

PLAN COMMISSION

Monday, August 20, 2018

7:00 PM

McFarland Municipal Center
Community Room

AGENDA

1. CALL TO ORDER
2. PUBLIC APPEARANCES.
3. APPROVAL OF MINUTES.
 - a. Review and possible approval of draft minutes from the July 16, 2018 Plan Commission meeting.
4. BUSINESS.
 - a. Review and possible action - Extraterritorial review of CSM Sections 5 & 6 Township of Pleasant Springs property owner 341 Tower Dr. LLC, Brian Spanos.
 - b. Review and possible recommendation to the Village Board of a request by Veridian Development to approve the Fourth Amendment to Development Agreement, Phase 6, Juniper Ridge.
 - c. Discussion only - temporary staging area for TDS installation at 4313 Triangle Street.
 - d. Future presentation by WHEDA representative George Petak
5. STAFF REPORTS
 - a. Highlights and updates
 - b. Property Maintenance
6. ADJOURNMENT.

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related to Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the McFarland Municipal Center at (608) 838-3153 or cassandra.suettinger@mcfarland.wi.us.

Working Draft Minutes

Plan Commission

Meeting

July 16, 2018

Members Present: Cathy Kirby, Peter Gentry, Brad Czebotar, Dan Kolk

Members Absent: Bruce Fischer, Jeff Sorenson, Tom Rogers

Staff Present: Pauline Boness

1. CALL TO ORDER

Czebotar called the meeting to order at 7:03 p.m.

2. APPROVAL OF MINUTES

- a. Review and approval of draft Minutes from the June 18, 2018 Plan Commission meeting.

Czebotar moved to approve the June 18, 2018 Plan Commission minutes, Kolk seconded the motion. Motion carried 4-0.

3. BUSINESS:

- a. Public Hearing – Review and possible action regarding a Conditional Use Permit (CUP), requested by US Ventures, Inc. for installation of propane storage, rail car unloading and truck loading site at 4402 Terminal Drive, property zoned M-IC Manufactured Intensive.

Czebotar opened the public hearing at 7:06 p.m.

Dan Morrill with U.S. Ventures – Director of Terminal Operations explained that based upon the past few years, experience has shown there is a larger demand for propane; hence, they are looking to add more storage. This will enable us to service this need when colder weather demands it. They are looking to add an additional drive lane, a rail off load platform, a new truck loading area and 45,000 gallons of additional storage. The traffic pattern will remain the same. There will likely not be an increase in semi-traffic in the area. With the new loading area, they will be able to move the trucks in and out faster, resulting in less waiting time. There will be no new entrance to the site.

Czebotar closed the public hearing at 7:08 p.m.

Boness asked Morrill to review safety standards. Morrill responded all work is done in accordance with NFPA58, the national fire code for products. They also have two people on staff who are dedicated to NFPA 58 enforcement along with enforcing OSHA standards with internal and third party audits. They also belong to ILTA, International Liquid Truck Association, and have just reached their 8th year without incident.

The product is liquid propane, which turns into a gas when it hits the air at -44 ° fahrenheit. They also host drills with Operation Dark Sky. Czebotar inquired if they had someone on the Emergency Management Committee in McFarland, and if not if, they would be open to joining. Morrill advised he was not sure if they had a member, and he would check into it.

Boness stated she received a call from the Village Engineer this morning and he saw no issues with the proposal. She also has a letter dated June 26, 2018 from McFarland Fire and Rescue advising they have no concerns with the proposal.

Kirby moved to approve a Conditional Use Permit (CUP), requested by US Ventures, Inc. for installation of propane storage, rail car unloading and truck loading site at 4402 Terminal Drive, property zoned M-IC Manufactured Intensive. Kolk seconded the motion. Motion carried 4-0.

- b. Review and possible action regarding a Site/Design review requested by U.S. Oil, for installation of propane storage, rail car unloading and truck loading site at 4402 Terminal Drive.

Commissioners reviewed the site plan proposal and locations of the emergency stops; Morrill indicated they have an existing racking system, which they are repurposing for the rail off-loading. It is not something, which can be seen from the road. The tank they are using was built in 2016 but has never been used.

Czebotar moved to approve a Site/Design requested by U.S. Oil, for installation of propane storage, rail car unloading and truck loading site at 4402 Terminal Drive. Gentry seconded the motion. Motion carried 4-0.

- c. Review and possible recommendation to the Village Board on development guidelines for TIF #5.

Czebotar indicated these guidelines were discussed at a previous meeting. Commissioners discussed the sidewalk widths, did they want to leave it to read based on “1 to 2 people” or did they want it to read a specific width? Kolk asked for clarification on “sustainable design”, what are they actually referring to? Boness replied they are looking towards items like solar and green building. These are being set as guidelines. Kirby inquired under parking it stated “we encourage natural green shielding over landscaping” do they mean next to or accompanying?

She would like some clarification on that. Gentry felt this is a good opportunity to set the tone for the future, but do not want the guidelines to scare off development. Kirby did not want to tie this down to where all buildings would need to look alike. Kolk verified this is just for TID #5, and only for new development. Boness added you want to create a situation where you encourage change, and not discourage current property owners from improving their current structures due to the guidelines being too stringent. Commissioners discussed color schemes, metal buildings, brick fronts, along with triggers for review before the Plan Commission, such as a building permit being issued for exterior alterations, or increasing a parking lot by more than 5 stalls.

Boness summarized this will likely go before the Village Board as a resolution; that can always be revised or amended. It will need to go to the Village Attorney for review, and then to Village Board. Czebotar inquired if Schuenke would be able to address any of the questions they may have when Boness is out of office. Boness advised Schuenke was not at those meetings, if needed this can be held over. Czebotar advised he would see if Schuenke is comfortable moving forward, or if he would prefer to hold it. Staff will review the verbiage concerning green shielding over landscaping.

Kolk moved to recommend the draft design guidelines for TID #5 for development, with changes as noted, to the Village Board for approval. Kirby seconded the motion. Motion carried 4-0.

