

Excerpts from Minutes for Plan Commission Subcommittee for Recommending a Density Standard for a Private Road or Drive within the ETZ and Possibly within the ETZ and Town

The following discussion is from the Joint Town/Village Extraterritorial Zoning meeting on 12/03/2009:

5. K. Seward reported to the group that in the course of discussing the Borucki proposal before the Town of New Glarus Plan Commission that the issue of maximum development along a private driveway was raised. Green County Zoning limits development of contiguous properties along a private driveway to no more than six single-family or duplex dwellings; dedication of the driveway to the Town is required with an additional residence. Seward asked if the County standard should prevail within the A-T as well. It was noted that the A-T zone has no open space requirement and therefore densities of residential development could be potentially higher. The private driveway would need to meet current Town Road standards to be considered for dedication as a Town Road.

S. Wisdom asked if the owners of properties along a private drive did not seek Town dedication, would they still need to raise the standard to get a seventh home approved. C. Narveson suggested that the length of the road should have a bearing upon dedication to the Town as well. Administrator Owen stated that the Village allows private roads within a Planned Unit Development (PUD), but restricts the length of the roads and requires that the roads be through instead of culs-de-sac. M. Fenley cautioned that complications could arise by adopting a more stringent standard in the ETZ than the existing County standard; however, if the more stringent standard applied to the entire Town and ETZ he thought that would be less problematic.

S. Wisdom asked what would become of a group of homes along a private driveway if annexed by the Village; would the drive have to be raised to Village standards or would it be grandfathered. M. Fenley thought that the existing driveway could be considered legal nonconforming and could be required to being upgraded when a change is requested which requires permitting. W. Duerst suggested a standard based on a combination of length and number of residences. K. Seward suggested for the Town Plan Commission to review the topic with the input of Mike Fenley, possibly adopting a Town-wide standard more restrictive than that of the County. C. Narveson moved to refer this topic to the Town Plan Commission with input from M. Fenley; D. Streiff 2nd. Motion passed. (C. Narveson had to leave at 7:23 PM as did B. Borucki. Bob and Andy Elkins departed at 7:26 PM).

The following discussion is from the Town Plan Commission meeting on 12/17/2009:

7. Deputy Clerk Wright reported that he, Town Building Inspector Mike Fenley, and Chair Seward met earlier today to discuss a possible uniform standard governing the maximum development along a private driveway and/or public road before Public Dedication would be considered by the Town. The group had a copy of Green County Zoning Ordinance 4-3-2-1 D to refer to which stipulates that up to six adjacent lots with single or two-family dwellings can be located along a private road, driveway or easement (see attached). According to Wright, M. Fenley thinks the County's Code and the Village Code that applies within the ETZ are at odds with one another. It is Fenley's opinion that this difference is requiring the Town to consider each project within the ETZ on a case-by-case basis, thereby reducing efficiency. Fenley prefers a solution that is uniform everywhere in the Town including the ETZ. At the meeting earlier today, Seward outlined the issues to be addressed, noting that this is a use issue, not a zoning one:
 - Should the Town adopt a standard that is more restrictive than that of Green County
 - Should the standard, if adopted, apply to both the Town and the ETZ

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- Should the Town only suggest a standard for the ETZ since the ETZ Ordinance does not address this issue and the Village Code of Ordinances only deals with private roads in special situations
- If the standard is for the ETZ only, then should the Town and the Village work separately to craft recommendation from their points of view and then meet to create a joint decision

K. Seward reported that he spoke with Adam Wiegel, the Green County Zoning Administrator today. From Wiegel's perspective his interpretation of 4-3-2-1 D is that the definition is all-inclusive and is not applied differently for a private drive, private road, or easement. Seward went on to note that Wiegel is fine if the Town was to adopt a more restrictive standard. C. Narveson, R. Reis, and J. Ott volunteered to become members of a sub-committee to further examine this issue; without objection. Seward is looking for this group to formulate a recommendation that defines a standard for the entire Town or only for the ETZ. Seward noted that if a proposed standard is to apply to the Town outside the ETZ or to the entire Town including the ETZ, then it would need to be more restrictive than Green County's standard. The subcommittee will make their recommendation to this body in March 2010.