

TOWN BOARD MEETING, August 15, 2023 – 6:00 P.M.

PRESENT: Town Chair Dick Green, Supervisors Eric Olson, Larry Schuller, Melanie Miller, Faith Schuck, and Clerk/Treasurer Maria Hougan.

ABSENT:

OTHERS PRESENT:

Lila Lemanski, 2189 Rinden Rd., Greg Duckert, 2296 Tower Dr., Dave & Margie Scheffler, 3130 Sunnyside St., Laura Bardouche, 1774 Oakview Dr., Jerry & Becky Tjugum, 3112 Cty Rd N., Keith Comstock, 3080 Shadyside Dr., Dan O'Callghan, 222 W Washington Ave, Madison, Travis Dettinger, 3245 Token Rd., Sun Prairie., Kenton & Marlene Sorenson, 4559 Catalina Pkwy, McFarland, Claudia Quam, 3107 Sunnyside St.

CALL TO ORDER

Chair Green called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT The Board listens to residents speak on any issue (three-minute time limit)

Becky Tjugum, 3112 Cty Rd N., has some safety concerns regarding the proposed Under the Oaks coming to the neighborhood. Will this bring violence to the neighborhood with the possibility of the men who trafficked these women come looking for them? She also wondered if this will bring drugs to the neighborhood. She has lived there for 30 years and it has been quiet and peaceful. She also asked if this property will be a tax-exempt status, therefore reducing the town's tax base.

Jerry Tjugum, 3112 Cty Rd N., commented on the yard waste site hours. He loves the new yard waste site, and does not want to see a restriction in hours, but wants to see an expansion in hours

Laura Bardouche, 1744 Oakview Dr., is requesting a 4-way stop sign to be placed at Oakview and Burritt Rd. This would bring safety and traffic control into the area as it is near a park, and there are many children in the area. People speed in that area and she is worried there will be an accident one day soon. There are bus stops where many kids are waiting for the bus. Large delivery trucks go by many times a day going very fast.

Any item listed on the agenda is subject for action.

CONSENT AGENDA: *Items listed under consent agenda will be approved in one motion without*

discussion unless any Board member requests that an item(s) be removed for individual discussion. That item then can be considered at an appropriate time during the Board's regular order of business.

1. Approval of minutes of the August 1, 2023, Joint Town Board & Plan Commission meeting.
2. Approval of the check register dated August 15, 2023.
3. Approval of Change of Agent for Road Ranger, LLC to Bonner Diego Dolittle, at the premises located at 2762 County Highway N, Cottage Grove WI. *(Background check completed, no issues, approval recommended)*
4. Approval of the return of driveway damage deposit(s) for: *(Public works inspected, no issues found, approval recommended)*
 - Matt Ziegler, 3144 Vilas Rd
 - Janae Ramsden, 2564 Havey Ln.

Motion by Supervisor Olson, second by Sup. Miller, to approve the consent agenda items as listed. Motion carries 5-0.

BUSINESS.

Discussion and possible action on a request from Under the Oaks, LLC/Zeteo Community, Kenton Sorenson, Travis Dettinger, agent, for parcel # 0611-042-8096-5, 3136 Oak Street, to rezone 7.5 acres from RR-4 to GC (General Commercial).

Marlene & Kenton Sorenson, Travis Dettinger, and Dan O'Callaghan were in attendance. Dan reported out this is the 5th time they have appeared before the Town of Pleasant Springs on this matter. Further discussion followed. They answered questions raised earlier regarding safety concerns along with questions of the Board.

