

TOWN OF ALBION  
MEETING OF THE TOWN BOARD  
TUESDAY, JUNE 4, 2019  
7:00 P.M. - ALBION TOWN HALL

**AGENDA:**

Call to order

Pledge of Allegiance

Confirmation of Meeting Notice

Approval of Meeting Minutes – May 7, 2019

Public Participation/comment

Update/possible action on CKSD issues

Update/possible action on Access/Driveway Permit and/or Refunds – Larry Kruckenberg – Lake Drive Rd and Kyle Beckstrom – Oak Dr.

Review/Approval of Petition# DCPCUP-2019-02465 - Coachman's Inn – Conditions put on by Dane County

Approval of Petition#11412 – Coachman's Inn – for Dane County

Action on Preliminary Resolution#2019-04 - To Consider Discontinuing Portions of Various Town Roads

Action on Class A Fermented Malt Beverage License for Hickory Hills Campground

Action on Class A Combination Liquor and Fermented Malt Beverage License for I-90 Truck Stop

Action on Class B Fermented Malt Beverage License for Highwood Assoc., I-90 Truck Stop and OTV, LLC

Action on Class B Combination Liquor and Fermented Malt Beverage License for Coachman's Inn Enterprises, Creekview Par 3, Franks and Steins, and Oberg's Bar

Action on Class C Wine License for Highwood Assoc., and OTV, LLC

Action on Servers License

Reports: Sheriffs, Fire District, and Road

Pay Bills

Adjourn

Any person who requests accommodation of a disability to participate in the meeting is welcome to contact the Clerk at 608-884-8974 to make arrangements.

Julie Hanewall, Clerk

May 7, 2019

The Albion Monthly Board Meeting was called to order by Chairman Bob Venske on Tuesday, May 7, 2019 at 7:24 P.M. at the Albion Town Hall with the following members present: Bob Venske, Bruce Hudson, Abigail Staff, Jeff Lehnherr, Pat Tesar and Julie Hanewall, Clerk with 17 concerned citizens. The Pledge of Allegiance was led by Bob Venske. Clerk Hanewall confirmed the meeting notice was posted on the web site and in 4 locations: Town Office, Outside the Town Hall, Oberg's Bar and Piggly Wiggly.

Approval of Meeting Minutes – April 9, 2019 –Jeff Lehnherr made a motion to approve the April 9, 2019 meeting minutes, Pat Tesar 2<sup>nd</sup>, 5 ayes, motion carried.

Public Participation/comment – Pat Tesar – Info on Over the Vines - have not been progressing on the CUP they were issued – This is due to building cost.

Update/possible action on CKSD issues -

Review/Approval of 2018 audit – Johnson Block – Brett Hofmeister, Audit Manager – New this year, they are out of Madison, specialize in Non-profits and governmental units. We received a clean unmodified opinion. The prior audits were done on cash basis, now it is a modified accrual, this gives a better picture at what happened throughout the year. Went through the audit, explained the different accounts and monies. Pat Tesar made a motion to accept/approve the 2018 Town audit, Jeff Lehnherr 2<sup>nd</sup>. 5 ayes, motion carried.

Update/possible action on Access/Driveway Permit and/or Refunds – John Gruber – Oak St. John put his 4 parcels into one. This will be a second driveway, needs approval from the board. Abigail Staff made a motion to grant the additional access for his new garage, Lawrence Beck 2<sup>nd</sup>, 5 ayes, motion carried.

Karen Mc William – Hillside Rd – Building a new house, driveway doesn't meet our driveway permit application, needs board approval. Abigail Staff made a motion to approve, Jeff Lehnherr 2<sup>nd</sup>. 5 ayes, motion carried.

Approval of refund for Advantage Homes – Goede Rd – Pat Tesar made a motion to approve refunding deposit, Abigail Staff 2<sup>nd</sup>. 5 ayes, motion carried.

Approval of Petition# DCPREZ-2019-11423 for James Jelinek – Pat Tesar made a motion to accept the recommendation from the Plan Comm and approve, Jeff Lehnherr 2<sup>nd</sup>. 5 ayes, motion carried.

Approval of Petition# DCPREZ-2019-11419 for Ronald Trachte – Pat Tesar made a motion to accept the recommendation from the Plan Comm and approve, Lawrence Beck 2<sup>nd</sup>. 5 ayes, motion carried.

Approval of Petition# DCPCUP-2019-02467 for Ronald Trachte – Pat Tesar made a motion to accept the recommendation from the Plan Comm with the condition: Any future expansion of the site need Town of Albion’s Town Board Approval and approve, Jeff Lehnherr 2<sup>nd</sup>. 5 ayes, motion carried.

