

MINUTES

Capital Area Regional Planning Commission

September 27, 2007 DeForest Area Senior & Community Center, 505 N. Main St., DeForest WI 5:00 p.m.

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

Absent: Harold Krantz, Anne Sayers

Staff Present: Chris Gjestson, Mike Kakuska, Kamran Mesbah, Steve Wagner, Barbara Weber, and Bill Rizzo (Dane County UW-Extension)

1. Roll Call

Interim Chair Miller called the meeting to order at 5:10 p.m.

2. Approval of minutes of the September 13, 2007 meeting

Moved by Mr. Sonnentag, seconded by Mr. Hampton, to approve the minutes of the September 13, 2007 meeting. Motion carried unanimously.

3. Review of agenda

No changes.

4. Public comment

Richard Bloomquist and Dave Batterman, representing Badger Utility, Inc., 4334 Daentl Road, DeForest, registered to comment. Mr. Batterman distributed an aerial map of the Badger Utility property, located in the Town of Burke on Daentl Road adjacent to USH 94/90. Mr. Bloomquist identified himself and Mr. Batterman as two of three co-owners of the business, a semi-trailer dealership with facilities on the parcel since 1978. The facilities were undergoing substantial additions and improvements, including the completion of grading and plumbing, in order to provide water and public sewer with the understanding that the parcel was within the urban service area (USA). It was subsequently discovered that the parcel was not within the USA, and would require an amendment prior to the extension of services. Because of the late notice, and the planned addition of new employees to occupy the facility, further delays in the extension of sewer and water service would represent a significant burden on the business. Michael King, CAPD Division Administrator, had indicated that the CARPC might be able to consider the amendment at their November 8 meeting. The Village of DeForest and the Town of Burke have both indicated support for the amendment, and all application materials have been provided to CAPD staff (submittal was deemed complete as of 9/25/07). The lot had an existing stormwater pond, was adjacent to existing USA boundaries on three sides, and should be a relatively simple amendment.

Mr. Mesbah noted that if the Commission acted to approve the amendment at its November 8 meeting, the earliest the facility could be occupied would likely be mid-December, after DNR had granted approval. Mr. Bloomquist stated that was not preferable, but would be acceptable. Mr. Mesbah asked if a mid-January occupancy was acceptable. Mr. Bloomquist stated that would be a problem because of the need to make the facilities available to new employees, to begin using all the service bays, and to begin other renovations. Commissioners asked questions of the registrants. Mr. Hampton asked if the current on-site

septic system was sufficient for continuing operations. Mr. Bloomquist answered yes, but would require cost-prohibitive investments in grinder and lift pumps and additional trenching. Mr. Hamre noted that the USA amendment appeared to be minor, and represented more of an “update” rather than an amendment. There were no other registrants.

5. Public hearing: Adoption of the 2008 CARPC budget

Mr. Miller opened the public hearing. There were no registrants or submitted comments regarding the budget. He closed the public hearing.

6. Consideration of Resolution CARPC No. 2007-3 adopting the 2008 CARPC budget

Moved by Mr. Hampton, seconded by Ms. Gibson, to adopt Resolution CARPC No. 2007-3 adopting the 2008 CARPC budget. Motion carried unanimously.

7. Update on CARPC Executive Director Recruitment

Mr. Miller stated that Commissioners had been notified by e-mail on Tuesday (September 25) that Michael King had withdrawn his candidacy for the CAPD Executive Director position. Mr. Miller had urged Mr. King to reconsider, but he would not for personal reasons. Discussion followed, including on the status of the recruitment process, as provided by Mr. Mesbah who indicated two qualified applicants remained as of 9/27 after Mr. King’s withdrawal. Ms. Euclide noted that three names were required by the Budget and Personnel Panel (BPP) for consideration. Mr. Hamre indicated support to continue recruitment until three qualified candidates had applied. Members discussed. (Mr. Hamre left for another meeting.) Mr. Miller noted that the deadline had not yet passed, but stated that he could seek guidance from the BPP chair on whether two names were sufficient; concurrently, staff should schedule the five-member Grading Panel to review and grade the applications and questionnaires received by the 9/28 deadline, and report back to the Commission at its next meeting. There were no objections. (Messrs. Brandon and Palm arrived.)

8. Consideration of purchase of insurance

Mr. Gjestson referred to the information provided in the agenda packet describing three quotes received by staff for insurance coverage for the CARPC General Liability and Directors and Officers liability exposures. He noted that Mr. King suggested that the Commission consider the most cost-effective quote from Fish and Schulkamp, Inc., 2117 Sherman Ave., Madison, after review of the policy language by Dane County corporation counsel to identify and potential issues or gaps in coverage. Moved by Mr. Palm, seconded by Mr. Sonnentag, to purchase the policies quoted by Fish and Schulkamp, Inc., conditioned upon review by Dane County corporation counsel. Motion carried unanimously.

