

MINUTES
TOWN OF VERMONT PLAN COMMISSION MEETING
February 28, 2011 – 7:30 P.M. 4017 CTY JJ

CALL TO ORDER

The meeting was called to order by Jim Elleson at 7:30 p.m. Johanna Solms certified the meeting notice was posted at the Black Earth State Bank, Harris Bank in Mt. Horeb, on the front door of the Town Hall and published in the News Sickle Arrow and Mount Horeb Mail and on the town website, www.townofvermont.com.

Members present: Jim Elleson, Barbara Grenlie, Larry Ziemer, Eric Haugen, Todd Culliton, and Johanna Solms. Absent: Bruce Ellarson

APPROVAL OF AGENDA

Moved by Larry Ziemer seconded by Eric Haugen and carried 5-0 to approve the agenda as posted.

APPROVAL OF MINUTES

Moved by Larry Ziemer seconded by Todd Culliton and carried 6-0 to approve the January 24, 2011, minutes with corrections.

DISCUSSION OF SINGLE OWNER TOWN ROADS

Resident Scott Kremer attended to hear the discussion and share his thoughts and the commission used his property as a case study to discuss the issues involved and the process to use when evaluating single owner town roads for possible abandonment.

In this particular case the property would become landlocked, forcing an easement agreement. This eliminates Kremer Drive as a candidate. While abandonment would also inhibit development of PDRs, that is not currently seen as an obstacle to the process. The town could not abandon just to the property line because there is no place to turn around. Cropping by itself is not a consideration as long as everyone can get in.

Scott presented his thoughts on the process, noting that there are some 60 years of agreements to consider. He spoke for clear, unambiguous criteria, equally and fairly applied, for the town to develop a timeline so property owners can anticipate when they will start to incur costs, and for dollar figures for actual cost breakdowns and state aid on single owner town roads.

Stampfli Road was discussed in detail. This is actually a two-owner road. While one of the criteria has been single-owner, if neither one is landlocked then the process could still take place. There are at least two PDRs that could be developed at some point via access to the existing road but it would be very difficult to provide public road frontage elsewhere if that road became private.

Haugen Road was also discussed. It is a single-owner road without alternate access points and has a number of PDRs that would theoretically share a driveway provided the road remained

public.

The discussion of concrete cases was helpful and raised many questions. Is it a taking if property values go down as a result of abandonment/privatization? Do working dairy farms get special consideration? If we abandon roads that have two owners we force them to incur the expense of a shared driveway agreement. It was noted that the town has always let people piggyback on seal coating for some savings.

There are many questions to be resolved and this topic will be revisited at the next meeting.

DISCUSSION OF PROCESS FOR POSSIBLE BLANKET REZONE OF SUBSTANDARD PARCELS

Barbara Grenlie has been researching the issue. The first question is why do this; what are the goals? There is the conversion fee issue for all Ag ex land and also a reported financing issue for substandard Ag ex parcels. As this was studied it turned into a question of possibly taking the town out of Ag zoning completely. Note that if people don't want to rezone they can opt out. Any rezone should not change tax assessments based on use value. The tax credits that would potential be lost are not huge. In 2009 34 participants averaged \$1197 each, with average acres of 198.4

It turns out that the state is requiring a zoning cleanup of the county by the end of 2012 as part of the update to the county farmland preservation plan.

Withdrawing from Ag ex entirely has been under discussion by a number of towns. It was not originally a research topic for us. The Dane County Towns Association is actively researching the issues involved.

If we withdraw from Ag-Ex we would have to rezone everything—either adopt Dane County zoning or make our own zoning committee and administration. We would have to change the Comprehensive Land Use Plan and go through that whole process of adoption. But there is a good chance that Dane County would not agree to adopt our revised plan in which case we would have to temporarily adopt county zoning.

Further, the state has to certify changes to the Dane County plan, and they might not agree. The whole process, and working with the state DATCP, is very difficult.

One other way to change our plan is to identify which lands we wish to call our working lands, possibly fine tuned to identify land actually being farmed and then limit farmland preservation zoning to that land, freeing up the rest of the town to be rezoned.

The challenge of any blanket rezone is that every ownership parcel must still be individually rezoned, with all the normal rezoning paperwork and hearings. It is a huge undertaking, whether for the approximately 130 substandard parcels or for the even larger number of ag ex parcels in the town.

There is also legislation pending (LRB-1135/2) to do away with the conversion fee, and in fact the whole Working Lands Initiative, which, if it passes, would remove one incentive for a blanket rezone, which was to avoid the conversion fees.

The best thing may be to simply leave the whole issue alone for the county to deal with it.

Background research will continue, and also further discussion at the next meeting.

CONTINUATION OF WORK ON ORDINANCE REVISIONS AND PLAN COMMISSION POLICY
AND PROCEDURE MANUAL

Due to the hour, this item was not addressed.

SCHEDULE NEXT MEETING AND DISCUSS POSSIBLE AGENDA ITEMS

The next meeting will be Monday, March 28, 2011, and agenda items will include further discussion of possible blanket rezones and single owner town roads.

ADJOURNMENT

Moved by Eric Haugen seconded by Larry Ziemer and carried 5-0 to adjourn at 10:00 p.m.

Johanna Solms
Plan Commission Secretary