

**MINUTES**  
of the  
**Capital Area Regional Planning Commission**

May 12, 2016

CCB Room 351, 210 Martin Luther King Jr. Blvd., Madison WI

6:15 p.m.

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Commissioners Present: Steve Arnold, Lauren Cnare, Mark Geller, Ken Golden (arrived 6:25pm), Kris Hampton, Paul Lawrence (departed 9:34pm), Peter McKeever, Ed Minihan, Larry Palm (Chair), David Pfeiffer (arrived 6:21pm), Caryl Terrell, Evan Touchett (arrived 7:00pm; departed at 9:32pm)

Commissioners Absent: Zach Brandon

Staff Present: Linda Firestone, Sean Higgins (arrived 7:08pm), Mike Kakuska (departed 7:26pm), Mike Rupiper, Steve Steinhoff, Tony Vandermuss

Others Present: Kyle Pockat and Amber Danielski (Schenck SC); various members of the public

1. Roll Call

Chair Palm called the meeting to order at 6:18pm. Quorum was established.

Chair Palm announced that Steve Arnold had been re-appointed to a three-year term and Paul Lawrence had been appointed to complete Eric Hohol's term.

2. **Approval of Minutes of the April 14, 2016 Meeting (*actionable item*)**

Mr. Arnold moved to approve the minutes of the April 14, 2016, meeting; Ms. Terrell seconded. The motion passed unanimously on a voice vote.

3. Public Comment on Matters not for Public Hearing

No members of the public wished to speak at this time.

4. Commissioner Profile

Mr. Lawrence gave a brief profile.

5. Discussion of Budget & Personnel Panel (*note: any members of BPP present at this meeting are invited to speak and will be included in all discussions under this item*)

Chair Palm spoke briefly about the meeting that was held on April 27th between CARPC's Executive Committee and CARPC's appointing authorities or designees. Topics discussed: options for addressing CARPC funding outside County levy and associated membership representation; and options related to communications with BPP, including potentially incorporating the BPP as a committee of CARPC.

Mr. Arnold asked how other Wisconsin RPCs are funded. Chair Palm responded that other RPCs have additional revenue as well as being funded by county levies.

6. Report and Discussion on 2015 Financial Audit and Report (Schenk SC)

Kyle Pockat and Amber Danielski gave a presentation and responded to questions on the 2015 audit that was conducted by Schenk SC.

7. Report of Chair / Discussion

Chair Palm's report was given as part of item 5 above.

8. Report and Discussion on Division of Environmental Resources Planning Activities (Mike Rupiper)

Mr. Rupiper gave a verbal report based on the materials provided in the packet for item 8 on page 51.

[https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Package/CARPC\\_Packet\\_051216.pdf](https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Package/CARPC_Packet_051216.pdf)

9. Report of Deputy Director / Report and Discussion on Division of Community and Regional Planning Activities (Steve Steinhoff)

Mr. Steinhoff gave verbal report based on the materials provided in the packet for item 9 on page 53.

[https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Package/CARPC\\_Packet\\_051216.pdf](https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Package/CARPC_Packet_051216.pdf)

### 7:00 Public Hearing

10. Amendment to the Northern Urban Service Area

a. Water Quality Plan

- i. Amendment Overview and Water Quality Plan / Water Quality Impact Assessment Staff Presentation (Mike Rupiper)

Mr. Rupiper gave a presentation, which can be viewed at

[https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC\\_051216/V-Deforest\\_WaterQuality\\_StaffPresentation\\_051216.pdf](https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC_051216/V-Deforest_WaterQuality_StaffPresentation_051216.pdf)

- ii. Open Public Hearing to Take Testimony from Registrants; Close Public Hearing

Chair Palm opened the public hearing.

Members of the public Mark Roffers and Kevin Acker were in support of the amendment and were available for questions. There were no questions from the Commissioners.

Chair Palm closed the public hearing.

