

# **Dane County Regional Planning Commission**

217 S. Hamilton St., Suite 403, Madison, Wisconsin 53703-3238 Tel. 608/266-4137

January 18, 1995

## **NOTICE OF PUBLIC HEARING** **February 9, 1995**

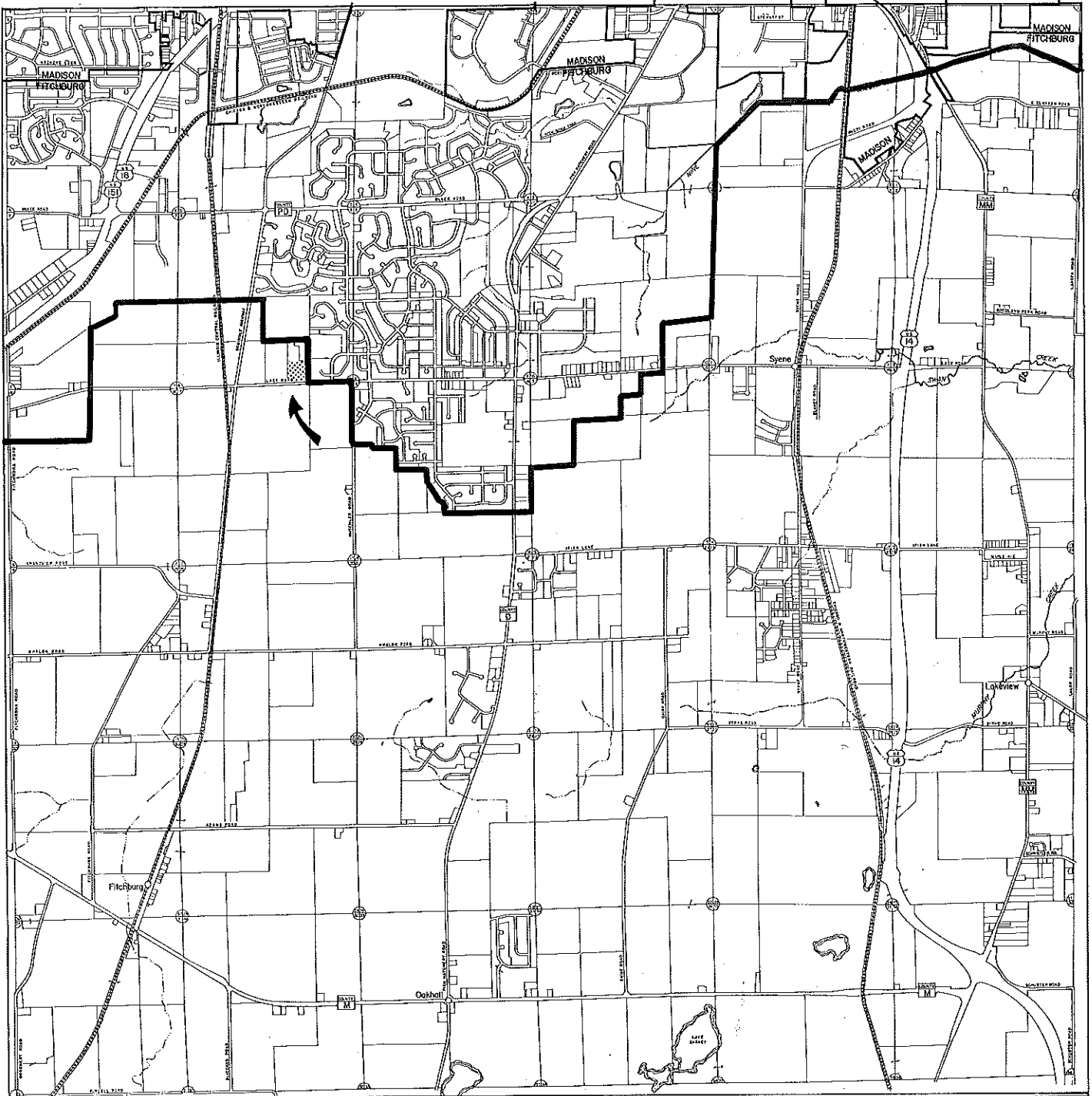
**Proposed Amendment to the Dane County Regional Development Guide,  
Farmland Preservation Plan and Water Quality Plan,  
Revising the **Central Urban Service Area Boundary**  
in the City of Fitchburg**

The Dane County Regional Planning Commission will hold a public hearing on February 9, 1995, at 7:00 p.m. in Room 2-G of the City-County Building, Madison, Wisconsin, on a proposed amendment to the Dane County Regional Development Guide, Farmland Preservation Plan and Water Quality Plan.

