

Plan Commission Minutes July 18, 2023, at 7:00 P.M.

Members Present: Carolyn Clow, Peter Bloechl-Anderson, Scott Peters, Austen Conrad,

Members Excused: Stephanie Brassington, Chris Reynolds, Jill Halverson

Staff Present: Andrew Bremer, Kong Thao

1. CALL TO ORDER, ROLL CALL

Chair Clow called the meeting to order at 7:00 P.M.

2. PUBLIC APPEARANCES.

None.

3. APPROVAL OF MINUTES

- a. Motion to approve the minutes of the June 20, 2023, Plan Commission meeting.

Clow moved to approve the minutes of the June 20, 2023, Plan Commission meeting. Peters seconded the motion. Motion carried 3-0-1, with abstention from Bloechl-Anderson.

4. PUBLIC HEARINGS

- a. Public hearing for a Certified Survey map (CSM) requested by Kolton and Elizabeth Urso to create a two-acre single family parcel at 4056 Mahoney Road, Town of Dunn, WI.

Thao provided summary on the agenda item highlighting a metes and bounds legal description error observed by County planning staff. The applicant Kolton Urso was present virtually to take any comments or questions. The Commission did not have any comments or questions on the agenda item. Clow opened the public hearing at 7:06PM. No comments or questions were received. Clow closed the public hearing at 7:08PM.

- b. Public Hearing on a Certified Survey map CSM requested by Lineage Logistics Services LLC for 4704 Terminal Drive.

Bremer provided a summary on the agenda item addressing the changes provided in the associated CSM. Bremer shared Staff's recommendation to update the CSM to provide a metes and bounds description of Lot 1. This has been communicated with the applicant. Bremer commented that the applicant had raised concerns regarding whether the Village Subdivision requires the draft staff

recommendation to provide two additional feet of ROW dedication to be included as part of the associated CSM given the nature of the proposal. Bremer indicated he will discuss with the Village Attorney, prior to the August 15, 2023 Plan Commission meeting. Ed Lawton, Attorney for Lineage Logistics Services LLC, attended the meeting virtually to answer additional questions or concerns. The Commission did not have any comments or questions for the agenda item. Clow opened the public hearing for the item at 7:11PM. No comments or questions were received. Clow closed the public hearing at 7:12PM.

- c. Public hearing on a Conditional Use Permit requested by Lyschel Bersch for wholesale and warehouse uses for a candle supply business located at 4903 Commerce Court.

Thao provided summary on the agenda item, commenting that no site or exterior building improvements are being proposed with the CUP request. Thao also added that the Fire Department is ongoing in their communication with the applicant about the site's potential high piled storage and sprinkler system. Details are expected to be included at the next Plan Commission meeting. Lyschel Bersch attended the meeting virtually to answer questions or comments. Bloechl-Anderson inquired about the storage and potential for flammable components associated with the materials. Bersch replied they are not a candle making facility but sell supplies to make candles. Peters confirmed the CUP was for the wholesale trade in a commercial park district. Bremer affirmed Peter's inquiry, whereas warehousing is permitted and wholesale is conditional. Clow opened the public hearing at 7:20PM. No comments or questions were received. Clow closed the public hearing at 7:21PM.

5. BUSINESS

- a. Discussion and action on a Conditional Use Permit requested by Jason Preisler for an additional fifth dwelling unit located at 6212 South Court.

Bremer commented that the only new information to include would be to require the property owner to privately contract for trash and recycling pick-up, as required under Village ordinances for 5 or more dwelling units in one building. Emily Preisler, spouse of applicant, was present virtually on their behalf to address any questions or concerns. No further discussion and comments from the Commission on the item.

Clow motioned to approve a Conditional Use Permit requested by Jason Preisler for an additional fifth dwelling unit located at 6212 South Court, with the following conditions of approval:

- 1. The applicant to provide confirmation of private trash and recycling pick-up services for the property to Village Public Works Department prior to receiving an occupancy permit for the fifth dwelling unit.

2. Applicant to provide payment for all applicable Village impact fees for the additional fifth dwelling unit as part of the building permit.

Motion seconded by Conrad. Motion passes 4-0.

