

TOWN OF COTTAGE GROVE  
PLAN COMMISSION MINUTES  
OCTOBER 23, 2024

- 1) Notice of the meeting was posted at the Town Hall and on the Town's website. A quorum was present with Kris Hampton, Steve Anders, Tom Banigan, Troy Eickhoff, Mark Kudrna, Jerry Meylor and Dave Muehl present. Clerk-Treasurer Kim Banigan took minutes. Town Engineer Nick Bubolz and Town Planner Mark Roffers were 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 September 25, 2024 meeting as printed. **MOTION CARRIED 7-0.**
- 4) Public Concerns: None.
- 5) Cory Clemens, petitioner, Dunroven Ridge, LLC, property owner: petition for Preliminary Plat approval for Kennedy Hills First Addition on parcels 0711-034-9001-0 and 0711-101-8502-0 on Kennedy Road (Tabled from the September 25<sup>th</sup> meeting): Clemens and his engineer Christine Pelto from MSA were present. Town Engineer Bubolz stated his review letter dated 10/21/2024 (Exhibit A) included just a few outstanding items, none of them major, and that approval contingent to them being addressed would be ok with him. He had conversed with the developer's engineer regarding temporary ponds to manage any stormwater runoff toward the north before the larger ponds are built for the third phase. Pelto confirmed they are working with the County on the stormwater plan and street names.

Graydon Giesfeldt, 4535 Sundance Ct, stated that a study showed the ground water table in the American Heritage area dropped 25' between 1978 and 2005, which he attributed to new homes built during that time. He asked that a study be done to determine what effect Kennedy Hills will have on the groundwater level, and wanted to know who will pay for deeper wells for existing homes if it falls below them.

Tony Arts, 2231 Wooded Ridge Trail, thought wells in phase one were 250-270 feet deep. He wanted to know if First Addition homeowners would join phase one covenants for maintenance of stormwater Outlot 1, or have their own covenants. Comments were that they would join in responsibility for maintaining Outlot 1.

Barbara Pauplis, owner of 2177 Wooded Ridge Trail, wanted mature trees on the east side of the First Addition to be maintained for separation from American Heritage.

- 6) Discuss/Consider adoption of Resolution 2024-10-23a Recommending Conditional Approval of the Preliminary Plat for Kennedy Hills First Addition: **MOTION** by Anders/Banigan to adopt Resolution 2024-10-23a Recommending Conditional Approval of the Preliminary Plat of Kennedy Hills First Addition, adding the following as item p: The Town Engineer, at the developer's expense, shall investigate historical groundwater levels and what impact these additional homes may have on it. **MOTION CARRIED 6-0-1** (Muehl abstained).
- 7) Discuss/Consider adoption of Resolution 2024-10-23b Recommending Amendments to the Town of Cottage Grove Comprehensive Plan: Roffers presented his recommendation memo (Exhibit B). Discussion topics:
  - Map 16 illustrates the ¼ mile radius from the Village of Cottage Grove 2022 limits within which transferred RDUs are not required for residential development. The related language states that a majority of the parcel must be within the radius, and Roffers said he has the data to measure

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individual parcels as they come up. Eickhoff wondered if the total qualifying acres under this parcel are known. Roffers said he has not figured that out.

- Increasing the RDU ratio from 8:1 to 10:1: Eickhoff wondered if it was necessary, Hampton agreed with Roffers' suggestion that building and interest rates justify it.
- Redesignating parcel 0711-284-8001-0 to the Commercial Development Area. This was due to a request by the property owner. Eickhoff was opposed to this.
- Roffers suggested that if the Plan Commission adopts the resolution tonight, he could run it past Dane County Planning staff before it goes to the Town Board in case they have objections that could be addressed first.

**MOTION** by Anders/Muehl to adopt Resolution 2024-10-23b as drafted. **MOTION CARRIED 6-1-0** (Eickhoff opposed based on parcel 0711-284-8001-0).