Motion by Supervisor Olson, second by Sup. Schuller, to approve the request from Under the Oaks, LLC/Zeteo Community, Kenton Sorenson, Travis Dettinger, agent, for parcel # 0611-042-8096-5, 3136 Oak Street, for a Conditional Use Permit for the purpose of allowing institutional residential use to provide for long-term transitional housing. Friendly amendment made by Miller to add "with the following deed restrictions as approved by the Plan Commission" Friendly accepted by Olson and Seconded by Schuller. The deed restrictions are as follows:

Deed Restrictions:

1. *Land use shall be limited to uses allowed under the proposed General Commercial Zoning that are relevant to this proposal.*

2. *Land use shall be limited exclusively to residential use, including institutional residential use as may be permitted under an approved Conditional Use Permit.*
3. *Land uses of the property shall be limited exclusively to the following permitted uses:*
 - a. *Undeveloped natural resource and open space areas*
 - b. *Utility services associated with, and accessory to, a permitted or conditional use*

Motion carried 3-2 on a roll call vote with Supervisors Olson, Schuller, and Miller voting in favor, and Chair Green and Supervisor Schuck voting in opposition.

Discussion and possible action on a request from Under the Oaks, LLC/Zeteo Community, Kenton Sorenson, Travis Dettinger, agent, for parcel # 0611-042-8096-5, 3136 Oak Street, for a Conditional Use Permit for the purpose of allowing institutional residential use to provide for long-term transitional housing.

Chair Green reported out and read the 21 conditions for the Conditional Use Permit. Supervisor Olson stated these conditions were discussed at length during the joint meeting the other night numerous times.

Motion by Supervisor Olson, second by Sup. Schuller, to approve the request from Under the Oaks, LLC/Zeteo Community, Kenton Sorenson, Travis Dettinger, agent, for parcel # 0611-042-8096-5, 3136 Oak Street, for a Conditional Use Permit for the purpose of allowing institutional residential use to provide for long-term transitional housing, with the following 21 conditions and the addition to item # 1 where the Conditional Use Permit will be reviewed annually for the purpose of being in compliance of the conditions.

Conditions for CUP 2598:

1. *This CUP will be reviewed by the Pleasant Springs Planning Commission annually for the purpose of remaining in compliance of the conditions.*
2. *Applicant must supply the town of Pleasant Springs Clerk the name and phone number of a 24-hour contact in case there is a problem at the property.*
3. *The use of the parcel must be only in accordance with the stated purpose on the application*
4. *The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.*
5. *The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.*
6. *Institutional residency on site shall be limited to a total of 18 women and their children taking part in the Under the Oaks program and 4 adult live-in house parents.*
7. *Livestock on site shall be limited to 3 animal units, as stated in the CUP application for the purpose of equine assisted therapy, an ancillary use to the principal institutional residential use.*

8. *The conditional use permit shall automatically expire upon transfer of the property.*
9. *No goods or services may be sold from the property.*
10. *The institutional residential activity shall be limited to the Under the Oak Trees LLC organization.*
11. *New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.*
12. *The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.*
13. *Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.*
14. *Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.*
15. *All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.*
16. *Off-street parking must be provided.*
17. *If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.*
18. *The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.*
19. *The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.*
20. *Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit*

shall be given a reasonable opportunity to correct any violations prior to revocation.

Conditions Specific to CUP 2598

21. *This conditional use permit shall not be effective until the property is rezoned to GC General Commercial via rezone petition #11961 becoming effective.*

Motion carried 3-2 on a roll call vote with Supervisors Schuller, Olson, and Miller voting in favor, and Chair Green and Supervisor Schuck voting in opposition.

Discussion and possible action on a request from Gregory H. Duckert for parcel # 0611-242-9230-0, to rezone 20 acres from RR-16 to RM-16 for the purpose of allowing more appropriate use of the property, and to enable for future sale of the property to allow for possible business and commercial use.

Supervisor Miller reported out. The Plan Commission voted in favor of this request. The property should have been rezoned to the RM-16 when the County updated the zoning code a few years ago. Rezoning this RM-16 would make the property to be more useful and sellable.

Motion by Supervisor Miller, second by Sup. Schuck, to approve the request from Gregory H. Duckert for parcel # 0611-242-9230-0, to rezone 20 acres from RR-16 to RM-16 for the purpose of allowing more appropriate use of the property, and to enable for future sale of the property to allow for possible business and commercial use. Motion carried 5-0.