4. STAFF REPORTS

- a. Highlights and updates – No comments
- b. Property Maintenance – Czebotar inquired about who is responsible for the area surrounding the Walgreens parking lot to HWY. 51, as you can no longer see the sign due to the overgrowth of brush shrubs and weeds. Staff will look into this. Kolk asked for clarification, when there is construction underway, and there is no visible sign posted indicated a permit was taken out, do the inspectors drive by and look for that? Boness replied when a permit is issued, parties are provided a permit sign, which is to be placed in the window. Boness encourages people if they see work taking place and there is no visible permit, to call the department and either the Building Inspector or Code Enforcement Officer is sent out to check on the situation. Kolk inquired why it appears the majority of people with chickens have to be cited for not abiding with the ordinance. Knoll explained the process, per their permit parties are responsible to renew annually. As a courtesy staff sends a reminder letter and renewal permit application in advance to all parties who had permits in the previous year. The majority do not comply. Kirby inquired if there is a penalty for non-compliance. Knoll advised the fine is double the permit amount. Kirby asked for clarification on the property maintenance report, if they

have been contacted and are on the report, this is then a second notice. Knoll replied yes. Commissioners concurred, it is the owner's responsibility to keep current on their chicken permit and abide by the ordinance; if they do not, they should be subject to fines and penalties.

5. ADJOURNMENT

Kirby moved to adjourn the meeting at 7:40 p.m. Kolk seconded the motion. Motion carried.

Working draft

Plan Commission

Background and Recommendations

August 20, 2018

Agenda Item 3a – CSM extraterritorial review Town of Pleasant Springs

Brian Spanos of 341 Tower Dr. LLC wishes to merge lots 1 -3 CSM 13658 in the Town of Pleasant Springs. It's my understanding the lots were recently sold to Brian Spanos for the purpose of constructing mini-storage units. Due to our recent annexations to the east, the Village boundaries are within 1 ½ miles of this site. As a reviewing agency for any CSM or subdivisions within 1.5 miles of our boundary, we look over items such as access and utility issues. It appears a 20' wide access easement exists with CTH. MN. Other than electric service, no water or sewer should be necessary for the type of project proposed.

Recommendation: Approval

Agenda Item 3b – Recommendation to the Village Board – 4th Amendment to Development Agreement Phase 6 – Juniper Ridge

Veridian is ready to begin Phase 6 of Juniper Ridge Subdivision. The accompanying document is largely straightforward. Public Works Director Allan Coville & Village Engineer Brian Berquist have concerns over the detention pond, especially the middle pond. It is silted up and the plants in the pond are either dead or close to it. Allan and Brian developed the language highlighted in your packets with revisions from Village Attorney Dan Evans.

Recommendation: I think the highlighted wording, Page #2, needs to identify who is responsible (Public Works Director or Village Engineer) for determining when “rehabilitation” should commence; otherwise, I have no concerns.

Agenda Item 3c Discussion only – Temporary staging area for TDS installations at 4313 Triangle Street.

Don Goblen has been contacted by TDS to use his open area at 4313 Triangle Street as a staging area for trucks and other equipment as TDS installs fiber optic throughout the Village. Mr. Goblen is agreeable and would like TDS to install a permanent barbwire fence with slats. You may recall in 2016 Mr. Goblen wanted to have a fenced-in storage yard at this location. Plan Commissioners were generally open to the idea but wanted him to speak to neighbors regarding his plans. Commissioners wanted to see a formal plan with landscaping and address the demands for boat and RV storage.

Mr. Goben never did return to appear, deciding to put on hold any decisions regarding future use of the property.

A letter from Mr. Goben is in your packets. He has verbally indicated to me he has no plans to store items in the fenced area once TDS is off site. Do we want to require a temporary Conditional Use Permit(CUP) for TDS storage especially since a permanent fence is included and the timeline is 3-4 months? Our zoning code allows utility land uses as a conditional use in the MIC zoning district. Since the fence will remain once the utility work is installed, a temporary CUP would prevent storage of other items, once utility equipment and materials are removed. As a note: Storage in open areas is allowed under MIC zoning without a CUP for certain manufacturing uses listed in our code e.g. wood manufacturing.

Our October meeting would be the first opportunity we would have for Mr. Goben to formally appear. I'm not sure that will work with his timeline.

Agenda Item 3d – Future appearance of George Petak of the Wisconsin Housing and Economic Development Authority (WHEDA).

This would be a follow up to the appearance of Olivia Perry from Dane County Planning.

Mr. Petak would make a presentation as to the type of affordable housing programs available in Dane County. Would having him appear in September be agreeable to everyone?



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, August 20, 2018

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Review and possible action - Extraterritorial review of CSM Sections 5 & 6
Township of Pleasant Springs property owner 341 Tower Dr. LLC, Brian Spanos.

PREVIOUS ACTION:

ISSUE SUMMARY:

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

1. CSM Pleasant Springs

Application ID#: 10151

Process Date: 6/12/18

OFFICE USE ONLY



Dane County Planning & Development

Division of Zoning

Land Division Application

In order for applications to be processed, all information, survey drawings, application signatures and fees required must be submitted at time of application. Please check the appropriate box below for the type of application being submitted:

- | | |
|---|---|
| ☐ Preliminary Certified Survey Map | ☐ Certified Survey Map |
| ☐ Subdivision Preliminary Plat* | ☐ Subdivision Final Plat |

*As per DCCO Ch. 75 - Prior to filing an application for approval of a preliminary plat, the subdivider shall consult with staff of the committee for advice, assistance and for the purpose of reviewing the procedures and requirements of Chapter 75 and other ordinances, plans or data which may affect the proposed development.

Property Owner Information		Surveyor Information	
Name	James & Lori Alme	Paul Spetz - Isthmus Surveying	
Address	2061 Spring Rd. Stoughton WI	450 N. Baldwin St. Madison WI 53703	
Phone Number		608-244-1090	
E-Mail Address		isthmussurveying@bcglbld.net	

Property/Location Information (accessdane.co.dane.wi.us)			
Township	Pleasant Springs	Section	5-16
			1/4 SW 1/4 NW 3E NE
Acreage	4.02		
Parcel Number(s)	046/0611-053-8680-0; 064-8030-0; 064-8010-0		
Current Zoning	G-1 - G-2		
Proposed Zoning			
CSM	13658	Lot	1, 2, 3
Subdivision			
Block/Lot			

1. Is proposed land division associated with a rezone petition?
Yes ☒ No ☐ ETZ ☐ If Yes, Petition # 11285
2. Does the property abut or adjoin a County or State Trunk Highway?
Yes ☐ No ☐ If Yes, Highway Name: MN
3. Will public sewer serve the land division? Yes ☐ No ☒
4. Does the subdivision have significant features like shoreland, wetland and/or floodplain? Yes ☐ No ☒
If Yes, describe features: _____

Print Name: <u>PAUL SPETZ</u>	Date: <u>6-12-2018</u>
Signature: <u>[Signature]</u>	

