



**CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE**

TO: Planning Division Director Date: December 29, 2015
FROM: Jenny Frese, Real Estate Agent 2 Project No.: 8223
SUBJECT: Review of the proposed preliminary (PP) and/or final plat (FP):

The proposed PP/FP is recommended for approval subject to the following conditions:

Parcel Address	Tax Parcel No.
No Address Provided	038-0708-321-9042-0
3381 Meadow Road	038-0708-321-9102-0

1. OWNER'S CERTIFICATION

Prior to approval sign-off, the Owner's Certificate(s) on the Final Plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. The executed original hard stock recordable plat shall be presented at the time of sign-off.

2. MORTGAGEE/VENDOR CERTIFICATION

A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to FP approval sign-off. If mortgages of record are paid off prior to FP approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.

3. CERTIFICATE AND CONSENT REQUIREMENTS

Include the name of the City of Madison Clerk, Maribeth L. Witzel-Behl, in the City of Madison Common Council Certificate.

4. ENVIRONMENTAL SITE ASSESSMENT

Provide copies of any Phase 1 and/or Phase 2 Environmental Site Assessments to Brynn Bemis in City Engineering that may have been completed for any portion of the property within the FP boundary.

5. REAL ESTATE TAXES & SPECIAL ASSESSMENTS

As of December 29, 2015, the 2015 real estate taxes, which include special assessments, are due for the subject property. Under 236.21(3) Wis. Statutes, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to FP approval sign-off.

6. TITLE REPORTS

As of December 29, 2015, the required title information for this application was incomplete. The Office of Real Estate Services reserves the right to include additional conditions of plat approval after review of a 60-year title report.

Prior to requesting plat approval sign-off, the owner shall furnish to the City's Office of Real Estate Services, as well as the surveyor preparing the FP, an update of the 60-year title report covering the period between the date of the initial title report and the time of sign-off, pursuant to Madison City Ordinance Section 16.23(5)(g)(4). The surveyor shall update the FP with the most recent information available in the title report update.

7. PLAT RECORDING INFO

The owner shall email the document number of the recorded plat to Jenny Frese at the Office of Real Estate Services as soon as it is available. jfrese@cityofmadison.com

8. PLAT REVISION REQUIREMENTS

- a. Carry over all applicable Notes from the prior CSMs. Those Notes being superceded shall be stated verbatim, thereby requiring some revisions to Note 16 on the proposed Final FP.
- b. Remove Note 7, as the restriction was released by Doc. No. 4845653.
- c. Clearly label all of the public rain garden easements or include line work indicating said easements in the legend.
- d. In the labels for the public recreation trail easement, revise the language to state "see Note 13".
- e. In the label for the public rain garden easement, revise the language to state "see Note 14".
- f. Depict the common access easement created by CSM No. 10312.
- g. Include a detail for the public utility easements.
- h. Remove the depiction and labels for the public drainage easements created by prior CSM No. 10312 along the southern boundary of the FP, as this easement area will be replaced with public drainage easements created by this FP.
- i. Remove the words "part of" in the description for adjacent Lot 2 CSM No. 10312.
- j. Provide proof of satisfaction or release for all liens and/or judgments of record prior to FP approval sign-off.
- k. If all interested parties agree that certain recorded documents encumbering or benefiting the land within the FP boundary are no longer necessary or relevant for the purposes of

the land division, the recording of release, termination or satisfaction documents shall be required prior to FP approval sign-off.



Dane County Planning & Development Land Division Review

February 25, 2016

JSD
161 Horizon Drive
Verona, WI 53593

Re: Aspen Meadow Estates (preliminary plat)
Town of Middleton, Section 32
(13 residential lots, 3 outlots, 31.6 acres)
Current Zoning District – A-1

Attention: John Krebs

The Dane County Zoning and Land Regulation Committee, at its meeting of February 23, 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*
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 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 application approved.*
4. The public park land appropriation requirement is to be satisfied (private park land does not satisfy this requirement).
5. Street names with respect to Ch. 76 of the Dane County Code of Ordinances are to be assigned.
 - *Dane County Surveyor approval is to be obtained.*
6. Utility easements are to be provided.
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. 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

Tuesday, January 19, 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; Paul Connell, Gary Whitney, and Brent Renteria, Supervisors.