Appointments to the Edgerton Fire District - Kathryn Fosdal and to the Consolidated Koshkonong Sanitary District – Gary Tellefson. Chairman Venske appointed Kathryn Fosdal to the Edgerton Fire District Board and Gary Tellefson to the Consolidated Koshkonong Sanitary District (CKSD) Board.

Approval of Fireworks permit for Keith Holden – 414 Albion Rd – Jeff Lehnherr made a motion to approve with the condition they must pass the fire inspection before license will be given, Lawrence Beck 2<sup>nd</sup>. 5 ayes, motion carried.

Approval of Amending Zoning/CUP/Variance Procedure #3 from 300 ft to 100 ft in a residential area – Pat Tesar made a motion to change from 300 ft to 100 ft in a residential area, Abigail Staff 2<sup>nd</sup>. 5 ayes, motion carried.

Fire District – Activity ahead of last year, 4% busier. The paramedic program going extremely well. We passed the audit. The architect has been doing renderings on what we could do with the existing property and options on some of the other properties will be coming on Thursday and will be looking at the existing property. The average cost of a call is time sensitive. A true structure fire is about \$5,000.

Road – Josh came back yesterday, was off for about 2 months. The crack filling and spot sealing they did on the 25 and 26. Pulled all the 12-ton weight limits off on the 15<sup>th</sup> of April. Will do the rest of the road project later this summer. Received the balance of season salt (40 ton) that was coming. Shed is full and ready for next year. Did all the paperwork for next year. All the plow trucks are cleaned and empty. Met with the DOT Project Manager about the Aarback Rd bridge, still two years out and we do have a grant for it. Went through what needed to be done moving forward. Still have some repairs on gravel portion of Aarback Rd, sometime next week. Put up the golf carts crossing signs on Maple Grove through Coachman’s. On the new shed we got the sealer issue resolve, starting to put in some equipment. Did call Bob from B&C Electric to finish. Opened bathrooms in the park, then had to close, and then reopened. Cleaning up sticks in park and mowed. Will be grinding stumps. Had the first brush collections, had about 10 loads. Pat let Andy know that there is a stump coming out Craig Rd. Andy will take a look.

Jeff Lehnherr made a motion to pay bills, Pat Tesar 2<sup>nd</sup>, motion carried.

Jeff Lehnherr made a motion to adjourn, Abigail Staff 2<sup>nd</sup>, motion carried.

Julie Hanewall, Clerk

TOWN OF ALBION

ACCESS "DRIVEWAY" APPLICATION AND PERMIT  
FROM PRIVATE PROPERTY TO A TOWN ROAD

Cost of Access Permit is \$50.00 Deposit: \$2500.00

Name of Applicant Kruckenberg Irrev Trust, Larry Kruckenberg Trustee  
Street Address: 454 E Richardson Spring Rd  
City, State, Zip: Edgerton, WI 53557 Phone: \_\_\_\_\_

Property Owner Name (if different from Applicant) 477 Lake Drive Rd  
Street Address: 477 Lake Drive Rd  
City, State, Zip: Edgerton WI 53557

This property is: residential commercial agricultural manufacturing (circle one)  
Parcel # 0512-753-8500-8

Construction location: North South / East / West Side of Lake Drive Rd  
(Road on which access is located)  
located 1/10 mi. from Hwy 51  
(Distance) (Intersection of town/town or town/county rd.)  
in Section 25, Town of Albion.

ATTACH A DRAWING OR MAP SHOWING ACCESS LOCATION ON ABOVE  
PROPERTY. Specify footage from lot lines and show all existing accesses. on back  
Stopping Sight Distance Available: Greater than 500' (both directions)

Posted Speed Limit: 45

Stopping Sight Distance Required at Posted Speed Limit: 360

Remarks: Secondary access. For field access after selling land to Alliant for substation.

NOTE: Stopping sight distance for driveways is measured with an eye height of 3.5 feet above the pavement and an object height of 0.5 feet above shoulder elevation. To Determine "Stopping Sight Distance", please refer to the DOT Values Table.

Design Speed MPH	Stopping Sight Distance
25	155
30	200
35	250
40	305
45	360
50	425
55	495
60	570
65	645
70	730

CONDITIONS

Width of driveway: 36 feet.

Center of driveway from property line: 435 about feet.

