

OFFICE OF
Town of New Glarus

MINUTES
TOWN OF NEW GLARUS
Plan Commission Meeting
Thursday March 28, 2013
Town Hall- Swiss Miss Center 1101 Hwy 69 New Glarus @ 6:30 PM

ATTENDING: Keith Seward, Robert Elkins, Duane Sherven, John Ott, Reginald Reis, Dale Hustad, Dean Streiff and Susan McCallum Deputy Clerk/Plan Administrator.

ALSO ATTENDING: Lorna Righter and Sherry Wilde (at 6:58pm)

ABSENT:

1. Call to Order: Keith Seward called the meeting to order at 6:37pm.
2. Review Proper Proof of Posting: S. McCallum stated all proper postings were in place.
3. Approve Minutes from February 21, 2013: Motion to approve by J. Ott, B. Elkins 2nd.
Motion carried.
4. Public Comments: None
5. Plan Administrator Update; Receipt of Insurance Certificates: Deputy Clerk has received current insurance certificates from US Cellular \$2M and Verizon \$1M. There was a general discussion regarding change of ownership of towers and land owners' liabilities.
6. Discuss and consider Land Division proposed CSM- Tillable acres, Crawford: S. Wilde presented information for Andy and Jane Crawford regarding the sale of 121.6 tillable acres, a preliminary CSM of the land and a letter of intent. She also submitted a letter from the Crawfords stating their intent to deed restrict this parcel for open space. The commission reviewed the submissions. K. Seward asked whether the Crawfords have any plans for the rest of their property. S. Wilde said A. Crawford had met with Plan Administrator and reviewed all potential and they are not interested at this time. K. Seward stated going forward if they intend to develop with large lot splits this amount of land deed restricted may not meet the requirements. S. Wilde stated they are aware of these issues. The deed restriction attachment included 5 points. B. Elkins questioned #3 in reference to paragraph #2. S. Wilde responded that this will allow current use. D. Streiff asked whether it is a fenced easement, yes. J. Ott asked whether there were additional easements for access off of Titus Lane. S. Wilde stated no, current farmer doesn't need access off Titus. He also asked about the Letter of Intent to the Plan Administrator stating they will be using one of their land divisions for this sale. This would not be the case, K. Seward confirmed. K. Seward stated that the attachment is restricting beyond the requirements of the town. D. Hustad said a future buyer of developable land would want to see the plans. S. Wilde said there wasn't time to make those decisions at this time. J. Ott wondered for the entire 122 acres is the only access off of Pioneer road. S. Wilde stated yes this is how it is currently. D. Sherven questioned restricting animals on the land. S. Wilde stated that the easement for the sheep will not be in perpetuity, only as long as current owner has sheep. J. Ott moved that the Plan Commission has no objection to the sale of 122 acres of land deed restricted in accordance with the town ordinance for open space, D. Streiff 2nd. Further discussion; J. Ott asked whether they have a driveway just for farming the land. S. Wilde stated they have three field entrances off of Pioneer road for access. J. Ott wondered for the entire 122 acres is the only access off of Pioneer road and are they town approved. D. Hustad stated no field accesses are approved by the town. He also said that this would/could be an issue for future owner/use with development. S. Wilde pointed out all accesses to the 122 acres. The Commission agreed the town hasn't any authority. Motion carried.
D. Sherven objected to authorizing K. Seward to sign the CSM after the public hearing and the Town Board's approval at the meeting April 16. The rest of the commission had no objection.