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

Tim Roehl, Supervisor, and David Shaw, Town Administrator, were absent (excused).

1. Proof of Posting and Notice.

Ludtke 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 3 minutes per speaker).

There was no one wishing to speak.

4. Approval of the Minutes from the Meeting of January 4, 2016.

A motion was made by Connell, seconded by Whitney, to approve the Minutes from the meeting of January 4, 2016. The motion carried.

5. Engineer's Report.

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

6. Attorney's Report.

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

7. Crew Report

This agenda item was received and filed.

8. Staff Report

This agenda item was received and filed.

9. Public Hearing - Preliminary Plat - Aspen Meadows Estates

Adam Watkins and Hans Justeson for JSD Professional Services presented the Preliminary Plat. The Developer, Tommy Van Ess, was also present. The proposed plat divides a 26.3-acre parcel of land into 12 single-family lots and three outlots. The plat is located approximately a half mile south of Valley View Road on the west side of Meadow Road. The property is subject to the City of Madison and Town of Middleton Cooperative Boundary Agreement, dated March 28, 2002, which establishes a future western boundary of the City along Pioneer and Meadow Roads.

Chair Kolar asked if there was anyone wishing to speak in favor of the proposal; there was not.

Chair Kolar asked if there was anyone wishing to speak in opposition of the proposal. Andrew Iordachescu, 3425 Meadow Road; Rick Eddy, 3442 Hickory Hill; Bob Koss, 3428 Hickory Hill; and Steve Kecskemeti, 3436 Hickory Hill; voiced their concerns about the development causing an increase in property values and therefore taxes; inquired if traffic controls (speed bumps, additional stop signs, lower speed limit, etc.) would be put in place at the time Pioneer Road is realigned, and several other concerns. Zubella stated that Pioneer Road is designated as a "Collector Road" and its purpose is to move traffic, not slow it down, but more than likely, the speed limit would be lowered for safety reasons.

Lance Jensen, 7507 Valley View Road, representing Jensen Trust, inquired as to the future plans for a recreational trail north of this plat. Ludtke stated that it is desirable to connect subdivisions with each other through trail connections as they become developed, but no lines have been drawn on a map at this time. Jensen also inquired as to what will trigger the annexation of the Jensen Trust property. Voss indicated that annexation would not

likely occur until the property owner petitions to have their land annexed.

John Andersen, 3428 Valley Woods Drive, owner of the parcel to the west of the proposal, requested that the developer be responsible for the repair or replacement of the current fence that sits on the property line. Andersen also requested that a gate be placed at the end of Keystone Lane to provide him access to his farm fields. Voss stated that these issues should be negotiated directly with the developer.

A motion was made by Connell, seconded by Whitney, to close the public hearing on the Preliminary Plat of Aspen Meadows at 7:45 P.M. The motion carried.

10. Approval of Preliminary Plat - Aspen Meadows Estates

Zubella reviewed the Vierbicher letter of December 30, 2015 regarding the proposed plat.

There was extensive discussion regarding the letter of credit that will be required to ensure construction of the realigned Pioneer Road as agreed to by the Town and the City and anticipated in the plat. The details of the letter of credit will need to be determined prior to final plat approval. Pioneer Road will initially be constructed to Town standards as a 22' wide road with a 45' radius bulb at the north end. Curb, gutter and sidewalk, per the City of Madison's standards, will be constructed on the north and east side of Pioneer Road when Outlot 2 is developed. It is yet to be determined what will trigger the realignment of the curve at Meadow and Pioneer Road. This makes it difficult to determine how the letter of credit will be negotiated. The Board also discussed the possible placement and width of a recreational trail easement through the plat.

