

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
JANUARY 25, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Jerry Meylor, Dave Muehl, Troy Eickhoff, Mike Klinger and Mark Kudrna present. Steve Anders attended virtually. Deputy Clerk Amber Steele took minutes.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Klinger/Meylor to approve the minutes of the December 28, 2022 meeting as printed. **MOTION CARRIED 6-0-1** (Anders abstained).
- 4) Public Concerns: None.
- 5) Thomas Streich, applicant and landowner, and Allen and Caryn Schmidt and Door Creek Golf Course, landowners, 4343 and 4345 Vilas Road, parcels #0711-074-8075-0, 0711-074-8205-2 and 0711-074-8180-2: seeking rezone of .22 acres from RR-4 to RE and .06 acres from RR-4 to RR-2 to shift property lines between adjacent landowners. Thomas Streich was present, Allen and Caryn Schmidt attended virtually. Mr. Streich stated they wanted to straighten out property lines, and correct a mistake to the CSM that was not properly recorded. **MOTION** by Muehl/Kudrna to recommend approval of the rezone. **MOTION CARRIED 7-0**. Town Board will consider approval on February 6th.
- 6) Duane Swalheim, applicant and landowner, parcel #0711-273-0044-0 on North Star Road: Comprehensive Development Plan Review for a proposed commercial subdivision. Duane Swalheim and Ryan Quam from Quam Engineering were present. Quam provided a grading and erosion control plan (Exhibit A) that he said the County is close to accepting. Soil testing has been done per MD Roffers' request. Birrenkott has looked at septic fields. Groundwater has been located and areas of protection indicated. The woodlot will not be able to be saved. There was discussion about who is going to maintain the outlots, and it was suggested a Business Park Association of the landowners could be created to maintain it, with the stipulation the Town would have the ability to chargeback if not done. Quam noted there would need to be an exception to the policy requiring driveways to be at least 150 feet from an intersection for the driveway for Lot 1. Swalheim said improvement of the East-West segment of North Star Road will be when one of the lots fronting it are sold. Hampton noted that potential buyers should be made aware that the Town is looking into providing sewer and water services to that area. **MOTION** by Muehl/Meylor to recommend approval of the comprehensive development plan contingent on completion of the items required under items 2-4. of Roffers' memo (Exhibit B), and answering all of the questions that Mark Roffers had posed. **MOTION CARRIED 6-0** (Anders did not respond).
- 7) Discuss/Consider recommendation regarding proposed Dane County Ordinance Amendment 2022 OA-57 regarding application requirements and setbacks for communication towers. **MOTION** by Anders/Eickhoff to recommend approval of OA-57. **MOTION CARRIED 7-0**.
- 8) ADJOURNMENT: **MOTION** by Klinger/Meylor to adjourn. **MOTION CARRIED 7-0**. The meeting was adjourned at 7:47 P.M.

Submitted by: Amber Steele, Deputy Clerk
Approved 02-22-2023

Duane,

The County is ready to issue the erosion control and stormwater permits upon receipt of the following items:

1. The financial surety in the amount of \$216,542. The County considers either a letter of credit, certified or cashier's check from your bank, or a performance bond from the contractor as acceptable surety forms. For this size project, you might consider having the contractor provide the performance bond. More background on the options are further discussed in the attached memo and the cost estimate is also attached.
2. The attached stormwater maintenance agreement will need to be signed in front of a notary. Your printed name & signature and notary info & stamp/seal are needed on the 2nd page. Signatures need to be in black ink. The entire 4 pages of the agreement will need to be delivered or mailed to Jason Tuggle. They will have the agreement recorded at register of deeds.
3. \$30 check payable to "Register of Deeds" for recording of the stormwater maintenance agreement.
4. \$5,148.12 check payable to "Dane County Treasurer" for the remaining erosion control & stormwater permit application fee.

The above items may be mailed or delivered to Jason Tuggle at the following address:

*Dane County Water Resource Engineering
Attn: Jason Tuggle
5201 Fen Oak Drive, Room 208
Madison, WI 53718*

If you have any questions, please feel free to contact me.

*Aaron Falkosky, P.E.
Quam Engineering, LLC
4604 Siggelkow Road, Suite A
McFarland, WI 53558
www.quamengineering.com
608.838.7750*

From: Tuggle, Jason <tuggle.jason@countyofdane.com>
Sent: Tuesday, November 29, 2022 9:49 AM
To: Aaron Falkosky <afalkosky@quamengineering.com>
cc: mfendry@quamengineering.com; rquam@quamengineering.com; aryan@quamengineering.com
subject: RE: Cottage Grove Rural Business Lots

Hi Aaron,

I spoke with Jeremy this morning and he agrees that the test pits justify the infiltration exemption. The cost estimate looks good. Financial surety in the amount of \$216,542.00 will be required. I can issue the permits upon receipt of financial surety and other items below.

Thanks,

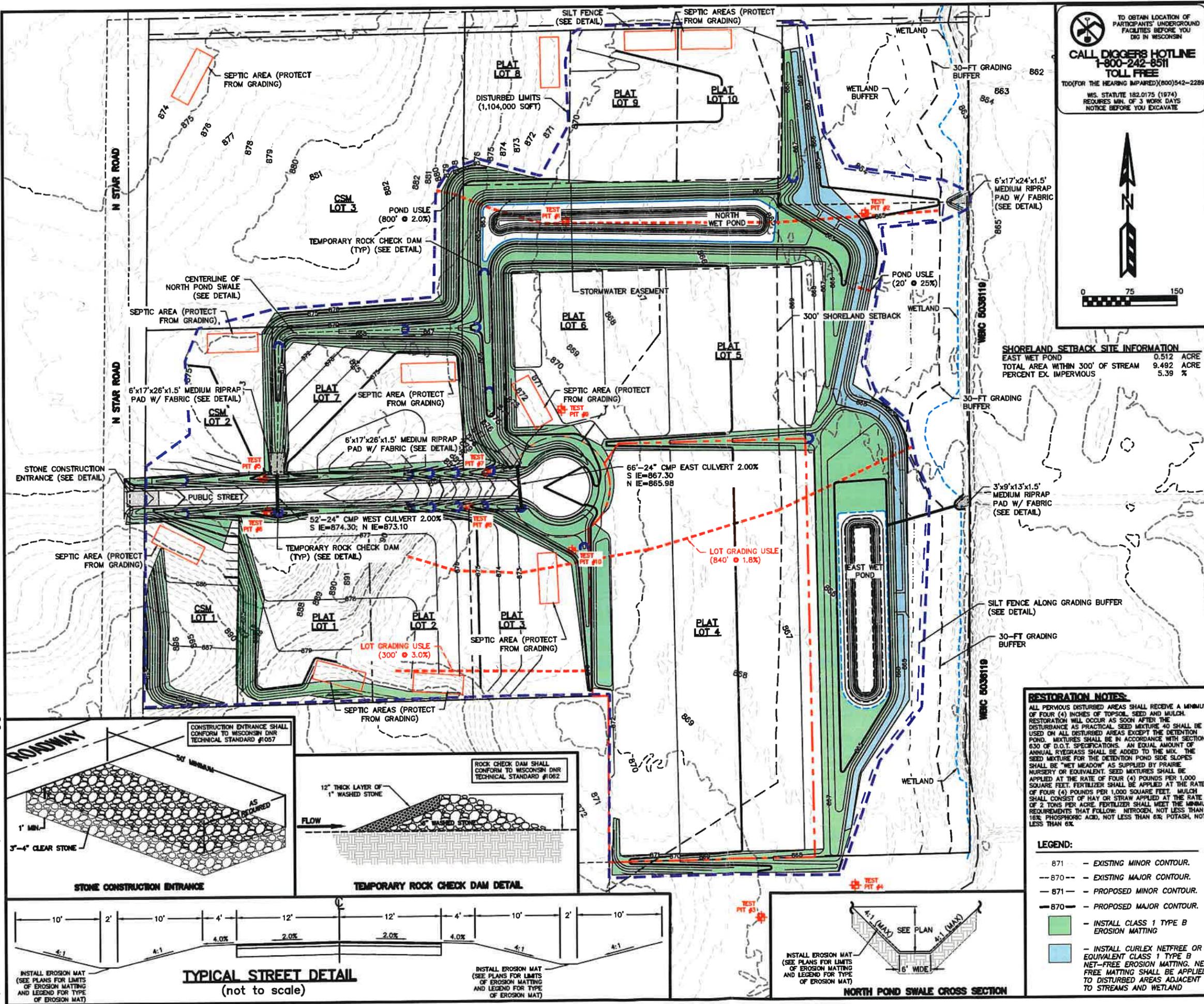


Jason Tuggle
Urban Erosion Control Analyst
Water Resource Engineering Division
Phone: (608) 516-2275
<https://lwrp.countyofdane.com/>

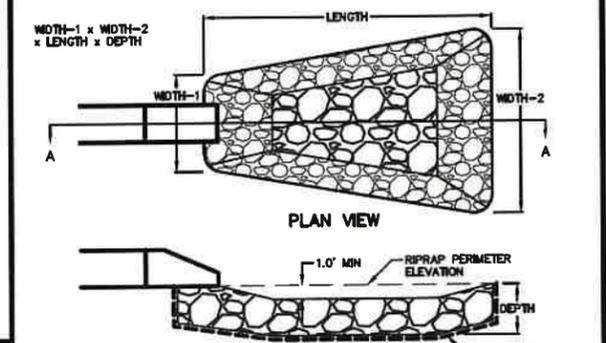
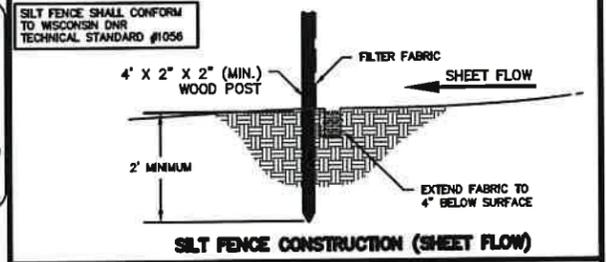
From: Aaron Falkosky <afalkosky@quamengineering.com>
Sent: Tuesday, November 29, 2022 9:11 AM
To: Tuggle, Jason <tuggle.jason@countyofdane.com>
cc: mfendry@quamengineering.com; rquam@quamengineering.com; aryan@quamengineering.com
Subject: RE: Cottage Grove Rural Business Lots

This Message Is From an External Sender

<https://mail2.tds.net/t> This message came from outside your organization.



TO OBTAIN LOCATION OF PARTICIPANTS' UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN
CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE
 TDD (FOR THE HEARING IMPAIRED) (800) 542-2289
 WIS. STATUTE 182.0175 (1974) REQUIRES MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE



SHORELAND SETBACK SITE INFORMATION

EAST WET POND	0.512 ACRE
TOTAL AREA WITHIN 300' OF STREAM	9.492 ACRE
PERCENT EX. IMPERVIOUS	5.39 %

% PASSING BY WEIGHT	SIZE (INCHES)
100	20
50-85	15
20-50	10
5-20	5
0-5	2

SIZES CALCULATED IN BEST D.5.2

RIPRAP DETAIL

RIPRAP SHALL BE PLACED AS DEFINED IN SECTION 606 OF WISCONSIN D.O.T. SPECIFICATIONS. STONE PIECES SHALL BE WELL GRADED, RANGING IN DIAMETER AS DESCRIBED IN THE ADJACENT CHART.

EROSION NOTES:

STONE CONSTRUCTION ENTRANCE SHALL BE INSTALLED PRIOR TO ANY CONSTRUCTION. THE TRACKING PAD IS TO BE MAINTAINED BY THE CONTRACTOR IN A CONDITION WHICH WILL PREVENT THE TRACK OF MUD OR DRY SEDIMENT ONTO THE ADJACENT PUBLIC STREETS. SEDIMENT REACHING THE PUBLIC ROAD SHALL BE REMOVED BY STREET CLEANING (NOT HYDRAULIC FLUSHING) BEFORE THE END OF EACH WORKDAY.

EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO GRADING OPERATIONS AND SHALL BE PROPERLY MAINTAINED FOR MAXIMUM EFFECTIVENESS UNTIL VEGETATION IS ESTABLISHED. ALL EROSION CONTROL MEASURES AND STRUCTURES SERVING THE SITE MUST BE INSPECTED AT LEAST WEEKLY OR WITHIN 24 HOURS OF A 0.5 INCH RAIN EVENT. ALL MAINTENANCE WILL FOLLOW AN INSPECTION WITHIN 24 HOURS.

SILT FENCE AND STOCKPILES SHALL BE FIELD LOCATED BY THE ENGINEER. ON-SITE BORROW PITS MUST BE CONSTRUCTED WITH THE SAFETY OF THE GENERAL PUBLIC IN MIND.

CUT AND FILL SLOPES SHALL BE NO GREATER THAN 3:1.

ALL DISTURBED AREAS MUST BE TEMPORARILY STABILIZED WITHIN 14 DAYS OF LAST ACTIVITY. ALL DISTURBED AREAS SHOULD BE STABILIZED WITHIN 7 DAYS OF FINAL GRADING.

PERIMETER CONTROL SHOULD BE INSTALLED AROUND STOCKPILES, AND STOCKPILES SHOULD BE STABILIZED THAT WILL REMAIN INACTIVE FOR 7 DAYS OR LONGER.

EROSION CONTROL IS THE RESPONSIBILITY OF THE CONTRACTOR UNTIL ACCEPTANCE OF THIS PROJECT. EROSION CONTROL MEASURES AS SHOWN SHALL BE THE MINIMUM PRECAUTIONS THAT WILL BE ALLOWED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECOGNIZING AND CORRECTING ALL EROSION CONTROL PROBLEMS THAT ARE A RESULT OF CONSTRUCTION ACTIVITIES. ADDITIONAL EROSION CONTROL MEASURES, AS REQUESTED IN WRITING BY THE STATE OR LOCAL INSPECTORS, OR THE DEVELOPER'S ENGINEER, SHALL BE INSTALLED WITHIN 24 HOURS.

TEMPORARY SEDIMENTATION BASINS OR OTHER APPROPRIATE CONTROL MEASURES SHALL BE USED TO TREAT ALL WATER PUMPED DURING DEWATERING.