The proposed amendment would add 9.65 acres to the City of Fitchburg portion of the Central Urban Service Area to include an elementary school site.



Attachment

Mailed to: Douglas Morrissette, Mayor, City of Fitchburg  
Tom Hovel, Fitchburg City Planner  
Superintendent, Verona Area School District  
Thomas Clauder, County Board Supervisor, District 33  
James Nemke, Chief Engineer and Director, Madison Metro. Sewerage District  
Roger Shores, DNR Bureau of Water Resources Management  
Steve Fix, DNR Southern District



**CENTRAL URBAN SERVICE AREA  
(Fitchburg Portion)**

1/18/95  
PREPARED BY THE DUNE COUNTY  
 REGIONAL PLANNING COMMISSION

-  Urban service area boundary
-  Area to be added

**DCRPC AGENDA COVER SHEET**

**Meeting Date/Item**  
February 9, 1995/Item No. 6

**Re:** Amending the Dane County Regional Development Guide, Farmland Preservation Plan and Water Quality Plan to **Revise the Central Urban Service Area Boundary in the City of Fitchburg**

**Staff Comments on Item:** The City of Fitchburg has requested an amendment to the Central Urban Service Area boundary to add 9.65 acres of vacant developable land for siting a proposed elementary school for the Verona Area School District. The proposed elementary school will be located immediately adjacent to the Stoner Prairie Elementary School, on the north side of Lacy Road approximately three-eighths mile east of Seminole Highway. The site would be used for a 600-student K-5 elementary school.

No significant environmental impacts, inconsistencies with adopted plans or controversies have arisen.

The only environmental issue noted by staff is that the proposed site is in an area which is generally fairly important in terms of groundwater recharge to Fitchburg and Madison municipal wells. Therefore, it is recommended that the City emphasize infiltration and protection of groundwater recharge in their site development and stormwater management requirements.

**Materials Presented with Item:**

1. City of Fitchburg Application Report—"Proposed Central Urban Service Area Amendment for Verona Area School District Site, City of Fitchburg," January 1995
2. 2/2/95 Staff Analysis of the amendment
3. Resolution RPC No. 732

**Staff Recommendation/Rationale:** It appears that the proposed amendment satisfies all the criteria and requirements for urban service area amendments, is consistent with the objectives and policies of adopted plans, and would not result in any significant impacts which cannot be adequately mitigated. Therefore, the staff recommends approval of the requested amendment with the recommendation that the City emphasize infiltration and maintenance of groundwater recharge in their site stormwater and drainage management requirements.

Minutes of the  
Dane County Regional Planning Commission

February 9, 1995

Room 2G, City-County Building

7:00 p.m.

1. Roll Call

Members Present: Messrs. Becker, Bigelow, Freese, Golden, Heiliger, Hendrick, Nienstedt, Salkin and Wendt; Mmes. Johnson and Leidner

Also Present: Messrs. Favour, Lane, McDonald and Smiley; Ms. Smoczynski

2. Approval of Minutes of Meeting of January 26, 1995

Moved by Ms. Johnson, seconded by Mr. Freese, to approve the minutes of the meeting of January 26, 1995. Motion carried.

3. Communications

Mr. Favour noted letters at members' places regarding the reconsideration of the Mazomanie USA boundary.

The Town of Burke wrote the RPC asking that review of their town plan be postponed to an April Commission meeting rather than a February meeting as they originally requested.

Mr. Favour reported on a letter from the Director of CESA #2 on behalf of superintendents of area schools in the district regarding participation in the Vision 2020 process.