Discussion and possible action regarding an application by Dave Scheffler to combine his 3 parcels on Sunnyside Street (#046/0611-183-7032-3, #046/0611-183-8830-5, #046/0611-183-7001-0) into one single parcel; and to change the zoning for this new parcel to SFR-08 (two of the three existing parcels are currently zoned SFR, the third is NC-R), in order to build a single-family residence and garage.

Supervisor Miller reported out. The Plan Commission was in favor of this change. One of the parcels is in the conservation area, this rezone would bring the parcel in compliance so they would all be zoned the same code.

Motion by Supervisor Miller, second by Sup. Schuck, to approve an application by Dave Scheffler to combine his 3 parcels on Sunnyside Street (#046/0611-183-7032-3, #046/0611-183-8830-5, #046/0611-183-7001-0) into one single parcel; and to change the zoning for this new parcel to SFR-08 (two of the three existing parcels are currently zoned SFR, the third is NC-R), in order to build a single-family residence and garage.

Motion carried 5-0.

Discussion and possible action regarding an application by Dave Scheffler for Preliminary CSM #12692 for combining his three parcels ((#046/0611-183-7032-3, #046/0611-183-8830-5, #046/0611-183-7001-0) into one parcel. (CSM to be approved only if the rezone is approved)

Chair Green asked about the two wells on the property. Dave Scheffler stated he plans to decommission the well at the 1st lot, he will apply for the permit to decommission the well and have a licensed contractor do the decommissioning. Chair Green asked if Dave Scheffler knew about the history of the lots, where Dave Scheffler replied he did. He purchased the lots over the period of several years. He explained nobody currently lives in the house, and he plans to remove the house on the center lot. He will leave the other one to use for electricity and water while building the home. They don't intend to live there. He has no intention of keeping a second residence. He also stated they did a wetland delineation on the properties for the County.

Motion by Supervisor Miller, second by Sup. Schuller, to approve the Preliminary Certified Survey Map from Dave Scheffler CSM #12692 for combining his three parcels ((#046/0611-183-7032-3, #046/0611-183-8830-5, #046/0611-183-7001-0) into one parcel, with adding the proper town language and owners name to the Final Certified Survey Map. Motion carried 5-0.

Dave will bring the final CSM back for Plan Commission and Town Board approval after Dane County review.

Discussion and possible action regarding the quote for brush chipping at the yard waste site.

The quote from DPR mobile services in the amount of \$1875.00 was reviewed by the Board. The budgeted amount was \$1200.00.

Motion by Supervisor Olson, second by Sup. Schuck, to approve the quote from DPR mobile services in the amount of \$1875.00. Motion carried 5-0.

Discussion and possible action regarding the yard waste site hours.

Chair Green reported out the yard waste site is currently open from 7:00 a.m. to 5:00 p.m. seven days a week. The site is opening in the morning by the Public Works employees and closed daily at 5:00 p.m. by Chair Green. Chair Green has also been opening and closing the site on the weekends. He does not want to continue doing this. A discussion on the site hours and options took place. Supervisor Schuller suggested that Public Works employees be asked to open and close the site on Saturday and Sunday.

Motion by Sup. Schuller, second by Sup. Miller, to change the yard waste site hours to 7:00 a.m. to 3:30 p.m. Monday through Friday, and for the Public Works employees to open and close the site during the week. Other changes to the yard waste site hours will be discussed at a later date. Motion carried 4-1 with Supervisor Olson opposing.

Discussion and possible action regarding the amendment to the fireworks ordinance, Chapter 103: Regulation of Fireworks. 2nd Reading.

This was a second reading. No action taken at this time.

Discussion and possible action regarding the amendment to Ordinance Chapter 70: Building Construction. 1st reading.

The Board reviewed the proposed amendment. This amendment was requested by the Building Inspector to bring the ordinance into compliance in accordance with the Department of Safety and Professional Services (DSPS). No action taken.