- 8) **ADJOURNMENT: MOTION** by Eickhoff/Muehl to adjourn. **MOTION CARRIED 7-0**. The meeting ended at 8:15 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer

Approved 11-26-2024

October 21, 2024

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

Subject: Proposed Kennedy Hills First Addition – Revised Preliminary Plat Submittal Review

Dear Kim:

We have received the Revised Preliminary Plat submittal for the Kennedy Hills First Addition, a proposed single-family subdivision located on the north side of CTH BB, just east of Kennedy Road. The documents are dated October 8, 2024 and were received on October 9, 2024. We have completed a review of the engineering and infrastructure aspects of the submittal. There are still a number of items, in part listed below, that should be satisfactorily resolved before the Town finally approves the Submittal. We understand the Town Planner will be reviewing the submittal from a Zoning perspective.

**General Comments**

- Individual driveway permits will need to be submitted and approved for all new driveways prior to construction beginning.
- Stormwater Management and Erosion Control plans must be submitted and approved by Dane County prior to construction beginning.
- The developer should contact the local Postmaster to determine the required configuration and placement of mailboxes to serve the new homes.
- The board has discussed Kennedy Hills is part of the Neighborhood Connector Streets which includes a roadway detail with 5-foot bike lanes and a 70 foot right-of-way.

**Title Sheet**

- The utility contact information should be filled in.

**Sheet ST1**

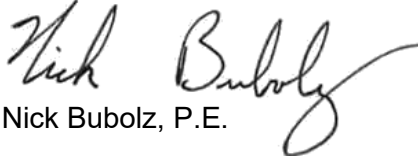
- The grading north of Woodland Crossing shows the ditches flowing northward. At least a temporary pond may be required to manage stormwater runoff towards that direction.

**Sheet PP2**

- A culvert is needed for the path connection to Woodland Crossing.

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

Very truly yours,  
TOWN & COUNTRY ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Nick Bubolz". The signature is fluid and cursive, with the first name "Nick" and last name "Bubolz" clearly distinguishable.

Nick Bubolz, P.E.

NRB:brb

J:\JOB#S\Cottage Grove\CG-48-M6 Kennedy Hills Phase 2\2. Client Correspondence\Review Letter 3.docx



## ***EXHIBIT B***

To: Town of Cottage Grove Plan Commission

From: Mark Roffers, Town Planning Consultant

Date: October 15, 2024

Re: Recommendation on Potential Comprehensive Plan Amendments

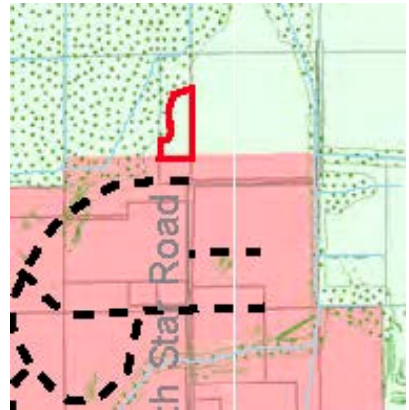
Early this year, as part of the Town's every-other-year Comprehensive Plan amendment cycle, the Plan Commission received a handful of requests for potential Plan amendments. At its March meeting, the Commission provided advice on how to handle those requests and suggested a couple of others including direction on associated research. From March to August, we completed such research, reached out to property owners at the north end of North Star Road, and waited for the proposal to extend sanitary sewer service to the Highway 12/18/N interchange area to resolve. The Commission reviewed the proposed amendments at its August meeting, and postponed action seeking revisions and clarification to a provision exempting parcels from having to use transferred development rights if within ¼ mile from the Village of Cottage Grove. There was also discussion about whether to move from an 8:1 to a 10:1 development rights transfer ratio for new residential development.

I have revised the set of proposed Comprehensive Plan amendments for the Commission's consideration, included in the attached Resolution 2024-10-23 that the Commission could adopt (or further adapt then adopt). This resolution would be the Commission's tool to recommend Plan changes to the Town Board, before which a public hearing notice would need to be posted. The following is a description and rationale for the proposed amendments:

### **Map Amendments**

- Included as Exhibit B to the attached resolution.
- Amendments to Maps 1 and 2 of the Conditions and Issues volume of the Comprehensive Plan are intended to keep those background maps fresh and correct.
- One proposed amendment to Map 16—Future Land Use and Transportation illustrates the ¼-mile radius from the Village of Cottage Grove 2022 limits within which transferred RDUs are not required to develop residential subdivisions, per a policy change the Town previously adopted but would be refined (see below). A new proposed map note also summarizes that policy, helping to interpret what that 1/4-mile radius means right on that map.

