

Town of Burke
Plan Commission Minutes
January 11, 2012
5:30 p.m.

Members Present: Mike Vraniak, Chairperson; Robert Hess; Joan Stoflet; Marv Urban and George Walsh. Excused: Christie Legler. Others Present: Brenda Ayers, Clerk/Treasurer and Anne Anderson, Town Engineer. See attached list for other interested parties in attendance.

1. The meeting was called to order at 5:30 p.m. by Vraniak.
2. Discuss/possible action concerning a CSM and rezone petition submitted by Keith Walrack to combine two parcels currently zoned R-1 and A-1 into one lot zoned R-1 for the purpose of building an accessory building without a principal residence, property located at 3775 Elna Road, Madison, WI (parcel numbers 0810-104-4101-8 and 0810-104-8850-4). The applicant was asked if he had any new information to report regarding the petition. Tim Riley, attorney for the applicant, explained that the lots are currently zoned A-1 and R-1 and that Mr. Walrack is applying to create a one lot CSM zoned R-1. Mr. Riley asked if the commission members needed copies of the CSM. The commission members informed Mr. Riley that they had the documentation in their possession and had been working with Mr. Walrack on this for a while.

Motion: Hess/Stoflet to move that the Plan Commission recommend the Town Board disapprove the petition submitted by Keith Walrack to combine two parcels currently zoned R-1 and A-1 into one lot zoned R-1 for the purpose of building an accessory building without a principal residence, on the property located at 3775 Elna Road, Madison, WI (parcel numbers 0810-104-4101-8 and 0810-104-8850-4 based on the following reasons: 1) combining the lots and rezoning the property and constructing the proposed accessory building would prevent a residence from being built on parcel 0810-104-4101-8 which would have an adverse affect on the tax base of the Town and inventory of lots for single family homes 2) per Section 10.05 (1) (d) of the Dane County Zoning Ordinance, uses and buildings clearly incidental and necessary to a permitted use on the premises are allowed on the property however, the petitioner has previously stated before the Commission that he intends to store non-residential items on the property including equipment which would be considered construction equipment in the Dane County Zoning Ordinance 3) the petitioner has previously stated that he intends to store a truck believed to be in excess of 12,000 pounds in the proposed shed on the property which is prohibited under Chapter 10.18 (8) (e) (4) and (5) of the Dane County Zoning Ordinance 4) and the petitioner has previously stated that he intends to store items on the property which would not be allowed pursuant to Section 10.20 of the Dane County Zoning Ordinance. Motion carried.

3. Discuss/possible action concerning a preliminary plat submitted by Wood Ger Development property located at the corner of Burke Road and Reiner Road (parcel numbers 0810-243-4001-0, 0810-243-4004-0, 0810-234-4007-0, 0810-243-4010-0, 0810-243-4013-0, 0810-243-4016-0, 0810-243-4019-0, 0810-243-4022-0, 0810-243-4025-0, 0810-243-4028-0 and 0810-243-4031-0).

Dan Birrenkott, surveyor for the applicant, and Mike Calkins, engineer for the applicant, were present to answer questions. Anne Anderson reported her concerns about the Stormwater and Erosion Control plan specifically relating to the runoff calculations and how the outflow and inflow volumes are not equal. She also noted her concern about high groundwater if infiltration is used to meet the Town's peak flow requirements. Calkins stated that he agreed and he will do the necessary calculations to include the modeling of the water flowing through. Vraniak noted that the answer to item (a)(1) on the "Preliminary Checklist for Environmental Assessment of Land Divisions and Community Development Plans" was answered incorrectly and it should be changed to yes. Hess noted that the Declaration of Covenants should be revised to include the rezone restrictions imposed by the Town Board in May. Hess also noted that the Town is in favor of a berm on the plat to reduce noise. Stoflet noted that the plan includes a cul-de-sac at the end of Maly Road and asked about the engineering plans for the improvements. Walsh inquired about connecting both ends of Maly Road. Woods reported that the neighboring property owner is in favor of the extension going through his land. Woods also suggested that the Town pay for the extension of the road. Hess noted that the Town will provide their specifications for the road but will not pay for the extension. Motion: Hess/Stoflet to move that the Plan Commission recommend the Town Board approval of the Wood Ger Preliminary Plat with the following conditions:) the applicant revises the Environmental Assessment checklist item (a) (1) from a "no" answer to "yes" 2) applicant revises the "Declaration of Covenants, Restrictions and Conditions" to include the conditions of the rezone as approved by the Town Board on May 4, 2011 3) applicant provides an easement allowing the Town to access and maintain the stormwater ponds and notation of the easement on the plat 4) submittal of the street plan and profile for Maly Road per section 10-2-31 (f) of the Town Land Division and Subdivision Code 5) town engineer's approval of the Plat, Stormwater plan and Maly Road Street plan and any conditions thereof 6) town attorney's approval of the "Declaration of Covenants, Restrictions and Conditions" and any conditions thereof 7) compliance with any conditions to the Plat as required by Dane County and the City of Madison. Motion carried.

4. Update on the DeForest ETZ. The ETZ has not met since September 13.
5. Approval of minutes from December 14, 2011. Motion: Hess/Walsh to approve the minutes as presented. Motion carried.
6. Adjourn. Motion: Stoflet/Hess to adjourn. Meeting adjourned at 6:12 p.m. Motion carried.

Brenda Ayers
Clerk/Treasurer
02/13/2012