

**TOWN OF PLEASANT SPRINGS
DANE COUNTY, WISCONSIN**

RECORD OF THE PLAN COMMISSION MEETING

FEBRUARY 8, 2023

MEETING LOCATION: Town Hall, 2354 County Rd N

CALL TO ORDER

Chair Dalsoren called the meeting to order at 6:30 p.m.

PLAN COMMISSION MEMBERS PRESENT: Chair Audra Dalsoren, Vice Chair John Pitas, members Keith Comstock, Nick Pfundheller, Lila Lemanski, Troy Wieser, and Board Liaison Melanie Miller

PLAN COMMISSION MEMBERS ABSENT:

OTHERS PRESENT: Claudia Quam 3107 Sunnyside St, Dick Green 2561 Brown Deer Rd, Paul and Joann Johnson 3093 Sunnyside St, Brenna Dalsoren, Roger Lane Dane Co Zoning, Joe Murray 3084 Sunnyside St, Matt Fleming 33 E Main St #500 Madison, Keton and Marlene Sorenson 4559 Catalina Pkwy McFarland, Travis Dettinger 3245 Token Rd Sun Prairie, James Danielson 3073 Sunnyside.

Virtual Attendees: Tim Miller, Aaron Gross, Leah Lange, "Malcuch", Paul, Jessica Gross, Maria Hougan, others unidentified

MINUTES OF THE JANUARY 11, 2023 PLAN COMMISSION MEETING

Motion by member Wieser, second by member Comstock, to approve the minutes of the January 11, 2023 Plan Commission Meeting. Motion carried unanimously.

PUBLIC COMMENT:

Claudia Quam 3107 Sunnyside opposes the Lange rezone request – cited strict rules for new construction and that it sets a bad precedent

Paul Johnson 3093 Sunnyside opposes the Lange rezone request – concerned the multi-family zoning can lead to tourism rentals

Joe Murray 3084 Sunnyside opposes the Lange rezone request

Tim Miller (via zoom) 3092 Sunnyside opposes the Lange rezone request and all other measures that will allow 2 homes on that lot, including line adjustment

Other residents submitted their opposition to the Lange rezone request in writing. Those were provided to the commission and are on file at the Township office.

BUSINESS

- 1. Discussion and possible action regarding the final CSM from Jessica and Aaron Gross, (Paul Spetz, agent) for a boundary modification between parcels 046/0611-321-8820-0 and 046/0611-8300-8 located at 1781 Oakview Dr and 2745 Yahara Rd.**

Member Comstock moved to approve the final CSM from Jessica and Aaron Gross, (Paul Spetz, agent) for a boundary modification between parcels 046/0611-321-8820-0 and 046/0611-8300-8 located at 1781 Oakview Dr and 2745 Yahara Rd. Member Wieser seconded.

The motion carried unanimously.

The petitioners were informed that the next Town Board meeting will be March 7.

- 2. Discussion and possible action about an informal presentation of Zeteo's concept plans for a possible rezone.**

Travis Dettinger and others from Zeteo presented their plan to build and run a home on Oak Drive for victims of sex trafficking. He has support from the neighbors, as the parcels surrounding the proposed land are owned by the Hauges and they suggested the land for the project. The building and landscape concepts were presented as well as an idea of how the victims will benefit from the 18-month program.

Comstock asked if the 'house parents' who will live on site will be W-2 employees. They will not be – they will be volunteers. Zeteo is a 501c3.

Comstock asked if it will be residential or commercial building codes. Dettinger replied that it will depend on the path to get approved.

Zeteo hopes to complete construction this year and plans to come back with an official request.

3. Discussion and possible action regarding Rezone Request from Leah Lange (Matthew J. Fleming, agent), to rezone the combined approximate 0.29 acres of parcels 046/0611-183-7441-8 and 046/0611-183-7472-1 located at 3094 Sunnyside Street and an unassigned address, Stoughton, WI, from SFR-08 to MFR-08 to bring an existing second dwelling into compliance for rental.

Matt Fleming spoke to the history, saying the unassigned address has been used as a rental for at least 35 years. He handed out documents showing that both units have separate sewer laterals and that it is being assessed/taxed as 2 dwellings.