A motion was made by Whitney, seconded by Connell, to approve the Aspen Meadow Estates Preliminary Plat subject to the following conditions:

- **Outlot 3 configuration be revised to be an east-west outlot going across the northerly lines of Lots 4-7 as shown on the revised Preliminary Plat received on January 8, 2016, and shared with the Park Commission on January 11, 2016;**
- **The temporary turnaround at the west end of Keystone Lane shall be a paved, 36-foot radius cul-de-sac;**
- **Lots 2 and 3 shall have a joint driveway;**
- **The front yard setbacks shall be 50 feet for all lots;**
- **The rain gardens for Lots 8-10 be constructed during home construction, provisions for Town review costs of site plans for these lots be made in the Deed Restrictions, and**

the estimated cost for constructing the rain gardens to be included in the surety provided by the Aspen Meadow developer;

- That 90-foot x 90-foot x 90-foot vision corners be provided for driveways to Lots 1-3;
- The balance of Lot 2 of CSM 10312 be included in the Plat;
- Park fees in the amount of \$24,805 (\$2,255/lot) be collected for the creation of 11 additional lots prior to the recording of the Plat;
- A 20-foot wide Public Recreational Trail easement be provided along the west edge of the plat on lots 1, 2, 3, 8, and the balance of Lot 2 of CSM 10312, adjacent to the drainage easement, and in Outlot 3 as configured on the revised Preliminary Plat received January 8, 2016, and shared with the Park Commission on January 11, 2016. A 15-foot wide Public Recreational Trail easement shall be provided along the west edge of the plat on Lot 7 or on the Lot 6/7 Lot line as determined by the Applicant. The surface type of the trails and if the trails are to be considered primary or secondary trails, which will affect who will pay for the trails, will be determined during the review of the final plat;
- 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;
- Given that the Applicant has revised the Preliminary Plat to reconfigure Outlot 3 and to add the balance of Lot 2 of CSM 10312 to the Plat after the Town Engineer and Plan Commission reviewed the Plat, this approval is subject to any further conditions identified by the Town Engineer as they relate to lot size, lot open space, subdivision density verification, and cul-de-sac requirements for a longer Copper Trail;
- Resolution of the items outlined in the Vierbicher letter dated December 30, 2015 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 the Preliminary Plat as the area is approximately 150 square feet, which is permissible as Town ordinance allows variances for areas less than 2500 square feet;
 - Note 4, under "Preliminary Plat" comments, shall no longer apply as Outlot 3 has been reconfigured to have public street frontage as shown on the revised Preliminary Plat received on January 8, 2016 and shared with the Park Commission on January 11, 2016;
 - Note 6, under "Preliminary Plat" comments, shall no longer apply as the Applicant has dropped his request to rezone the property.
- The motion carried 4-0.

11. Approval of CSM and Rezone - Haug - 4110 Timber Lane.

Bruce Hollar and David Haug were present to discuss the proposal.

A motion was made by Kolar, seconded by Renteria, to approve the 2-Lot CSM and Rezone of both lots to A-1 subject to the following conditions:

- **To require Lot 2 to submit a site plan for review and approval as part of the building permit process. The applicant for a building permit for Lot 2 shall be responsible for all review fees incurred by the Town. A note shall be added to the CSM stating "Site Plan approval by the Town Engineer and Town Administrator is required on Lot 2 prior to issuance of a building permit for the purpose of reviewing proposed drainage conveyance, maximum driveway overflow elevation, minimum low opening elevation, and the 100-year rainfall event limits and elevations." The Site Plan shall demonstrate compliance with the following items:**
 - **The minimum opening elevation of the proposed building on Lot 2 can be no lower than (1118.5);**
 - **The culverts and driveway serving Lot 2 shall be constructed as submitted on the plan and as supported by design documents presented by the applicant on January 7, 2016. If it is necessary to revise the culvert or driveway**

configuration during site design, the applicant shall provide calculations demonstrating that the drainage capacity of the proposed culverts and overflow across the driveway on Lot 2 is equal to or greater than the capacity of the culverts beneath Timber Lane;

- An overflow for the driveway on Lot 2 shall be provided at an elevation no greater than 1116.5;

- To require driveway access to Lot 2 from Windermere Court.