SEEDING FROM SEPTEMBER 15 THROUGH NOVEMBER 15 SHOULD BE AVOIDED TO PREVENT FREEZING OF NEW GROWTH. DORMANT SEEDING SHOULD BE COMPLETED AFTER NOVEMBER 15. DISTURBED AREA SHALL HAVE EROSION MATTING APPLIED BEFORE DORMANT SEEDING. DORMANT SEEDING SHALL NOT BE APPLIED ON TOP OF SNOW. IF DORMANT SEEDING DOES NOT RESULT IN AT LEAST 70% COVER BY MAY 15, ADDITIONAL SEEDING SHALL BE REQUIRED.

TIME SCHEDULE:

NOVEMBER 23 - DECEMBER 7, 2022	INSTALL STONE CONSTRUCTION ENTRANCE, SILT FENCE, AND ROUGH GRADE THE STORMWATER PONDS.
DECEMBER 7, 2022 - MAY 15, 2023	GRADE LOTS, CONSTRUCT STREET, AND RESTORE DISTURBED AREAS.
APRIL 8, 2023	COMPLETE STORMWATER PONDS PER PLAN AND RESTORE DISTURBED AREAS AROUND WET PONDS.

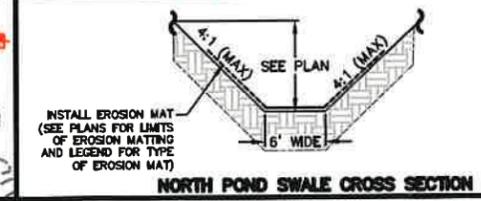
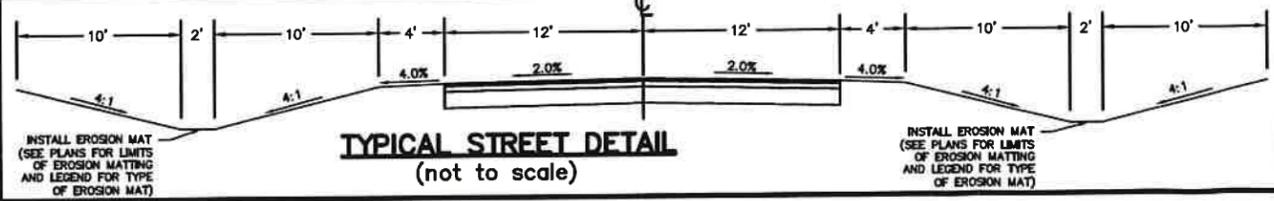
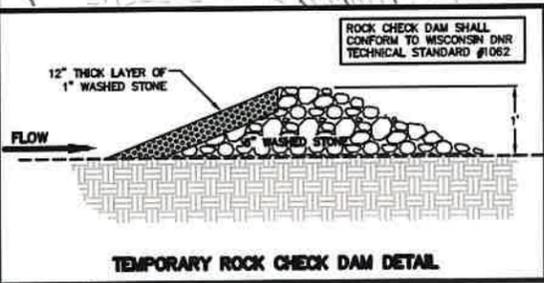
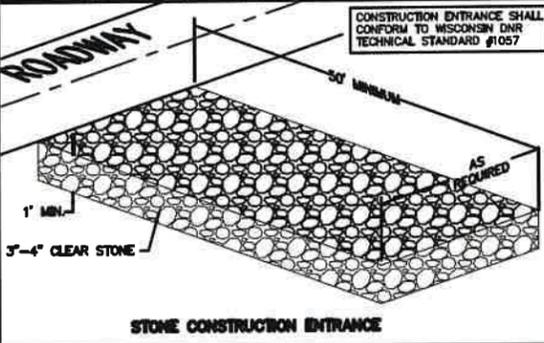
OWNER:
 DUANE AND CANDICE SWALHEIM 2011 REVOCABLE TRUST
 ATTN: DUANE SWALHEIM
 438 CONNIE STREET
 COTTAGE GROVE, WI 53527

ENGINEER:
 QUAM ENGINEERING, LLC
 ATTN: RYAN QUAM
 4604 SIGELKOW ROAD, SUITE A
 MCFARLAND, WI 53558

RESTORATION NOTES:

ALL PERVIOUS DISTURBED AREAS SHALL RECEIVE A MINIMUM OF FOUR (4) INCHES OF TOPSOIL, SEED AND MULCH. RESTORATION WILL OCCUR AS SOON AFTER THE DISTURBANCE AS PRACTICAL. SEED MIXTURE 40 SHALL BE USED ON ALL DISTURBED AREAS EXCEPT THE DETENTION POND. MIXTURES SHALL BE IN ACCORDANCE WITH SECTION 630 OF D.O.T. SPECIFICATIONS. AN EQUAL AMOUNT OF ANNUAL RYEGRASS SHALL BE ADDED TO THE MIX. THE SEED MIXTURE FOR THE DETENTION POND SIDE SLOPES SHALL BE "WET MEADOW" AS SUPPLIED BY PRAIRIE NURSERY OR EQUIVALENT. SEED MIXTURES SHALL BE APPLIED AT THE RATE OF FOUR (4) POUNDS PER 1,000 SQUARE FEET. FERTILIZER SHALL BE APPLIED AT THE RATE OF FOUR (4) POUNDS PER 1,000 SQUARE FEET. MULCH SHALL CONSIST OF HAY OR STRAW APPLIED AT THE RATE OF 2 TONS PER ACRE. FERTILIZER SHALL MEET THE MINIMUM REQUIREMENTS THAT FOLLOW: NITROGEN, NOT LESS THAN 18% PHOSPHORIC ACID, NOT LESS THAN 6% POTASH, NOT LESS THAN 6%.

- LEGEND:**
- 871 - EXISTING MINOR CONTOUR.
 - 870 - EXISTING MAJOR CONTOUR.
 - 871 - PROPOSED MINOR CONTOUR.
 - 870 - PROPOSED MAJOR CONTOUR.
 - [Green Box] - INSTALL CLASS 1 TYPE B EROSION MATTING
 - [Blue Box] - INSTALL CURLEX NETFREE OR EQUIVALENT CLASS 1 TYPE B NET-FREE EROSION MATTING. NET FREE MATTING SHALL BE APPLIED TO DISTURBED AREAS ADJACENT TO STREAMS AND WETLAND



Dwara Swalheim
system A
drain tile



43' 02"

100 ft

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
FEBRUARY 22, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, Mike Klinger and Mark Kudrna present. Clerk-Treasurer Kim Banigan took minutes.
 - 2) Hampton called the meeting to order at 7:00 P.M.
 - 3) Approve minutes of previous meetings: **MOTION** by Klinger/Anders to approve the minutes of the January 25, 2023 meeting as printed. **MOTION CARRIED 7-0.**
 - 4) Public Concerns: Hampton reported notice of a public hearing on March 25th for McFarland's Comprehensive Plan update, including the East Side Plan.
 - 5) David Cummings, Applicant, Cummings and Turk Farms LLC, Landowner: Application for a Condition Use Permit to allow outdoor storage on parcel 0711-342-8690-0 at 3436 North Star Road: Mr. Cummings was not present, however Hampton decided to go through with the review of the application as outside storage had been discussed with the Plan Commission's recent recommendation for approval of a rezone of this same property. Discussion focused on screening of the items stored outdoors. The seven standards for conditional use permits were discussed and all considered satisfied. **MOTION** by Anders/Eickhoff to recommend approval of the CUP with the following conditions:
 - A seven-foot-high berm must be constructed around the outdoor storage area, planted with evergreens of sufficient size and density to provide effective screening of the outdoor stored items.
 - The berm must be planted and mowed to prevent erosion and invasive species.
 - The berm and plantings must be completed within 6 months of approval of the CUP.
 - Hours of operation for loading and unloading of outdoor stored items to be 6 a.m. to 6 p.m., seven days per week.
 - Applicant to follow his written statement of intent and operations plan as submitted with his CUP application to Dane County (Exhibit A).
- MOTION CARRIED 7-0.**
- 6) ADJOURNMENT: **MOTION** by Muehl/Anders to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 7:30 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer
Approved 03-22-2023

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.
List the proposed days and hours of operation.
List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.
Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.
For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14 , Dane County Code.
List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.
List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.
Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.
Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800 .
Briefly describe the current use(s) of the property on which the conditional use is proposed.
Briefly describe the current uses of surrounding properties in the neighborhood.

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
MARCH 22, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, Mike Klinger and Mark Kudrna present. Clerk-Treasurer Kim Banigan took minutes.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Muehl/Meylor to approve the minutes of the February 22, 2023 meeting as printed. **MOTION CARRIED 7-0.**
- 4) Public Concerns: None.
- 5) Joseph Gallagher, petitioner, Francis Wisniewski – Warm Belly Farm, Owner, parcel #0711-073-8090-2 at 4311 Vilas Hope Road: seeking Conditional Use Permit for Agricultural Entertainment, 10 days/year or more, sale of agricultural products not produced on the premise, and incidental sale of non-alcoholic beverages and snacks. (DCPCUP-2023-02592): Devin Engle of Ramaker represented Mr. Wisniewski, who was also present. Mr. Engle started by stating that they would like to reserve the option to replace the 10 porta-potties with a restroom building in the future. He said that this location would be the entertainment sister farm to another farm under the same ownership in Fort Atkinson where the produce sold here would be grown. Year-around operation of this site would include pick-your-own hydroponic strawberries and a farm store with produce, non-alcoholic beverages, etc. for sale. In the fall they would add u-pick pumpkins, a corn maze, sunflowers and more. Hours of operation would be Sunday through Saturday from 9 a.m. to Sunset, with hours expanded to 9:00 p.m. in the fall once outdoor lighting is in place (permanent dark sky compliant fixtures – 4 in the field and others around the perimeter). The site plan includes a 20-foot gravel drive along the north side of the building to the rear parking lot, and a 40 foot lane along the south side of the building with 20 foot traffic lane and 20 feet of slanted parking stalls. There are over 400 parking stalls in total. Anders brought up concerns about traffic, especially at closing time during large events. The driveway will be widened to 24 feet, and online ticketing can be used to stage people coming in but not leaving. Suggestions were to contract with the DCSO for traffic direction at Vilas Hope Road, and also have parking assistants in the rear parking lot for big events. The 8 standards for a CUP in the Farmland Preservation district were all reviewed and considered satisfied. **MOTION** by Anders/Muehl to approve the CUP with the following conditions, noting that the 8 standards for a CUP are all considered satisfied:
 - No parking on either side of Vilas Hope Road. The Town Highway Superintendent will figure out the distance, and the petitioner will pay for the signage.
 - The stormwater plan must be approved by Dane County.
 - The Highway Superintendent should weigh in on the size of the culvert and the design of the driveway where it meets Vilas Hope Road.
 - No Parking signs shall be posted on the traffic lane on the north side of the building.
 - Any substantial change to lighting plans would be an amendment to the CUP.

MOTION CARRIED 7-0.

- 6) David Cummings, petitioner, Cummings and Turk Farms LLC, Landowner: Design Review for

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
MARCH 22, 2023

Commercial use for parcel 0711-342-8690-0 at 3436 North Star Road: The commission reviewed the landscape plan provided by Mr. Cummings (Exhibit A) and a memo from Town Planner Mark Roffers (Exhibit B). Hampton asked if he would be willing to add a cupula to each end of the building; Mr. Cummings agreed to do that. He said his lighting plan included a one light in the North west peak that he offered to swap out if needed, all the others are dark sky compliant wall packs. He only plans to have lights on for loading and unloading. **MOTION** by Klinger/Meylor to approve the site plan with the following conditions:

- Landscaping as per the plan provided.
- Light in the peak changed to a downward facing model, other lighting as discussed.
- Two cupulas to be added to the building, one at each end.

MOTION CARRIED 7-0.

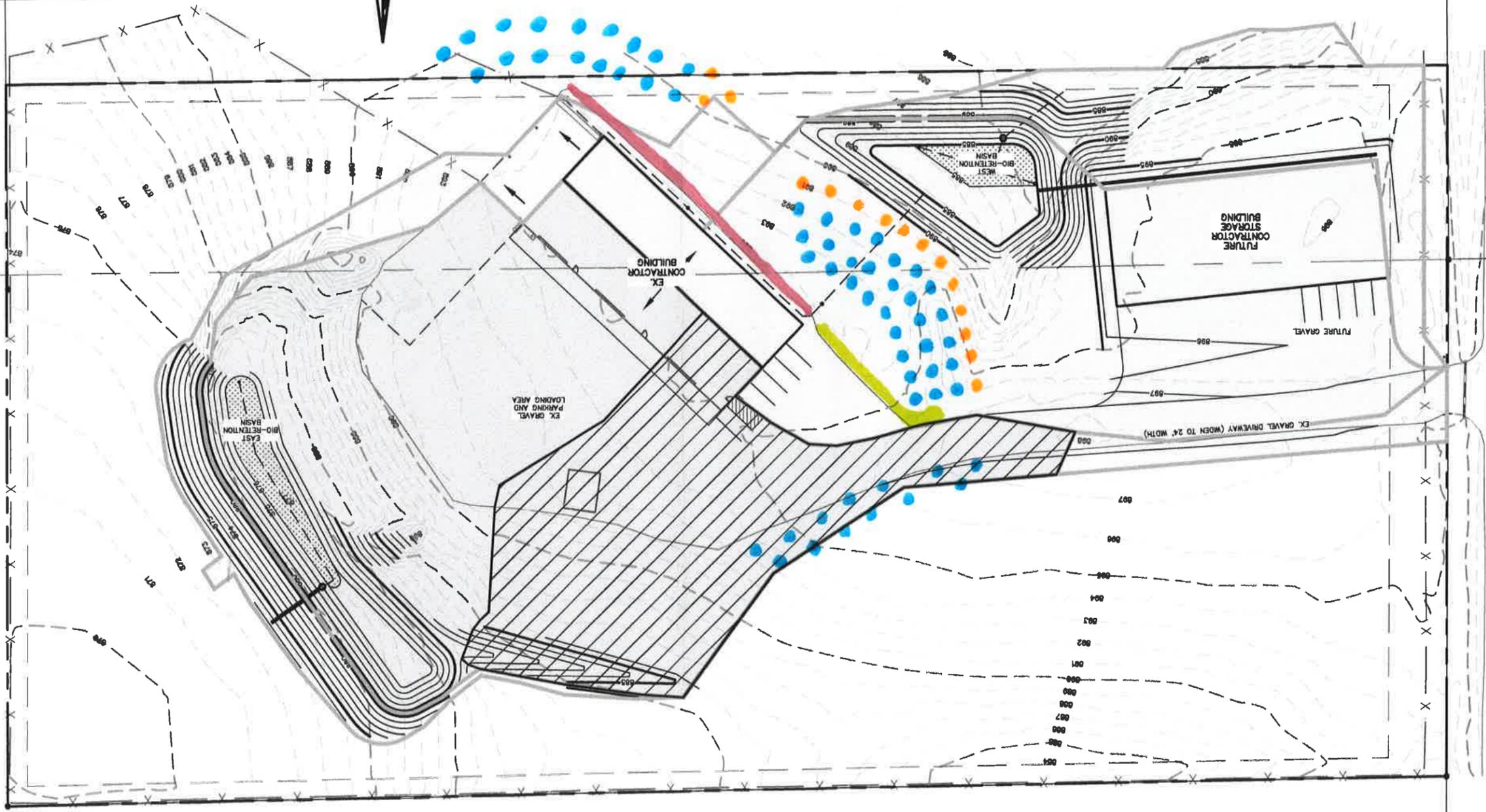
- 7) Prior to adjournment, Hampton provided an update on the Town Board's investigation of costs to install sewer service to the US Hwy 12 & 18/CTH N/North Star Road area. He said he has the impression that the Town Board will go ahead with the project, and suggested that the Plan Commission should start thinking about higher building design standards to attract higher quality businesses to the area to better fund the sewer project. Muehl said building size would be limited by sprinkling requirements with no water service. Meylor cautioned that the cost of sewer and higher building standards could dissuade potential buyers.
- 8) **ADJOURNMENT: MOTION** by Klinger/Anders to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 8:16 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer

Approved 4-26-2023

3436 N STAR ROAD
PROPOSED DRAINAGE PLAN
 SHEET: C-4.2
 DATED: JANUARY 24, 2023

QUAM ENGINEERING, LLC
 Residential and Commercial Site Design Consultants
 www.quamengineering.com
 4604 Siggekow Road, Suite A - McFarland, Wisconsin 53558
 Phone (608) 838-7750; Fax (608) 838-7752



AREAS:

1.466 ACRES	- TO EAST BIO-BASIN:	
0.59 ACRES	- TO NORTH SWALE:	
1.172 ACRES	- TO WEST BIO-BASIN:	
0.743 ACRES	- UNCONTROLLED:	

Oaks

Blue Spruce

Red Osier

Rock Wall



TO: Town of Cottage Plan Commission
FROM: Mark Roffers, Town Planner
DATE: March 14, 2023 **With Revisions 3/20/23**
RE: Design Review, Cummings Storage Building, 3436 North Star Road

On March 20, I spoke with Mr. Cummings, who made it clear that he does not intend to build the 2nd building closer to North Star Road at this time. He indicated that he had a placeholder for that building on his plans in order to design the stormwater management to accommodate both buildings. He and I discussed the other matters below too. The text in red below includes my revised recommendations based on our call.

I received a design review submittal for an 8,400 square foot (140' x 60') storage building and associated site improvements at the above address. Comments relative to the Town design review ordinance (Chapter 12.08), and rezoning and conditional use permit conditions, are as follows:

1. The proposed layout indicated by the submitted site plan is sound. It appears the proposed outdoor storage area location complies with past approvals. Some conditions of rezoning and conditional use permit approval are not yet met, and some submittals required by the design review ordinance have not yet been made. The design review ordinance provides the Commission with 90 days to act on a design review application once it is deemed complete. Because it is not complete—and due to other issues raised below—I recommend that the Commission postpone action. **Assuming this approval does not cover the second building, the main outstanding issue is that as of 3/20/23 we do not yet have a landscape plan. I understand that Mr. Cummings intends to submit a landscape plan at Wednesday's meeting.**
2. A condition of rezoning approval indicated that “the driveway will be paved to just past the crest of the hill”, but this is not indicated on the submitted site plan. It would seem that the crest of the hill is about equal to the east edge of the proposed building. I also recommend that this asphalt pavement extend south from that point to the building. I also recommend that the parking spaces next to the building be striped (painted lines). **Mr. Cummings indicated to me that he intends, at this time, to pave to a distance about 50 feet east of North Star Road. This should probably be sufficient to keep most gravel from tracking on to North Star Road, though 100 feet would be better. When the second building is proposed for construction, a larger paving project like what I suggest above in black text would be appropriate.**
3. The building elevations that have submitted do not appear to match what is represented on the site plan. For example, the elevations show a low metal awning off of the east wall, but

the site plan does not represent or even provide room for such an awning for the new building. Further, the proposed north wall shows three overhead doors, but the site plan shows 5 parking spaces in front of one of these doors. It appears that the elevations represent the building that has already been constructed. This should be sorted out. Proposed building colors should also be clear. **I now understand that the building elevations included in the packet were for the east building, not for the second building close to North Star Road. When that second building is proposed for construction, new elevations and another design approval will be required before a building permit is issued. The Plan Commission should be clear that this current approval does not cover the second building.**

4. The ordinance requires that at least 35% of any exterior building wall visible from a public road be covered with brick, stone, tinted or textured CMU, windows, or other decorative material that may be approved by the Commission. Prefabricated metal does not count towards that 35%. Where metal is used as part of the other 65%, it is supposed to be broken up by patterns, colors, windows, etc. Further, every exterior wall 100+ feet long that is visible from the road must have elements to reduce apparent size and scale, like varying wall setbacks and heights, varying roof treatments/slopes, window and door openings, awnings, and/or decorative lighting. The submitted building elevations do not meet these standards, which are particularly important given the building's close proximity to North Star Road. Three of the four elevations have visibility from North Star Road and two of the four are over 100' in length. If the Commission or applicant would like further advice on how these standards might be met, I can provide it. **This advice was and is for the second building, not for the east building.**
5. The design review ordinance requires submittal of a landscape plan, but none has been provided to me. Given the 144,000 sf (3.3 acres) of disturbed area indicated on the site plan and associated with the new and existing building, the ordinance specifies planting of 13 deciduous canopy trees (2" trunk diameter when planted); 26 ornamental and/or evergreen trees; (minimum 4' tall when planted); and 69 shrubs, 1,000 sf of perennial planting bed, or some shrub/bed combination. If the Commission does not wish to apply the landscaping requirement to the area of the existing building and gravel area, these requirements could be reduced by around one-third. The landscape plan should include proposed locations, species, and sizes of all plantings. In addition to storage-related requirements listed below, decorative landscaping should be focused in the western ¼ of the site, including around the new building. The rezoning and conditional use permit approvals had the conditions that should also be addressed on a landscape plan and on a revised site/grading plan:
 - a. A seven-foot-high berm must be constructed on the south side of the outdoor storage area, planted with evergreens of sufficient size and density to provide effective screening of the outdoor stored items.
 - b. The berm must be planted and mowed to prevent erosion and invasive species.

- c. The berm and plantings must be completed within 6 months of approval of the CUP. Trees are to be planted on the north side of the storage area where possible (up to the bio basin).

Mr. Cummings is aware that a landscape plan is still required, and he intends to provide one Wednesday night. Plantings and berming should be focused on the screening described above, and in areas that will not be disturbed when and if the second building is constructed. Otherwise, I recommend a landscape plan based on an assumption that a second building might never be constructed. Therefore, there should also be landscaping between the east/current building and North Star Road, in addition to the outdoor storage yard screen landscaping.

6. The ordinance requires submittal of an exterior lighting plan, but none has been provided. All exterior lights are supposed to be shielded (e.g., not out-shining wallpacs), the maximum illumination at any lot line may not exceed 1 footcandle, the average illumination level in the lot may not be greater than 3 footcandles, and the maximum level not greater than 20 footcandles. A rezoning condition required that “outdoor lighting be directed downward and away from adjacent properties and public rights-of-way, and be designed to minimize ambient light spill,” which will be covered by a lighting plan meeting the above design review ordinance standards. A lighting contractor should be able to provide an exterior lighting plan and lighting catalog pages that demonstrate compliance. I understand that the existing building has four wall-mounted lights on its east side, and perhaps one on its north side. Mr. Cummings also noted that he metered light output at lot lines at less than 1 footcandle. If all of this is correct, then the lighting requirements of the ordinance are probably met.

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
APRIL 26, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, and Mark Kudrna present. Clerk-Treasurer Kim Banigan took minutes.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Muehl/Anders to approve the minutes of the March 22, 2023 meeting as printed. **MOTION CARRIED 6-0.**
- 4) Public Concerns: None.
- 5) David Zielke and/or assigns, petitioner, Larry G Skaar, property owner: Seeking guidance for rezone of 10 acres from parcel 0711-273-8000-8 on North Star Road from FP-35 to Heavy Commercial for several commercial, contractor garage-style buildings for buyer's as well as to lease to tenants (See Exhibit A): Mr. Zielke and his realtor Kyle Broom were present. Mr. Zielke said he would like to put up commercial garage-style buildings, 1,500 to 2,000 square feet in size, to store overflow from his several businesses and possibly lease space to tenants as well. It was noted that only a portion of the parcel is designated for commercial development in the Town's Comprehensive Plan. Zielke was still interested even if he can only put up one building. A wetland delineation and perk test need to be performed and may limit additional buildings anyway. A private road built to town road standards running north from North Star Road along the east edge of the parcel was proposed, and it was noted that it would need at least a 90' area at the end for emergency vehicles to turn around. A 35' public road running west from the bend at North Star Road was also proposed. It was suggested that this road should straddle property lines with cost shared by the abutting property owner (Larry Skaar). Plan Commission comments were that they would not be in favor of the garages being sold as condominiums, and would prefer that the owner be on-site. Heavy Commercial zoning was proposed on the application form, but Zielke said that General Commercial would be adequate. No action was taken, the applicant was merely hoping to get background information before going ahead with any expensive measures.
- 6) Steve Banovetz, petitioner, North Star Road Investments, property owner: Design Review for addition of an office addition to the existing commercial shop at 3447 North Star Road (See Exhibit B): Mr. & Mrs. Banovetz were present. Mr. Banovetz said they are looking to build a 960 sq. ft. addition onto the front of the existing building, including a full-sized bathroom with showers, a 256 sq. ft. porch and an additional 900 sq. ft. of gravel parking lot. The well has been located, and a successful perk test has been performed. He will pave the driveway and parking areas this fall. The addition will include a stone skirt. Hampton asked to have the awnings currently on the front of the building moved to the new addition. The landscape plan was reviewed, and there will only be one additional light needed, over the entry door to the new addition. **MOTION** by Anders/Muehl to approve the design plans for the office addition, landscaping, lighting and paving in the fall. **MOTION CARRIED 6-0.**
- 7) Discuss/Consider making a recommendation regarding preferred zoning designation for development in the North Star Road area (General Commercial or Heavy Commercial): Dane County Planning staff had asked for what the Town would consider the preferred zoning designation for commercial development in the North Star Road Area. Muehl facilitated the discussion by providing highlighted copies of the General and Heavy Commercial fact sheets to show which uses were common to the two zoning districts, and which were not. Duane Swalheim and Kyle Broom

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
APRIL 26, 2023

were also present for this discussion. **MOTION** by Hampton/Anders to prefer General Commercial with a CUP if outdoor storage is requested. Heavy commercial would be considered if requested uses are not available under General Commercial. **MOTION CARRIED 6-0.**

- 8) ADJOURNMENT: **MOTION** by Meylor/Kudrna to adjourn. **MOTION CARRIED 6-0.** The meeting was adjourned at 8:24 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer
Approved 05/22/2023



PETITION FOR CHANGE OF LAND USE

4058 County Road N; Cottage Grove, WI 53527
clerk@towncg.net ♦ 608-839-5021

This is the Town of Cottage Grove, Wisconsin's unified petition for Town Plan Commission and/or Town Board review and/or approval of a land development or land use proposal in the Town. This form includes pages 2-4, which must be completed by all Petitioners. It also includes other pages to be completed or referenced only for the type of development approval petition indicated on the top of the associated page.

Each completed petition, fee, and digital copy of a full set of required materials must be provided to the Town Clerk at the email address shown above no later than the 1st Wednesday of the month for the matter to be placed on the next agenda of the Town Plan Commission. The Commission generally meets on the 4th Wednesday. 10 hard copies of all materials in packet form must be provided to the Town Clerk no later than the 3rd Tuesday, which allows adjustments to be made after the digital submittal without having to reprint.

Certain development proposals in the Town also require Dane County, nearby village or city, and/or state or federal approvals. It is the responsibility of each Petitioner to secure all such approvals. Each petition also requiring Dane County approval shall first be submitted to the County, following initial consultation with the Town.