- b. Discussion and action on a Site Design Review Permit requested by the Village of McFarland and McFarland School District for park improvements at 5605 Red Oak Trail, Waubesa Intermediate School.

Matt Schuenke, Village Administrator, Blake Theisen, Parkitecture + Planning Architect, and Jeff Mahoney, McFarland School District were present to provide details and comments on the agenda item. Theisen provided summary on the scope of the project, highlighting the amenities of the inclusive park, additional ADA parking, firetruck turnaround, and park shelter.

Discussion by the Commission included positive feedback for gender-neutral restrooms, restroom stall layouts, lighting, water refill station height, shelter materials, security cameras, park design regulations, and stormwater management.

Clow motioned to approve a Site Design Review permit requested by the Village of McFarland and McFarland School District for the park improvements at 5605 Red Oak Trail, Waubesa School. Seconded by Bloechl-Anderson. Motion passes 4-0.

- c. Discussion and action to submit a letter of opposition to the Dane County Zoning & Land Regulation Committee, and Town of Dunn Town Board, regarding a proposed cell tower at 3486 CTH MN in the Town of Dunn, Dane County, WI. Dane County CUP #2583.

Bremer provided a summary on the agenda item highlighting past actions, actions taken by Village Staff, the previously submitted letter of opposition, the plan revisions, and the associated letter of opposition. The associated letter of opposition maintains opposition to the project while addressing the revisions submitted. Bremer concluded the summary by providing a timeline of activities following this Plan Commission's meeting.

Derek McGrew, Representative for Tower King; Jake Remington, Husch Blackwell LLP; and Bene Dituri, Dish Network were present in the room to speak on the item. McGrew provided a summary on their application for a CUP through the Town of Dunn, which included outreach, feasibility of alternative locations and a summary of the revisions submitted to staff. Prior to the meeting, Dituri provided Commission members and Staff with a packet pertaining to the details of their discussion. The packet includes details on coverage growth in recent years

and the level of additional coverage the tower may provide to the area.¹ Dituri stated this would account for approximately 12,000-13,000 cell phone users that this coverage could impact.

Discussion from the Commission members include comments about the original site plan submittal compared to the revised site plan, rationale on the tower's revised location, landscaping, setback requirement, alternative locations, and communication at earlier stages of the project. McGrew addressed the Commission's concerns regarding the potential collapse of the tower and assured its falling distance to be at a maximum of 35 feet, mostly collapsing on itself.

Clow asked Bremer to provide background information on past communications with the Village related to alternative sites and projects. Bremer asked if the property owner was aware of the tower's proposed location change. McGrew commented there was none that they are aware of, but that the revised location was still within the lease area. Peters asked why this location is a benefit to the Village. Dituri commented that the list of benefits may include reliability of network services with fewer dropped calls, emergency 911 services, and improvements to daily usage. The Commissioners noted the location of the tower was within a planned residential area as shown in the Village's East Side Neighborhood Plan from 2008, updated 2023.

Clow motioned to submit a letter of opposition to the Dane County Zoning & Land Regulation Committee, and Town of Dunn, regarding a proposed cell tower at 3486 CTH MN in the Town of Dunn, Dane County, WI. Bloechl-Anderson seconded the motion.

Further discussion clarified that the letter being submitted is in addition to the previous letter of opposition dated March 24, 2023. Bremer clarified that it is undetermined if the ZLR will accept into records the proposed changes based on their proceedings. The second letter of opposition reflects the revised site plan and is to be on Village record for the Town of Dunn and ZLR Committee should the ZLR accept the revised plans.

Motion fails, 2-2, with Clow and Bloechl-Anderson voting aye, and Conrad and Peters voting nay.

6. SCHEDULE NEXT MEETING DATE.

- a. Tuesday, August 15, 2023 at 7:00PM

¹ Scanned copies of the packet provided to Commission members at the meeting are not included with the July 18, 2023 packet or minutes. Please contact the C&ED Department for additional details.

7. ADJOURNMENT.

Peters motioned to adjourn, Conrad seconded the motion. Motion carried 4-0.
Meeting adjourned at 8:34 PM.