- iii. **Approval of CARPC Resolution 2016-07-A Recommending to the Wisconsin Department of Natural Resources (WDNR) amendment of the WDNR Areawide *Water Quality Management Plan* by revising the Northern Urban Service Area boundaries and Environmental Corridors in the Village of DeForest (*actionable item, supermajority of 8 votes required for approval*)**

Mr. Touchett moved to approved CARPC Resolution 2016-07-A; Mr. Golden seconded. The roll call vote was as follows: Ayes: Commissioners Arnold, Cnare, Geller, Golden, Hampton, Lawrence, McKeever, Minihan, Palm, Pfeiffer, Terrell, and Touchett. Absent: Commissioner Brandon. Motion passed on a roll call vote.

b. Dane County Land Use and Transportation Plan

- i. Consistency Between Northern Urban Service Area Trends and the Dane County Land Use and Transportation Plan Staff Presentation (Sean Higgins)

Mr. McKeever asked if staff reviewed the Land Use and Transportation Plan when reviewing urban service area requests and, if so, what does staff look for. If this plan was adopted 10-15 years ago, Mr. McKeever didn't know whether it had ever been evaluated or accessed to find out if it had been followed and to what extent it had been followed.

Mr. Higgins replied that it had been discussed. What Mr. Higgins looked at when doing a review was anything that suggested support of the goals as are vaguely defined within the LU&TP. Staff did not go back and look at how the amendment request related to the broader trends for the service areas and what the prescribed objectives were within the LU&TP. That is something that Mr. Higgins hoped this presentation would start addressing.

Mr. Higgins gave a presentation, which may be viewed at:

[https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC\\_051216/Item11B\\_Deforest\\_USATrends\\_051216.pdf](https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC_051216/Item11B_Deforest_USATrends_051216.pdf)

- ii. Open Public Hearing to take testimony from registrants; close Public Hearing

Chair Palm opened the public hearing.

Members of the public Mark Roffers and Kevin Acker were in support of the amendment and were available for questions. There were no questions from the Commissioners.

Chair Palm closed the public hearing.

- iii. **Approval of CARPC Resolution 2016-07-B Amending the *Dane County Land Use and Transportation Plan* by revising the Northern Urban Service Area boundaries and Environmental Corridors in the Village of DeForest (*actionable item, supermajority of 8 votes required for approval*)**

Mr. Hampton moved to approved CARPC Resolution 2016-07-B; Mr. Touchett seconded. The roll call vote was as follows: Ayes: Commissioners Arnold, Cnare, Geller, Golden, Hampton, Lawrence, McKeever, Minihan, Palm, Pfeiffer, Terrell, and Touchett. Absent: Commissioner Brandon. The motion passed on a roll call vote.

## 11. Amendment to the Cottage Grove Urban Service Area

### a. Water Quality Plan

- i. Update to Water Quality Plan / Water Quality Impact Assessment Staff Presentation (Mike Rupiper)

Mr. Rupiper gave a brief overview since the public hearing and presentation was given at the April CARPC meeting. The presentation may be viewed at:

[https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC\\_051216/T-CottageGrove\\_WaterQuality\\_StaffPresentation\\_051216.pdf](https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC_051216/T-CottageGrove_WaterQuality_StaffPresentation_051216.pdf)

- ii. **Approval of CARPC Resolution 2016-05-A Recommending to the Wisconsin Department of Natural Resources (WDNR) amendment of the *Areawide Water Quality Management Plan for Dane County* by revising the Cottage Grove Urban Service Area boundaries and Environmental Corridors in the Town of Cottage Grove (*actionable item, supermajority of 8 votes required for approval*)**

Mr. Hampton moved to approved CARPC Resolution 2016-05-A; Mr. Touchett seconded. The roll call vote was as follows: Ayes: Commissioners Arnold, Cnare, Geller, Golden, Hampton, Lawrence, McKeever, Minihan, Palm, Pfeiffer, Terrell, and Touchett. Absent: Commissioner Brandon. The motion passed on a roll call vote.

