

MINUTES

Capital Area Regional Planning Commission

March 13, 2008

City-County Building Rm 201, 210 MLK Jr. Blvd., Madison WI

7:00 p.m.

Present: Zach Brandon, Joe Chase, Kristine Euclide, Martha Gibson, Kris Hampton, Carlton Hamre, George Kamperschroer, Sally Kefer, Harold Krantz, Jeff Miller, Larry Palm, Kurt Sonnentag

Absent: Anne Sayers

Staff Present: Chris Gjestson, Mike Kakuska, Kamran Mesbah, Barbara Weber

1. Roll Call

Mr. Miller called the meeting to order at 7:01 p.m.; roll was recorded.

2. Approval of minutes of the February 28, 2008 meeting

Moved by Ms. Euclide, seconded by Mr. Hampton, to approve the minutes of the February 28, 2008 meeting. Mr. Kamperschroer stated that under the Chair's Report, he had reported on the first meeting of the Executive Committee. Ms. Kefer requested a grammatical correction to the last sentence of the third paragraph in agenda item #4 Public Comment, to be amended to indicate that Commissioners make *decisions on* difficult and controversial issues. Motion to approve as amended carried, with Mr. Miller abstaining.

3. Review of agenda

No change.

4. Public comment for items not on the agenda

Jerry Derr, President, Dane County Towns Association (DCTA), registered to speak. Mr. Derr stated that until the February 28 meeting the DCTA was optimistic about the direction of the CARPC, but was now only guardedly optimistic. DCTA was concerned about the CARPC decision to proceed with its proposed policies and criteria, but was confident that the Commission would work with interested parties to refine the policies to address their concerns.

Tom Clauder, President, Dane County Cities and Villages Association, registered to speak. Mr. Clauder stated that the mayors in the county were not happy with the result of the February 28 meeting. He stated he had received calls from cities and villages who wanted to dissolve the CARPC; he did not support that approach. He requested that the Commission work together and not act divisively.

Caryl Terrell, 19 Red Maple Trail, Madison, submitted written comments and registered to speak. Ms. Terrell requested that in order to make the urban service area amendment process as transparent as possible, it would be helpful if the Commission required USA amendment applicants to submit their application materials in PDF format so that interested parties could have access to the complete application online.

5. New business

None.

6. Consideration of Resolution CARPC No. 2008-4 Amending the *Dane County Land Use and Transportation Plan* and *Dane County Water Quality Plan* by Revising the Deerfield Urban Service Area Boundary and Environmental Corridors in the Town and Village of Deerfield

Mr. Mesbah made a PowerPoint presentation on the amendment request, which proposes to add 209 acres to the Deerfield USA, including 44 acres of environmental corridors and 29 acres of existing residential development located in the town, for a net developable addition of 128 acres for about 425 housing units and 1,000 people. He described the physical area of the amendment request, the proposed plans to provide urban services, the impacts of the proposal, its consistency with CARPC goals and policies, and the conditions and recommendations of the staff analysis. Commissioners asked questions of Mr. Mesbah.

Mr. Miller opened the public hearing. John Matthews, President, Village of Deerfield, PO Box 33, Deerfield, registered and spoke in support of the proposal. Mr. Matthews described the importance of the proposal, which would provide growth to support a viable grocery store. He described the positive relationship with the Town of Deerfield, with whom the Village was working on boundary and revenue-sharing agreements.

Paul Haag, Trustee, Village of Deerfield, PO Box 13, Deerfield, registered and spoke in support of the proposal. Mr. Haag described the importance of the growth provided by the proposal to prevent further budget cuts to the school district. He stated that the Village was required to replace its sewer treatment plant, and now needed additional users to help pay for it.

Michelle Jensen, Superintendent, Deerfield School District, 3644 Saddle Ridge, Deerfield, registered and spoke in support of the proposal. Ms. Jensen described the financial challenges associated with decreasing enrollment in the school district, and the importance of the proposal to provide increased enrollment. She described the loss of school employment, increased class sizes and decreased programs and services, and the district's diminishing fund balance.

Gary Blazek, Vierbicher Associates, 999 Fourier Dr., Madison, registered and spoke in support of the proposal. Mr. Blazek described the stormwater drainage of the amendment area, and the proposed stormwater facilities. He stated that there were no problems with the five conditions of the staff analysis. He answered questions from Commissioners.