RECEIVED

AUG 01 2018

VILLAGE OF MCFARLAND

RECEIVED

JUN 12 2018

#10151

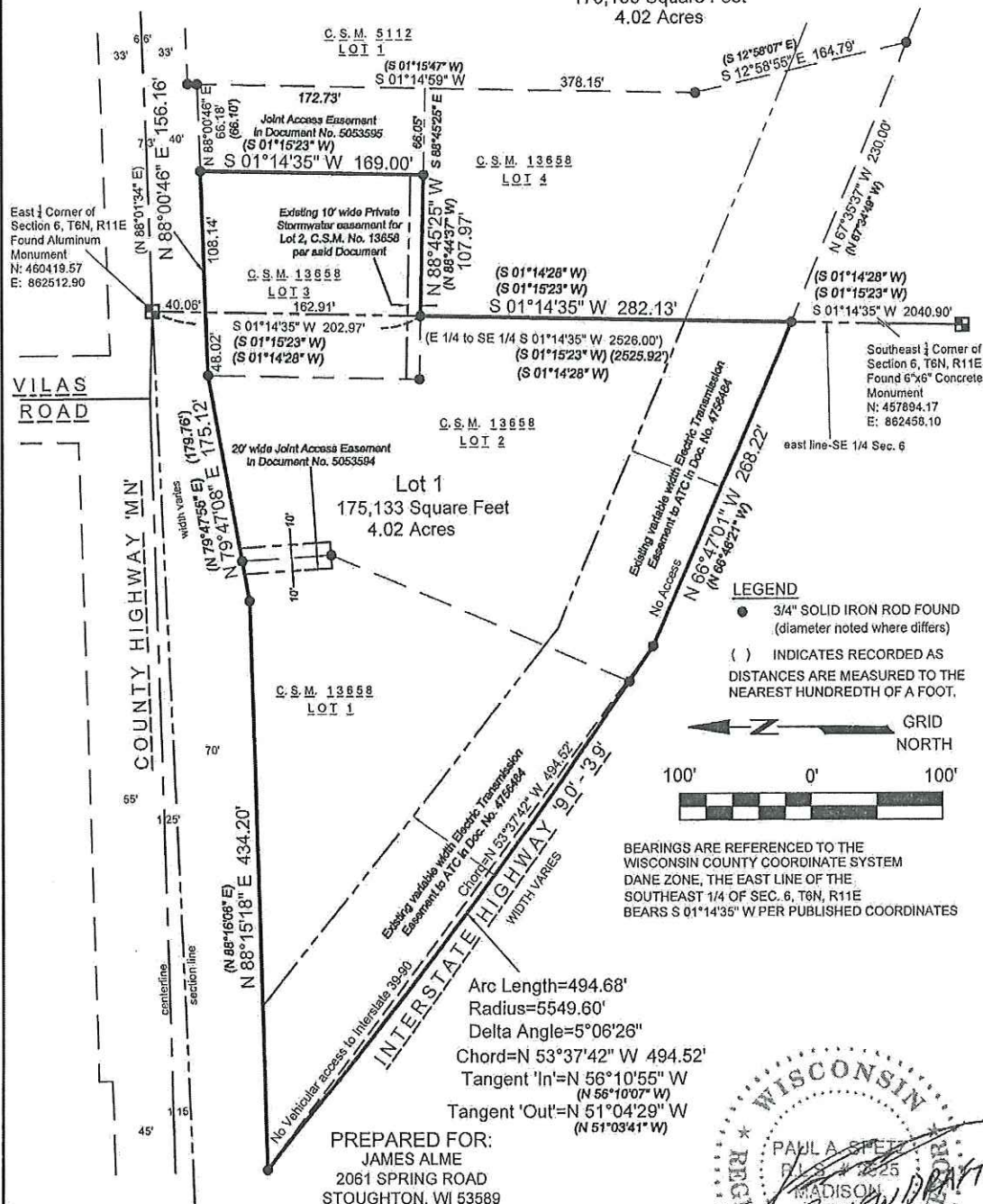
CERTIFIED SURVEY MAP

LOCATED IN:

LOTS ONE (1), TWO (2) AND THREE (3) DANE COUNTY CERTIFIED SURVEY MAP NUMBER 13658, IN THE NE 1/4 OF THE SE 1/4 OF SECTION 6, AND THE NW 1/4 OF THE SW 1/4 OF SECTION 5, T6N, R11E, IN THE TOWN OF PLEASANT SPRINGS, DANE COUNTY, WISCONSIN

*See Notes Sheet 2

This C.S.M. Contains
175,133 Square Feet
4.02 Acres



MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____

PREPARED FOR:
JAMES ALME
2061 SPRING ROAD
STOUGHTON, WI 53589

PREPARED BY:
ISTHMUS SURVEYING, LLC
450 NORTH BALDWIN STREET
MADISON, WI 53703
(608) 244.1090
www.isthmussurveying.com



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VILLAGE OF MCFARLAND

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LOCATED IN:

LOTS ONE (1), TWO (2) AND THREE (3) DANE COUNTY CERTIFIED SURVEY MAP NUMBER 13658, IN THE NE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 6, AND THE NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 5, T6N, R11E, IN THE TOWN OF PLEASANT SPRINGS, DANE COUNTY, WISCONSIN

Surveyor's Certificate:

I, Paul A. Spetz, Registered Land Surveyor for Isthmus Surveying LLC, hereby certify: that under the direction of the James R. and Lori A. Alme, owners of said land, I have surveyed, divided, and mapped the following parcel(s) of land:

Record Legal Description:

Lot One (1), Lot Two (2) and Three (3) of Certified Survey Map No. 13658 recorded in the Dane County Register of Deeds Office in Volume 89 of Certified Survey Maps, page 293-296, as Document No. 5053592, located in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, and the NE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF Section 6, Township 6 North, Range 11 East, Town of Pleasant Springs, Dane County, Wisconsin.

This Certified Survey Map contains 175,133 Square Feet or 4.02 Acres.

I further certify that the map on sheet one (1) is a correct representation of the exterior boundaries of the land surveyed and that I have fully complied with the provisions of Chapter 236.34 of the State Statutes and the Land Division Ordinance of the Town of Pleasant Springs and Dane County in surveying, dividing, and mapping the same.

Dated this _____ day of _____, 2018.

Paul A. Spetz, RLS 2525

NOTES: The lands in this Certified Survey Map are subject to the following:

1. Deed Restriction in Document No. 5053593. The installation of off-premise advertising signs (Billboards) are prohibited on C-1 Commercial zoned properties.

