

MINUTES

Capital Area Regional Planning Commission

October 8, 2009

City-County Building Rm 315, 210 MLK Jr Blvd, Madison WI

7:00 p.m.

Present: Zach Brandon, Curt Brink, Kristine Euclide, Martha Gibson, Harold Krantz, Ed Minihan, Jeff Miller, John Murray, Phil Van Kampen

Absent: Steve Hiniker, Sally Kefer, Larry Palm, Kurt Sonnentag

Staff Present: Chris Gjestson, Mike Kakuska, Kamran Mesbah, Mike Rupiper, Bridgit Van Belleghem, Barbara Weber

1. Roll Call

Chair Miller called the meeting to order at 7:09 p.m.; roll was recorded.

2. Approval of minutes of the September 10, 2009 meeting

Moved by Ms. Euclide, seconded by Mr. Minihan, to approve the minutes of the September 10, 2009 meeting. Motion carried 7-0 on voice vote (Messrs. Krantz and Miller abstained due to absence from the meeting).

3. Review of agenda

There were no changes proposed for the agenda.

4. Public comment for items not on the agenda

Gary Werner, 2302 Lakeland Ave., Madison, representing Capital Region Advocacy Network for Environmental Sustainability (CRANES), spoke about sustainable urban design approaches on the East Coast, and requested that the Commission keep pushing improvement of development standards. He requested that CARPC encourage staff to stay informed on best management practices.

Jon Becker, 4233 Kenwood St., Madison, representing CRANES, expressed support for the CARPC Executive Committee recommendation to provide a 30-day period of public review of staff analyses of USA amendment requests; he indicated that the policy change would be a good start, and expressed hope that more time would be provided for larger or more complex USA amendments. He stated that CRANES had initially supported a one-year review period, which was based on personal experience in Friends of Cherokee Marsh. He described extreme weather and impacts of climate change on the eastern seaboard, and stated that conditions similar to these need to be taken into account in the Commission decision-making process.

Arnold Harris, 3427 County Rd. P, Mt. Horeb, representing Western Dane Coalition for Smart Growth and Environment, requested that CARPC consider inviting advocacy groups such as the Coalition and CRANES to make informational presentations on development issues.

Bruce Sylvester, 111 Lincoln St., Verona, representing City of Verona, described the inconsistency in the arguments of those individuals and entities who are now advocating

for longer public review periods, when the same individuals and entities were encouraging CARPC action on its USA policies and criteria in February 2008 without delay.

5. New business

None.

6. Consideration of Resolution CARPC No. 2009-10 amending the *Dane County Land Use and Transportation Plan* and *Dane County Water Quality Plan* by revising the *Verona Urban Service Area* boundary and *Environmental Corridors* in the *Town of Verona*

Steve Gaffield, Montgomery Associates, 119 S. Main St., Cottage Grove, registered in support of the proposal and was available for questions. Jon Becker, 4223 Kenwood St., Madison, registered in opposition to the proposal. Mr. Mesbah referred to the staff Executive Summary provided in the meeting packet, which proposes that the issue of stormwater volume control be referred to the body's Environmental Resources Technical Advisory Committee (ERTAC). The issue was raised by the Verona study which had been conducted at the request of WDNR, and was a critical decision-making element of the Verona USA amendment proposal.

Moved by Mr. Brandon, seconded by Ms. Gibson, to refer the volume control issues for the proposed amendment to ERTAC, and action on the Verona proposal be deferred until ERTAC has provided a recommendation to CARPC by April 2010. Mr. Miller reported that he had met with Mr. Mesbah, Verona Mayor Hochkammer and Verona Planning Director Bruce Sylvester, to discuss the staff recommendation, and ensure that the City was willing to have an independent third party review. Mr. Brandon stated that the intent of the motion was to refer a specific technical question in a unique situation; he hoped legitimate policy questions would not be referred to other bodies, and commissioners would not use referral as an excuse to defer action. Ms. Euclide expressed support for referral so that staff would be in a position to make a recommendation on the proposal; she asked how ERTAC recommendations would be conveyed. Mr. Mesbah stated that CARPC staff would prepare written reports at the direction of ERTAC to convey technical (non-policy) recommendations on standards. Motion carried unanimously on voice vote.