4. Public Comment on Items Not on RPC Agenda

None.

5. Public Hearing

a) Proposed Amendment to the Dane County Regional Development Guide, Farmland Preservation Plan and Water Quality Plan, Revising the Central Urban Service Area Boundary in the City of Fitchburg

Mr. Becker opened the public hearing. Mr. Lane reviewed the request from the City of Fitchburg which would add 9.65 acres to the Central Urban Service Area in the City of Fitchburg for an elementary school site in the Verona Area School District. He noted that the staff analysis recommends approval of the request with the recommendation that the City of Fitchburg emphasize infiltration and maintenance of groundwater recharge in their site stormwater and drainage management requirements, since the site is in an area which is generally fairly important in terms of groundwater recharge to Fitchburg and Madison municipal wells.

Mr. Tom Hovel, planner for the City of Fitchburg, spoke in support of the amendment. He said no significant opposition or controversies were noted at the public hearing.

Mr. Robert Gilpatrick, Verona School District Superintendent, reviewed the history of the attempts made to locate the school on other sites within the CUSA; the site selections faced significant opposition. He asked for support for the CUSA amendment. Mr. Becker closed the public hearing.

Moved by Mr. Freese, seconded by Mr. Wendt, to adopt Resolution RPC No. 732, Amending the Dane County Regional Development Guide, Farmland Preservation Plan and Water Quality Plan by Revising the Central Urban Service Area Boundary in the City of Fitchburg. Motion carried.

6. Reconsideration of Action on Resolution RPC No. 722, Amending the Dane County Regional Development Guide, Farmland Preservation Plan and Water Quality Plan to Revise the Mazomanie Urban Service Area Boundary and Environmental Corridors

Mr. Lane reviewed the history of the Village's request for a 23-acre addition to the Mazomanie USA for the purpose of a 40-acre lot residential development. The request included a provision to delete 21.5 acres in the north edge of the urban service area which included 7.5 acres of Black Earth Creek floodplain in the environmental corridor. At the December 8, 1994, RPC meeting a motion to adopt Resolution RPC No. 722 failed; however, a motion to reconsider the resolution was approved at the January 12, 1995, RPC meeting with Commission members asked for additional information and evaluation of four issues: 1) impacts of the proposed amendment on Black Earth Creek and groundwater; 2) clarification and additional information on RPC policies and the environmental impacts related to development on steep slopes; 3) review and update of population and future land need forecasts for the area; and 4) work-trip commuting patterns for the Mazomanie area.

Mr. Becker noted that a public hearing on the amendment request was held in December and that regular agenda items, which is what this item was, allowed for a three-minute comment period by any interested party.

John Stockham, Discovery Inc., 4610 University Avenue, Madison, and Cleveland Gombar, 5581 Ralph Road, Oregon, both representing Mr. Lichte, registered to speak in support of the proposal; however, Mr. Stockham had to leave and Mr. Gombar was unable to make it to the meeting.

Mark Tusler, 3118 Watford Way, Madison, representing Mr. Lichte in support of approval, said surface water from the site will not reach Black Earth Creek and that there would be no significant impacts from the development on the creek.

Paul Lichte, #2 Thorstrand Road, Madison, representing Mr. Lichte, spoke in support of the proposal. He said there would be no significant visual impacts on the hillsides as a result of the proposed development.

George Weir, 5610 Medical Circle, Madison, speaking for Mr. Lichte, supported the proposal and addressed some of the questions about erosion control.

James Bockheim, of the Department of Soil Science at the University of Wisconsin, spoke at the request of a Mazomanie village trustee. He said about 40 percent of the area in question had soils unsuitable for development because of their high erodibility and the steep slopes involved.

Tim DeSmet, 18 Elm Street, Mazomanie, spoke in support of the amendment. He said as a professional real estate appraiser he thought it was one of the better developments he had seen as planned and it offered the Village an opportunity to put some land into conservancy.

William Skinner, 413 Hudson Street, Mazomanie, said he signed the petition in opposition to the development but has since had his questions regarding water pressure and use of salt answered; he now supports the proposal.