9. Continuation of Workshop #1, Part B: Discussion of “current” goals and objectives from the *Dane County Land Use and Transportation Plan*

1. Review/discussion of goals and objectives and identification of areas of “disagreement” and what interim policies or policy approaches the Commission could use to review urban service area amendments.

Mr. Rizzo facilitated discussion by Commissioners continued from the September 13 meeting. Commissioners agreed to review all objectives and to assume all would remain as written, unless specifically proposed otherwise by a Commissioner.

Mr. Brandon asked about the rationale behind the deletion of “downtown Madison” in Goal #7, as suggested at the September 13 meeting. Ms. Euclide stated, Ms. Kefer concurred, that she understood the change to have been to replace “downtown Madison” with “a central

urban core,” so it might include other areas other than “downtown Madison.” Mr. Kamperschroer noted that the proper name had been proposed to be deleted because no other community names were referenced in the goals and objectives. Mr. Brandon described the importance of providing a specific, affirmative reference to downtown Madison in order to recognize its importance in the regional economy. Not doing so might risk central urban blight similar to other cities where support for downtown areas has declined while resources shift to suburban areas. Discussion followed. Commissioners voted 5-4 by “thumb-check” to replace “downtown Madison” with “a central urban core.” Discussion continued.

Mr. Mesbah reminded Commissioners that the objectives were to encourage, rather than mandate, actions in support of the goals. Discussion continued.

Mr. Brandon asked if the county-wide housing plan referenced in Objective #49 had been completed. Mr. Mesbah answered yes, a plan had been developed by the Dane County RPC and subsequently by Dane County and the City of Madison. Mr. Brandon suggested the part of the objective to develop a housing plan could be removed. Ms. Euclide agreed, but other parts of the objective were appropriate to keep. Mr. Kamperschroer noted that some of the language was already included in Objective #48; Mr. Palm suggested merging the two, without including “f” regarding coordination of housing services, since it would not be practicable as a Commission objective. Mr. Brandon suggested that “c” should also be removed, since requiring “safe” housing did not appear necessary as a Commission objective. Mr. Palm asked staff to propose merged language, without “c” or “f.” Mr. Brandon asked that staff consider replacing “affordable housing” with “attainable housing,” since the term “affordable” held different meanings among different individuals, and could be misconstrued to mean only low-income housing. There were no objections. Discussion continued.

Mr. Palm suggested that Objective #51 could appropriately be included in the 48/49 merged objective, because of their common themes. Mr. Mesbah stated staff could propose language. Members agreed unanimously to briefly recess for dinner.

Discussion continued. Mr. Miller asked staff to check if the Isthmus 2020 Citizens Advisory Committee recommendation referenced in Objective #63 was referenced in the regional transportation plan. Mr. Hampton suggested that “a” in Objective #67 to provide “a lesser amount of development in towns than at present” could be deleted; most town development utilizes on-site septic outside Commission purview. Mr. Mesbah explained that the intent of the objective was to encourage the reduction of the percentage of development in towns to preserve rural areas (areas not served by public sewers). Ms. Euclide suggested that “b” in 67 referencing environmental factors should include “water quality.” Ms. Gibson suggested that “a” be amended to change “amount” to “proportion,” to make clear that the intent is to not reduce current development in rural areas, but to indicate a lesser rate of growth compared to urban areas. Members agreed to both changes. (Mr. Chase arrived.)

Ms. Euclide referred to the Dane County Comprehensive Plan goal (Goal 9, 7/2/07 review draft) to identify and protect agricultural areas suitable for long-term preservation, and suggested it might provide a basis on which a new objective could be added. Members discussed the goal. Ms. Euclide suggested “Encourage the identification of areas of Dane County suitable for long-term preservation and viability of diverse agricultural enterprises and resources. Protect or encourage protection of those areas.” She indicated that the language would support agricultural enterprises whose viability was largely dependent upon retaining a critical land mass. Discussion followed; members agreed to add the language after #70.

Ms. Gibson stated that Objectives 71 and 64 referred to avoiding development on “prime and productive” agriculture land, which appeared to encourage large agri-business operations and may not provide protection of small agricultural operations; she suggested that the phrase in Objective 71 be changed to “prime or viable,” to emphasize viability rather than productivity, and Objective 64 be changed to “prime, productive, or viable” to include preservation of viable lands. Mr. Mesbah stated that the different categories of agricultural operations could be identified when mapping of those areas is done to identify the type of preservation area needed.