- The second proposed amendment would redesignate the remaining developable acreage of parcel 0711-284-8001-0 (owned by Dave Zielke) to the “Commercial Development Area” as outlined in red on the map crop to the right. The Town Clerk also asked Larry Skaar, the owner of parcel 0711-284-8500-3 to its immediate east, if he had similar interest, and he did not. Still, the Skaar parcel’s northern frontage (~150-200’ deep) along the underimproved east-west segment of North Star Road is already planned for future commercial use.



### **County Landfill Related Amendments**

- Covered in items 1, 15, 16 in Exhibit A to the attached resolution.
- Item 1 relays my current understanding of the status of the siting of the new landfill southwest of the Highway 12/18/AB interchange.
- Items 15 and 16 are general landfill-related policies the Town may consider.

### **McFarland East Side Plan Related Amendments**

- Covered in items 2 and 17 in Exhibit A to the attached resolution.
- Item 2 relays my current understanding of McFarland’s 2023 Plan affecting lands near the southwest corner of the Town, including its differences when compared with the Town Plan and the Madison-Cottage Grove intergovernmental agreement.
- Item 17 reinforces a statement of interest from the Town for a boundary agreement with McFarland, enhancing the short list of issues described in the 2022 Town Plan with new issues that McFarland’s 2023 plan seems to raise.

### **Transfer of Development Rights (TDR) Ratio Change**

- Covered items 3, 4, 5, 6, 7, and 9 of Exhibit A to the attached resolution.
- My research and opinion suggests that a modest TDR ratio increase from 8:1 to 10:1 for rights transferred to the planned “Neighborhood Development Area” is in order.
- Contributing factors include land and building price increases that have outstripped inflation, higher interest rates that are unlikely to reach sub-3% levels for many years, very limited TDR and subdivision activity in the Town over the past several years, and proximity of other towns in the area (e.g., Bristol) where rural subdivisions are allowed without requiring transferred development rights.

- I am not certain that this modest increase will be sufficient to change some of the above dynamics. I do know that once a policy gets loosened, it is hard to go back if the mark is overshot.
- Also raised at the August Plan Commission meeting was a concern that being able to develop 10 homes for each acquired development right may be more technically challenging than being able to use 8 rights, which could lead to more unused dwelling units once rights are transferred.

#### **Dark Sky Lighting Amendments**

- Covered in items 8 and 9 of Exhibit A to the attached resolution.
- Proposed changes address residential lighting through encouraging private covenant provisions and commercial lighting mainly by reference to the Town's Design Review Ordinance.

#### **High-Quality Commercial Building Promotion Amendments**

- Covered in items 10 and 13 of Exhibit A to the attached resolution.
- Refers to already existing photos in the Plan and adds two new photos to provide a visual representation of the Town's ideal for new commercial buildings along North Star Road and elsewhere.
- I advise that any further upgrades to commercial building and site/landscape design standards take the form of amendments to the Town's Design Review ordinance if the Plan Commission would like to pursue them.

#### **Holding Tank Allowance Amendments**

- Covered in items 11, 12, and 14 of Exhibit A to the attached resolution.
- Would allow holding tanks as a "system of last resort" for new commercial development only and pre-existing structures, subject to up-front agreements and the ability of the Town and County to direct pumping and other maintenance if the owner would fail to do so.
- These proposed changes are based on research of Dane County sanitary ordinance (Chapter 46) and my interview with a County Sanitarian, who was familiar with the interest along North Star Road.

I will be prepared to answer questions about any of these proposed amendments at the October Plan Commission meeting.

Attachment: Revised Plan Commission resolution recommending amendments to the Town Comprehensive Plan, including Exhibit B map attachments