For Town of Cottage Grove Office Use Only

Date completed petition received: 4/5/23

Date other required materials received: Digital copy: _____ 10 hard copies in packet form: _____

Application fee paid: Date: 4/5/23 Amount paid: \$300 Check #: 4147

Dates scheduled to appear: Town Plan Commission: 4/25/23
Town Board (if necessary): _____

Comments:



GENERAL INFORMATION

(Pages 2-4 must be completed by all petitioners)

Petitioner information:

Person's Name(s): David Zielke and/or assigns
Firm Name (if any): _____
Relationship (mark with an "X"): Owner Tenant Prospective Owner/Tenant
____ Representing: _____
Mailing Address: 410 Meadowcrest Trail City: Cottage Grove State: WI Zip: 53527
Office/Home Phone #: _____ Mobile Phone #: 608-332-9391
Email: David.Zielke@BadgerRed.com

Property owner information:

Name(s): Larry G. Skaar
Ownership (mark with an "X"): Individual Trust Partnership Corporation/LLC
____ Other: _____
Mailing Address: 4374 Secretariat Ct City: Cottage Grove State: WI Zip: 53527
Office/Home Phone #: 608-692-5510 Mobile Phone #: _____
Email: N/A

Parcel number or legal description of property:

SEC 28-7-11 E 330 FT OF NE1/4 SE1/4 **#0711-284-8001-0**
10 Acre Parcel at North end of N Star Rd

Address or street boundaries of property:

Number of acres in property:

10 **Public road(s) providing access:** N Star Rd

Current zoning district(s):

FP-35 **Proposed zoning district(s) (if different):** Heavy Commercial

Current and proposed uses of subject property (mark with an "X" all applicable uses, and whether each is a current use, proposed use, or both):

<input checked="" type="checkbox"/>	agriculture	(<input checked="" type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	natural area or open space	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	FEMA-designated floodplain	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	DNR- or field-delineated wetland	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	navigable waterway on or next to land	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	slopes of between 12% and 20%	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	slopes of 20% or greater	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	single-family home(s)	(<input type="checkbox"/> current # <input type="checkbox"/> proposed #)
<input type="checkbox"/>	commercial service or retail	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input checked="" type="checkbox"/>	manufacturing/storage/contractor	(<input type="checkbox"/> current use <input checked="" type="checkbox"/> proposed use)
<input type="checkbox"/>	agricultural-related business or structure	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	commercial recreational use	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	tourist rooming house	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	institutional or utility use	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	driveway to a public road	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)
<input type="checkbox"/>	other use: _____	(<input type="checkbox"/> current use <input type="checkbox"/> proposed use)

Summary of proposed project (e.g., how will land use change, why?). For complicated proposals, attach additional pages.

Several commercial, contractor garage-style buildings for buyer's personal use as well as to lease to tenants.

Type of development review(s) requested (mark with an "X" all that apply, and submit check(s) payable to the Town of Cottage Grove along with application fee per the Town Fee Schedule and listed below):

Rezoning. Petitioner must submit to Town a \$300 application fee plus all materials required by Dane County for a rezoning application. A rezoning is required where the Petitioner's intended land use is not allowed under the current zoning district.

Conditional Use Permit (CUP). Petitioner must submit to Town a \$300 application fee plus all materials required by Dane County for a CUP application. A CUP is required for all conditional uses in the associated zoning district as required under the Dane County zoning ordinance.

Certified Survey Map (CSM). Petitioner must submit to the Town an application fee of \$125 plus all materials listed in the CSM checklist attached to this petition.

Design Review. Petitioner must submit to Town a \$175 application fee plus all materials listed in the Design Review checklist attached to this petition. Design review is required prior to building permit issuance for development of:

- Any project serving a commercial, industrial, utility, or institutional use, including any concentrated animal feeding operation but not any other permitted use in a farmland preservation zoning district.
- Any non-metallic mineral extraction operation, which is also subject to TCG Chapter 17.
- Any residential land use consisting of three or more attached dwelling units per building.
- Any 5+ space parking lot serving any of the above uses or developments.
- Most expansions to any of the above uses or developments of at least 10% in building floor area, outdoor storage or display area, loading area, or parking—via one expansion project or two or more expansion projects occurring from 11/5/2001 forward. See TCG § 12.08 for exceptions.

Comprehensive Development Plan (CDP)/Concept Plan Review. Required before submittal of a preliminary subdivision plat and advised in advance of other formal development proposals. Where associated with a proposed subdivision, see CDP checklist attached to this petition for materials required. For all other requested concept plan reviews, submit preliminary plans of sufficient detail to allow an understanding of development intent.

Preliminary or Final Subdivision Plat (circle one). Petitioner must submit to the Town an application fee of \$350 for the initial lot plus \$20 per additional lot plus all materials listed in the Preliminary Plat or Final Plat checklist attached to this petition. Petitioner may also be required to execute a predevelopment agreement with the Town regarding pre-payment and reimbursement for Town expenses associated with plat review.

Variance, Exception, or Waiver to Ordinance Requirement. Petitioner must site the specific ordinance requirement by section; include the reasons for the request; and indicate the exceptional or undue hardship that would result were the variance, waiver, or modification not granted.

Other: _____
(check with Town Clerk for any required fee & materials)

Reimbursement for Development Review Services, Special Meetings, and Publication Expenses:

The Town Planner, Town Engineer, Town Attorney, and other third-party consultants may expend time in the administration, investigation, and processing of the development review petition, for which they will invoice the Town. Further, the Town may incur publication expenses, costs associated with special meetings, and costs associated with Town employees who perform special tasks associated with the petition. The signing and submittal of this petition shall be construed as an agreement to pay for any and all professional consulting services, staff services, publication expenses, and special meeting costs associated with the administration, investigation, and processing of this petition and the associated development review and approval request.

Reimbursable costs from third-party consultants shall be based on actual invoices submitted to the Town using the same rates as the Town routinely pays those consultants. Costs associated with Town employees who perform special tasks associated with the petition shall be twice the actual hourly pay of the associated Town employee. The Petitioner shall pay all reimbursable costs within 30 days of receipt of one or more invoices from the Town, following the execution of the development review or publication expenses associated with the petition. In the event the Petitioner fails to pay such costs, the responsibility shall pass to the property owner, if different, under the same terms. Such costs that are assigned to the Petitioner or property owner, but that are not actually paid within 30 days, may then be imposed by the Town as a special charge on the affected property.

Acknowledgements and Signatures:

By signing and dating below, I/We:

1. To the best of my/our knowledge, submitted a petition that is true, correct, complete, and meets the requirements of applicable ordinances and the Town Comprehensive Plan.
2. Read, understand, and accept my/our responsibilities under the reimbursement section above.
3. Acknowledge that Town officials, employees, and consultants may, in the performance of their functions, enter upon the subject property to inspect or gather information necessary to process this petition.
4. Understand that all meeting dates are tentative and may be postponed by the Town for the reason of incomplete submittals or other administrative reasons.
5. If this petition is approved, agree to abide by this petition, approved plans, and required conditions associated with approval in the development of the subject property.
6. Understand that submittal of this petition and payment of the proper fee does not mean that requested development approval is imminent or guaranteed.
7. Understand that Town ordinances and/or the conditions of development approval may specify timeframes within which I/we must take certain actions related to the development of the subject property, or risk having the approval being nullified.
8. Understand that the approval(s) sought under this petition do not qualify as, nor replace the necessity for proper permitting for the proposed project or for other required governmental approvals.


David Zielke and/or assigns _____ 04/03/23
 Signature of Petitioner Date

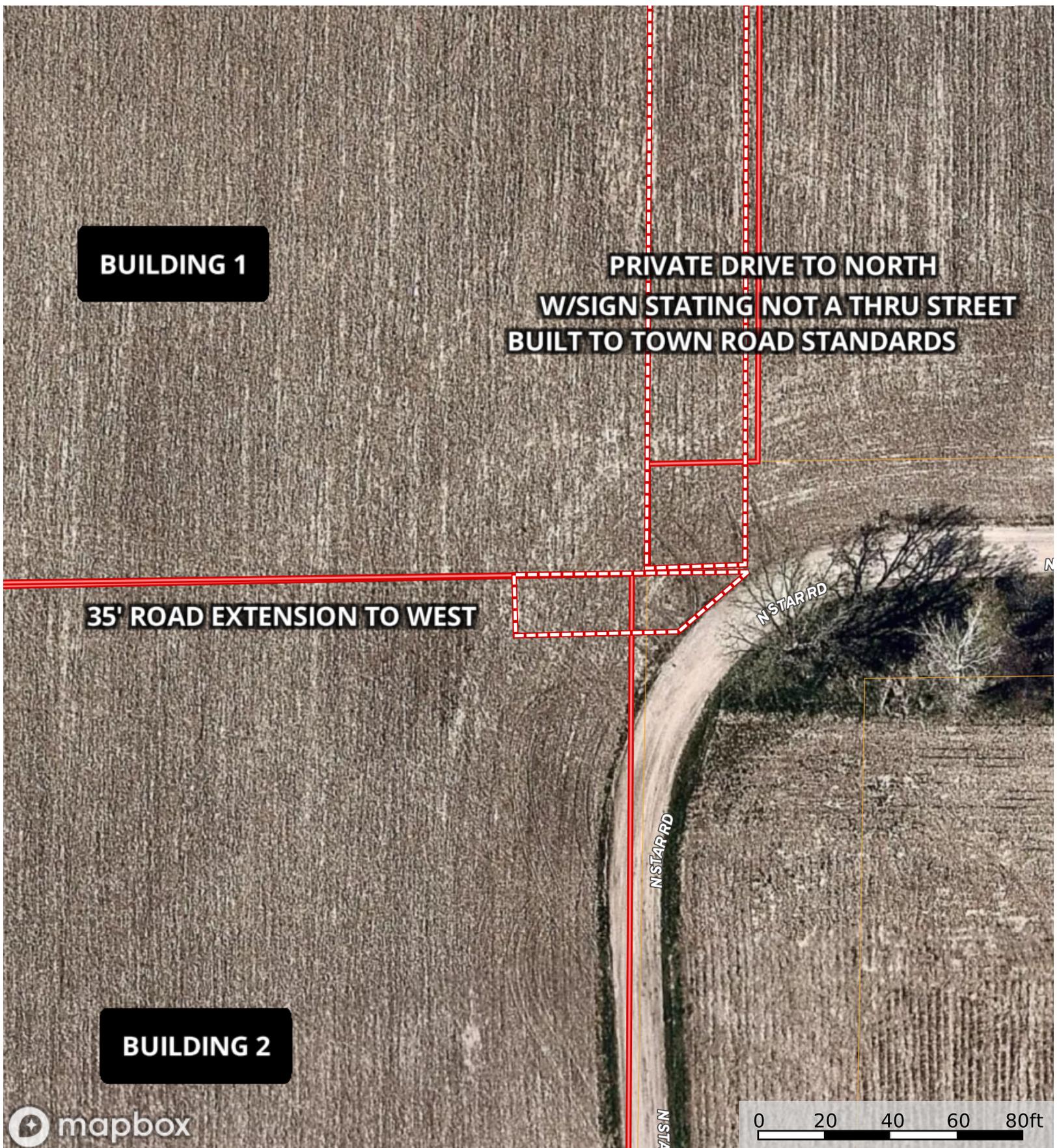
David Zielke and/or Assigns

 Printed Name of Petitioner

Larry G. Skaar _____ 4-4-23
 Signature of Property Owner (if different) Date

Larry G. Skaar

 Printed Name of Property Owner (if different)



BUILDING 1

**PRIVATE DRIVE TO NORTH
W/SIGN STATING NOT A THRU STREET
BUILT TO TOWN ROAD STANDARDS**

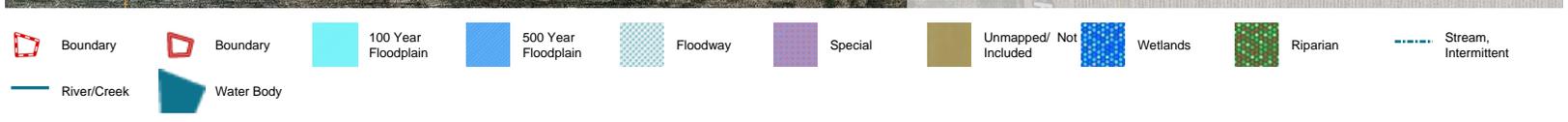
35' ROAD EXTENSION TO WEST

BUILDING 2



- Boundary
- Boundary
- 100 Year Floodplain
- 500 Year Floodplain
- Floodway
- Special
- Unmapped/ Not Included
- Wetlands
- Riparian
- Stream, Intermittent
- River/Creek
- Water Body

Skaar lots concept 1
 Dane County, Wisconsin, 13 AC +/-







GENERAL INFORMATION
(Pages 2-4 must be completed by all petitioners)

Petitioner information:

Person's Name(s): Steve Barovetz
Firm Name (if any): North Star Road Investments
Relationship (mark with an "X"): [X] Owner
Mailing Address:
Office/Home Phone #:
Mobile Phone #: 608-320-2338
Email:

Property owner information:

Name(s): North Star Road Investments
Ownership (mark with an "X"): [X] Corporation/LLC
Mailing Address: 714 Weald Bridge Rd City: Cottage Grove State: WI Zip: 53527
Office/Home Phone #:
Mobile Phone #: 608-320-2338
Email: Steveb@fs-restorations.com

Parcel number or legal description of property:

018-0711-284-7501-0

Address or street boundaries of property:

3447 North Star Road

Number of acres in property:

1.9 Public road(s) providing access: North Star Rd

Current zoning district(s):

GC Proposed zoning district(s) (if different):

Current and proposed uses of subject property (mark with an "X" all applicable uses, and whether each is a current use, proposed use, or both):

- agriculture (___ current use ___ proposed use)
natural area or open space (___ current use ___ proposed use)
FEMA-designated floodplain (___ current use ___ proposed use)
DNR- or field-delineated wetland (___ current use ___ proposed use)
navigable waterway on or next to land (___ current use ___ proposed use)
slopes of between 12% and 20% (___ current use ___ proposed use)
slopes of 20% or greater (___ current use ___ proposed use)
single-family home(s) (___ current # ___ proposed # ___)
[X] commercial service or retail ([X] current use [X] proposed use)
manufacturing/storage/contractor (___ current use ___ proposed use)
agricultural-related business or structure (___ current use ___ proposed use)
commercial recreational use (___ current use ___ proposed use)
tourist rooming house (___ current use ___ proposed use)
institutional or utility use (___ current use ___ proposed use)
driveway to a public road (___ current use ___ proposed use)
other use: (___ current use ___ proposed use)

Summary of proposed project (e.g., how will land use change, why?). For complicated proposals, attach additional pages.

No Land use Change

Type of development review(s) requested (mark with an "X" all that apply, and submit check(s) payable to the Town of Cottage Grove along with application fee per the Town Fee Schedule and listed below):

___ **Rezoning.** Petitioner must submit to Town a \$300 application fee plus all materials required by Dane County for a rezoning application. A rezoning is required where the Petitioner's intended land use is not allowed under the current zoning district.