Discussion and possible action regarding purchase of a leaf vacuum truck for the 2024 budget.

Chair Green reported out. He met with Claudia Quam and Gary Smithback of FOLKS. The past few years the town rented the City of Stoughton's leaf vacuum truck. The City of Stoughton is purchasing a new truck and when it arrives, they will not be renting the truck out. The City of Stoughton will be selling their truck. Claudia Quam, of FOLKS was in attendance. She met with Bret, the Public Works Director with the City of Stoughton, and they said they would be willing to sell the truck for about \$50,000. She also met with Hardy, the Public Works Director from the Town of Dunn, and they may be interested in cost sharing the purchase of the truck with the Town of Pleasant Springs. FOLKS is unable to purchase the trucks due to regulations, but is willing to offer grants. There may be other funding assistance as well. Supervisor Olson who serves on FOLKS provided a re-cap of the program to new board members. The purpose of the program is to keep the leaves out of the lakes due to high phosphorous levels and keep the lakes clean. Further discussion followed. No action taken.

Discussion and possible action regarding office staff.

A short discussion took place.

Motion by Supervisor Schuller, second by Sup. Schuck, to extend an offer of employment to Ashley Wesby with a starting wage of \$21.50. Motion carries 5-0.

Discussion and possible action regarding the request from Kari Aagerup of Second Chance Animal Advocates, to rent Oak Knoll Park on Saturday, Sept. 16, 2023 for an Open-Air Market.

This event has been held several times and has been a good turnout with no complaints.

Motion by Supervisor Miller, second by Sup. Schuck, to approve the request for an Open-Air Market to be held on Saturday, Sept. 16 at Oak Knoll Park. Motion carried 5-0.

Discussion of Public Works projects and duties.

Chair Green reported out. Gavin Schulz started mowing last week. Lakewood Circle has been cleaned up due to the recent storm, Gary has been repairing the old woods mower, asphalt is being torn out of Quam Park, Guardrails will be repaired on Koshkonong Rd., an abandoned home on Rolling View has been cleaned up in the front yard by Public Works, and invoice was sent for the costs of the clean-up, Dane County Zoning sent a warning letter and now will be sending a citation for the same property due to complaints received. They are placing granite mixed with limestone at the Oak Knoll Parking lot.

The brush pile at the yard waste site could be chipped this Thursday. They are looking at adding a gutter in the 2024 budget to be placed along the roof of the garage to deter rain water from flooding the garage floor.

Clerks report of projects and duties.

Clerk Hougan reported out on the daily duties and responsibilities of the office.

Discussion on items to be placed on the next and / or future agenda:

*Supervisor Olson will chair the Sept. 5 Town Board meeting

- Amendment to Chapter 103: Regulation of Fireworks
- Amendment to Ordinance Chapter 70: Building Construction
- Request for stop sign to be placed at Oakview and Burritt Rd.
- Update/direction from Board to Plan Comm on Comp Plan
- Employee Handbook
- Possible Ordinance amendment Chapters 66 & 202

PLAN COMMISSION REPORT (Reports will generally only be reported upon after the Plan Commission has met between Town Board meetings; unless there is additional information to report).

Supervisor Miller reported out all the items were acted upon and discussed at tonight's meeting with nothing further to report.

REPORTS

The Board reviewed the reports included in the packet.

Supervisor Schuck reported out she recently met with Plan Chair Dalsoren and mentioned she was waiting for direction from the Board regarding the updates for the towns land use comp plan. They may look into hiring a consultant.

CORRESPONDENCE

The Board reviewed the correspondence included in the packet,

ADJOURNMENT

Motion by Supervisor Schuller, second by Sup. Olson, to adjourn at 8:04 p.m. Motion carried unanimously.

Respectively Submitted,

Maria "Pili" Hougan

Clerk/Treasurer

Note: These minutes are not considered official until acted upon at a future meeting, and, therefore, are subject to revision.