Mr. Fleming is proposing MFR-08 with a deed restriction of 2 dwellings.

Chair Dalsoren referred to the comprehensive plan, which excludes MFR. She noted that no survey work has been done to see if the previously recommended lot changes would work. She mentioned other zoning changes including changing the lot lines and keeping SFR-08 and TFR-08 with a CUP but with no survey work done those cannot be examined for viability. She has concerns with MFR-08 and Hamlet since the township does not support either of those options.

Dalsoren said that because the applicant applied to Dane County first, the plan commission must make a decision tonight to conform to the 30 day deadline. They cannot table the request while seeking more information.

Roger Lang from Dane County Zoning addressed the deadline, saying the State statute says the town must act 30 days from the public hearing at Dane County. Per the zoning and land regulation rules, it's 90 days after the public hearing before the Zoning department has to inquire to the township why action has not happened (per Roger Lane in a subsequent discussion, it's 60 days, not 90). The state statute is there to insure timely action by townships.

The commission discussed the problems of no building permits being pulled on the second dwelling since at least 1980, other than electrical work in 2005. An example was cited where a dwelling was added to the second level of an outbuilding on Rinden Road. When it was discovered, the owner had to remove the upper level.

Comstock noted that when Lange purchased the property, it was marketed as having 2 dwellings. He also noted that the second structure is non-compliant for setbacks and that setbacks are there for public safety.

Miller circled back to the comprehensive plan, which excludes MFR zoning.

Member Comstock moved to deny the Rezone Request from Leah Lange (Matthew J. Fleming, agent), to rezone the combined approximate 0.29 acres of parcels 046/0611-183-7441-8 and 046/0611-183-7472-1 located at 3094 Sunnyside Street and an unassigned address, Stoughton, WI, from SFR-08 to MFR-08 to bring an existing second dwelling into compliance for rental. Pitas seconded.

Dalsoren suggested adding that the second structure needs to have the items removed that make it a dwelling.

Comstock and Pitas agreed to that amendment. The motion now is:

Member Comstock moved to deny the Rezone Request from Leah Lange (Matthew J. Fleming, agent), to rezone the combined approximate 0.29 acres of parcels 046/0611-183-7441-8 and 046/0611-183-7472-1 located at 3094 Sunnyside Street and an unassigned address, Stoughton, WI, from SFR-08 to MFR-08 to bring an existing second dwelling into compliance for rental. Additionally, the items that were added to the second structure to make it a dwelling must be removed. Pitas seconded.

The motion carried unanimously.

4. Discussion and possible action regarding Dane County Zoning Ordinance Amendment #57 regarding cell towers (set-backs and application requirements). Deadline to respond to Dane County is Thursday, Feb 23, 2023.

Roger Lane explained the amendments, which include a search ring requirement so that cell towers are not built redundantly and a 1 to 1 setback that makes the height of the cell tower the minimum setback amount.

Comstock moved to support the Dane Co. Zoning Ordinance Amendment #57 regarding cell towers. Pitas seconded. The motion carried unanimously.

Review of Building Inspectors reports issued in December 2022.

The Plan Commission reviewed the December 2022 Building Inspector's reports.

Report from Town Board liaison, Melanie Miller, concerning any Plan Commission agenda items discussed or acted upon by the Town Board.

Miller reported that the Town Board approved the preliminary CSM from Gross, which the final CSM was voted on tonight.

Miller reported that the Open Book date will be April 6 and the Board of Review will be May 11.

Communications / Correspondence

The Plan Commission reviewed communications and correspondence.

Agenda items for future Plan Commission meeting(s):

- **Plan Commission member training** (Dalsoren suggested training after the April Election)
- **Review of Comprehensive Plan (on-going as available or necessary)**
- **Greenbriar proposal (we are to notify those opposed if anything comes in about the proposal) – Dalsoren directed staff to look into procedure for requests that are over a year old, to see if we can remove this item from the agenda.**
- **Any other items as needed, submitted, or requested**

ADJOURNMENT

Motion by member Pitas, second by member Pfundheller, to adjourn at 7:53 p.m.

Motion carried unanimously.

Respectfully submitted:

Laura Trotter

Deputy-Clerk/Treasurer

Recording #29