No drainage culvert needed

Drainage culvert Size: Length: 24' or Diameter: 15"

*sufficient width to allow equipment to make the turn from the road.*

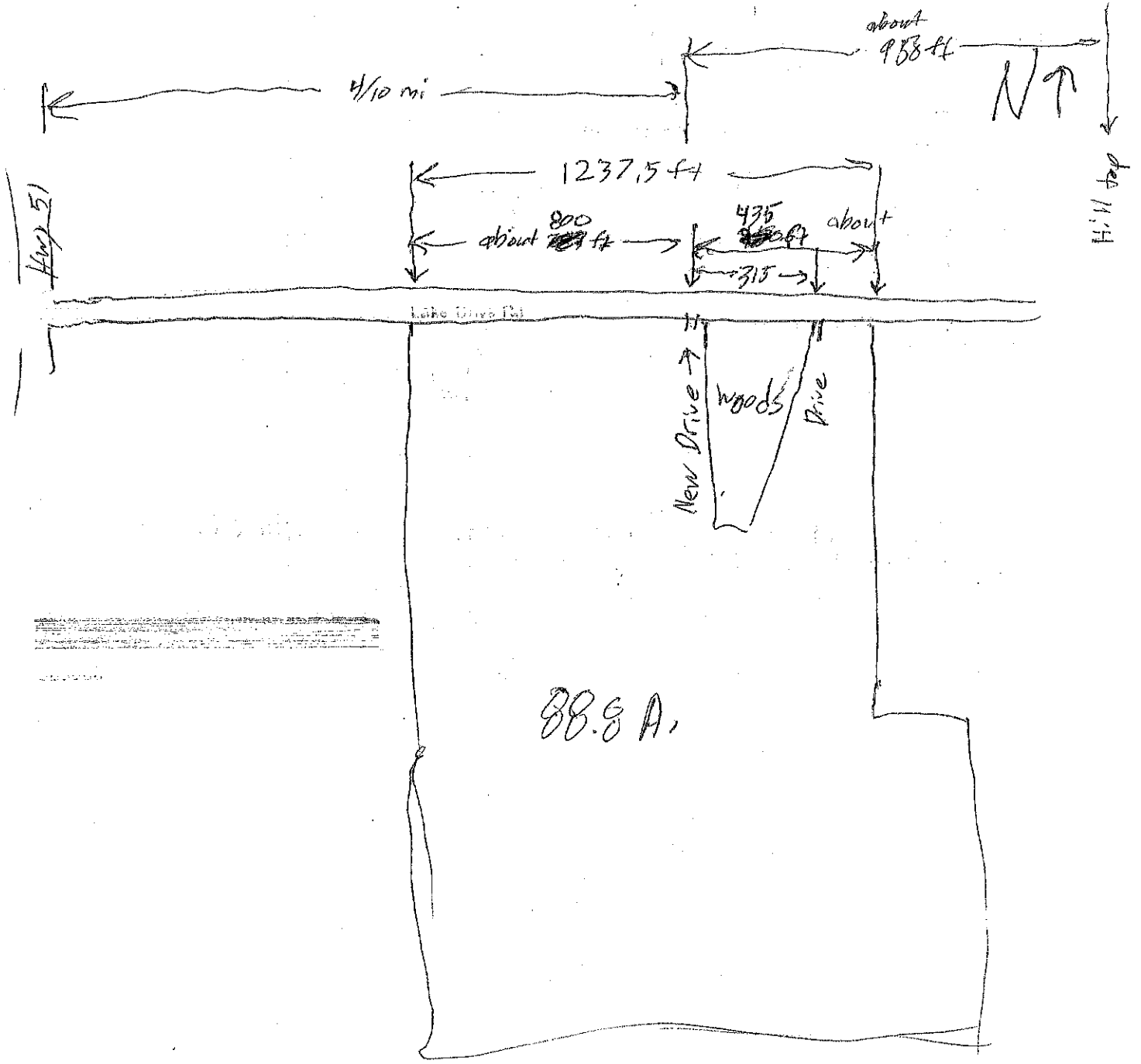
\* WisDOT Approved apron endwalls are also required.

If this request is for an additional access:

- Property size in acres: 88.8
- Total road frontage on the road from which the proposed access would serve the parcel  
1237.5 ft.
- Measurement between centerlines of the existing and proposed accesses in feet  
315 ft about
- Distance from the side setbacks of the property approx. 200' from west edge and 435' from east
- Zoning classification of the subject property AA FP-35  
Number of feet from intersections of any town/town or town/county roads: (4.10 mi.) 2112 ft

Other Requirements:

