

**TOWN OF VERMONT PLAN COMMISSION MEETING
Monday, October 22, 2018 – 7:00 P.M. –AGENDA**

Call to order and posting certification

The meeting was called to order at 7:00 p.m. by Doug Meier. The meeting was properly noticed; posted at the front door of Town Hall, on the town website, emailed to the online subscribers and published in the Mt. Horeb Mail and Star News.

Present: Dean Bossenbroek, Alex McKenzie, Scott Moe, Jim Elleson, Judy Robb, Doug Meier, Diane Anderson,

Absent: Todd Culliton

Approval of agenda

Scott moved and Dean seconded motion to approve the agenda. Motion carried 6-0.

Approval of September 17, September 24 and October 8 meeting minutes

Jim moved and Judy seconded to approve the September 17 minutes. Motion carried 6-0.

Jim moved and Alex seconded to approve the September 24 minutes. Motion carried 6-0.

Jim moved and Judy seconded to approve the October 8 minutes. Motion carried 6-0.

Committee Reports

Jim requested feedback from the board on the Tyrol CUP. Nathan said it was discussed that the board is going to write a letter to Dane County asking them to correct their mistake. An action to rescind the June 11 motion accepting the revised Covenant of Deeds (COD) was passed and the formation of a new committee to negotiate any new things on Tyrol was discussed. The seven-member committee would consist of a board member, a member of the planning commission, and 5 residents of the township.

A few of the plan commission members went to a meeting sponsored by the Dane County Towns Association and the Dane County Planning & Development Department on Conditional Use Permits. Most of the procedures stay in place. Act 67 deemed that decisions on Conditional Use Permits be based on substantial evidence.

Tom Foseid, 9485 Braun Rd, CUP application to create limited family business

A limited family business would be a permitted conditional use under current A-2 zoning. An application for a Conditional Use Permit has yet to be filed with the County. Go through the 6 standards to approve a CUP. Doug asked if anyone present had any objections to the CUP. David Stanfield said he likes the idea. Jim moved to approve the CUP application to create a limited family business by converting a workshop into a food processing plant and commercial kitchen to roast coffee beans and make canned grape jam for wholesale. Judy seconded. A question was raised about shipping. Tom said it would be around 200 # per day, 5 days a week. There would be 2 vehicle transports coming in and going out in a week. He would like to deliver any entire week's production in the week because of shelf life. How much traffic do you have? Tom replied less than when we live there. It was determined that a 58 X26 foot processing facility is rather small so that would limit the size of production. The jam is seasonal. Motion carried 6-0.

Tyrol Properties, LLC – CUP application for lighting on proposed tubing hill

Doug presented the staff report from the Dane County Zoning and Land regulation committee for CUP 02441 and the minutes from a meeting of the Dane County Zoning and Natural Resources Committee held on Dec 12, 2000 finding that all six standards had been met. The conditional use permit application dated October 10, 2018 removes anything that had to do with revising the COD.

Scott went back and reviewed all the records from 2000 including minutes. The reports all say all contiguous property including the 30 acres. The CUP application applied to all. The County report met all the 6 standards. The difference was how it got recorded. Looking at it as this has already been approved. Staff report states the same effect. Sooner or later we just must decide.

Judy mentioned information from the new act 67 and what we learned at the CUP training. We can apply conditions. We should go forward with a new CUP.

Judy made a motion to approve CUP with the following 3 conditions. Scott seconded. The conditions are:

1. The DOC #3252304, Deed of Covenants and Restrictions, dated 9-20-2000 should apply to this CUP.
2. Any lighting on the tubing hill must be Dark Sky Compliant, using the lighting plan from 2000. Dark sky lighting may require more light poles; however, the result should be less reflection in the sky.
3. Need an erosion control plan that is approved by the department of Dane County Land and Water Resources and a copy of the approval/permit.

Nathan said we have an engineering plan from 2000 that has been updated to 2018 standards. It includes erosion control and run off control. It means the lighting will go where originally proposed in 2000. Judy and Jim would like to see the erosion control plan. Nathan says it shows an oak tree and it is the same as the maps presented. Judy needs a bird's eye view of the layout. Engineering plan that he is working off is exactly the map that he drew. Alex asked how many additional lights would be needed if he used dark sky light. Nathan said seven light poles. Nathan said the intent was to put in lights that had the least effect on the neighbors. Dark Sky Compliant lights would require more lights to reach the entire tubing hill. Karen Grimmer wants the dark sky lighting as it would have a lot less glow. Jon Norris asked if the old plan has been approved by the DNR. Judy would like to have documentation of the lighting that you are going to put on the hill. Alex said that the new CUP should have dark sky compliant lighting. Dean said once he heard the attorney say that the CUP document is good to go, he was good with that. CUP can be revoked by the Town of Vermont if one of the conditions is not followed/met. Jim would like to make sure that there is an erosion control plan that is approved from the department of Dane County Land and Water Resources. Judy wants to talk about the light pole height. Would like the light poles to be no higher than 25 feet above the current topography. Alex said if you limit the height you will have to have more lights. Scott agrees with Alex on this. Looking at the landscape and some of the panoramic view that the neighbors enjoy. Tyrol has been part of our topography for the past 50 years. Doug asked if it would it be reasonable to keep the number of light poles at 5. Jim said that the 25-foot pole on a 15-foot hill is not visible from the neighbors' house. Call the vote. Motion carried 5-0 with 1 abstention.

Dane Co. Comprehensive Zoning Revision, decision on process of review. Review of Section 6 and Section 7.

There were no changes in Section 6. Changes for Section 7 include changing all contiguous land owed by Joe & Keith O'Connell to FP-35. Scott Moe easement should be UTR and RM-8 should be changed to FP-35 as it is contiguous to other property zoned the same.

Agenda items for next meeting

Dane Co. Comprehensive Zoning Revision, Sections 8, 9, 10, 11

Next meeting date

The next meeting is scheduled for November 19, 2018.

Adjournment

Scott moved and Alex seconded a motion to adjourn. Motion Carried 6-0.