___ **Conditional Use Permit (CUP).** Petitioner must submit to Town a \$300 application fee plus all materials required by Dane County for a CUP application. A CUP is required for all conditional uses in the associated zoning district as required under the Dane County zoning ordinance.

___ **Certified Survey Map (CSM).** Petitioner must submit to the Town an application fee of \$125 plus all materials listed in the CSM checklist attached to this petition.

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- Any project serving a commercial, industrial, utility, or institutional use, including any concentrated animal feeding operation but not any other permitted use in a farmland preservation zoning district.
- Any non-metallic mineral extraction operation, which is also subject to TCG Chapter 17.
- Any residential land use consisting of three or more attached dwelling units per building.
- Any 5+ space parking lot serving any of the above uses or developments.
- Most expansions to any of the above uses or developments of at least 10% in building floor area, outdoor storage or display area, loading area, or parking—via one expansion project or two or more expansion projects occurring from 11/5/2001 forward. See TCG § 12.08 for exceptions.

___ **Comprehensive Development Plan (CDP)/Concept Plan Review.** Required before submittal of a preliminary subdivision plat and advised in advance of other formal development proposals. Where associated with a proposed subdivision, see CDP checklist attached to this petition for materials required. For all other requested concept plan reviews, submit preliminary plans of sufficient detail to allow an understanding of development intent.

___ **Preliminary or Final Subdivision Plat (circle one).** Petitioner must submit to the Town an application fee of \$350 for the initial lot plus \$20 per additional lot plus all materials listed in the Preliminary Plat or Final Plat checklist attached to this petition. Petitioner may also be required to execute a predevelopment agreement with the Town regarding pre-payment and reimbursement for Town expenses associated with plat review.

___ **Variance, Exception, or Waiver to Ordinance Requirement.** Petitioner must cite the specific ordinance requirement by section; include the reasons for the request; and indicate the exceptional or undue hardship that would result were the variance, waiver, or modification not granted.

___ **Other:** _____
(check with Town Clerk for any required fee & materials)

ADDITIONAL SUBMITTAL REQUIREMENTS FOR DESIGN REVIEW PETITIONS

*** NOT REQUIRED FOR DIFFERENT TYPES OF PETITIONS ***

The purpose of Design Review is to promote the public health, safety, and welfare pursuant to the authority in TCG Chapter 12, by ensuring, to the extent practicable, that future development of land in the Town of Cottage Grove proceeds according to the Town's goals, objectives, and policies expressed in said Chapter 12 (especially its TCG § 12.08) and the Town Comprehensive Plan.

All petitions for Design Review shall be accompanied by the following plans drawn to a recognized scale, and including a north arrow, date of preparation, landowner and business names, and contact information.

- Building plans sufficient to illustrate all exterior building walls, doors, windows, and roofs, including heights, dimensions, colors, and materials (including calculations to verify compliance with associated building design requirements), along with building mounted lighting, signs, and mechanical units.
- If required by the Plan Commission, building material samples.
- Color photographs to illustrate current site conditions, including from adjacent public road rights-of-way and the boundary of any adjacent land used or zoned for residential or public open space purposes, including buildings and other existing features. Photos may also be provided to illustrate installations on other sites that are similar to the Petitioner's proposal.
- A site plan, containing, on one or more plan sheets, the following information:
 - Location of site and address if available and parcel number if not.
 - All property and street pavement lines, labeling dimensions.
 - Existing and proposed contours. For minor projects, the Town Engineer may accept a spot grading plan without proposed contours. *Area is small & flat*
 - Gross area of lot and all buildings stated in square feet, including building square footage divided by function (e.g., office, storage).
 - Current zoning classification.
 - Adjacent streets and land uses, including road centerlines. *Commercial & Ag*
 - The percentage of the site that will remain in open space and the percentage that will be under buildings following development.
 - Setbacks for side, front, and rear yards, for buildings and other hard surfaces, and setback from ordinary high-water mark, if applicable.
 - Boundaries for all wetlands, floodplains, and shoreland setbacks and zoning areas. *N/A*
 - Calculations for determining the minimum required number of off-street parking spaces by zoning ordinance, plus the number of spaces actually proposed.
 - The maximum number of employees, customers, and/or residents that would be at the facility at any one time.
 - Proposed ingress and egress to the site, including on-site parking area(s), parking stalls, and adjacent streets. Delineate traffic flow with directional arrows and indicate the location of directional signs or other motorist's aides (if any).
 - Calculations for determining the number of trees to be placed within the Development Site Area (as defined in TCG § 12.08(3)), as well as the designation of any required bufferyards.
 - All existing trees with a trunk diameter at breast height of over six inches or over 40 feet tall, or the limits of woodlots within which at least 50 percent of the trees meet at least one of these two size criteria.

- Existing landscaping that will be retained (including proposed protection measures) and proposed landscaping, which shall be differentiated and shown on the plan. Indicate the type, size, number, and spacing of all proposed plantings.
 - Location, dimensions, and floor area of all existing (to remain) and proposed buildings on the site and all buildings within 50 feet of the site's boundaries.
 - Location of all existing (to remain) and proposed lighting standards.
 - Location of all other existing and proposed structures, outdoor storage or display areas, parking areas, dumpsters, fencing, and ground-mounted signs (including if proposed to be lit), including distances from all lot lines.
- A scaled drawing and/or catalog pages of the proposed exterior lighting, including all specifications including size and height, lighting intensity such as a photometric plan, materials and colors, and ground or wall anchorage details.



Design Review Petition – April 2023

Owner: North Star Road Investments

Contact: Steve Banovetz 608-320-2338

Project address: 3447 North Star Road, Cottage Grove (Township), WI 53527

Petitioner is seeking approval to add an office addition to the township road side of the existing commercial shop located at the address above. In addition, adding 900 square feet to the gravel parking lot. See attached drawings and elevations.

Lot size: 1.9 ac or 82,764 square feet - zoned GC – General Commercial

Proposed development of parcel: 18% to be built out, 82% to remain in open space

Existing shop: 5,200 square feet (81%)

Proposed office addition: 960 square feet (15%)

Proposed porch addition: 256 square feet (4%)

Current setback from town road, North Star Road: 65 feet

Proposed setback of new office addition: 33 feet (30 feet is required)

North property line setback – shared with Capital Underground: 20 feet

West property line setback – shared with condo unit #2: 139 feet

South property line setback – shared with condo access driveway: 130 feet

Maximum number of employees: 10, no customers expected to be on site.

Landscaping current condition: 50 trees on the town road ROW line and the eastern half of the north property line shared with Capital Underground. Currently the trees range in height from 1' to 15'

Proposed landscaping additions: (see attached drawing)

10 Evergreen White Cedar Trees 4-6 ft height

3 Pagoda Dogwood Shrubs 3-5 ft height

20 Native shrubs in the perennial garden – New Jersey Tea and Leadplant

Native flower garden ~ 300 square feet in size

No existing large trees are present. All current (installed in 2019-2023) trees will be protected during construction (orange construction fencing will be installed at the margins of construction).

Lighting: Only one additional exterior light will be required – just a glowing fixture to illuminate the immediate area on the exterior of the front door to the new proposed office addition.

The gravel parking and driveway areas will be paved in September/October 2023.

Row

Row

Row

-  Current Building
-  Current Gravel
-  Proposed Office
-  Proposed Gravel
-  Current Pond
-  Proposed Pond Add

 Proposed well

 50' setback

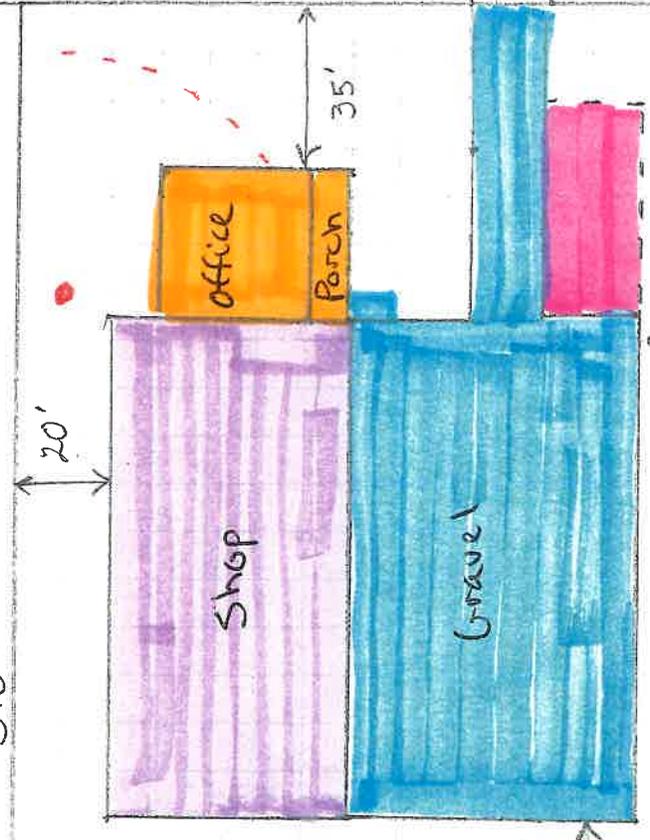
 = 10 Ft

North Star Road

April 4, 2023

↑ N

← ~ 310' →



North Star Road Investments - owner
 3447 N. Star Road
 Unit 1 ~ 1.9 acres
 As proposed ~ 18% developed

Field & Stream Restorations - tenant

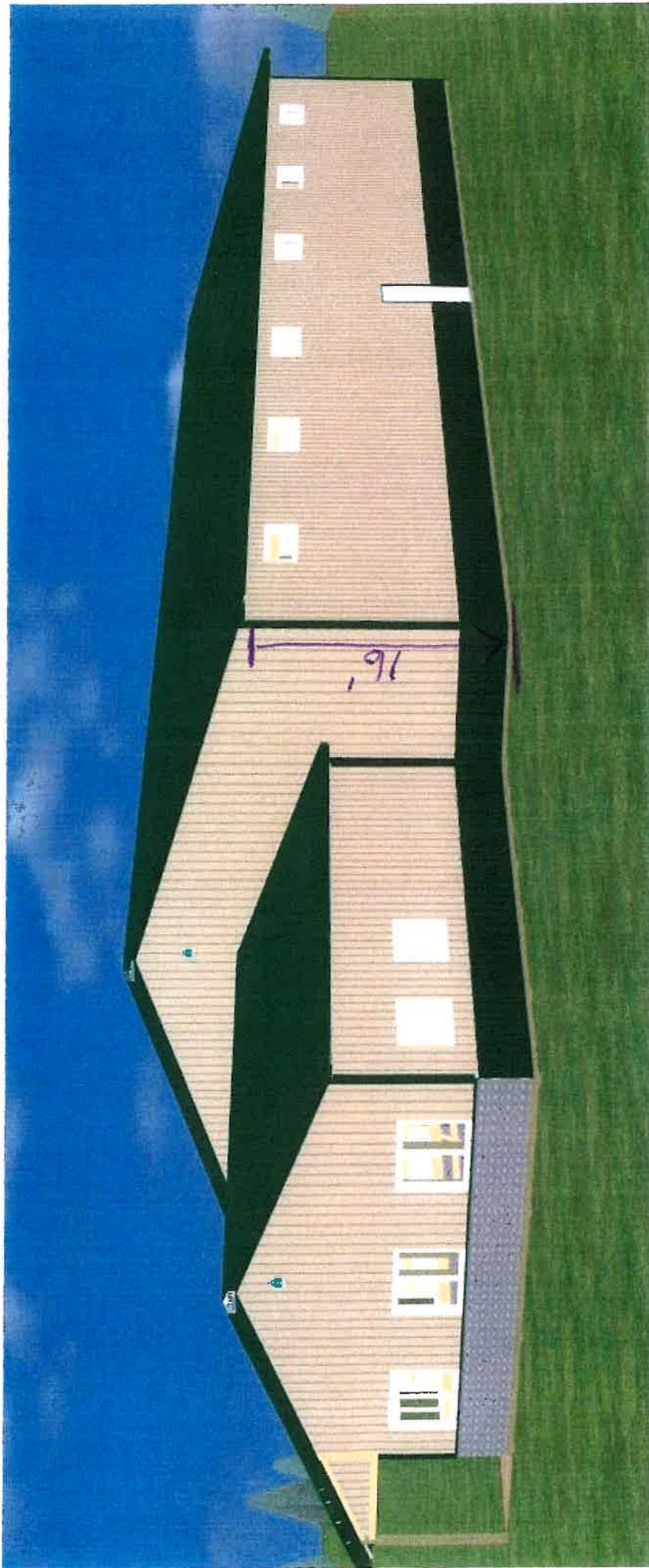
Steve Banovetz 714 Wraid Bridge Rd Cottage Grove, WI
 608-320-2338 Steve@fs-restorations.com

← Gravel Condo Easement →
 66' wide to units 2 & 3



Apr 2023

NE Elevation



NE Elevation Proposed

7 Windows $4' \times 5' = 140 \text{ SF}$
 1 Door 20 SF
 Stone Skirt $\frac{273 \text{ SF}}{433} \sim 57\%$ Design features