2. A Stormwater Management Agreement in Document No. 5254449.

3. Refer to Building site information contained in the Dane County Soils Survey.

4. All those conditions that still apply and listed on Sheet 2, C.S.M. No. 13658 as follows:

Special Notes

- "Refer to building site information contained in the Dane County Soil Survey."
- Any future residential buildings constructed on Lots 1-4 will be designed so that the highway generated interior noise levels will not exceed 52 decibels.
- "The owners and occupants of existing and future residences on lots contained on this Certified Survey Map acknowledge the presence of high levels of noise and vibration resulting from adjacent Interstate 39-90 and shall hold harmless from damages the Wisconsin Department of Transportation and any municipality in whose jurisdiction these lots are located from any impacts on the use, enjoyment or value of these properties resulting from existing or future highway traffic volumes. Said owners and occupants hereby acknowledge that the State of Wisconsin may not be responsible for providing a noise barrier for Interstate 39-90 adjacent to this Certified Survey Map due to the provisions set forth in Wisconsin Administrative Code ch. Trans 405."
- Private sewage system maintenance agreement covenant recorded January 17, 1997 as Document Number 2827055, affects Lot 4 of this survey.
- Second access granted by Dane County Highway 9/28/89 to be now shared with lots 3 and 4 of this survey. This superseeds previous restriction placed on CSM #5112, recorded in 1986, as does the recording of this current CSM. County Highway MN is not a controlled access highway, but with the recording of this map, no new access points will be permitted.
- Shared access permit and relocation of access point for lots 3 and 4 granted by Dane County Highway. The previously existing 20' wide easement for ingress and egress between Lots 1 and 2 of Certified Survey Map number 5112, and associated joint driveway agreement, recorded as document number 2186533, have been terminated, October 10, 2013 with new agreement terminating easements recorded as document number 5031890.

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____

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SHEET 2 OF 4

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AUG 01 2018

VILLAGE OF MCFARLAND

CERTIFIED SURVEY MAP

LOCATED IN:

LOTS ONE (1), TWO (2) AND THREE (3) DANE COUNTY CERTIFIED SURVEY MAP NUMBER 13658, IN THE NE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 6, AND THE NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 5, T6N, R11E, IN THE TOWN OF PLEASANT SPRINGS, DANE COUNTY, WISCONSIN

Owner's Certificate:

We, James R. and Lori A. Alme, owners, hereby certify that we caused the land described on this certified survey map to be surveyed, divided mapped and dedicated as represented on this certified survey map. We also certify that this certified survey map is required by S.236.34 of the Wisconsin State Statutes to be submitted to the Town of Pleasant Springs and Dane County for approval.

Witness the hands and seals of said owner this _____, day of _____, 2018

SIGNED: _____, James R. Alme

SIGNED: _____, Lori A. Alme

State of Wisconsin)
County of _____)ss

Personally came before me this _____ day of _____, 2018, the above named James R. Alme and Lori A. Alme, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin My Commission expires: _____.

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____



RECEIVED

AUG 01 2018

VILLAGE OF McFARLAND

CERTIFIED SURVEY MAP

LOCATED IN:

LOTS ONE (1), TWO (2) AND THREE (3) DANE COUNTY CERTIFIED SURVEY MAP NUMBER 13658, IN THE NE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 6, AND THE NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 5, T6N, R11E, IN THE TOWN OF PLEASANT SPRINGS, DANE COUNTY, WISCONSIN

CITY OF MADISON PLAN COMMISSION APPROVAL CERTIFICATE:

Approved for Recording per the Secretary of the City of Madison Plan Commission this _____ day of _____, 2018:

Natalie Erdman, Secretary

TOWN OF PLEASANT SPRINGS APPROVAL CERTIFICATE:

I hereby certify that this Certified Survey Map has been APPROVED by the Town Board of the Town of Pleasant Springs on the _____ day of _____, 2018:

Cassandra Suettinger,
Town Clerk

DANE COUNTY PLANNING AGENCY APPROVAL

This Certified Survey Map is hereby approved by the Dane County Zoning and Land Regulation Committee this _____ day of _____, 2018.

Daniel Everson, Authorized Representative

REGISTER OF DEEDS CERTIFICATE

Received for recording on this _____ day of _____, 2018, at _____ o'clock _____ m. and recorded in Volume _____ of Certified Survey Maps on pages _____.

Kristi Chlebowski, Dane County Register of Deeds

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____





PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, August 20, 2018

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Review and possible recommendation to the Village Board of a request by Veridian Development to approve the Fourth Amendment to Development Agreement, Phase 6, Juniper Ridge.

PREVIOUS ACTION:

ISSUE SUMMARY:

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

1. 4th Amend dev agrmnt veridian

RECEIVED

AUG 14 2018

VILLAGE OF McFARLAND

FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR JUNIPER RIDGE

Style Definition: Default Paragraph Font

THIS FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR JUNIPER RIDGE (the "Amendment") is made as of the ____ day of _____, 2018, by and between the Village of McFarland, a Wisconsin Municipal Corporation ("Village") and MREC VH Juniper Ridge, LLC, a Delaware Limited Liability Company ("Developer").

WITNESSETH:

WHEREAS, Village and Developer entered into a Development Agreement for Juniper Ridge dated July 10, 2015, a First Amendment to Development Agreement for Juniper Ridge dated August 8, 2016, a Second Amendment to Development Agreement for Juniper Ridge dated June 26, 2017, and a Third Amendment to Development Agreement for Juniper Ridge dated September 25, 2017 (collectively the "Agreement"); and

WHEREAS, Developer wishes to amend the Agreement to provide for an additional Phase and such other matters as are described herein.

NOW, THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed by and between the parties hereto as follows:

1) **Capitalized Terms.** Capitalized terms which are not otherwise defined herein shall be as defined in the Agreement.

2) **Phase 6.** Phase 6 of the Development is depicted and described in Exhibit "A", attached hereto and incorporated herein by reference. Developer may obtain building permits for, and commence construction of, homes in Phase 6 immediately upon Substantial Completion of public improvements, as that term is defined in Section 2(M) of the Agreement. The Surety for Phase 6 shall be in the amount of ~~\$661,200~~**635,000**.00. The Engineer's Estimate is attached hereto as Exhibit "B" and incorporated herein by reference.

3) **Parkland Dedication and Fees in Lieu of Dedication.** The fee in lieu of dedication payable to the Village for Phase 6 consisting of 18 lots at \$786.75 per lot is \$14,161.50, payable in accordance with the terms of paragraph 2(L)(a) of the Agreement.