Sharon Royston, 5613 Reeve Road, Mazomanie, addressed the unique physical characteristics of the area and spoke in opposition to what she thought was hyper-development in the area.

Ric Bass, 110 Bridge Street, Mazomanie, said as a builder he was in favor of the development, citing the need for such lots and different types of housing.

Len Rogan, 17 Bridge Street, Mazomanie, spoke in opposition to the proposal. He said the neighborhood plan prepared by Discovery Group is pure concept and without the Wick development there are no parks or connecting roads.

Frank Wolf, 3 Cramer Street, Mazomanie, spoke in support saying it was time for Mazomanie to grow, that most people in the Village supported the development and the Village Board voted to support the proposal five to two.

Fred Wolf, 10297 Highway 14, Mazomanie, a supervisor in the Town of Mazomanie and a lifelong resident, said he farms near the property in question and he has seen no runoff or erosion problems from the property, even in 1993.

Connie Mudore, 4744 CTH F, Black Earth, spoke as a resident of the Black Earth Creek valley. She felt she had a stake in the outcome of the amendment request as a resident of the Black Earth Creek valley and she was opposed to the proposal. She said the Village of Mazomanie Board continues to ignore the desires of Village residents.

Ann Cabezas, 17 Elm Street, Mazomanie, a Village trustee and Plan Commission member, said she was opposed to the proposal, thought it would be setting a bad precedent to approve such a development, and said that people who would be working at Sunny Industries would be looking for more affordable housing than what was being proposed for this hillside development.

Roseanne Cheeseman, 10250 Mathewson Road, Mazomanie, registered in opposition to the development; she said the December 8 vote by the RPC to deny the amendment request was victory for the environment and for the citizens of the area.

John Mudore, 4744 CTH F, Black Earth, registered in opposition and asked the Commission to uphold its decision of December 8.

James Van Deurzen, 10250 Mathewson Road, Mazomanie, registered in opposition and asked the Commission to uphold their decision of December 8.

Roy Carley, 102 Crescent Street, Mazomanie, said he was opposed to the hillside development citing the importance of water quality in Black Earth Creek and noting the DeBeck landfill siting as an example of a bad decision.

Andrew Boness, 102 Crocker Street, Mazomanie, a member of the Village Plan Commission, said there is a demand for quality wooded lots in western Dane County and that there currently were no lots available in the Mazomanie USA. He said this would be a sewer development with hillside restrictions.

Dennis Franke, 4765 CTH KP, Cross Plains, representing himself as a member of BECCO, said he spoke to hydrogeologists and geologists who told him the recharge area is uniquely different in this location than in eastern Dane County; it is more fragile.

Jonathan Bube, 1216 Drake Street, Madison, speaking for himself and his advisor at the University of Wisconsin, Kenneth Potter, said there is

potential for a lower rate of groundwater recharge with eventually a reduction in streamflow if the development is approved.

Wayne Janssen, 629 W. Hudson, Mazomanie, registered in support and said he was speaking for himself; he said the letter he sent to the Commission asking for reconsideration was sent on his own, not on behalf of the Village. He addressed the need for developable lots in the Village and said the houses to be built on the hill portion would be less conspicuous than those that would be on the lower portion of the development.

Larry Lichte, 123 W. Main Street, Madison, registered in support. He addressed the aesthetics of the hillside development noting that the view would be protected from all sides except the north. He said it has been shown there will be no adverse effects on groundwater from the development and no negative impact on Black Earth Creek. He said there is a demand for hillside lots.

Louise Klopp, 4283 Highway P, Cross Plains, said she was speaking for herself and her daughter who lives at 317 S. State Street, Mazomanie, but was unable to be at the meeting. They are opposed to the amendment. She cited the example of Deer Run Heights which has had problems and she spoke about her daughter's fear of increased taxes to help pay for the proposal.

Deb Cookingham, 24 Third Street, #2, Mazomanie, said she was opposed to the proposal and asked the Commission to uphold its December 8 vote. She thought it was a bad exercise to allow development of the hillside in order to make the lower portion of the development affordable.