Wall Total = 752 SF



SE Elevation Apr 2023



SE Elevation Proposed

Landscape Plan



Existing trees
on 10' spacing

Evergreen white cedar

Pagoda Dogwood

Native Perennials Garden

All other areas
Turf grass

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
MAY 24, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, Mark Kudrna and Mike Klinger present. Clerk-Treasurer Kim Banigan took minutes.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Anders/Muehl to approve the minutes of the April 26, 2023 meeting as printed. **MOTION CARRIED 6-0-1** (Klinger abstained).
- 4) Public Concerns: Nikolajs Ludzenieks has made an accepted offer to purchase future lot 10 in the Swalheim planned commercial subdivision on North Star Road, which is currently proposed to be zoned General Commercial. Mr. Ludzenieks has a tree trimming business and will need outdoor storage, which is only an option under General Commercial with a CUP and with an existing building. He would not be able to put up a building for 5-7 years due to other financial obligations, so he would need Heavy Commercial zoning. Consensus was that outdoor storage without a building for 5-7 years would not be allowed.
- 5) Duane Farwell, petitioner, Duane and Camilla Farwell and Farwell Family Investment Company, LLC, property owners: Requesting rezone 5.7 acres from RR-2 to RR-4 (4.2 acres) and RR-1(1.5 acres) to adjust property lines between adjacent properties at 4073 and 4085 Ridge Road (DCPREZ-2023-11951): Mr. Farwell was present and explained the reason for the lot line adjustment is to have the storage shed be on the 4073 Ridge Road property. There is still area available for an alternate septic on 4085 Ridge Road, and there are no animals there. **MOTION** by Anders/Klinger to recommend approval of the rezone of 5.7 acres from RR-2 to RR-4 (4.2 acres) and RR-1(1.5 acres), with the Ridge Road right-of-way dedicated to the Town. **MOTION CARRIED 7-0.**
- 6) Discuss/Consider whether allowing a rezone of parcel 4300 Vilas Hope Road from Single Family Residential to Two Family Residential would be consistent with the Town's Comprehensive Plan: The email string provided by the Clerk-Treasurer explained that while a provision in the Neighborhood Development Area (item 5 on page 31 of the Visions and Directions Volume) allows for legally created lots zoned residential prior to January 1, 1981 to be developed and divided without having to meet the Town's RDU and TDR requirements, her inquiry with Dane County led to the revelation that the first blanket rezone to impose residential zoning on Town properties wasn't until 1987. The parcel in question was a residential use prior to January 1, 1981, but had not been rezoned yet. The Plan Commission must decide if allowing application to rezone this parcel from SFR to TFR would be within the intent of the Comprehensive Plan. **MOTION** by Anders/Meylor to allow application for a rezone of 4300 Vilas Hope Road from SFR to TFR and for the Plan Commission to address the erroneous date in the Comprehensive Plan regarding the date of the first residential parcels in the Town. **MOTION CARRIED 7-0.**
- 7) Discuss/Consider making a recommendation on Dane County Ordinance Amendment 2023-OA-009 regarding salvage operations: Anders said that the DCTA recommends approval of this amendment. **MOTION** by Anders/Eichoff to recommend approval. **MOTION CARRIED 7-0.**
- 8) Prior to adjournment, Anders shared photos of storage buildings in DeForest that he saw as aesthetically appealing, which he suggested could be used as an example for standards for the North Star Road area. Discussion included thoughts that these framed, vinyl sided, singled buildings would be considerably more costly than the pole shed construction most often proposed, and could scare potential buyers away. There was a suggestion to see if the Town Planner is aware of standards other communities have for

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
MAY 24, 2023

similar developments.

- 9) ADJOURNMENT: **MOTION** by Meylor/Kudrna to adjourn. **MOTION CARRIED 7-0**. The meeting was adjourned at 7:45 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer
Approved 06/28/2023

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
JUNE 28, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Troy Eickhoff, Mark Kudrna and Mike Klinger present. Clerk-Treasurer Kim Banigan took minutes.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Anders/Meylor to approve the minutes of the May 24, 2023 meeting as printed. **MOTION CARRIED 6-0.**
- 4) Public Concerns: None.
- 5) Nathaniel and Martha Snyder, Petitioners/Landowners, parcel #0711-074-8728-0 at 4300 Vilas Hope Road: requesting rezone of .736 acres from SFR-08 to TFR-08 to convert a single-family home to a duplex (DC-PREZ 11966): (This item was discussed later as the petitioner was not present at the start of the meeting.) Nate Snyder was present virtually, and said that he felt a duplex would be a better use of this property, which is situated next door to commercial property and across the road from two other duplexes. He plans to divide it into two one-bedroom apartments. There was a question about the capacity of the septic system; Mr. Snyder said they are already planning on replacing it as it is not up to code. The house was built in 1955 according to the assessor's website. Ed and Marge Eklof, 4293 Vilas Hope, who were present at the beginning of the meeting but left before this item was addressed, spoke in favor of the rezone. **MOTION** by Anders/Klinger to approve the rezone of parcel from SFR-08 to TFR-08, noting that no RDU is needed for the second residential unit since the parcel was residential prior to the first residential blanket rezone in the Town that occurred in 1987 (the Comprehensive Plan says 1981, but that is incorrect). **MOTION CARRIED 6-0.**
- 6) Amy Miles, Petitioner, Swalheim 2011 Rev Tr, Duane P & Candace J, Landholders, parcel #0711-273-0033-0 (Lot 3 of CSM 16140 on North Star Road): requesting to modify deed restrictions on GC zoning to allow application for a CUP for outdoor storage. (DC-PREZ 11964): Amy Miles was present representing pb2 Architecture and Engineering, who is the engineer working with EquipmentShare for their proposed development on this lot. A written narrative describing the proposed facility and operations was included in the packets (Exhibit A). The nature of the business (construction equipment rental) would require a CUP for outdoor storage, which the current deed restriction on the property does not allow for, even though the Town's action in creating and rezoning the lot did include outdoor storage as a conditional use that could be considered. Hampton asked about plans for fencing and height of stored equipment. Ms. Miles said they typically use a 6-foot chain link fence, but are open to other materials that the jurisdiction may prefer. Aluminum or metal fencing was mentioned, with bushes in front to dress it up. Most equipment would be 10-12 feet tall, with bucket lifts being taller. The building will be architecturally designed, pre-engineered metal that she said would be visually appealing. There would be 15-20 employees. Eickhoff expressed his opposition to allowing for outdoor storage, and his concern over requiring some businesses to store everything inside while allowing others to have outdoor storage. **MOTION** by Kudrna/Anders to revise the deed restriction on this lot to allow a CUP for outdoor storage to be considered. **MOTION CARRIED 5-1** (Eickhoff opposed).
- 7) Swalheim 2011 Rev Tr, Duane P & Candace J, Petitioners and Landowners, Parcel 0711-273-0044-0 (Lot 4 of CSM 16140 on North Star Road): requesting rezone of 27.742 acres from FP-1 to GC (18.5 acres) and UTR (9.4 acres) for a commercial business park development (DC-PREZ 11960): Duane

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
JUNE 28, 2023

Swalheim was present. He asked the Clerk-Treasurer to display the arial photo and video of the site that he had recently provided (photo attached as Exhibit B). He also provided a sketch of a concept plan he has for commercial development of property to the north of North Star Road that he hopes to purchase (Exhibit C). There was discussion about who will be responsible to maintain the UTR (Stormwater) area, with thoughts that it would be the commercial equivalent of a homeowner's association. Land division will be with a plat and developer's agreement. Allowable uses in the GC district were discussed, with thoughts that they should be the same as those approved in April of 2022 for Mr. Swalheim's first three lots in the area. **MOTION** by Kudrna/Klinger to approve the rezone of 18.5 acres to GC and 9.4 acres to UTR, with the following conditions: 1) All permitted uses in the General Commercial zoning district would be allowed EXCEPT Day care centers, Indoor entertainment, or assembly and Transient or tourist lodging. 2) Only the following conditional uses could be proposed: Contractor, landscaping or building trades (outdoor), Communication towers, Outdoor Storage, Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above, Vehicle repair or maintenance service, 3) None of the residential uses by conditional use permit could be proposed, 4) the rezone will not be effective until a final plat and developer's agreement are approved and fully executed. **MOTION CARRIED 6-0.**

- 8) Discuss/Consider making a recommendation on Dane County Ordinance Amendment 2023-OA-010 regarding the definition of "Day Care Center": **MOTION** by Anders/Kudrna to support this amendment. **MOTION CARRIED 6-0.**
- 9) **ADJOURNMENT: MOTION** by Anders/Klinger to adjourn. **MOTION CARRIED 6-0.** The meeting was adjourned at 7:54 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer

Approved 07-26-2023



2809 Ajax Avenue Suite 100
Rogers, Arkansas 72758
Phone: 479.636.3545

May 2, 2023

Dane County
Department of Planning & Development
Zoning Division
210 Martin Luther King Jr. Blvd.
Room 116, City-County Building
Madison, WI 53703

Rezoning Application for Proposed EquipmentShare Development North Star Road – Lot 3
Cottage Grove, WI
Parcel #s: 071127300330
Lot 3 of CSM#16140

Please consider this document as a supplemental narrative to the enclosed Rezoning Application submitted to address zoning designations as part of the deed restriction for Lot 3 - North Star Road in the Town of Cottage Grove.

INTRODUCTION

EquipmentShare is a nationwide construction solutions provider dedicated to solving industry pain points through smart jobsite technology and equipment rental, retail, and service centers. More than a rental company, EquipmentShare's cloud-connected platform is powered by telematics and machine hardware to give construction and industrial companies a real-time view into the jobsite.

The method of distribution of this technology is a fleet of construction equipment available for both large-scale general contractors and everyday home builders. EquipmentShare plans to develop Lot 3 on North Star Road to create a new equipment rental facility, consisting of: a new building, paved driveway access, customer parking and a crushed concrete lay down yard for equipment storage while waiting for rental.

PROPOSED SITE MODIFICATIONS

The property is currently vacant, undeveloped land, zoned GC per deed restrictions and the Town of Cottage Grove. The site would be developed and stabilized to support construction of a new building, paved driveways and customer parking areas, and a crushed concrete equipment laydown yard. The surrounding properties are either vacant or being used as a contractor's service yard. None of the surrounding properties will experience any negative impacts from the EquipmentShare development. North Star Road has been improved to accommodate the minimal additional traffic that will be created by the EquipmentShare development. EquipmentShare is cognizant of site security and will ensure that any added site lighting will not encroach onto neighboring properties.

OPERATIONS

The operating hours are from 7 am to 5 pm, Monday through Friday, so the typical operational noise will not adversely affect neighbors. EquipmentShare expects between 10-15 employees to be on site at any given time. As previously mentioned, this site will operate an equipment laydown yard, which will serve as outdoor storage for construction equipment waiting for maintenance or rental. No hazardous or toxic materials will be stored on the equipment laydown yard. The yard will be stabilized and finished with a crushed concrete material that is durable to stand up to the large scale equipment while also providing permeable area for rain

water. The crushed concrete creates little to no dust when equipment is moving on the site and can be easily treated with dampening to reduce dust even further during particularly dry weather events. Dumpsters for solid waste and recyclables will be maintained on the equipment yard. Local waste management providers will be used for solid waste and recyclables removal, likely on a weekly basis.

ACCESSIBILITY

The site is accessible from North Star Road. The preliminary site plan accounts for two 40-foot wide (minimum) driveways, to allow for easy entering and exiting of trucks and other large vehicles. The two driveways will prevent large vehicles from having to conduct multiple point maneuvers on public roadways to exit the site after entering.

UTILITIES

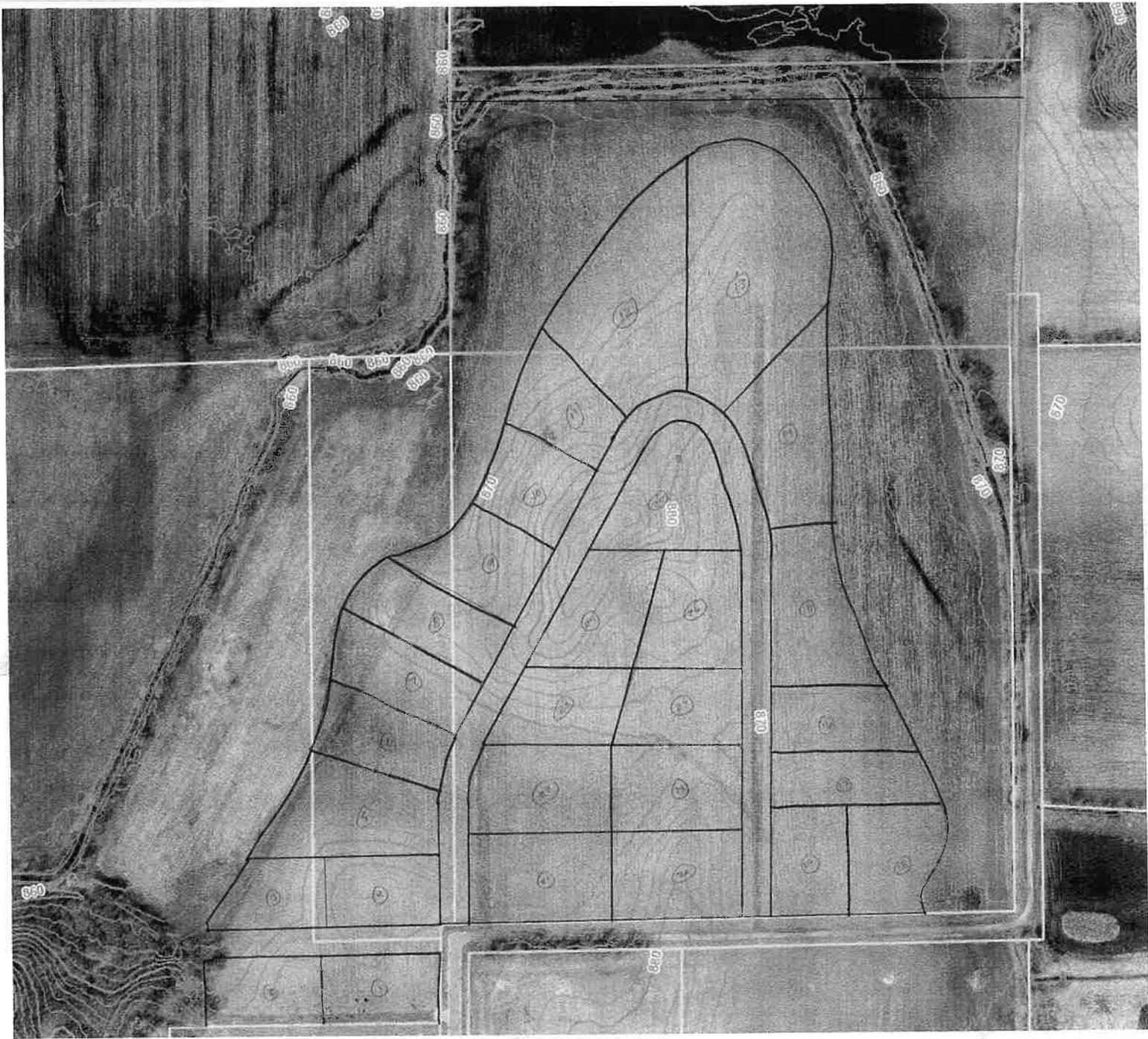
The proposed development should not put any extraordinary demands on existing infrastructure or utilities. According to project engineers, anticipated water demand is approximately 1,080 gallons per day, and wastewater demand is approximately 555 gallons per day. If required, the site has sufficient space for stormwater detention, and all required treatments will be designed for and provided in engineered drawings submitted later in the project timeline.