4) **Reimbursement for Upsizing Water Main.** The Village shall reimburse Developer for the incremental cost difference between an 8" water main and the 12" water main to be installed by Developer. The costs to be reimbursed shall be for materials only, consisting of the pipe, fittings and valves required to install the 12" water main versus an 8" water main. The Developer shall present to the Village an itemized invoice of such costs for payment by the Village after construction has been completed.

The Village shall pay such amount within 30 days of receipt, subject to Village review and approval of the invoice, which shall not be unreasonably withheld or delayed.

5) Storm Water Management. ~~Developer agrees that there are locations within the Eco-Park stormwater management areas that have become silted in and that plants have died and will need replacing after infiltration areas have been re-established. The Developer will perform a rehabilitation of the storm water areas to the same condition as when initially constructed, along with re-planting as needed to match the original planting plan. The rehabilitation will not occur until all but five (5) residential lots within the Plat have at least a 2" stand of grass established. Developer will maintain the storm water areas and plants until they are well-established, which will be 3 years from the end of rehabilitation and re-planting efforts are complete. If the plants are established and the stormwater management areas are functioning as designed and inspected by the Village Engineer at the end of the 3 year period, the Village shall thereafter maintain the storm water areas. The stormwater management areas located in Outlots 1, 3 and 5 of the Plat (also known as the Eco-Park stormwater management areas) are in need of rehabilitation and maintenance. When all but five (5) residential lots within the Plat have established lawns, as determined by the Village, Developer shall rehabilitate all stormwater management areas in Outlots 1, 3 and 5 of the Plat to a condition that existed when Developer initially constructed the same. Said rehabilitation shall include, but is not limited to, silt removal and re-planting vegetation as needed to match the original plan. Upon rehabilitation of the stormwater management areas and approval of the rehabilitation by the Village, Developer shall maintain these stormwater management areas for a period of three (3) years. Upon the end of the three (3) year maintenance period, the Village may accept the dedication of the stormwater management areas if the requirements of §236.29(4), Wis. Stats., are met to the satisfaction of the Village Engineer, including:~~

(a) The facilities are functioning properly in accordance with the plans and specifications of the Village.

(b) Any required plantings are adequate, well-established, and reasonably free of invasive species.

(c) Any necessary maintenance, including removal of construction sediment, has been properly performed.

5)6) Release. Upon execution hereof and Developer providing Surety to the Village, the Village shall execute and deliver to Developer for recording the Release attached hereto as Exhibit "C", and incorporated herein by reference.

6)7) Effect of Amendment. Except as amended herein, all other terms, covenants and conditions of the Agreement shall remain unchanged.

[Signature page to follow.]

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Formatted: List Paragraph, Indent: Left: 0", Tab stops: Not at 0.75"



Formatted: Indent: Left: 0.5", No bullets or numbering

Developer Signature Page
for
Fourth Amendment to Development Agreement for Juniper Ridge

Dated this ____ day of _____, 2018.

MREC VH Juniper Ridge LLC, a Delaware
Limited Liability Company
By: VH Juniper Ridge LLC, a Wisconsin
Limited Liability Company, Member and
Project Manager

By: _____

Print Name: _____
Authorized Officer and Signatory

STATE OF WISCONSIN)
)ss
COUNTY OF DANE)

Personally came before me, _____, notary public for the above
State and County, this ____ day of _____, 2018, the above named _____
_____, to me known to be the person who executed the
foregoing instrument and acknowledged the same in the capacity and for the purposes
therein intended.

Print Name: _____
Notary Public, State of Wisconsin
My Commission expires: _____

Village Signature Page
for
Fourth Amendment to Development Agreement for Juniper Ridge

VILLAGE OF MCFARLAND

By: _____
Print Name: _____
Print Title: _____

Attest: _____
Print Name: _____
Print Title: _____

STATE OF WISCONSIN)
)ss
COUNTY OF DANE)

Personally came before me, _____, notary public for the above
State and County, this ____ day of _____, 2018, the above named
_____, to me known to be the person who executed the foregoing
instrument and acknowledged the same in the capacity and for the purposes therein
intended.

Print Name: _____
Notary Public, State of Wisconsin
My Commission expires: _____

STATE OF WISCONSIN)
)ss
COUNTY OF DANE)

Personally came before me, _____, notary public for the above
State and County, this ____ day of _____, 2018, the above named
_____, to me known to be the person who executed the foregoing
instrument and acknowledged the same in the capacity and for the purposes therein
intended.

Print Name: _____
Notary Public, State of Wisconsin
My Commission expires: _____

EXHIBIT "A"