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7. Discussion and consider Righter land division: D. Hustad is representing the Righters, Lorna Righter was present. She presented a map to the Plan Commission showing the agricultural property South of County Hwy H to be sold. D. Hustad stated this land will be deed restricted to satisfy open space requirements for the previous splits. L. Righter said they originally wanted to put the land into wetlands preservation and did not renew this year. Discussion continued with Righter history from L. Righter and commission members reviewing the document. K. Seward addressed calculations of original parcel size previous to present which appears to allow another split (5th). L. Righter stated the original homestead was 186 acres which agrees with our new calculation of 185.34 acres in the original parcel. This then impacts the future development potential and needs for deed restricted land for open space requirements. K. Seward went on to explain the criteria for land development and requirements. D. Hustad stated the 35.2 acres being sold is to be deed restricted for open space required for everything north of Hwy H. L. Righter asked whether she is to bring in a survey or tax records on what they bought in 1998. K. Seward said yes like a meets and bounds or something showing what was owned pre-ordinance. It would not be necessary to bring back to the Plan Commission but to Plan Administrator. There was no objection from the commission for K. Seward and/or Plan Administrator to review future supporting documents.

8. Discuss US Cellular tower placements, possible amendment of collocation fees, no appearance by US Cellular: S. McCallum explained to the commission what is in their packet, that the commission had requested someone from US Cellular to appear at this meeting. They do not have anyone available this month maybe April. She explained they also supplied the Commission with additional engineering documents dated January 2013 showing 5 locations, but there are now 7 placements. She stated that the original permit was for 4 locations. K. Seward reviewed for the Commission the past collocation fees collected of \$8,000 with one given back in the amount of \$2,000. He questions whether the proper amount was originally collected and whether the tower is capable of the current loading. The discussion included whether all these heights and types of equipment are separate locations. D. Hustad would like someone to explain how the existing leased loading matches with the designed loading. K. Seward asked whether there should be another permit needed and additional collocation monies. K. Seward asked advice of D. Hustad, with the changes we see here are they required to get a new permit. D. Hustad said if they are to have a representative at the next meeting, we would ask them to explain what collocation means. K. Seward felt there are two issues, how much should the collocation fees be, how many are rented and did they violate our ordinance without obtaining a new permit for the additions. It is clear to him they made changes from the original permit. S. McCallum said her concern for the Commission is that they are unaware of how much equipment is currently on the tower. D. Sherven wondered what is the county's definition of collocation. K. Seward said they originally said they had 4 locations, we collected \$8,000 and refunded \$2,000. We would keep 1/5 of monies based on number of current locations. In his mind we get something in writing saying you violated the ordinance. B. Elkins suggested checking with county zoning for their input. Sherven said it's been 4 or 5 years that a conditional use permit for a cell tower came before county zoning. D. Hustad said we would want to know if the tower is capable to handle what is in place. R. Reis brought up the issue that subsequent engineering only validates that the tower can support the new addition. K. Seward asked are we saying we want our own engineer to review the tower's capacity. K. Seward asked are there any other concerns. Hearing none, he directed S. McCallum to request an appearance from a representative of US Cellular who can answer the questions: 1. Original design of tower in regard to the number of collocations, 2. When they added units, 3. Engineering that that tower is safe for current and future loading. J. Ott suggested they get the questions ahead of appearance to come prepared to address commission concerns. R. Reis felt that going forward we will know what is happening with the tower.

9. Updates:

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- a. Joint Negotiation Committee- S. McCallum presented the information requested at the last meeting: 10 year Data; Population of Town, Population of School District, and Cost per Student. Reis stated he sees the rate of change is slowing, some years up but overall increasing. K. Seward related the past information he received from the Monroe School Superintendent.
K. Seward gave a brief overview of changes in process. Next meeting is 4/18 at the Village. J. Ott asked is there an alternative plan for the boundary agreement because of the possible changes in elected officials, what is the position of township regarding annexation issues. K. Seward said right now the Village could pass the old CDA and the process would be complete. There is a 180 day extension until August 15 or both could ask for another extension.
10. Set Next Meeting Date and Agenda: April 18, 6:30 pm. Appearance by US Cellular.
11. Adjourn: J. Ott moved to adjourn at 8:09 pm, D. Sherven 2nd. Motion carried.