1. Finished accesses must remain at, or below, the grade of the roadway edge for a minimum of ten feet.
2. A driveway may consist of concrete, gravel, or asphalt. The first (10) ten feet of driveway from the edge of the road inward may not be concrete, it must be gravel or asphalt from property to the edge of the road (hereinafter referred to as "Driveway Concrete Setback")
3. The "Driveway Concrete Setback" shall not be constructed of concrete. The "Driveway Concrete Setback" must be constructed using gravel or asphalt. In the event that the property owner violates the Concrete Driveway Setback requirement and concrete is so installed, it will be removed and the cost thereof charged against the deposit; or if no deposit, against the property in violation of the ordinance.
4. In the event that Property owner violates the Concrete Driveway Setback requirement, Property owner hereby agrees to defend and indemnify the Town for any costs or damages incurred by the Town as a result of the Property owner's violation of the Concrete Driveway Setback requirement. Property owner further agrees to defend and hold the Town harmless for any and all damages or costs incurred by Property owner as a result of the Property owner's violation of the Driveway Concrete Setback requirement.
5. If a Property owner violates the Driveway Concrete Setback and a Town roadway improvement project results in a change of grade between the Town roadway and the



TOWN OF ALBION

ACCESS "DRIVEWAY" APPLICATION AND PERMIT  
FROM PRIVATE PROPERTY TO A TOWN ROAD

Cost of Access Permit is \$50.00 Deposit: \$2500.00

Name of Applicant Kyle Beckstrom  
Street Address: 1435 City Road A  
City, State, Zip: Edgerton WI 53534 Phone: 608-395-9689

Property Owner Name (if different from Applicant) Sam  
Street Address: 1435 Hwy A  
City, State, Zip: Edgerton WI 53534

This property is:  residential  commercial  agricultural  manufacturing (circle one)  
Parcel # 0512-202-8570-6

Construction location: North / South / East / West Side of OAK DR.  
(Road on which access is located)  
located 230' <sup>approx.</sup> south from OAK DR. / CTH A  
(Distance) (Intersection of town/town or town/county rd)  
in Section 25, Town of Albion.

ATTACH A DRAWING OR MAP SHOWING ACCESS LOCATION ON ABOVE PROPERTY. Specify footage from lot lines and show all existing accesses.  
Stopping Sight Distance Available: 230' north and >500' to the south

Posted Speed Limit: Not posted (55 mph)

Stopping Sight Distance Required at Posted Speed Limit: 495'

Remarks: Access is near intersection with STOP sign, Traffic is not going near the speed limit in that area, Slowing to stop or turn onto from CTHA.

NOTE: Stopping sight distance for driveways is measured with an eye height of 3.5 feet above the pavement and an object height of 0.5 feet above shoulder elevation. To Determine "Stopping Sight Distance", please refer to the DOT Values Table.

Design Speed MPH	Stopping Sight Distance
25	155
30	200
35	250
40	305
45	360
50	425
55	495
60	570
65	645
70	730

## CONDITIONS

Width of driveway: 10' feet.

Center of driveway from property line: 15' feet.

No drainage culvert needed

Drainage culvert Size: Length: 20' Diameter: 15"

\* WisDOT Approved apron endwalls are also required.

