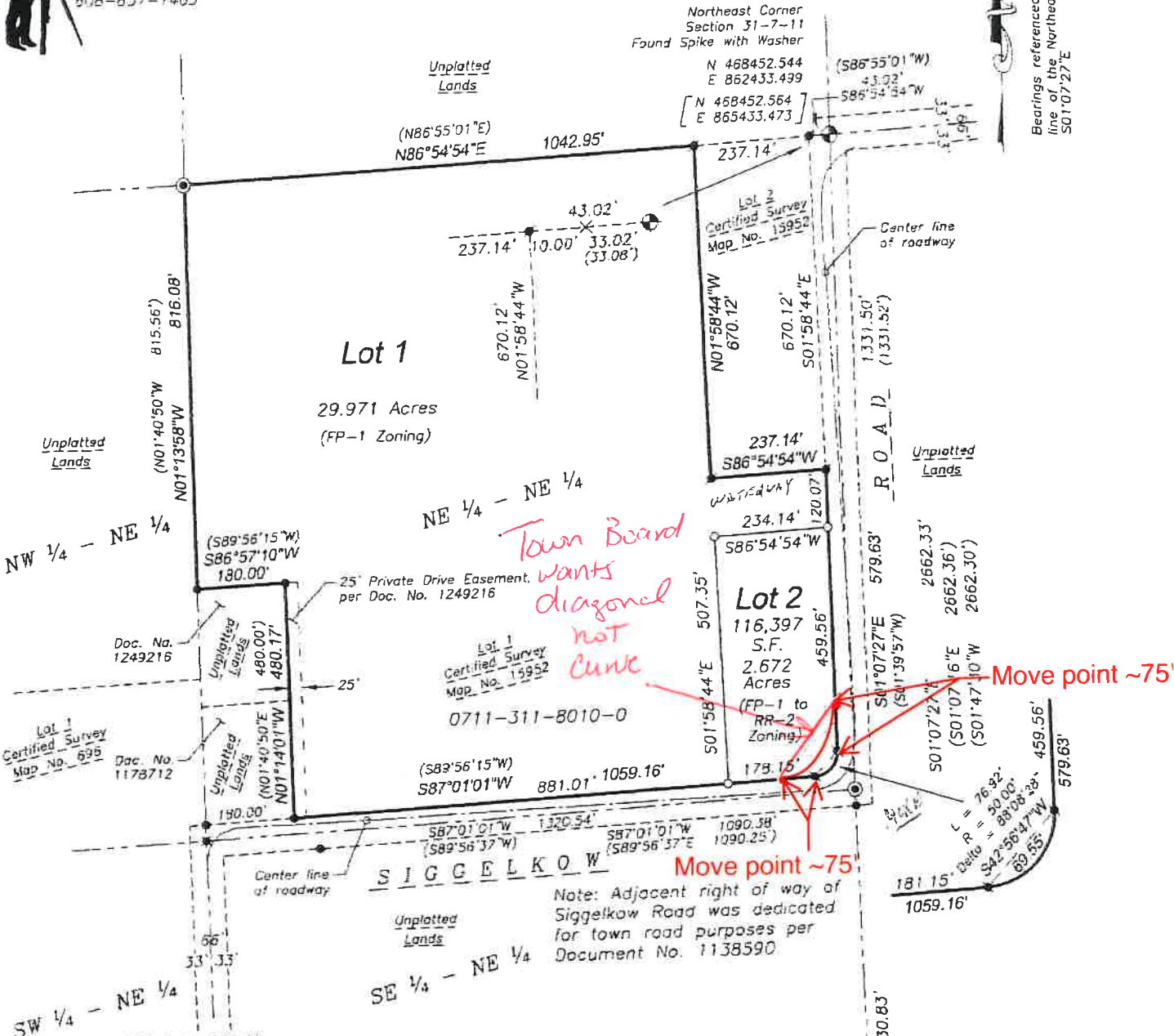
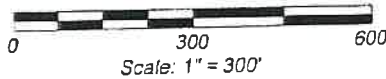
Kim Banigan, Clerk
Approved 09-19-2022