Warren Myers, Town & Country Engineering, 325 Verona Rd., Madison, registered and spoke in support of the proposal. Mr. Myers provided an overview of the Village public works. He stated that the Village did not have problems with the CARPC staff analysis recommendation on street connectivity. He described the existing and proposed water distribution system and sanitary sewer system, and described stormwater management measures. He stated that the Village had adopted the Dane County Erosion Control and Stormwater Management ordinance and strengthened it, including requiring control of runoff from the 100-year storm to pre-development rates.

Bill Preboski, 1716 Rustic Dr., Sun Prairie, representing the Village of Deerfield, registered and spoke in support of the proposal. Mr. Preboski described the proposed residential use. He identified areas in the village available for residential development. Two of the three areas were already platted with lots which would provide new housing for about five years; the third was located in the first phase of the proposal. The proposal would provide housing for approximately the next ten years, and would also allow for development of a vacant area currently in the USA. He stated the proposed density was higher than the village's current density.

Commissioners posed questions of the speakers. Ms. Euclide asked if the five conditions and five recommendations were acceptable. Mr. Myers stated that the conditions were acceptable, and some of the recommendations were acceptable and some would require action by the Village Board to expend funds. An exhaustive review of the preliminary development plan would not be done until the USA amendment was approved.

Dan Birrenkott, PO Box 237, Sun Prairie, representing Don Tierney, registered and spoke in support of the proposal. Mr. Birrenkott describe the proposed trail system which would connect with the development.

Dalton Schrieber, Trustee, Village of Deerfield, 8 Legreid, Deerfield, registered and spoke in support of the proposal. Mr. Schreiber stated that the Village supported all the recommendations of the staff analysis; he described each of the recommendations and the Village's plans to address them.

Don Tierney, 3564 Egge Rd., DeForest, registered and spoke in support of the proposal. Mr. Tierney described the purchase of the property for development, which included the Village securing areas for stormwater management and parkland. He stated that the infiltration technology used in his Waunakee development would be used in this development. He described the importance of communities working together. Ms. Kefer asked if he was committed to working with the Village on conducting an ecological survey and follow-up plan for the woodland area, referenced in the staff recommendations. Mr. Tierney stated yes, and invited Commissioners to observe his past development project in Waunakee. He stated that retaining some trees may decrease gross residential density. Ms. Euclide asked if Mr. Tierney agreed with the recommendation that conservation design with higher densities be considered if the ecological survey indicated a healthy woodland habitat. Mr. Tierney answered yes.

David Dinkel, 33 N. Main St., Deerfield, representing Ramon Storlie, registered to speak. Mr. Dinkel stated that the Storlie farm had land within the village and on the north side within the township, and would be the first farm to receive runoff from the proposed development. He stated that Mr. Storlie did not oppose nor did he support the proposal, but did not have enough information in order to have an opinion.

Jeffrey Quamme, member, Deerfield Plan Commission and Joint Review Board, 232 Kleine St., Deerfield, registered and spoke in support of the proposal. Mr. Quamme described the housing and density standards of the Village, and the importance of the community center which would be supported by the growth resulting from the proposal.

Art Mikkelson, Supervisor, Town of Deerfield, 3428 Thorstad Ln, Deerfield, registered and spoke in support of the proposal. Mr. Mikkelson stated that he did not oppose the proposal, but was concerned by the potential increase in runoff and flooding. He proposed that Natural Resources Conservation Service review and comment on the proposal.

Mike Lawton, 740 Regent St, Madison, representing Don Tierney, registered and spoke in support of the proposal. Mr. Lawton stated that the condition of the staff analysis to retain a stormwater easement from the property owner to the north would not pose problems given Mr. Tierney's expertise in stormwater management issues for residential developments; he expected the process to secure the easement would include the Town, Village, landowners and developers.

The following individuals registered in support of the proposal: Dean Otte, PO Box 66, Deerfield, representing Village of Deerfield; Mark Treuden, 3405 Sunny Ln., Deerfield; Scott Tebor, Trustee, Village of Deerfield, 326 S. Atwood Ln., Deerfield; Kristin Wilke, 28 N. Main St., Deerfield; Joanne Tierney, 3564 Egge Rd., DeForest; Ron Hommen, 3752 Oak Park Rd., Deerfield; Connie Anderson, 1 N. Pinckney #200, Madison, representing Village of Deerfield; David Moll, 708 Kings Lynn Rd., Stoughton; and Don Hoffman, 6230 Kuehn Rd., Waunakee.

Mr. Miller closed the public hearing. Commissioners asked questions of staff. Ms. Euclide asked staff to check if NRCS would review the proposal on an advisory basis.

Moved by Mr. Hamre, seconded by Mr. Hampton, to approve Resolution CARPC No. 2008-4 with the conditions and recommendations of the CARPC staff analysis dated March 6, 2008. Motion carried 12-0 on roll call vote.