### b. Dane County Land Use and Transportation Plan

- i. Update to Consistency Between Cottage Grove USA Trends and the Dane County Land Use and Transportation Plan Staff Presentation (Sean Higgins)

Mr. Higgins explained the handout and said the handout was a replacement for page 19 of the Cottage Grove staff analysis. The handout can be viewed at:

[https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC\\_051216/Handout\\_Item11b\\_051216.pdf](https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC_051216/Handout_Item11b_051216.pdf)

Mr. Higgins also gave an overview of the presentation that was given to the Commission in greater detail at its April meeting. Commissioners asked questions during Mr. Higgins' presentation.

Chair Palm read the names of the members of the public: Matt Giese (Village of Cottage Grove administrator) and Erin Ruth (Village of Cottage Grove planner).

Commissioners asked questions of Matt Giese and Erin Ruth.

- ii. **Approval of CARPC Resolution 2016-05-B Amending the *Dane County Land Use and Transportation Plan* by revising the Cottage Grove Urban Service Area boundaries and Environmental Corridors in the Town of Cottage Grove (*actionable item, supermajority of 8 votes required for approval*)**

Paragraph 6 on page 2 shows "the Village of Windsor and the Towns of Westport, Vienna, and Burke" which are not the correct municipalities. The correct language should be "the Towns of Cottage Grove and Sun Prairie as well as the City of Madison".

Mr. Touchett moved to approve CARPC Resolution 2016-05-B as amended; Mr. Geller seconded. The roll call vote was as follows: Ayes: Commissioners Arnold, Cnare, Geller, Golden, Hampton, Lawrence, Palm, Pfeiffer, and Touchett. Nays: Commissioners McKeever, Minihan, and Terrell. Absent: Commissioner Brandon. The motion passed on a roll call vote.

12. Amendment to the Environmental Corridor Boundaries in the Central Urban Service Area

- a. **Approval of CARPC Resolution 2016-06-A Recommending to the Wisconsin Department of Natural Resources (WDNR) amendment of the WDNR Areawide *Water Quality Management Plan* by revising the Environmental Corridor boundaries in the Central Urban Service Area – City of Fitchburg (*actionable item, supermajority of 8 votes required for approval*)**

Mr. McKeever moved to approved CARPC Resolution 2016-07-A; Mr. Minihan seconded. The roll call vote was as follows: Ayes: Commissioners Arnold, Cnare, Geller, Golden, Hampton, McKeever, Minihan, Palm, Pfeiffer, Terrell, and Touchett. Abstention: Commissioner Lawrence. Absent: Commissioner Brandon. The motion passed on a roll call vote.

- b. **Approval of CARPC Resolution 2016-06-B Amending the *Dane County Land Use and Transportation Plan* by revising the Environmental Corridor boundaries in the Central Urban Service Area – City of Fitchburg (*actionable item, supermajority of 8 votes required for approval*)**

Ms. Cnare moved to approve CARPC Resolution 2016-07-A; Mr. Touchett seconded. The roll call vote was as follows: Ayes: Commissioners Arnold, Cnare, Geller, Golden, Hampton, McKeever, Minihan, Palm, Pfeiffer, Terrell, and Touchett. Abstention: Commissioner Lawrence. Absent: Commissioner Brandon. The motion passed on a roll call vote.

13. Update on Potential Future Amendments to Urban Service or Limited Service Areas / Implementation of Past USA or LSA Amendments (Sean Higgins, Mike Rupiper)

Mr. Rupiper gave an update on the status of recent Urban Service Area amendments.

Mr. McKeever suggested a review of sewer review fees be put on the agenda in the future.