EquipmentShare buildings and sites are designed for 3-phase/480-volt power.

CLOSING

EquipmentShare is excited about this site and the opportunities to partner with Dane County and the Town of Cottage Grove on this new development. We look forward to the opportunity to discuss this rezoning application with county and town staff as part of the entitlements process for this project.





TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
JULY 26, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, Mark Kudrna and Mike Klinger present. Deputy Clerk Amber Steele took minutes and Deputy Clerk Sue Kyle was also present.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Klinger/Meylor to approve the minutes of the June 28th, 2023 meeting as printed. **MOTION CARRIED 6-0-1** (Muehl abstained).
- 4) Public Concerns: None
- 5) Thomas Matthys and Robin Carley, petitioners, Raymond Tenebruso and Margaret Newton, landowners – parcel #0711-052-2228-3 at 2842 Gaston Road – requesting removal of deed restriction prohibiting manufacturing without authorization of the Town. Thomas Matthys, owner of Matthys Fabrication, spoke to the Committee regarding his concerns with the property he is interested in purchasing. The property is zoned GC General Commercial, which includes Light Industrial as a permitted use. Light Industrial is defined as including manufacturing. However, there is a deed restriction on the lot that specifies no manufacturing. Matthys stated that what he does with his business is actually fabrication, not manufacturing, but he would like to have that restriction removed to ensure there are no issues in the future once his business is established. Hampton stated that the County does not define manufacturing and asked what Matthys' current plans are. Matthys said he wants to move his business into the current building, use the house as an office and for storage, and eventually build a bigger building for his business. His normal business hours are 8 am to 4 pm and he is the only employee. All materials are to be stored inside. The Committee was given a printed email from Timothy Seals, 4722 Willmore Way, expressing concerns about the change. Public comments followed:
 - a) Thomas Hayner, 2852 Busston Rd, stated he has been a resident since 1986 and the lot was originally zoned C1 for storing appliances.
 - b) Dave Pokorski, 4717 Willmore Way, was concerned about sandblasting and air quality with kids playing across the street at the park. He was further concerned about opening pandora's box by allowing manufacturing. Matthys responded that he doesn't do any sandblasting or powder-coating, so there would be no concern for air quality.
 - c) Jane Seals, 4722 Willmore Way, was concerned about the future of the residential neighborhood and how it would change with the business. Hampton interjected to remind the residents of all the currently permitted uses allowed under the zoning, including landscaping and building trade operations, a hotel, a vet clinic, etc.
 - d) Dennis Skibba, 2860 Busston Rd, was concerned about the business lowering property values.
 - e) Robin Carley, 2398 Sheridan Dr, Matthys father-in-law and business investor, spoke in favor of the business and further explained how it was a good fit for the area.
 - f) Gordon Bischel, 2838 Busston Rd, expressed concern over increased traffic and pedestrian safety.
 - g) Dan Mungovan, 2870 Busston Rd, was concerned about possible well contamination from manufacturing by-products being released into the ground water.

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
JULY 26, 2023

Hampton stated that the Committee needed to define what manufacturing is. Muehl suggested they offer the opinion that manufacturing is high volume, and Matthys is more of a prototype design build, one off, low volume fabrication business. Anders suggested using the Oxford Dictionary definition of manufacturing which states “the making of articles on a large-scale using machinery; industrial production.” Residents argued that was ambiguous and one offered an alternative definition which stated “the making of goods by hand or by machine that are intended to be sold to customers upon completion.”

MOTION by Kudra/Klinger to remove the word manufacturing from Lot 28 from the plat that was signed in 1976. It would remain on Lot 29.

Jerimiah Strong, 2880 Busston Rd, asked the board if they could put something in that prevents large scale manufacturing. He stated he was in favor of what Matthys wanted to do, but would like to more clearly define what the residents don’t want to allow in the future. Discussion was held by the Committee, however Hampton reminded them that a motion was already made and needed a vote.

MOTION CARRIED 6-1 (Muehl opposed).

- 6) **ADJOURNMENT: MOTION** by Anders/Klinger to adjourn. **MOTION CARRIED 7-0**. The meeting was adjourned at 8:55 P.M.

Submitted by: Amber Steele, Deputy Clerk
Approved 08/23/2023

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
AUGUST 23, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, and Mark Kudrna present. Clerk-Treasurer Kim Banigan took minutes, and Town Engineer Nick Bubolz was also present.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Anders/Meylor to approve the minutes of the July 26, 2023 meeting as printed. **MOTION CARRIED 6-0.**
- 4) Public Concerns: Brian Spanos, 4192 Morris Park Rd., McFarland, shared a preliminary site plan for the future Lot 4 of the proposed Swalhiem Business Park in item 6 below, which he said is under contract for purchase. He represented Lakestone Properties, and was looking for initial feedback on their concept to develop the lot with up to 300 storage units. Justin Minor, 2766 Town Road in McFarland, and Brett Riemen, 2763 Tower Road in McFarland, were also present. Spanos said the location would be fenced with cameras, roads would all be asphalt. Since the lot does not perk, there would be no plumbing. They are leaning toward not having an office there, and having cold storage only, possibly leaning toward larger units for RVs, etc. Development would be phased, and they are open to diversification of the facades. Hampton noted that the Town may provide sewer service there sometime in the future. There were no objections from the Commission at this point.
- 5) Kristine A Leon, Petitioner, Swalheim Rev Tr, Duane P and Candace J, property owners of parcel 0711-273-0022-0: requesting modification of the deed restriction to allow vehicle repair or maintenance as a conditional use (DCPREC 11977), and a Conditional Use Permit for vehicle repair or maintenance (DCPCUP-02605): Ms. Leon was present virtually, and her husband Jose was present in person. Ms. Leon explained that the proposed business is an automotive shop specializing in the sale and repair of European cars. There would be no body work or salvage operations. Their concept plan showed 11 parking spots along North Star Road for showing of sale vehicles and customer parking. There were 10 more spots internal to the lot. All sale vehicles would be stored outdoors. Vehicle repair would be inside the building. No fencing was planned other than around the dumpster, but there would be cameras and alarms. The operations plan included one building in the initial phase, to be used as the main office and shop for one mechanic and 1-2 licensed salespeople. A second building for winter storage of vehicles may be added in a second phase. Eickhoff had concerns about allowing outdoor storage without screening like other area lots were required to have. Discussion was this would defeat the purpose of a used car lot. Plantings can be discussed during the design review process. Hampton read the applicants' responses to the standards for conditional use permits, and the Commission agreed they were all satisfied. The Clerk-Treasurer noted that driveways must be at least 150 feet from an intersection, which could limit where the driveway on this lot could be located. **MOTION** by Muehl/Kudrna to recommend modification of the deed restriction to allow vehicle repair or maintenance as a conditional use, and recommend approval of a CUP for vehicle repair or maintenance, with hours limited to Monday-Friday from 7:30 a.m. to 5:30 p.m. Saturdays would be limited to sales only. All standards for a CUP were considered satisfied. **MOTION CARRIED 6-0.**
- 6) Presentation of Preliminary Plat for Swalheim Business Park on North Star Road: Duane Swalheim and Engineer Ryan Quam were present. Quam said the plat was prepared by Birrenkott, who were not in attendance. He noted that Dane County stormwater requirements have been addressed, mostly through the 3-lot CSM that came prior to this plat. The packet also included street plans for the cul-de-sac, which has already been mostly completed. Town Engineer Nick Bubolz had provided a

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
AUGUST 23, 2023

review letter outlining several contingencies for approval of the preliminary plat (Exhibit A). Bubolz said that while most of the points are standard and minor, the one that stood out the most was that easements need to be set up on all property lines for drainage and future utilities, including possibly sewer service. All Swalheim's adjacent lands were shown on an inset of the plat. Mr. Swalheim said at this time he has no plans to develop his remaining 70 acres to the south, although ultimately it is planned for commercial development. **MOTION** by Anders/Meylor to recommend approval of the preliminary plat contingent on all the items on the Town Engineer's review letter being satisfied. **MOTION CARRIED 6-0.**

- 7) ADJOURNMENT: **MOTION** by Muehl/Eickhoff to adjourn. **MOTION CARRIED 6-0.** The meeting was adjourned at 7:58 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer
Approved 09-27-2023

August 23, 2023

Ms. Kim Banigan
Town Clerk
Town of Cottage Grove
4058 C.T.H. N
Cottage Grove, WI 53527

Subject: Proposed Swalheim Business Park Preliminary Plat and Construction Plan Review

Dear Kim:

We have received the proposed preliminary plat, stormwater management report, and construction plans for a development proposed to be located at the southeast corner of North Star Road, plans dated July 6, 2023. The proposed plat is subject to Chapter 15 of the Town's code of Ordinances – Land Division and Planning Code (Revised 03-07-2022). There are a number of items, in part listed below, that should be satisfactorily resolved before approving the construction plans. However, the documents could be approved contingent upon said items.

Plat Documents

- The 300 feet shoreland setback shall be shown on the plat.
- Future septic areas shall be identified for lots 5 and 4. Septic areas shall only be shown on the lot they are intended for.
- The wetland limit and wetland setback lines shall be labeled.
- Verify drainage easements are appropriate size compared to designed ditches shown in the construction plans.
- Property markers shall be installed at each corner.
- Right of way of North Star Road (northbound and southbound lanes) shall be increased to meet Town Roadway Standards.
- Elevations shall be marked on such contours based upon United States Geological Survey (USGS).
- All curved lines shall show, either on the lines or in an adjoining table, the radius of the circle, the central angle subtended, the chord bearing, the chord length and the arc length for each segment.
- Street names and building numbers shall be assigned in accordance with the provisions of Ch. 76 of the Dane County Ordinances and consistent with any other Town ordinance or policy.
- We assume that parkland dedication issues or fees in lieu of such parkland dedication have been addressed in previous discussions with the Town.
- The code requires construction plan as part of plat approvals. These plans have been submitted and are under review. Any plat approvals should be contingent upon Town approval of the plans.

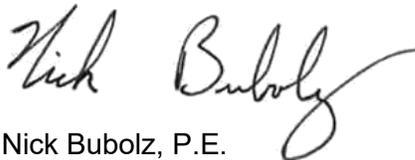
- A final developer's agreement is required as part of plat approvals.
- The plat should show drainage easements along each lot line (actually on each parcel) and that drainage arrows be shown along each lot line on the final lot grading and drainage plan. This will help assure that during building construction a builder/lot owner will not create blockages to drainage from adjacent lots.
- The Town may wish to require that the vision corner areas should be shown on lots at the intersections of streets.
- The swales will require driveway culverts. Plat notes should call out who is responsible for maintenance and future replacement of culverts (the Town or individual property owners). In addition, sizing calculations should be submitted to confirm the 18-inch proposed size is adequate.

Sheet C-4 and C-5

- Provide roadway details.
- If the proposed posted speed limit is 25 mph, then minimum stopping sight distances for vertical curves for a 30 mph design speed (25mph posted speed) shall be met per Chapter 11 of the WisDOT FDM. Sight distances for the intersections on North Star Road were not evaluated, but the Developer should confirm future connections will meet sight distance standards for intersections.
- Roadway culverts shall be Reinforced Concrete Pipe (RCP).
- Revise property lines to match the preliminary plat.
- Fire and EMS services should provide confirmation that they are comfortable with the current configuration.
- The radius at the intersection with North Star Road shall be 25'.
- Roadside ditches shall not exceed 10% of grade nor have less than a 1% grade. Side slopes shall not exceed 4:1.
- The Developer should provide the Town documentation of approval by CARPC.

Please feel free to contact us with any questions or comments regarding this review.

Very truly yours,
TOWN & COUNTRY ENGINEERING, INC.



Nick Bubolz, P.E.

cc: Mr. Kris Hampton, Town of Cottage Grove (*via email*)
Mr. Dan Dresen, Town of Cottage Grove (*via email*)
Mr. Adam Ryan, P.E., Quam Engineering, LLC (*via email*)

NRB:nrb

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TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
SEPTEMBER 27, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, Mark Kudrna and Mike Klinger present. Clerk-Treasurer Kim Banigan took minutes.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Kudrna/Meylor to approve the minutes of the August 23, 2023 meeting as printed. **MOTION CARRIED 7-0.**
- 4) Public Concerns: None.
- 5) Phillippe Koller, applicant, Wisconsin Power & Light Company, property owner, parcels #0711-164-8610-2 and 0711-164-8600-4 at 4080 County Highway N: Certified Survey Map to combine two lots, no rezone necessary: Mr. Koller and Jessica Bahr were present virtually, and explained that the substation sits on both lots owned by WP&L, and they would like to clean things up so it is on a single lot. They are planning to rebuild the substation, including expansion of the fenced area to the south and east. There will be a larger footprint within the fenced area, but no change to the amount of electricity produced. Mr. Koller said he will provide a new map incorporating the comments from the Dane County Surveyor before the Town Board meeting Monday night. Hampton asked about a comment on the CSM referencing dissolution of a drainage way near the lot line between the WP&L and Town of Cottage Grove owned property. Ms. Bahr said the referenced document number shows that this was done by agreement of all neighboring properties. She will send a copy of it to the Town. **MOTION** by Kudrna/Klinger to recommend approval of the CSM conditioned on meeting the comments from the Dane County Surveyor. **MOTION CARRIED 7-0.**
- 6) The Clerk-Treasurer asked Commission members to mark their calendars for a possible joint meeting with the Town Board on October 16th to approve the Swalheim Business Park preliminary plat.
- 7) **ADJOURNMENT: MOTION** by Kudrna/Muehl to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 7:09 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer
Approved 10-25-2023

- I. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Board/Plan Commission Chair Kris Hampton, and Supervisor/Plan Commission member Steve Anders, Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Plan Commission members Dave Muehl, Troy Eickhoff, Mike Klinger, Mark Kudrna and Jerry Meylor. Clerk-Treasurer Kim Banigan, Deputy Clerk Amber Steele, Highway Superintendent Dan Dresen, Attorney Chris Nelson and developer Duane Swalheim were also present.
- II. Hampton called the Town Board and Plan Commission to order at 6:45 P.M.
- III. Consider adoption of Plan Commission Resolution 2023-10-16 Recommending Conditional approval of the Preliminary Plat of Swalheim Business Park: Banigan noted that the Town Engineer has not seen a new plat incorporating the items on his review letter dated August 23, 2023. Eickhoff asked about the un-improved east-west segment of North Star Road, discussion was that no access or building permits will be issued on lots fronting that stretch until the road is improved. Swalheim stated his understanding of this. Further discussion was that the improved road will be wider than the portion Swalheim owns, so an easement or purchase from Larry Skaar will be necessary to improve the road. Swalheim also stated that lots 4,5,9 and 10 did not perk, so holding tanks will be needed. He has ordered the concrete culverts specified by the Town Engineer to replace the metal ones he originally installed under the new cul-de-sac. **MOTION** by Muehl/Klinger to adopt Resolution 2023-10-16 with the additional requirement that conditions listed on the Town Engineer's letter dated August 23, 2023 be satisfied. **MOTION CARRIED 7-0.**
- IV. Adjournment of the Plan Commission and Town Board: **MOTION** by Klinger/Kudrna to adjourn the Plan Commission. **MOTION CARRIED 7-0.** **MOTION** by Williams/DuPlayee to adjourn the Town Board. **MOTION CARRIED 5-0.** The meeting ended at 6:56 P.M.

