

MINUTES
TOWN OF VERMONT PLAN COMMISSION MEETING
January 27, 2014 – 7:30 P.M. 4017 CTY JJ

CALL TO ORDER

The meeting was called to order by Todd Culliton at 7:30 p.m. The meeting was properly noticed, published in the News Sickle Arrow and Mt. Horeb Mail and posted at State Bank of Cross Plains in Black Earth, at the Mt. Horeb public library, on the front door of the Town Hall, and on the town website, www.townofvermont.com.

Members present: Todd Culliton, Jim Elleson, Johanna Solms, Doug Meier, Scott Moe, Don McKay.
Absent: Eric Haugen

APPROVAL OF AGENDA

Moved by Jim Elleson seconded by Scott Moe and carried 6-0 to approve the agenda with item #7 moved to #4.

APPROVAL OF MINUTES

Moved by Jim Elleson seconded by Don McKay and carried 6-0 to approve the December 23, 2013, meeting minutes as written.

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

Todd Culliton recognized Tony Gallagher, present to request answers to a number of procedural questions previously raised by email. He asked how a citizen could obtain a copy of a driveway permit or building permit issued to another landowner; how much leeway there would be for moving a driveway or building site if the plan as approved were not followed exactly; and whether there is a complaint system in place when a citizen sees a violation of an ordinance.

Tony also identified a particular farm road on a parcel adjoining his property on which some grading or construction has occurred under a valid driveway construction permit. He stated that he has information that the county highway access permit has expired and that the erosion control permit is also no longer valid. He also stated that small structures have been constructed that exceed the county size limit without obtaining the required zoning and building permits.

Tony's questions were addressed at length, primarily the issue of what the town can and should do in the way of interim visits to view progress on driveways and buildings. The building inspector does visit at various stages in home construction. The existing driveway ordinance gives us authority before final inspection under 4.09-4.

Complaints of town ordinance violations are to be addressed to the town chair.

Tony asked about process for getting on agendas and it was clarified that responsibility for and approval of agendas rests with the town chair and town board, and that the plan commission essentially acts as staff for the town board. The plan commission secretary prepares and posts the agendas.

CONTINUING DISCUSSION OF POSSIBLE TRANSFER OF DEVELOPMENT RIGHTS PROGRAM

Tony Gallagher was recognized by Todd Culliton to present his opposition to TDR. He asked whether a PDR can move next door along with the sale to a neighbor of a small parcel. Historically, a CSM would normally be required for this land division and transfer unless it is Ag-ex to Ag-ex farmland only and does not drop below the required acreage. He stated that "individuals can self-isolate and stick it to the other side of town", that "mini-subdivisions" could be created, and that he anticipates "hoarding, auctioning back and forth, possible inflation" and "speculation". Density is tied to acreage, and "the system is not broken and shouldn't be fixed." He does not see a need for TDR.

Tony was not allowed to present his petition with 16 names opposing TDR, on grounds that none of the signers actually know any of the details of the final ordinance, which is still being drafted, and that the public hearing is the appropriate place for this. He was told that there would not be public access to interim drafts before the posting prior to the public hearing. He stated his belief that there were issues of self-interest and improper procedure.

Following Tony's departure, the discussion of TDR continued. Don McKay reiterated his opposition. There was discussion of the definition of conservation easements. The draft was partially edited; Jo Solms will update the draft with the changes. She will also request someone from the county to attend the next session to provide clarification on the TDR process at the county level.

There will be further discussion and possible completion of the draft ordinance at the February meeting.

CONSIDERATION AND POSSIBLE RECOMMENDATION REGARDING DANE COUNTY ORDINANCE AMENDMENT #26, 2013-14 (REGARDING ABANDONED NONCONFORMING MINERAL EXTRACTION SITES)

Moved by Jim Elleon seconded by Jo Solms and carried 6-0 to recommend to the town board to recommend approval of Dane County Ordinance Amendment #26, 2013-14 (regarding abandoned nonconforming mineral extraction sites).

CONSIDERATION AND POSSIBLE RECOMMENDATION OF REVISIONS TO TOWN OF VERMONT SHORT TERM AMUSEMENT AND RECREATION EVENTS ORDINANCE

The board has set new event fees effective in 2014. Road events on consecutive days will require a separate application for each day. All applications will need two separate checks up front, one for the non-refundable processing fee and one for the event fee minus the processing fee. If there is no approval, the second check will be returned. This should be spelled out on the application form. The event form also needs to have applicant's email and fax contact information and onsite event manager's cell phone.

SCHEDULE NEXT MEETING AND DISCUSS POSSIBLE AGENDA ITEMS

The next meeting will be February 24, 2014. The agenda will include TDR, with a county representative if available, further work on short term events, and the standard items, and is expected to include Steve Frame's applications for 2 homesites, rezones and driveways at Ryan and Moyer Road, which will involve a site visit as it has been 5 years since the initial applications which were withdrawn following the site visit but before plan commission approval.

ADJOURNMENT

Moved by Jim Elleson seconded by Jo Solms and carried 6-0 to adjourn at 10:55 p.m.

Johanna Solms
Plan Commission Secretary