Jennifer Wallace, 113 W. High Street, Mazomanie, spoke in opposition saying her family has lived in the area for 100 years; she asked Commission members to uphold their vote of December 8.

Mr. Becker read the names of other registrants who did not wish to speak:

	<u>In Support</u>	<u>Opposed</u>
Rinheart Paar, Scott Street, Mazomanie		X
Mrs. Rinheart Paar, Scott Street, Mazomanie		X
Debra DeSmet, 18 Elm Street, Mazomanie	X	
Delores Lichte, 2 Thorstrand Rd., Madison	X	
Robert Dodsworth, 213 W. Hudson St., Mazomanie	X	
Jim Craney, 10500 Hwy. KP, Mazomanie	X	
Helen Harrop, 208 Wall St., Mazomanie	X	
Bernie Harrop, 208 Wall St., Mazomanie	X	
David Birch, 109 Bridge St., Mazomanie		X
Candace Kreitlow, P.O. Box 113, Mazomanie		X
R. Peter Bauer, P.O. Box 113, Mazomanie		X
Thomas Cabezas, P.O. Box 34, Mazomanie		X
Jury Schlough, 18 Bridge St., Mazomanie		X
Alan Lien, 709 Brodhead St., Mazomanie		X
Mary Lien, 709 Brodhead St., Mazomanie		X
Krista Handel, 5245 Reeve Rd., Mazomanie	X	
Stuart Smith, 120 W. Division St., Mazomanie	X	
Stacy Dyreson, P.O. Box 176, Mazomanie	X	
Frank Wolf, 10718 W. Hudson, Mazomanie	X	
Tom Wick, 316 W. Division, Mazomanie	X	
Ellen Larson Marty, 8589 Bourbon Rd., Cross Plains		X
Jim McSweeney, 10467 Racek Rd., Mazomanie		X
Pat McSweeney, 10467 Racek Rd., Mazomanie		X
Edith Szudy, 9646 Dunlap Hollow Rd., Mazomanie		X
Lynn Szudy, 9646 Dunlap Hollow Rd., Mazomanie		X
Marie Stewart, 410 Hudson St., Mazomanie		X
Loretta Statz, 8683 W. Mineral Pt. Rd., Mt. Horeb		X

Commission members had several questions about enforcement of covenants and restrictions on the property, annexation and rezoning of the property, visual aspects of the development.

Moved by Mr. Golden, seconded by Mr. Wendt, to adopt Resolution RPC No. 722, Amending the Dane County Regional Development Guide, Water Quality and Farmland Preservation Plans to Revise the Mazomanie Urban Service Area Boundary and Environmental Corridors. Motion carried on a roll call vote of six to five; Ayes: Bigelow, Golden, Heiliger, Johnson, Salkin, Wendt; Nays: Becker, Leidner, Freese, Hendrick, Nienstedt.

8. Report of Officers

None.

9. Report of Executive Committee

Mr. Favour reported contract talks are still underway with the Department of Natural Resources; they are considering issuing a partial contract to the RPC until they know better what might be involved with their funding under the state budget. The Commission's work program includes an amount to do a County Parks Plan update; however, the County Parks Department is considering issuing an RFP for such work. Mr. Favour said he would be meeting with them to try to work out those details.

The Committee recommended approval of a contract with the Wisconsin Geological and Natural History Survey for continuing work on the Regional Hydrologic Study. Mr. Heiliger objected to the inclusion of "less than honorable discharge" in the list of groups covered under the Commission's affirmative action statement which is part of the contract. That addition was made in 1991 to be in conformance with the City of Madison's General Ordinances for the purpose of contracting with the City. Staff checked with the Dane County Purchasing Director and it was agreed it would be acceptable to change the coverage to "military discharge status." Moved by Mr. Heiliger, seconded by Ms. Leidner, to approve the change to the RPC's affirmative action statement. The coverage as revised in fact broadens the scope of covered groups. Motion carried.

Moved by Mr. Heiliger, seconded by Ms. Johnson, to approve the contract between the RPC and the WGNHS for work on the Regional Hydrologic Study. Motion carried.