7. Authorizing staff to enter into a contract for performance of transportation planning services by the Madison Area Transportation Planning Board.

Moved by Mr. Brandon, seconded by Mr. Palm, to authorize entering into the contract with MATPB. Motion carried unanimously.

8. Authorizing staff to enter into contracts with the cities of Middleton and Madison for Water Resource Monitoring Activities cost sharing

Moved by Mr. Brandon, seconded by Mr. Hampton, to authorize entering into the contracts with the cities of Middleton and Madison. Motion carried unanimously.

9. Presentation on Phase 2 of the Dane County Water Body Classification Project

Brian Standing, Senior Planner, Dane County Department of Planning and Development, made a presentation on the project. A list of "Frequently Asked Questions" was provided at the Commissioners' places.

10. Presentation on CARPC Draft Wetland Guide and authorizing staff to disseminate review copies of the Guide

Mr. Kakuska made a PowerPoint presentation on the Guide. Moved by Mr. Brandon, seconded by Mr. Hampton, to disseminate review copies of the Guide. Motion carried unanimously.

11. Discussion of how CARPC meeting agenda items are determined and how Resolutions are drafted

Ms. Euclide stated that resolutions might be drafted by staff at the direction of the Commission, or at the direction of a committee. She suggested that staff's role was to provide analysis and options to be considered by the Commission; she described the importance of having the Commission make policy decisions, and to avoid having the Commission adopt resolutions which were drafted by staff without options or discussion by the body. Ms. Gibson asked that substantive changes not be made to the agenda shortly before the meeting date. Mr. Miller described the importance of staff providing recommendations, since the policy board relies upon their expertise. Mr. Sonnentag concurred, and stated that it was the role of staff to provide information and recommendations. Discussion continued. Mr. Miller stated that it appeared that the majority expressed a desire for staff to continue to provide recommendations, but take into consideration the suggestions of those Commissioners who would like to review options and not have staff draft policy without direction. He stated that the Commission should have as much time as possible to review resolutions drafted by staff.

12. Communications

Ms. Weber provided to Commissioners the USA amendment application submittals from the City of Middleton and Village of Marshall for their USA amendment hearings on March 27.

13. Report of Chair / Discussion

Mr. Miller asked for an update on the March 13 Personnel Committee meeting. Ms. Gibson stated that the Committee reviewed and would recommend approval of the Community/Environmental Planner and Junior Planner position descriptions, but hiring the Junior Planner needed further discussion on whether or not it was tied to the recruitment of the Executive Director. Mr. Miller described the Budget and Personnel Panel's (BPP) recommendation to delay the Executive Director, appoint Mr. Mesbah as Acting Director, and to hire an LTE Junior Planner to help with the planning workload. Discussion continued. Mr. Miller stated that if the Commission desires to move forward with Executive Director recruitment, it should communicate that desire to the BPP. Mr. Mesbah stated that after deliberating over the offer, he decided he would prefer to remain as Deputy Director while performing the duties of the Executive Director (as outlined in the job description of the Deputy Director) and not be appointed as Acting Director. Mr. Miller stated that the topic would be discussed further at the next Personnel Committee meeting, and should be added to the next CARPC agenda.

14. Report of Deputy Director / Discussion

Mr. Mesbah reported on staff activities, and stated that the Request for Proposal for legal services had been submitted to the state Bar website and to a number of firms. Mr. Krantz stated that the Town of Albion had notified him that they had submitted a request to amend their LSA three years ago, but were still waiting for a response. Mr. Mesbah stated that staff had been in contact with Town representatives and consultants but a completed application had not been received from the Town; they would be scheduled for hearing once a complete application was received.

15. Future agenda items

Mr. Brandon requested that the Commission or Executive Committee discuss Open Records, how they are maintained, and who is responsible for their retention, so Commissioners are concisely aware of their obligations under the law. In addition, a discussion should be held on disclosure of lobbyists who contact Commissioners. Mr. Miller agreed, and suggested the discussion be held by the Executive Committee. Mr. Kamperschroer stated that the Commission should discuss the Advisory Group to be created to solicit input by local units of government on the policies and criteria. Ms. Euclide asked to discuss the request to have available in PDF format all USA amendment application materials. She suggested that representatives of Dane County Lakes and Watershed Commission be invited to attend a future CARPC meeting to discuss the roles of the two entities and how they inter-relate.

16. Adjournment

Moved by Mr. Hampton, seconded by Mr. Krantz, to adjourn. Motion carried at 10:02 p.m.

Recorded by Chris Gjestson