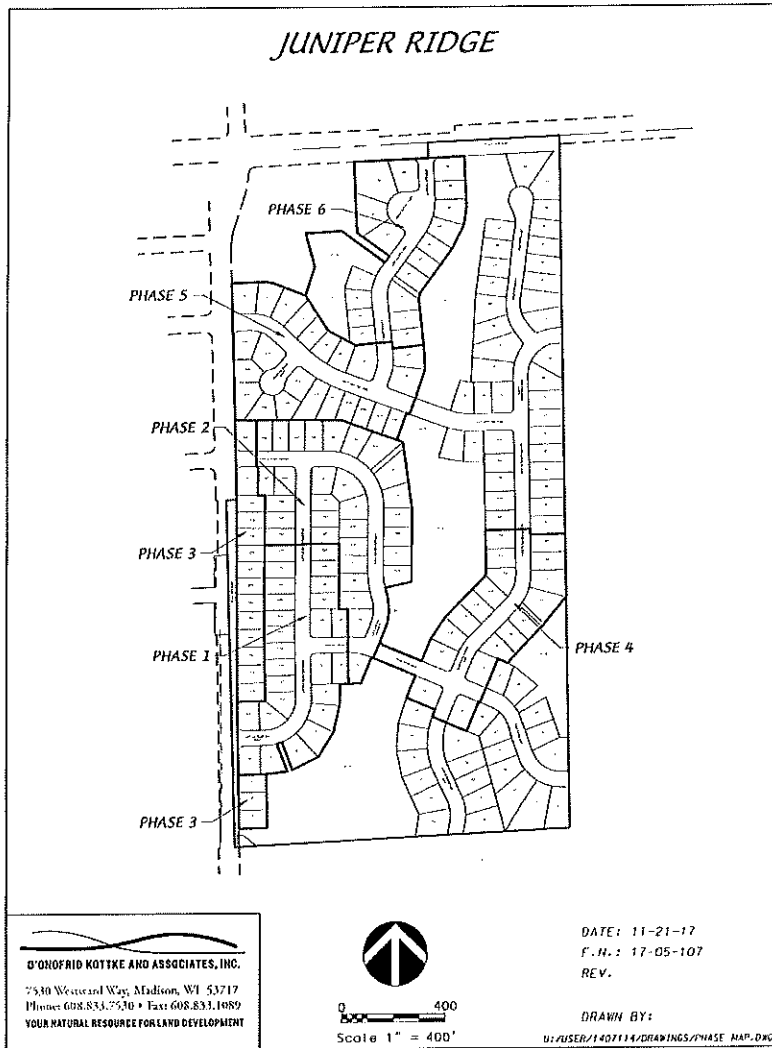


EXHIBIT "A"
PAGE 2

Legal Description -- Juniper Ridge -- Phase 6

Lots 78 through 95, Juniper Ridge, recorded in Volume 60-041A of Plats on pages 203-208 as Document No. 5172418, located in the NW 1/4 and the SW 1/4 of the SE 1/4 of Section 35, T7N, R10E, Village of McFarland, Dane County, Wisconsin.

EXHIBIT "B"

Juniper Ridge - Phase 6
Engineer's Estimate
July 2, 2018

Item No.	Description	Est. Quantity	Unit	Unit Price	Amount
Erosion Control					
	Stone Tracking Pad	1	EA	\$1,000.00	\$1,000.00
	Earthen Berm	2,050	LF	\$2.25	\$4,612.50
	Silt Fence	1,125	LF	\$2.25	\$2,531.25
	Velocity Check	3	EA	\$400.00	\$1,200.00
	Stone Weeper w/Sump	9	EA	\$400.00	\$3,600.00
	Erosion Control Mat	2,500	SY	\$4.00	\$10,000.00
	Lot Restoration	17,500	SY	\$0.95	\$16,625.00
				subtotal	\$39,568.75
Sanitary Sewer Construction					
	8" PVC Sanitary Sewer	628	LF	\$34.00	\$21,352.00
	4" PVC Sanitary Lateral	825	LF	\$30.00	\$24,750.00
	Tracer Wire and Box	17	EA	\$150.00	\$2,550.00
	Standard Sanitary Manhole	4	EA	\$2,100.00	\$8,400.00
	Manhole Chimney Seal	16.1	EA	\$450.00	\$7,245.00
	Sanitary Sewer Trench Compaction	1,453	TF	\$6.00	\$8,718.00
	Televise Sanitary Sewer	628	TF	\$2.25	\$1,413.00
				subtotal	\$74,428.00
Water Main Construction					
	12" Water Main	1,255	LF	\$80.00	\$100,400.00
	8" Water Main	395	LF	\$46.00	\$18,170.00
	6" Water Main	30	LF	\$52.00	\$1,560.00
	12" Valve and Box	4	EA	\$3,500.00	\$14,000.00
	8" Valve and Box	3	EA	\$2,200.00	\$6,600.00
	6" Valve and Box	2	EA	\$2,000.00	\$4,000.00
	1" Copper Services	17	EA	\$1,350.00	\$22,950.00
	Fire Hydrant	4	EA	\$3,900.00	\$15,600.00
	Water main Trench Compaction	1,680	TF	\$4.00	\$6,720.00
				subtotal	\$190,000.00
Storm Sewer Construction					
	18" RCP Storm Sewer	220	LF	\$44.00	\$9,680.00
	15" RCP Storm Sewer	193	LF	\$40.00	\$7,720.00
	12" RCP Storm Sewer	127	LF	\$36.00	\$4,572.00
	18" RCP Apron Endwall & Gate	1	EA	\$1,800.00	\$1,800.00
	Catch Basin	2	EA	\$1,900.00	\$3,800.00


A LANDSCAPE ARCHITECT'S FIRM

Item No.	Description	Est. Quantity	Unit	Unit Price	Amount
	Curb Inlets	4	EA	\$1,900.00	\$7,600.00
	Storm Sewer Trench Compaction	540	LF	\$2.00	\$1,080.00
	Rip-Rap	25	SY	\$50.00	\$1,250.00
	Type "D" Inlet Protection	4	EA	\$150.00	\$600.00
				subtotal	\$38,162.00
Street Construction					
	Finish Grade Streets	10.0	STA	\$600.00	\$6,000.00
	Adjust Castings	11	EA	\$325.00	\$3,575.00
	Sawcut	150	LF	\$3.00	\$450.00
	Undercut & Backfill w/ Crushed Stone	250	CY	\$33.00	\$8,250.00
	10" Crushed Stone Base	3,260	SY	\$9.00	\$29,340.00
	30" Concrete Curb & Gutter	1,980	LF	\$15.00	\$29,700.00
	Wedge Curb and Gutter	1,980	LF	\$1.25	\$2,475.00
	2-1/4" Binder Asphalt Binder	3,260	SY	\$8.50	\$27,710.00
	1-3/4" Surface Asphalt Binder	3,260	SY	\$7.00	\$22,820.00
	Clean & Tack	3,260	SY	\$1.00	\$3,260.00
	5" Concrete Sidewalk	11,750	SF	\$3.50	\$41,125.00
	5" Concrete Sidewalk Ramps	880	SF	\$6.25	\$5,500.00
	Detectable Warning Fields	16	EA	\$200.00	\$3,200.00
	Terrace Restoration	2,650	SY	\$4.00	\$10,600.00
	Remove Type III Barricades	2	EA	\$250.00	\$500.00
				subtotal	\$194,505.00
Street Trees					
	Street Trees	36	EA	\$400.00	\$14,400.00
				subtotal	\$14,400.00
				Total	\$551,003.75
				Engineer's Estimate	\$551,000.00