10. Report of Executive Director

Mr. Favour announced the public information meeting scheduled for 7:30 p.m. on March 1 to review the travel and land use forecast computer models for the Vision 2020 process. The meeting is scheduled at the WISDOT District 1 offices.

Mr. Favour reported on the intent of Dane County to move the RPC offices to the City-County building by June 30, 1995. Dane County Board Res. 272 has been introduced and referred to the Public Works and Personnel/ Finance Committees; it would extend the lease for RPC space at 217 S. Hamilton until July 1. The space available in the City-County Building previously was used for the Sheriff's staff. It is intended to move the RPC staff into the space on ground floor only until the space study that is being conducted is concluded. At that time it is hoped there could be co-location of the Commission staff and the Planning and Development Department staff which would require an additional move of Commission offices probably around mid-1996. Moved by Mr. Golden, seconded by Mr. Freese, that the Commission be on record as strongly opposing moving the RPC offices and staff on an interim basis, that they support retention of the RPC offices at its current location until the space needs study is



completed so that only one move of RPC offices occurs. Motion carried unanimously.

11. Other Planning Reviews

Mr. Smiley noted three planning reviews requiring no comment: DNR Application for Improved Wetland Protection in Wisconsin Through Strengthened Shoreland Zoning Standards; DNR Application for Community Assistance Program; DNR Application for Superfund-Multisite Support Agency RI/FS and RD. Moved by Mr. Bigelow, seconded by Mr. Freese, to approve the letter of comment on Planning Review No. 95-1-A1 Agricultural Impact Statement for STH 113 Intersection Improvements at CTH V and P. Motion carried.

12. Other Business Authorized to be Conducted Under the Law

Mr. Becker expressed his regret to Commission members for the way the discussion on the Town of Burke at an earlier meeting was handled.

13. Adjournment

Moved by Mr. Freese, seconded by Ms. Johnson, to adjourn the meeting. Motion carried.

Recorded by:  
Louise Smoczynski

LCS:mp

Resolution RPC No. 732

AMENDING THE DANE COUNTY REGIONAL DEVELOPMENT GUIDE,  
FARMLAND PRESERVATION AND WATER QUALITY PLANS TO REVISE  
THE CENTRAL URBAN SERVICE AREA BOUNDARY  
IN THE CITY OF FITCHBURG

WHEREAS, the Dane County Regional Planning Commission has adopted, amended and reaffirmed a Regional Development Guide, Farmland Preservation Plan and Water Quality Plan; and

WHEREAS, said plans delineate urban service areas and environmental corridors as amended through December 1994; and

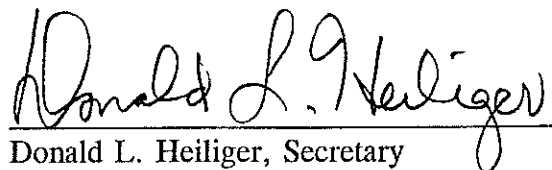
WHEREAS, the City of Fitchburg has proposed amending the Fitchburg portion of the Central Urban Service Area boundary in Section 8, T.6N.,R.9E.; and