7. Village of DeForest presentation on preliminary proposal to amend the Northern Urban Service Area

Mark Roffers, Vandewalle & Associates, 120 E. Lakeside St., Madison, made a PowerPoint presentation on the preliminary conceptual proposal for an addition of approximately 679 acres in three areas of the Northern Urban Service Area in the Village of DeForest. The proposed Country View Estates neighborhood would add 306 acres on the north side of the village; the Three Bridges neighborhood would add 48 acres on the west side; and the Bear Tree area would add 325 acres of office, research and commercial land uses northeast of the USH 51/STH 19 interchange.

Mr. Roffers responded to questions. Ms. Gibson expressed concern for the loss of a substantial amount of prime agricultural land. She asked about the proposed residential density; Mr. Roffers stated that the range was consistent with the historic densities of the village, but the applicant would work with CARPC staff to review ways to increase it. He stated that the village encouraged compatibility of new and existing development; the approximate housing mix was currently two-thirds single-family detached housing and

one-third attached, so the village encouraged developers to maintain 65% single-family detached.

Mr. Minihan expressed concern for lake level impacts on Yaraha Lakes; Mr. Miller stated that the Village understood the dangers of increased runoff in the upper Yahara watershed, and was reviewing partnerships to address different approaches of control. Mr. Minihan asked if the Village held inter-governmental agreements with surrounding towns; Mr. Miller stated that it had a boundary agreement with Vienna and a settlement agreement with Windsor which may lead to future agreements, and provides support for the land use plans of each community. Mr. Roffers added that the Village also had an agreement with the Town of Burke.

Ms. Euclide stated that based on scale of the proposal, it was important to know what was planned for the developable areas already in the NUSA. Mr. Roffers noted that each of three amendment areas were being proposed to CARPC concurrently for efficiency, but each could be considered independently if CARPC preferred.

There were no other questions or comments. Mr. Miller asked commissioners to forward additional comments and concerns to staff.

Kevin Richardson, 4084 Mueller Rd., DeForest, representing Town of Windsor, registered support for the proposal. He noted that the Town of Windsor would be submitting a NUSA amendment proposal for the northern Bear Tree area in the near future.

8. Consideration of temporary withdrawal from Wisconsin Brownfields Coalition and authorization to apply to the US Environmental Protection Agency for a FY2010 community-wide Brownfields Assessment Grant of \$400,000

Mr. Mesbah described how the grant could supplement the Commission FUDA process by assessing underutilized urban areas for redevelopment and re-use. If awarded, about \$120,000 of the grant would be used by CARPC directly; the remainder would pass through for contractual work. Mr. Brandon confirmed with staff that withdrawal would not impact potential revenue for CARPC or other local units of government in the county. Moved by Mr. Murray, seconded by Mr. Van Kampen, to temporarily withdraw from WBC and authorize CARPC application for the grant. Motion carried unanimously on voice vote.

9. Consideration of disseminating draft Farmland Loss Mitigation report for public review and comment

Ms. Van Belleghem stated that the draft had been subject to peer review, as approved by CARPC in May, and she described the major comments and changes. She responded to questions from commissioners. Motion by Ms. Gibson, second by Mr. Brandon, to disseminate the draft report for public review and comment.

10. Communications

Three items were provided at members' places: 1) memo dated Oct. 6, 2009, from Western Dane Coalition for Smart Growth and Environment, requesting denial of the Verona USA amendment proposal; 2) letter dated Oct. 8, 2009, from Patrick Lytle, P.E., expressing support for approval of the Verona proposal; and 3) letter dated Oct. 7, 2009, from Robert Phillips, Interim City Engineer, City of Madison, expressing concern about the proposed CARPC staff conditions of approval for the Verona amendment request.

11. Report of Chair / Discussion**a. Report on Executive Committee meeting of October 8**

Mr. Miller reported that the Executive Committee approved payment of bills and discussed CARPC policies on public participation. The Executive Committee did not recommend an *ex parte* communication policy, but would make a recommendation to CARPC at the next meeting that staff analyses of USA amendment requests be made available for public review no less than 30 days prior to public hearing.

12. Report of Deputy Director / Discussion

Mr. Mesbah stated that staff were working on preliminary FUDA planning for Verona, Brooklyn and DeForest. The second public meeting on FUDA in Verona was to be held on October 21; after a planned third meeting, David Greene would provide an update to the Commission on the Verona FUDA planning progress.

13. Future agenda items

Mr. Miller noted that the next agenda will include an Executive Committee recommendation on USA amendment public hearing procedures, and consideration of appointment of Mr. Van Kampen to the Personnel Committee.

14. Adjournment

Moved by Ms. Gibson, seconded by Mr. Murray, to adjourn; motion carried at 8:27 p.m.

Recorded by Chris Gjestson