Amount of Surety (120% of Engineers Estimate) = \$661,200

10/10/2010 10:10:10 AM

Exhibit B
Juniper Ridge - Phase 6
Engineer's Estimate
July 16, 2018

Item No.	Description	Est. Quantity	Unit	Unit Price	Amount
Erosion Control					
	Stone Tracing Pad	1	EA	\$1,000.00	\$1,000.00
	Earthen Berm	2,050	LF	\$2.25	\$4,612.50
	Silt Fence	1,125	LF	\$2.25	\$2,531.25
	Velocity Check	3	EA	\$400.00	\$1,200.00
	Stone Weeper w/ Sump	9	EA	\$400.00	\$3,600.00
	Erosion Control Mat	2,500	SY	\$4.00	\$10,000.00
	Lot Restoration	17,500	SY	\$0.95	\$16,625.00
				subtotal	\$39,568.75
Sanitary Sewer Construction					
	8" PVC Sanitary Sewer	628	LF	\$34.00	\$21,352.00
	4" PVC Sanitary Lateral	825	LF	\$30.00	\$24,750.00
	Tracer Wire and Box	17	EA	\$150.00	\$2,550.00
	Standard Sanitary Manhole	4	EA	\$2,100.00	\$8,400.00
	Manhole Chimney Seal	16.1	EA	\$450.00	\$7,245.00
	Sanitary Sewer Trench Compaction	1,453	TF	\$6.00	\$8,718.00
	Telesite Sanitary Sewer	628	TF	\$2.25	\$1,413.00
				subtotal	\$74,428.00
Water Main Construction					
	12" Water Main	1,255	LF	\$66.00	\$82,830.00
	8" Water Main	395	LF	\$46.00	\$18,170.00
	6" Water Main	30	LF	\$52.00	\$1,560.00
	12" Valve and Box	4	EA	\$2,450.00	\$9,800.00
	8" Valve and Box	3	EA	\$2,200.00	\$6,600.00
	6" Valve and Box	2	EA	\$2,000.00	\$4,000.00
	1" Copper Services	17	EA	\$1,350.00	\$22,950.00
	Fire Hydrant	4	EA	\$3,900.00	\$15,600.00
	Water main Trench Compaction	1,650	TF	\$4.00	\$6,720.00
				subtotal	\$168,230.00
Storm Sewer Construction					
	18" RCP Storm Sewer	220	LF	\$44.00	\$9,680.00
	15" RCP Storm Sewer	193	LF	\$40.00	\$7,720.00
	12" RCP Storm Sewer	127	LF	\$36.00	\$4,572.00
	18" RCP Apron Endwall & Gate	1	EA	\$1,800.00	\$1,800.00
	Catch Basin	2	EA	\$1,900.00	\$3,800.00

FROM OTHER SHEETS

Item No.	Description	Est. Quantity	Unit	Unit Price	Amount
	Curb Inlets	4	EA	\$1,900.00	\$7,600.00
	Storm Sewer Trench Compaction	540	LF	\$2.00	\$1,080.00
	Rip-Rap	25	SY	\$50.00	\$1,250.00
	Type "D" Inlet Protection	4	EA	\$150.00	\$600.00
				subtotal	\$38,102.00
Street Construction					
	Finish Grade Streets	10.0	STA	\$600.00	\$6,000.00
	Adjust Castings	11	EA	\$325.00	\$3,575.00
	Sawcut	150	LF	\$3.00	\$450.00
	Undercut & Backfill w/ Crushed Stone	250	CY	\$33.00	\$8,250.00
	10" Crushed Stone Base	3,260	SY	\$9.00	\$29,340.00
	30" Concrete Curb & Gutter	1,950	LF	\$15.00	\$29,250.00
	Wedge Curb and Gutter	1,950	LF	\$1.25	\$2,437.50
	2-1/4" Binder Asphalt Binder	3,260	SY	\$8.50	\$27,710.00
	1-3/4" Surface Asphalt Binder	3,260	SY	\$7.00	\$22,820.00
	Clean & Tack	3,260	SY	\$1.00	\$3,260.00
	5" Concrete Sidewalk	11,750	SF	\$3.50	\$41,125.00
	5" Concrete Sidewalk Ramps	850	SF	\$6.25	\$5,312.50
	Detectable Warning Fields	16	EA	\$200.00	\$3,200.00
	Teacake Restoration	2,650	SY	\$4.00	\$10,600.00
	Remove Type III Barriadees	2	EA	\$250.00	\$500.00
				subtotal	\$194,505.00
Street Trees					
	Street Trees	36	EA	\$400.00	\$14,400.00
				subtotal	\$14,400.00
Total					\$529,233.75
Engineer's Estimate					\$529,200.00

Amount of Surety (120% of Engineers Estimate) = \$635,000

Document Number	EXHIBIT "C" <u>RELEASE OF DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS, JUNIPER RIDGE, VILLAGE OF MCFARLAND, DANE COUNTY, WISCONSIN</u>	
WHEREAS, MREC VH Juniper Ridge, LLC, a Delaware Limited Liability Company ("Owner") caused to be recorded that certain Declaration of Conditions, Covenants and Restrictions, Juniper Ridge, Village of McFarland, Dane County, Wisconsin, dated July 10, 2015, recorded August 7, 2015 in the office of the Dane County, Wisconsin Register of Deeds as Document No. 5175109 (the "Restriction"); and WHEREAS, the Restriction limited the sale or transfer of Lots, as that term is defined in the Restriction, until such time as an instrument is recorded by the Village of McFarland in the Dane County, Wisconsin Register of Deeds office, approving the sale or transfer of said Lots; and WHEREAS, the Village of McFarland approves the sale or transfer of the Lots described in Exhibit "A", attached hereto and incorporated herein by reference.		Record this document with the Register of Deeds Name and Return Address: Atty. Gregory J. Paradise Mohs, MacDonald, Widder, Paradise & Van Note, LLC 20 N. Carroll Street Madison, WI 53703 <u>See Exhibit "A"</u> (Parcel Identification Number)

NOW, THEREFORE, it is agreed by the Village of McFarland, that the Restriction shall be and hereby is terminated as to the Lots described in Exhibit "A", attached hereto and incorporated herein by reference.

Dated this _____ day of _____ 2018.

VILLAGE OF MCFARLAND

By: _____

Print Name: _____

Print Title: _____

Approved As To Form:

Lawrence E. Bechler Allen Reuter, Village Attorney

STATE OF WISCONSIN)
) SS.
COUNTY OF DANE)

Personally came before me this _____ day of _____, 2018, the above-named _____, to me known to be the person who executed the foregoing instrument and acknowledged that they executed the same for the purposes therein contained.

Notary Public, Dane County, WI
My Commission Expires:

DRAFTED BY:
Atty. Gregory J. Paradise

EXHIBIT "A"

LEGAL DESCRIPTION - JUNIPER RIDGE - PHASE 6

Lots 78 through 95, Juniper Ridge, recorded in Volume 60-041A of Plats on pages 203-208 as Document No. 5172418, located in the NW 1/4 and the SW 1/4 of the SE 1/4 of Section 35, T7N, R10E, Village of McFarland, Dane County, Wisconsin.

PINS: See Attached.



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, August 20, 2018

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Discussion only - temporary staging area for TDS installation at 4313 Triangle Street.