Ms. Euclide stated that Objective 79, which included the language “Establish low density ratios and high minimum lot sizes within Urban Transitional Areas to discourage such lands from being prematurely developed...” could be interpreted to enable, rather than discourage, premature and low-density development. She suggested the language be changed to read “Discourage lands within Urban Transitional Areas from being prematurely developed...” Mr. Mesbah stated that the objective would not be an issue if effective boundary agreements were in place. Ms. Kefer suggested that language be added to encourage boundary agreements; Ms. Euclide agreed and suggested “Discourage lands within Urban Transitional Areas from being prematurely developed at lower densities than would occur with eventual urbanization, and support the use of intergovernmental cooperation agreements to identify Urban Transitional Areas.” There were no objections; discussion continued.

Mr. Hampton suggested that Objective 78 be amended by removing “...should not be below 1 to 1-1/2 acres to avoid...” and replaced with “...should be sized to avoid...” since new methods of on-site waste treatment have been introduced since the language was written which do not require large 1 to 1-1/2 acre lots. Mr. Mesbah expressed support for the change, since the appendix of the *Dane County Water Quality Plan* which addresses on-site systems (Appendix I) has an objective to ensure that groundwater problems don’t result from on-site systems on 1-1/2 acres or less. Discussion continued.

Mr. Mesbah suggested that if the objectives were to encourage density, Objective #80, which referred to primarily single-family residences, could be enhanced by adding language in support of the use of Conservation Design standards to increase density of single and multi-family residences. Ms. Gibson agreed. Mr. Chase stated that the years indicated Objective #83 from 1990 to 2020 may need updating. Mr. Mesbah suggested that the years be changed to 2000 to 2030.

Commissioners discussed the transportation objectives. Mr. Mesbah suggested that the Commission consider adoption of the Regional Transportation Plan as part of the master plan for the Dane County region, since that would serve to provide updated transportation goals and objectives. There was consensus in support of the suggestion. Mr. Palm suggested that Objective #T10 referred to long-distance inter-city trips, and could be amended to be more inclusive of all inter-city transit; Mr. Miller suggested deleting the parenthetical references to Badger, Van Galder and AMTRAK.

Mr. Palm requested that staff integrate the transportation objectives into the other objectives for a more cohesive document. Ms. Euclide suggested that an objective could be added under the Corridor Preservation component to maximize the long-term life, viability and efficiency of existing transportation corridors by promoting the variety of transit options available, since the continued use of single-passenger auto travel will deplete the capacity of the limited number of existing highway corridors, and expansion in urban areas would be difficult.

Mr. Miller asked staff to provide both a clean and an amended copy of the goals and objectives.

Part C. Discussion of “current” urban service area policies.

Discussion deferred to next meeting.

10. Consideration of Commission schedule for workshops, adoption of documents and starting to review urban service area amendments.

Mr. Miller referred to the two alternative schedules provided in the agenda packet by Mr. King. Mr. Miller noted that the schedule should include adoption of bylaws and election of officers. Mr. Mesbah noted that if the public hearing on USA policies and criteria is held on the same evening as the public hearing for a USA amendment, the amendment hearing may need to be deferred if changes are made to the policies and criteria. Ms. Euclide asked what staff intended to provide the Commission to prepare it in adopting USA criteria; Mr. Mesbah stated that staff could develop an analysis of criteria in light of the changes to the objectives and develop alternative methods on how they might be met, as a starting point for Commission discussion. Discussion continued on the timing of the adoption of USA amendment criteria.

Commissioners agreed that if draft criteria were developed by the end of its next meeting on October 11, it could post a public hearing notice for its meeting of November 8 to take testimony on the criteria. An additional meeting could be added on November 29, when the Commission could adopt the criteria and hold a public hearing for the Town of Burke USA amendment request. Mr. Miller asked staff to provide an updated schedule. He noted that earlier in the day Commissioners had been sent an e-mail from Michael Lawton, attorney representing the Village of Deerfield, requesting a public hearing be held at an early date to consider the Village’s USA amendment request.

11. Report of Interim Chair / Discussion

Mr. Miller noted that work groups for bylaws and personnel policies should be scheduled by staff in order to report back to the full Commission.

12. Report of Division Administrator / Discussion of Reports

None.

13. Future Agenda Items

The workshop will continue at the next meeting of the Commission on October 11; Mr. Sonnentag suggested that the senior center in Middleton had a good meeting facility. Ms. Euclide requested that staff prepare a preliminary work plan for the approach to developing the Environmental Condition reports for the FUDA process. Discussion of bylaws and election of officers should be considered at a future meeting. Mr. Palm suggested that the personnel work group might discuss the Executive Director recruitment.

14. Adjournment

Moved by Mr. Hampton, seconded by Mr. Kamperschroer, to adjourn. Motion carried at 8:57 p.m.

Recorded by Chris Gjestson