- To require elimination of the second (south) driveway on Lot 1.

- To require both lots be rezoned to A-1 at the time the CSM is recorded.

- Resolution of the items outlined in the Vierbicher letter dated January 13, 2016, except:

- To allow creation of lots by CSM less than five acres unless the applicant owns 40 acres adjacent to the proposed lots, as lot sizes are consistent with existing adjacent lots;

- To not require the creation of covenants and restrictions that are compatible with Plum Hollow as those lots are not close enough;

- The existing vegetation can remain within the vision corner if it can be trimmed up to a height of 12' and verified by the Town Engineer;

- The public stormwater and drainage easement be adjusted on the CSM to coincide with updated stormwater calculations and to accommodate a 100-year flood event.

The motion carried 4-0.

12. Discussion of City of Madison assuming responsibilities for Sanitary District #5 (Seybold Road Area).

Zubella and Ludtke provided a summary of the meeting with Mike Dailey that took place on January 6, 2016 to discuss the possibility of the City of Madison taking over the Town's Sanitary District #5. The Board requested Ludtke to schedule a meeting of Sanitary District #5 to discuss this further.

13. Approval to purchase additional voting equipment - DS200 Voting Tabulator Machine.

A motion was made by Connell, seconded by Whitney, to approve the purchase of a DS 200 voting tabulator machine

for \$6,465. The motion carried.

- 14.** Approve Change in Agent for Class A Liquor License for Kwik Trip.

A motion was made by Connell, seconded by Whitney, to approve the new Change Agent for Kwik Trip. The motion carried.

- 15.** Board Member Reports.

Whitney reported that the Plan Commission liked the revisions to the CSM submittal packet and had a couple of additional suggestions, along with suggestions for the Town newsletter.

Connell reported that the EMS Commission met January 13 and the most recent data will be provided to Board members at the next meeting.

Kolar reported that the Town received the final report as to what Transportation aids the Town will receive in 2016. He inquired as to how this compared to what was budgeted for revenue.

- 16.** Future Agenda Items.

A meeting of the Sanitary District No. 5 Board to discuss possible approval of the City of Madison assuming control of Sanitary District No. 5.

A review of Employee Job Descriptions.

- 17.** Approval of Disbursements.

A motion was made by Whitney, seconded by Renteria, to approve the Disbursement Journal dated January 19, 2016 with checks numbered 3884 through 3937, inclusive, totaling \$9,396,528.66, ACH's of \$300.00, and no wire transfers, for a total of \$9,396,828.66. Motion carried.

- 18.** Correspondence and Communication.

Ludtke reported that the crew had been able to develop a layer of ice in the new rink and that water was being added slowly.

Ludtke asked permission to again teach several courses on elections at UW-GB this summer. The Board had no objections.

- 19.** CONTEMPLATED CLOSED SESSION: Consider performance evaluations and possibly take action on 2016 compensation of Town employees, pursuant to §19.85(1)(c).

A motion was made by Connell, seconded by Whitney, to go into closed session at 9:52 P.M. to consider performance evaluations and possibly take action on 2016 compensation of Town employees, pursuant to Wisconsin State Statutes §19.85(1)(c).

The motion carried by roll call vote:

Aye: 4 - Connell, Kolar, Whitey and Renteria

- 20.** Reconvene in open session pursuant to Wisconsin State Statute §19.85(2), and possibly take action on the closed session items

A motion was made by Kolar, seconded by Connell, to reconvene into open session at 10:04 P.M. pursuant to Wisconsin State Statute §19.85(2).

The motion carried by roll call vote:

Aye: 4 - Connell, Kolar, Whitney and Renteria

After the vote, Kolar and Connell moved and seconded to adopt the 2016 payroll compensation for Town employees dated January 19, 2016 signed by Kolar. Motion carried.

- 21.** Adjourn.

A motion was made by Connell, seconded by Supervisor Renteria, to adjourn. The motion carried at 10:11 P.M.