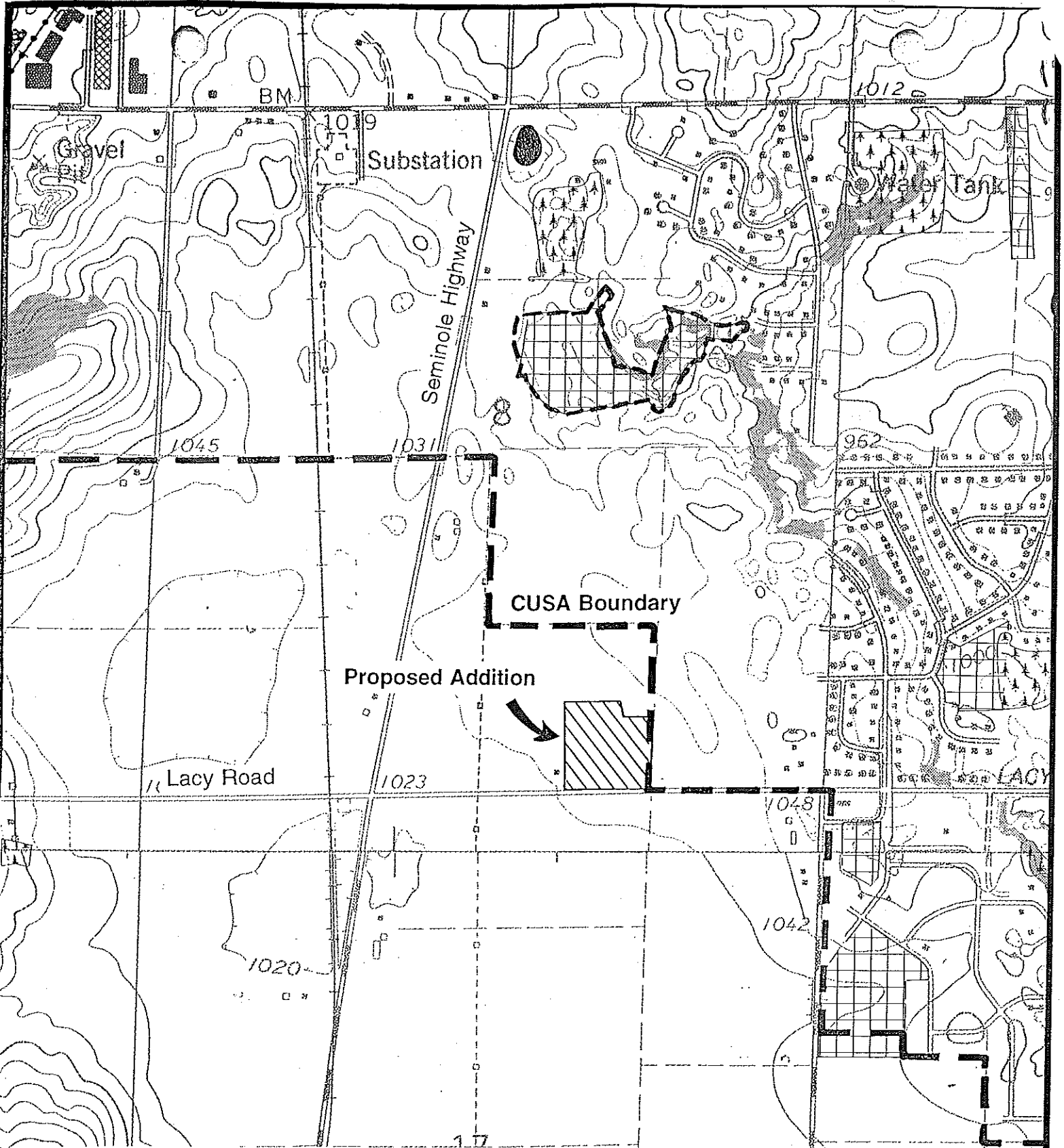
WHEREAS, the City has submitted adequate planning and supporting information to satisfy requirements for urban service area amendments;

WHEREAS, evaluation of the plans and supporting information indicates that the requested amendment, as indicated on the attached map, would be consistent with the criteria and policies of adopted regional plans;



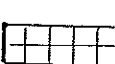
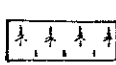
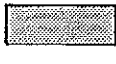
NOW, THEREFORE, BE IT RESOLVED in accordance with §66.945(9), Wis. Stats., and Sec. 208 of Public Law 92-500, the Dane County Regional Planning Commission amends the Dane County Regional Development Guide, Farmland Preservation and Water Quality Plans by revising the Central Urban Service Area boundary in the City of Fitchburg as depicted on the attached map, with the recommendation that the City of Fitchburg seek to emphasize infiltration and protect groundwater recharge associated with site development and stormwater management.

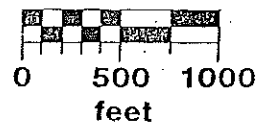
February 9, 1995  
Date Adopted

  
Donald L. Heiliger, Secretary



# FITCHBURG CUSA AMENDMENT

-  Urban service area boundary
-  Isolated resource feature
-  Existing parks and greenways
-  Woodlands
-  Steep slopes (>12%)



1/95