Kim Banigan, Clerk-Treasurer

Approved by the Town Board on 11-06-2023

Approved by the Plan Commission on 11-22-2023

**TOWN OF COTTAGE GROVE
PLAN COMMISSION RESOLUTION 2023-10-16**

**RECOMMENDING CONDITIONAL APPROVAL OF THE
PRELIMINARY PLAT OF SWALHEIM BUSINESS PARK**

WHEREAS, Duane Swalheim (the “Developer”), on behalf Swalheim 2011 Revocable Trust, which owns the property described as Lot 4, Certified Survey Map No. 15140 (the “Subject Property”) has requested approval of a preliminary plat for the Subject Property; and,

WHEREAS, the Developer submitted an application for preliminary plat approval and the preliminary plat review fee to the Town of Cottage Grove (the “Town”); and,

WHEREAS, the proposed preliminary plat, Swalheim Business Park, consists of Lots 1-10 for commercial business development, Outlot 1, and a new street, and is located in the SW ¼ of the SW ¼ of Section 27, T7N, R11E, in the Town; and,

WHEREAS, the Plan Commission recommends approval of the Preliminary Plat to the Town Board subject to conditions;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the Town of Cottage Grove as follows:

The Town of Cottage Grove Plan Commission recommends approval of the Swalheim Business Park Preliminary Plat subject to the following conditions:

1. The Developer is required to develop the Preliminary Plat in compliance with all applicable State statutes and Town ordinances and in accordance with generally acceptable engineering standards in the Town, as determined by the Town Engineer.
2. The Developer shall obtain from County Land and Water Resources Department (“LWRD”) all reviews and permits necessary for: (a) soil and erosion control within the Preliminary Plat; and, (b) stormwater management facilities that fully satisfy County requirements and address stormwater runoff issues related to the Preliminary Plat.
3. The Developer shall provide the Town written certification from the Developer’s engineer, in the same format as required by County LWRD, that the stormwater management facilities as-built are in compliance with all applicable permits and are operating in accordance with the approved design.
4. The Developer’s engineer shall work with the Town engineer to establish design requirements and construction standards for the street improvements within the Plat and the improvements to North Star Road related to this Preliminary Plat.
5. The Developer shall enter a Development Agreement with the Town regarding the development of the Preliminary Plat. The Development Agreement shall be drafted by the

the Town Attorney and reviewed by the Town Engineer and Town Board. When approved by the Town Board, the Development Agreement shall be executed by and between the Developer and Town. The Final Plat shall not be signed by the Town until the Development Agreement is fully executed.

6. The Developer shall obtain written confirmation from the Town Engineer of “no objection” to the Construction Plans and Specifications for all public improvements prior to construction.
7. The Developer shall obtain approval of the Preliminary Plat from the Cottage Grove Fire Department and the Deer-Grove EMS District and present such approval to the Town.
8. The Developer shall obtain written confirmation of appropriate rezoning of the Preliminary Plat from Dane County and present such confirmation to the Town.
9. Developer shall satisfy all conditions articulated in the Town Engineer’s letter reviewing the preliminary plat, dated August 23, 2023.
10. In addition to those outlined above, the Developer shall obtain all required approvals from other approving authorities, as required by law.
11. The Developer shall promptly reimburse the Town for all costs and expenses incurred by the Town in connection with the review and approval of the Preliminary and Final Plat, including, but not limited to, the costs of professional services incurred by the Town for the review and preparation of required documents, attendance at meetings, or other related professional services.
12. The Plan Commission’s recommendation for approval of the Preliminary Plat expires one hundred eighty (180) days from the date of adoption of this Resolution unless the Developer has satisfied all conditions of approval stated herein. Time is of the essence. If the Developer encounters an unforeseen development delay, it shall immediately advise the Town Clerk and may request an extension.

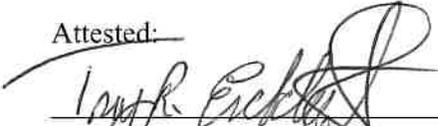
The above and foregoing Resolution was adopted at a meeting of the Plan Commission of the Town of Cottage Grove held on the 16th day of October, 2023, by a vote of 7 in favor and 0 opposed.

TOWN OF COTTAGE GROVE PLAN COMMISSION



Kris Hampton, Plan Commission Chair

Attested: _____



Troy Fickhoff
Plan Commission Member

Incorporated by Reference:

- Exhibit A Preliminary Plat for Swalheim Business Park

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
OCTOBER 25, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, Mark Kudrna and Mike Klinger present. Clerk-Treasurer Kim Banigan attended virtually and took minutes.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Anders/Klinger to approve the minutes of the September 27, 2023 meeting as printed. **MOTION CARRIED 7-0.**
- 4) Public Concerns: None.
- 5) Amy Miles with pb2 Architecture and Engineering, applicant, Equipment Share, owner, parcel 0711-273-0030-0 on North Star Road: Seeking Conditional Use Permit for outdoor storage of materials and equipment: Pranavi Koka, Ajay Sharma from Bowman Consulting and Jacob Arp from Equipment Share all virtually represented the petitioner. Plans for the site include a heavy equipment rental yard on a crushed concrete/gravel base, with one building that would serve as showroom and repair facility. Hours would be 7 am – 5 pm M-F. The entire property would be fenced. Typically they use chain link with barbed wire, but will consider other options as required by the municipality, for example a 6' Trex fence was mentioned. There would be a 10' buffer between the property line and fence, which could include plantings. Lighting would be downward facing. Details of the fencing, lighting and landscaping will need to be brought to the Plan Commission for design review at another meeting. The petitioners were advised that the north driveway shown in their plan will need to be at least 150' from the intersection to the north, and that a Knox box pedestal will need to be located outside the fence. When asked if equipment is stored in a raised position Mr. Arp said it typically is but does not need to be. The Commission reviewed the 8 standards for approval and found them all to be satisfied. **MOTION** by Anders/Muehl to recommend approval of a CUP for outdoor storage under the condition that all equipment be stored in transport position, noting that all 8 standards of approval were considered satisfied, and that the petitioner was advised that the north driveway must at least 150' from the intersection. **MOTION CARRIED 7-0.**
- 6) Edward M Kallas III, PE with Roth Professional Solutions, applicant, Secure Storage of Cottage Grove, LLC, property owner, parcel 0711-332-9700-0 at 3286 Field View Lane: Design review for phase two to construct two buildings along with associated paving within the existing mini/self-storage facility: Art Kumiega represented Secure Storage. They are looking to move ahead with buildings H & I, which will use the same materials and colors as the existing buildings. Stormwater management and fencing from the first stage are all still valid for the addition of these two buildings. Hampton asked for additional green (arbor vitae) plantings along CTH N near building D, either inside or outside of the fence. **MOTION** by Muehl/Meylor to approve the plans for buildings H & I as presented, using the exact same materials as phase I. **MOTION CARRIED 6-0-1** (Anders abstained)
- 7) **ADJOURNMENT: MOTION** by Anders/Klinger to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 7:44 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer
Approved 11-22-2023

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
NOVEMBER 22, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, Mark Kudrna and Mike Klinger present. Clerk-Treasurer Kim Banigan took minutes.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Klinger/Meylor to approve the minutes of the October 25, 2023 meeting as printed. **MOTION CARRIED 7-0.**
- 4) Public Concerns: None.
- 5) Jeff Schlieckau, petitioner and property owner, parcel #0711-193-8430-0 on Gala Way – proposing to use two transferred RDUs to create two residential lots (RR-1 and RR-4) and one NR-C lot: Mr. Schlieckau described the challenge he has faced in trying to divide the oddly shaped property to create two contiguous residential lots to comply with the IGA with the City of Madison. He is asking the Town of approve an exception to the 2-acre maximum for new residential lots so he can sell the proposed 2-acre Lot 1 and build a new home on the 4-acre Lot 2 on the hill in the location most suitable for a septic system. The remainder (Lot 3) would be 10.66 acres in size. He read correspondence from former Dane County Planner Alex Andros advising that Lot 3 would need to be zoned NR-C since it is in the Ag Transition zone now and is ineligible for farmland preservation. There were questions since NR-C does not seem to allow farming. The Clerk-Treasurer will get clarification from the County. Mr. Schlieckau had drafted purchase agreements for two RDUs from two different landowners. Hampton and Banigan suggested revisions to the agreements to reflect current zoning categories. **MOTION** by Muehl/Meylor to recommend approval of the rezone of Lot 1 (2.00 acres) from FP-1 to RR-2, the rezone of Lot 2 (4.12 acres) from FP-1 to RR-4, and Lot 3 (10.66 acres) from FP-1 to NR-C (or whatever the County recommends as long as it is deed restricted against residential development). Schlieckau will provide revised RDU purchase agreements as discussed. **MOTION CARRIED 7-0.**
- 6) Discuss/Consider recommendation for combining CUP and Design Review steps: An email string in the meeting packet demonstrated the difficulty the County is having with one particular CUP application since the Town does not address issues like lighting that could impact neighboring properties until the design review process, which comes after CUP approval. There was discussion about whether this is a one-time concern or would apply to most CUPs, and thoughts that some developers may not want to go to the effort of meeting all the requirements for design review until after they are sure the CUP has been granted. Currently design review occurs before or upon application for a building permit. To require it at the same time as CUP review, an ordinance amendment would be needed. **MOTION** by Anders/Eickhoff to recommend combining CUP and Design Review steps. **MOTION CARRIED 7-0.**
- 7) ADJOURNMENT: **MOTION** by Klinger/Eickhoff to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 7:45 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
DECEMBER 27, 2023

- 1) Notice of the meeting was posted at the Town Hall and on the Town's web site. A quorum was present with Kris Hampton, Steve Anders, Jerry Meylor, Dave Muehl, Troy Eickhoff, Mark Kudrna and new member Tom Banigan present. Clerk-Treasurer Kim Banigan took minutes.
- 2) Hampton called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Muehl/Anders to approve the minutes of the November 22, 2023 meeting, correcting the zoning for Lot 1 in item 5 to RR-2 and the vote in item 6 to 7-0. **MOTION CARRIED 6-0-1** (Tom Banigan abstained).
- 4) Public Concerns: None.
- 5) Neli Skaar, applicant, Screamin' Norwegian Farms, Landowner, petitioning to create two residential lots on parcels #0711-264-8002-0 and 0711-264-9585-0 on Skarstinden Road, using RDUs from parcel #0711-361-9000-9 (DCPREZ-12003): Neli Skaar was present, and explained that he would like to use RDUs from the farm on Hwy 12/18, which is what Dane County zoning preferred, rather than as per his original application that would have used RDUs from two different farms. Tina Kosnar, owner of the lot adjacent to the proposed new lots, was present over the phone and said she was told there would be no lots below or behind her. Hampton said it would be up to the landowner, Mr. Skaar said these two lots are the last he plans to develop. Mike Gall, 3475 Skarstinden Road, asked if there will be any restrictions to require the homes on the two new lots to blend in with the neighborhood. Mr. Skaar said there would be restrictions as to where buildings could be located to not block views. **MOTION** by Anders/Kudrna to recommend approval of rezoning 3.37 acres from FP-35 to SFR-1 (Lot 1 at 1.87 acres and Lot 2 at 1.50 acres), using RDUs from parcel 0711-361-9000-9 on US Hwy 12/18. **MOTION CARRIED 7-0.**
- 6) Discuss/Consider recommendation regarding Dane County Ordinance Amendment 2023 OA-068 regarding conditional use permit and rezoning processes: Hampton said that when the Dane County Zoning Ordinance was revised in 2019, the 1 year waiting period for re-application for a denied rezone or CUP petition was inadvertently left out. DCTA has asked that it be put back in after a couple of Towns have experienced repeated applications without substantial new information. Thomas Willan, 4407 Vilas Hope Road, was present and said this would affect him personally by making him wait 1 year after the court decides on his current case regarding a rezone petition that was denied by the County in 2021. He believes that the one year waiting period is not permitted by Wisconsin Statutes, and recommended that the Town Attorney be consulted before the Town votes on this amendment. Anders will find out if the DCTA Attorney has reviewed the Amendment. It was noted that there is not another Plan Commission before the Town's recommendation on the amendment is due to the County. **MOTION** by Anders/Banigan to forward this to the Town Board with no recommendation. **MOTION CARRIED 7-0.**
- 7) ADJOURNMENT: **MOTION** by Eickhoff/Muehl to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 7:36 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer
Approved 01-24-2024