*or sufficient length to allow for radius for access of vehicles.*

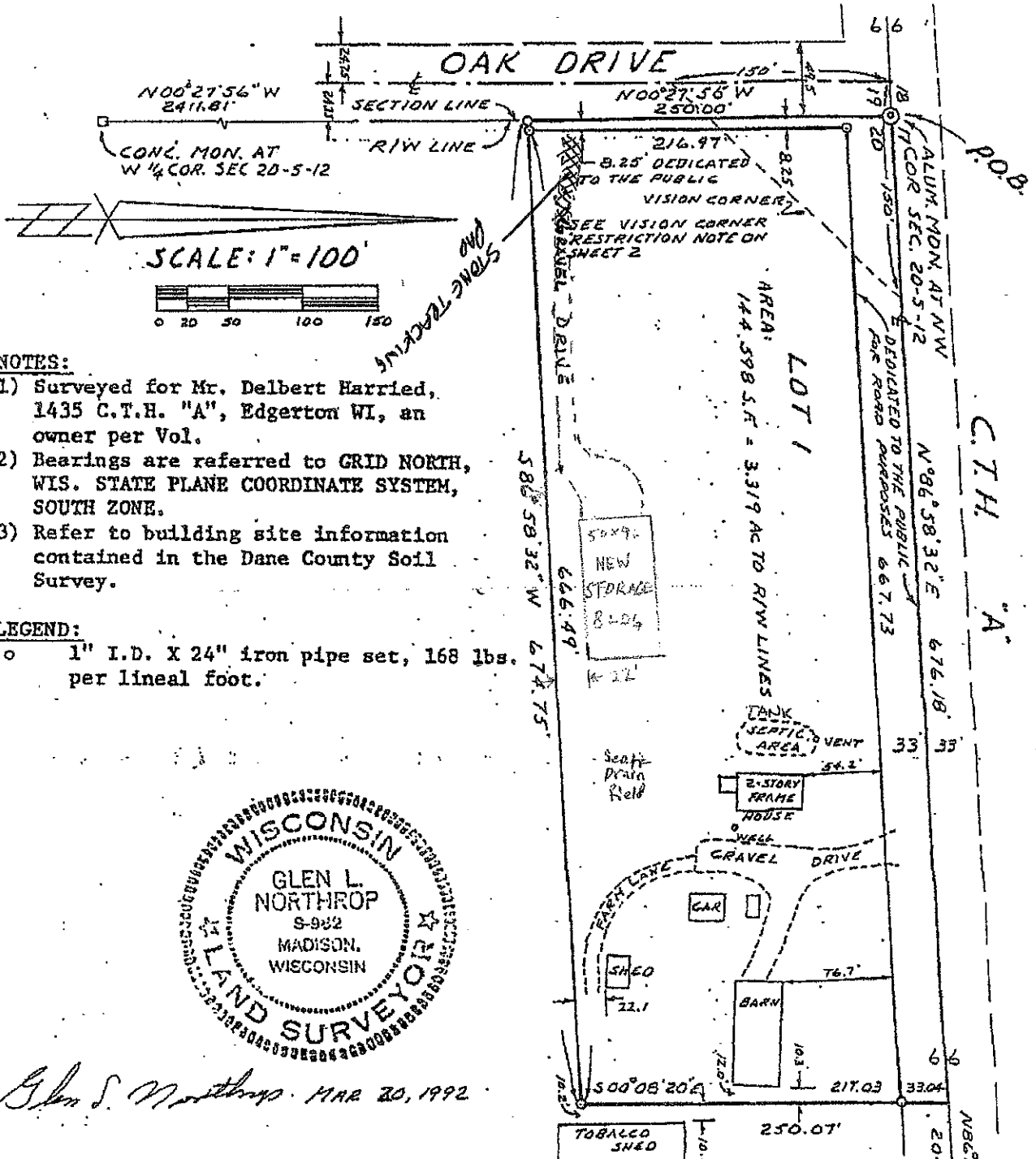
### If this request is for an additional access:

- Property size in acres: 3.32
- Total road frontage on the road from which the proposed access would serve the parcel 230'
- Measurement between centerlines of the existing and proposed accesses in feet Different road. Lot is on a corner.
- Distance from the <sup>side</sup> setbacks of the property 10'
- Zoning classification of the subject property RR-2  
Number of feet from intersections of any town/town or town/county roads: 230'

### Other Requirements:

1. Finished accesses must remain at, or below, the grade of the roadway edge for a minimum of ten feet.
2. A driveway may consist of concrete, gravel, or asphalt. The first (10) ten feet of driveway from the edge of the road inward may not be concrete, it must be gravel or asphalt from property to the edge of the road (hereinafter referred to as "Driveway Concrete Setback")
3. The "Driveway Concrete Setback" shall not be constructed of concrete. The "Driveway Concrete Setback" must be constructed using gravel or asphalt. In the event that the property owner violates the Concrete Driveway Setback requirement and concrete is so installed, it will be removed and the cost thereof charged against the deposit; of if no deposit, against the property in violation of the ordinance.
4. In the event that Property owner violates the Concrete Driveway Setback requirement, Property owner hereby agrees to defend and indemnify the Town for any costs or damages incurred by the Town as a result of the Property owner's violation of the Concrete Driveway Setback requirement. Property owner further agrees to defend and hold the Town harmless for any and all damages or costs incurred by Property owner as a result of the Property owner's violation of the Driveway Concrete Setback requirement.
5. If a Property owner violates the Driveway Concrete Setback and a Town roadway improvement project results in a change of grade between the Town roadway and the





**NOTES:**

- 1) Surveyed for Mr. Delbert Harried, 1435 C.T.H. "A", Edgerton WI, an owner per Vol.
- 2) Bearings are referred to GRID NORTH, WIS. STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.
- 3) Refer to building site information contained in the Dane County Soil Survey.

**LEGEND:**

- o 1" I.D. X 24" iron pipe set, 168 lbs. per lineal foot.



*Glen L. Northrop* MAR 20, 1992

**COUNTY APPROVAL**

Approved for recording per Dane County Zoning and Natural Resources Committee action of May 20, 1992.

*Norbert Scribner* #5014  
 Norbert Scribner, Authorized Rep.