14. **Approval of Recommendations Regarding Urban Service Area Review Process (*actionable item*)**

Mr. Golden moved to approve the recommendation regarding the Urban Service Area review process; Ms. Cnare seconded.

In the white paper on page 2, Mr. Golden moved to remove the entire paragraph 2 (Over time, through...water quality compliance) and the first sentence of paragraph 3 (Under what...water quality standards); Ms. Terrell seconded. Mr. Golden moved to place the revision on the table; Ms. Cnare seconded. The motion passed unanimously on a voice vote.

Mr. Golden moved to remove the fourth bullet (Commissioners and others unhappy...applications.) on page 4. The motion failed for lack of a second.

Mr. Golden said he didn't like the language regarding "160 acres" in the second full paragraph on page 7 but he didn't want to make a motion to revise it. He thought it was a bad idea to have a hard threshold.

Mr. McKeever felt that the recommendations listed on pages 6, 7, and 8 were too vague. Chair Palm said that it was a framework for future movement. It would give staff guidance; that this was a consensus for staff guidance. Mr. McKeever was satisfied with that response.

Mr. Arnold moved to (1) modify paragraph 2 on page 2 to read: "Over time, through the unified approach, the distinction between water quality compliance review, and regional land use and transportation consistency, became blurred. The Commission came to be perceived function more as a growth management agency, making USA decisions based on land use, transportation and urban design policies and criteria in addition to water quality compliance."; and (2) revise the beginning of the first sentence of the third paragraph on page 2 with "Some stakeholders also perceived that CARPC,..." instead of "Under what came to be regarded, at least to some, as this broader mandate to regulate growth, CARPC,..." and then continue with the rest of the sentence. Ms. Cnare seconded. The motion passed unanimously on a voice vote.

Mr. Golden moved to take his original motion off the table and moved that it be killed; Ms. Cnare seconded. The motion passed unanimously on a voice vote.

The motion, as amended, to approve the recommendation passed unanimously on a voice vote.

15. Work Program and Budget (Steve Steinhoff)
  - a. Assessment of 2016 First Quarter Work Program, 2016 Year-End Estimates, Potential Amendments, and 2017 Considerations and Estimates
  - b. Assessment of 2016 First Four Months Income & Expense, 2016 Year-End Estimates, and Potential Amendments, and 2017 Considerations and Estimates

Mr. Steinhoff gave a presentation reviewing the 2016 work program and budget. The presentation may be viewed at:

[https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC\\_051216/CS-15\\_WorkProgram-Budget\\_051216.pdf](https://danedocs.countyofdane.com/webdocs/PDF/capd/2016/Misc/CARPC_051216/CS-15_WorkProgram-Budget_051216.pdf)

16. **Approval of CARPC Resolution 2016-08 Authorizing Staff to Collaborate with the Dane County Lakes & Watersheds Commission in Forming a Joint Stormwater Volume Technical Advisory Committee to Evaluate and Provide Recommendations on a 100% Pre-Development Volume Control Standard and Requirements for Internally Drained Areas (*actionable item*)**

Ms. Terrell moved to approve CARPC Resolution 2016-08; Mr. McKeever seconded. The motion passed unanimously on a voice vote.

17. **Approval of Version 2 of the Revised Bylaws (*actionable item*)**

Mr. McKeever moved to discuss item 17 ahead of item 10; Mr. Arnold seconded. The motion passed unanimously on a voice vote.

Mr. McKeever moved to place version 2 of the revised bylaws on file; Mr. Geller seconded. The motion passed unanimously on a voice vote.

18. Future Agenda Items (Next meeting is June 9, 2016)

1. Approve contract to hire Alison Lebwohl as the facilitator of a second retreat in Fall 2016, tentatively scheduled for Friday, October 21.

19. Adjournment

Mr. Hampton moved to adjourn the meeting; Mr. Geller seconded. The motion passed unanimously on a voice vote. The meeting adjourned at 10:29pm.

Minutes taken by Linda Firestone