BIRRENKOTT SURVEYING



BIRRENKOTT SURVEYING
1677 N. BRISTOL STREET
SUN PRAIRIE, WIS 53590
608-837-7463

ZONING MAP



Bearings referenced to the East line of the Northeast 1/4 bearing S01°07'27"E

Description (FP-1 to RR-2):
Lot 1, Certified Survey Map No. 15952 as recorded in Volume 117 of Certified Survey Maps of Dane County on Pages 45-48 as Document No. 5819553, being part of the Northeast 1/4 of the Northeast 1/4, Section 31, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin, described as follows: Monuments and witness monuments commencing at the Northeast Corner of said Section 31; thence S85°54'54"W (recorded as S85°55'01"W), 43.02 feet to a Westerly right-of-way line of Siggelkow Road; thence S01°58'44"E, 670.12 feet along said Westerly right-of-way line; thence continuing along said Westerly right-of-way line S01°07'27"E (recorded as S01°39'57"W), 120.07 feet to the point of beginning; thence continuing along said Westerly right-of-way line S01°07'27"E, 459.56 feet to a point of curvature, thence continuing along Westerly right-of-way line along a curve to the right having a radius of 50.00 feet and a chord bearing and length of S42°56'47"W, 69.55 feet to a Northerly right-of-way line of Siggelkow Road; thence S87°01'01"W, 178.15 feet along said Northerly right-of-way line; thence N01°58'44"W, 507.35 feet; thence said Northerly right-of-way line; thence N86°54'54"E, 234.14 feet to the point of beginning. Containing 116,397 square feet, or 2.672 acres.

Note: Adjacent right of way of Siggelkow Road was dedicated for town road purposes per Document No. 1138590.

East 1/4 Corner
Section 31-7-11
Found Aluminum Monument
N 465790.722
E 862485.731
[N 465790.710
E 862485.567]

Office Map No. 220298

TOWN BOARD ACTION REPORT – REZONE

Regarding Petition # 2022-11889

Dane County Zoning & Land Regulation Committee Public Hearing Date 9/20/2022

Whereas, the Town Board of the Town of Cottage Grove having considered said zoning petition,

be it therefore resolved that said petition is hereby (check one): Approved Denied Postponed

Town Planning Commission Vote: 7 in favor 0 opposed 0 abstained

Town Board Vote: 5 in favor 0 opposed 0 abstained

THE PETITION IS SUBJECT TO THE FOLLOWING CONDITION(S) (Check all appropriate boxes):

- 1. Deed restriction limiting use(s) in the _____ zoning district to **only** the following:
- 2. Deed restrict the balance of A-1 EX Agricultural Exclusive zoned land owned by the applicant from the original farm (as of date specified in the Town Plan) prohibiting non-farm development. Please provide property description, or tax parcel number(s):
RDU for new lot to come from parcel #0711-363-9020-0, which should then be deed restricted for no further residential development. This should exhaust all RDUs on the former Hauge Farm now owned by the Vineys.
- 3. Deed restrict the applicant's property described below prohibiting division. Please provide property description, or tax parcel number(s):
The balance of parcel 0711-311-8010-0 should also be deed restricted against further residential development.
- 4. Condition that the applicant must record a *Notice Document* which states all residential development units (a.k.a. splits) have been exhausted on the property, and further residential development is prohibited under Town & County Land Use Planning policies. Please provide property description, or tax parcel number(s):
- 5. Other Condition(s). Please specify:
Petitioner to dedicate a larger right-of-way at the curve of Siggelkow Road to allow for smoothing of the curve by the Town at some point in the future. Current curvature points to both be moved 75, with a straight diagonal between the two rather than a curve. I will send Roger Lane a diagram of this. The petitioner was directed to re-draft the zoning map to reflect this.

Please note: The following space is reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

The lot will exceed the 2.0 acre maximum set by Town policy to accommodate the best place to put a home (at the north end) without leaving an unusable strip (by farm equipment) of ag land at the south end. The space between this new lot and the one to the north is to accommodate a waterway.

I, Kim Banigan, as Town Clerk of the Town of Cottage Grove, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 9/6/2022

Town Clerk Kim Banigan Date: 9/8/2022