ORDER NO. AB 1590-91  
 Drafted at ABEX Survey Co.  
 P.O. Box 369, 100 E. Main St.  
 Cambridge, WI 53523  
 Phone: 608-423-3331  
 Drg. No. 1590

SHEET 1 OF 3

DOC. NO. 2354904

CSM NO. 6733

VOL. 33 P. 180

14 00  
 Pg. 1

Initial Resolution No 19-04  
Preliminary Resolution Re: Public Hearing to  
Consider Discontinuing Portions of Various Town Roads

WHEREAS, the Town Board of the Town of Albion (the "Town"), located in Dane County, Wisconsin, is contemplating declaring that since the public interest requires it, certain public ways, namely Haugen Road, Johnson Road, Olstad Drive, Rockne Road, Thronson Road, and Trulson Trail, located in the Town be vacated and discontinued; and

WHEREAS, the Town Board desires to consider such matter in accordance with the provisions of Section 66.1003(4)(a) Stats., and as a result thereof, there has been introduced at this meeting, a final resolution declaring that since the public interest requires it, portions of various Town roads as hereinafter described be vacated and discontinued; and

WHEREAS, applicable statutes require that before the Town Board can adopt such a Final Resolution so providing for discontinuance, it must hold a public hearing thereon.

NOW THEREFORE, BE IT RESOLVED by the Town Board for the Town of Albion as follows:

1. Scheduled Hearing. There is hereby scheduled a public hearing before the Town Board of the Town of Albion, to be held on the 6<sup>th</sup> day of August, 2019, at the Town Hall located at 620 Albion Road, Edgerton, Wisconsin, commencing at 7:00 p.m. for the purpose of considering the adoption of the Final Resolution introduced at this meeting.

2. Notice. The Town Clerk shall give notice of the public hearing to all persons entitled thereto, as provided for in Section 66.1003(4) Wis. Stats., and shall publish such notice as a Class 3 notice under Chapter 985 in the official newspaper of the Town.

3. Lis Pendens. In addition, the Town Clerk shall cause to be recorded at the Dane County Register of Deeds Office, a Lis Pendens advising all interested parties of the commencement of the proceedings concerning the vacation and discontinuance of the following described portions of the following described Town roads.

4. Discontinued Portions. The public rights-of-way and roads proposed for vacation and discontinuance are more particularly described on Exhibit 1 attached hereto and incorporated herein.

5. Additional Authority. That the Town Clerk shall have such additional authority to do whatever is necessary in order to comply with the provisions of the aforesaid statute, and to cause this matter to come back for consideration to the Town Board.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

TOWN OF ALBION

By:

\_\_\_\_\_  
Robert Venske, Town Chairperson

ATTEST:

\_\_\_\_\_  
Julie Hanewall, Town Clerk

Adopted: \_\_\_\_\_ 2019

## Exhibit "1"

### Haugen Road:

All of a road locally known as Haugen Road located in the NE % of the SE % and the SE % of the SE % of Section 1, Township 05 North, Range 12 East, Town of Albion, Dane County, Wisconsin, beginning approximately 280 feet westerly of the East line of said section 1, along the centerline of Aarback Road; thence running northerly approximately 900 feet to the termination of said road.

### Johnson Road:

All of a road locally known as Johnson Road located in the NE, NW, SW, and SE %s of the NW %, and the NE and NW 'As of the SW 1/4 of Section 18, Township 05 North, Range 12 East, Town of Albion, Dane County, Wisconsin, beginning in the centerline of County Trunk Highway A, approximately 75 feet southerly of the SE corner of the SW % of the NW % of said section 18; thence running northerly approximately 2250 feet to the termination of said road.

### Olstad Drive:

All of a road locally known as Olstad Drive located in the NE' of the NE% of Section 29, Township 05 North, Range 12 East, Town of Albion, Dane County, Wisconsin, beginning on the centerline of Bliven Road approximately 25 feet westerly of the NE Corner of said section 29; thence running southerly approximately 730 feet to the termination of said road.

### Rockne Road:

All of a road locally known as Rockne Road located in the SW of the SE % of Section 12, Township 05 North, Range 12 East, Town of Albion, Dane County, Wisconsin, beginning on the centerline of Craig Road approximately 920 feet easterly of the S 1/4 Corner of said section 12; thence running approximately 1000 feet northerly to the termination of said road.

### Thronson Road:

All of a road known as Thronson Road N lying in the SW % of the NW % of Section 3, Township 05 North, Range 12 East,

All of a road known as Thronson Road S lying in the NW % of the SW % of Section 3, Township 05 North, Range 12 East,

### Trulson Trail:

All of a road locally known as Trulson Trail lying in the SE' of the NE' of Section 19, Township 05 North, Range 12 East, Town of Albion, Dane County, Wisconsin, beginning on the centerline of Oak Drive approximately 1140 feet northerly of the E 1/4 Corner of said section 19; thence running westerly approximately 770 feet to the termination of said road.