PREVIOUS ACTION:

ISSUE SUMMARY:

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

1. 4313 Triangle - Goben

DMG HOLDINGS LLC
2501 E. Springs Drive, Madison, WI 53704

August 13, 2018

RECEIVED
AUG 14 2018
VILLAGE OF McFARLAND

CITY OF McFARLAND

5915 Milwaukee Street

McFarland, Wisconsin 53558-0110

Subject: 4313 Triangle Street, McFarland, Wisconsin 53558

Ladies & Gentlemen:

The warehouse at the subject location is still being used for storage purposes only. The Parking lot is being fenced in for security reasons. TDS Corporation wants to use the outside Parking lot for 3 – 6 months for storing equipment and large cable lines for installation of Telephone service under contract with the City of McFarland. They are willing to install this Security fence to protect their equipment from vandals, misbehavior or the public parking At the facility.

Please do not hesitate to call me if you have any questions.

Sincerely yours



Don Goben

Blg/DG



PLAN COMMISSION SUMMARY SHEET

MEETING DATE: Monday, August 20, 2018

SECTION: Business

DEPARTMENT: Community Development

CONTACT:

AGENDA ITEM: Future presentation by WHEDA representative George Petak

PREVIOUS ACTION:

ISSUE SUMMARY:

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

None

Community Development Highlights

July 2018

- July has been our busiest thus far for 2018 with 80 permits issues, nineteen permits were issued for new construction 2 commercial, 7 duplexes, 10 single family. Totals for the month equaled \$104,858.46. As of August 2nd, we have issued 411 permits for 2018. New construction consist of: 46 single family, 8 duplexes, 3 multifamily & 3 commercial. We are about 120 permits ahead of last year. For the first 7 months of 2018 revenues are approximately \$760,000. Last year at this time, revenues were just over \$387,000.00
- Finalized a draft of an RFP to redevelop 4719-4723 Farwell Street. The Board will need to approve prior to issuance. The Village closed on the purchase of this property in July.
- Final revisions of design guidelines for TIF #5 were reviewed by CDA and Plan Commission. A resolution has been drafted and will be acted upon by the Village Board.
- Working to finalize a Developers Agreement for Phase 6 of Juniper Ridge Subdivision. Brain Berquist and Allan Coville would like to insert some language regarding cleanouts for the detention ponds.
- Working with Veridian on renewing surety for public improvements.
- Have had to respond to many inquiries regarding earth-moving going on at the southeast corner of Marsh and Siggelkow Road. Midland Rentals has begun development of seven duplexes at this location.
- The branding Ad-Hoc committee continues to meet. Our consultant Zebradog made a presentation before the Village Board in early July.
- The Waubesa Shores amended condo plat and declaration were approved by the Board in July.
- The final draw request for Waubesa Village was made and approved by Matt Schuenke.
- Attended the following monthly meetings
 - CDA
 - Plan Commission
 - Village Board

Submitted by:
Pauline Boness
Community Development Director



Memorandum

TO: Plan Commission Members

FROM: John Griffith, Code Enforcement Officer

DATE: August 9, 2018

RE: July Property Maintenance Report

<u>ADDRESS-OWNER OR TENANT OCCUPIED (MAY AND PRIOR LETTERS/CONTACT)</u>	<u>VIOLATION:</u>	<u>STATUS</u>
6208 Johnson Street (Torbleau)	In ground pool w/out fence	Court date 2/13/18 (Pretrial- failed to show to initial court date)2 citation in June Fence installed prior to court date
5706 Wisconsin (Frisch)	Accumulated junk, debris & unlicensed inoperable vehicles stored on property. Weeds & grass height	Citation sent on the 10 th , 17 th , 24 th and the 31 st . pictures taken each visit.7 citation in total. In compliance 6-28. Prop. Watch still in progress. Property still in compliance 8-2-2018
5310 Norma La. (Haeffner)	Pool cleaning discharge into neighbors yards	Talked to owner
Lake Edge Marina (Sturman)	Fenced public walkway	Inspected weekly
5409 Valley Rd. (Halsey)	Truck bed on lawn	Spoke to owner bed moved to driveway & for sale. Truck bed gone 7-11-2018
4607 Yahara pl. (Hubanks)	Lawn	Property for sale called realtor for clean up

5524 N. Cook St. (Vitense – Rental)	No permit	Permit acquired same day
5707 Leanna Lane (Mita)	Lawn not mowed	Public works to mow
5218 N. Autumn La. (Ellis)	Lawn not mowed	Mowed apologized to owner for letter wording
5114 Church St. (Friedman)	Lawn not mowed	Determined owner finished the job
5305 Timber La.	Lawn over 8”	Letter taped to door
5205 Church St. (Markgraf)	Fence needs repair	Letter to owner 5-21
4709 Taylor (Howe)	Van on lawn	Letter to owner 5-21
6118 Johnson St (Gletty-Syoen)	Chickens w/out permit	Approved
5111 Glen St. (Dunar)	Chicken w/out permit	Approved
Seven properties	2 nd chicken notice of non- permit letters	
6305 Lani La. (Dybus)	Lawn not mowed	Issue corrected
School district new ball fields	Noxious weeds	Letter delivered to maintenance
5016 Paulson (Hamilton)	Weeds & brush at curb	Spoke to owner items removed
6701 Sleepy hollow Rd.	Boat on lawn	Letter taped to door
5108 Erling Ave (Racek)	Lawn over 8”	Letter taped to door
5520 N. Cook St. (Neesam)	Junk at curb	Spoke to owner

<u>LETTERS /CONTACT IN JUNE:</u>	<u>VIOLATION:</u>
6305 Lani La Dybus	Lawn not mowed property mowed by public works
5206 Rustling Oaks Colman LLC	Damaged vehicle in driveway removed by 7-16-2018 letter to owner 7-9-2018
5700 HWY 51 Centre LLC	Trash in back of building Cleaned up 7-23-2018

5304 Marsh Rd.	Mad City siding without permit Permit taken out 7-13-2018 amount doubled
5873 Holscher Rd.(Kalscher)	Weeds in right of way School Dist. Ball diamond project is working on fencing in that area
6701 Sleepy Hollow Rd. (Handell)	Boat on lawn Boat on driveway 7-23-2018
5312 Broadhead St.	Lawn & weeds overgrown mowed 3 days later
5010 Rustic Way(Shubat)	Unsightly premises 7-19-2018 letter Property under watch 30 days from letter date
5305 Rustling Oaks (Wood)	Lawn complaints from neighbors, letter posted to door lawn mowed in the correct time frame.
4900 Lake edge Rd.(Nietzel)	Lawn not mowed. Issue corrected.