Joseph Parisi  
Dane County Executive

# Dane County Planning & Development

## Division of Zoning

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May 16, 2019

JULIE HANEWALL  
TOWN OF ALBION  
620 ALBION RD  
EDGERTON WI 53534

**RE: Town Action Required on CUP #02465, Coachman's Inn Enterprises**

Dear Clerk:

Enclosed, please find a draft copy of Conditional Use Permit #02465, which was conditionally approved by the Dane County Zoning & Land Regulation (ZLR) Committee on May 14, 2019. Final town action is required any time the ZLR amends or deletes town conditions on a Conditional Use Permit (CUP). In most cases, the Dane County Zoning Committee adds additional conditions to a CUP, or slightly modifies the town conditions to ensure that they are clear and enforceable.

Section 10.255(2)(c)4, Dane County Code of Ordinances, provides that the Town Board shall submit a certified resolution indicating their action to the Zoning Administrator within forty (40) days of the approval by the ZLR Committee. If the Town Board does not act within the forty (40) day time period, the permit shall be deemed approved. If the Town Board denies the permit with the conditions as amended by the ZLR committee, the permit shall be deemed denied.

Please schedule this item for your next Town Board meeting and notify me of your approval or disapproval of the amended CUP using the enclosed form by no later than JUNE 27, 2019. The Town Action Report may be submitted by mail to the Zoning Division Office at the address below, by fax at 267-1540, or online at [www.countyofdane.com/PLAND&E/V/TownBoardActionReport/](http://www.countyofdane.com/PLAND&E/V/TownBoardActionReport/)

Sincerely,

Roger W. Lane III  
Zoning Administrator

Enclosure(s)



## Dane County Zoning Division

City-County Building  
210 Martin Luther King, Jr., Blvd., Room 116  
Madison Wisconsin 53703  
(608) 266-4266/266-9083  
Fax (608) 267-1540.

# DANE COUNTY CONDITIONAL USE PERMIT #2465

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT Conditional Use Permit # 2465 for a residential housing (condominiums) within the General Commercial Zoning District pursuant to Dane County Code of Ordinances Section 10.101(7)(d), subject to any conditions contained herein:

**EFFECTIVE DATE OF PERMIT: Pending Town review**

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

LOCATION: 986 County Highway A, Town of Albion, Dane County, Wisconsin.

### Legal Description:

Part of Lot 1, Certified Survey Map No. 4239 and lands located in the NE 1/4 of the NE 1/4 and in the SE 1/4 of the NE 1/4 of Section 8, T5N, R12E, Town of Albion, Dane County, Wisconsin to-wit: Commencing at the Northeast corner of said Section 8; thence S00°44'31"W, 939.53 feet along the East line of said Section 8; thence N89°06'44"W, 40.00 feet to the point of beginning; thence S00°44'31"W, 637.11 feet; thence S85°22'11"W, 767.82 feet; thence N35°53'00"E, 605.59 feet; thence N00°53'16"E, 5.85 feet; thence S89°06' 44"E, 139.00 feet; thence S53°51'26"E, 71.00 feet; thence N49°34'52"E, 112.27 feet; thence N40°25'08"W, 32.00 feet; thence N49°34'52"E, 39.65 feet; thence N54°07'00"W, 82.98 feet; thence N00°53'16"E, 78.07 feet; thence S89°06'44"E, 193.33 feet to the point of beginning. Containing 299,787 square feet (6.882 acres).

### **CONDITIONS:**

1. The layout of the property and building sizes shall conform to the plans submitted with the conditional use permit application. The units shall be no larger than 1420 square feet as presented.
2. The landowner shall be responsible for the installation and costs for the necessary improvements to County Highway A as determined by the Dane County Highway Department. A Class "B" intersection shall be installed prior to the occupancy of the residential units.

3. The landowner shall be responsible for the installation of an on-site community wastewater system which complies with the nitrate-nitrogen standard established by the federal Maximum Contaminant Level (MCL) and the Wisconsin Groundwater Enforcement Standard (ES). The federal MCL is found in §40 CFR 141.62. The Wisconsin Groundwater Enforcement Standard is found in Wisconsin Administrative Code NR 140.10. The septic system shall be maintained in accordance with Dane County Code of Ordinances, Section 46, On-site Sewage System Regulations.
4. The landowner shall obtain approval from Dane County Land and Water Resource Department for the stormwater management as presented as part of the application. The system shall be maintained in accordance with Dane County Code of Ordinances, Chapter 14, Subchapter II, Erosion Control and Stormwater Management.
5. The applicant shall obtain approval from The Edgerton Fire District regarding space for emergency operations and secondary access. The landowner shall be responsible for the installation of a secondary emergency access from the site to Maple Grove Road prior to the occupancy of the residential units.
6. The applicant shall obtain site design approval from the Town Plan Commission and Town Board in accordance with the Town of Albion's Commercial Design Review. All design requirements shall be installed as per the approved plans.
7. Failure to comply with the site plan as presented or the site design approval from the Town of Albion will be cause for revocation of the conditional use permit.

**THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS OF FACT:**

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance, and operation of the proposed conditional use.
3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.

***EXPIRATION OF PERMIT***

In addition to any time limit established as a condition in granting this CUP, Section 10.25(2)(n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the ordinance.



## **DANE COUNTY CLERK**

City-County Building, Room 106A  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
(608) 266-4121

**SCOTT McDONELL**  
COUNTY CLERK

**SHERRI ENDRES**  
CHIEF DEPUTY  
(608) 266-4122

Dear Clerk:

Enclosed please find a copy of Zoning Ordinance Amendment 11412, which was duly adopted by the Dane County Board of Supervisors on May 16, 2019, and approved by the County Executive on May 20, 2019.

Section 59.69(5)(c), State Statutes, provides that the County Clerk shall notify the town(s) affected by the amended petition within seven (7) days of the County Executive action.

NOTE: Town Board(s) disapproval must be filed with the County Clerk's office within 40 days from the date of County Executive action or said petition will be in effect in the town(s) affected by the Ordinance.

If the amendment relates to the entire county, it becomes effective unless a majority of the towns have filed their disapproval.

Please notify me of your approval or disapproval of the amended petition(s) using the enclosed form. Thank you.

Sincerely,

Scott McDonell  
Dane County Clerk

Enclosure(s)



**Dane County Board of Supervisors  
Amending Chapter 10 of the Dane County Code of Ordinances  
Zoning Map Amendment Petition 11412**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.03 shall be amended as follows:

**Town Map:** Town of Albion

**Location:** Section 8

**Zoning District Boundary Changes**

**RE to GC**

A parcel of land located in the NE1/4 of the NE1/4 and the SE1/4 of the NE1/4 of Section 8, T5N. R12E, Town of Albion, Dane County, Wisconsin to-wit: Commencing at the East 1/4 corner of said Section 8; thence N00°44'31"E, 110.92 feet along the East line of said NE1/4 to the Southeast corner of Lot 1, Certified Survey Map No. 4239; thence S85°22'11"W, 418.89 feet along the South line of and to the Southwest corner of said Lot 1, also being the point of beginning; thence continuing S85°22'11"W, 348.93 feet; thence N35°53'00"E, 605.59 feet to a point on the West line of said Lot 1; thence S00°53'16"W, 462.54 feet along said West line to the point of beginning. Containing 80,323 square feet (1.844 acres).

**RE to GC**

A parcel of land located in the NE1/4 of the NE1/4 of Section 8, T5N. R12E, Town of Albion, Dane County, Wisconsin to-wit: Commencing at the Northeast corner of said Section 8; thence S00°44'22"W, 111.08 feet along the East line of said NE1/4; thence N89°15'38"W, 453.23 feet to a point on the South right-of-way line of U.S.H. 51, also being the point of beginning; thence S00°53'16"W, 771.95 feet; thence S85°20'17"W, 47.04 feet; thence N04°58'31"W, 237.21 feet; thence N85°20'17"E, 71.38 feet; thence N00°53'16"E, 11.46 feet to a point of curve; thence Northerly along a curve to the right which has a radius of 132.00 feet and a chord which bears N00°53'16"E, 120.63 feet; thence N00°53'16"E, 112.96 feet; thence N30°03'39"W, 317.97 feet to a point on the South right-of-way line of said U.S.H. 51; thence N85°20'34"E, 164.29 feet along said South right-of-way line to the point of beginning. Containing 38,827 square feet (0.891 acres).

**RR-1 to RE**

A parcel of land located in the NW1/4 of the NE1/4 of Section 8, T5N. R12E, Town of Albion, Dane County, Wisconsin to-wit: Commencing at the Northeast corner of said Section 8; thence S00°44'22"W, 552.12 feet along the East line of said NE1/4; thence N89°15'38"W, 1108.61 feet; thence S76°41'44"W, 244.50 feet to the point of beginning; thence S54°08'48"W, 88.06 feet to a point of curve on the centerline of Sugar Maple Road; thence Northwesterly along a curve to the left which has a radius of 900.00 feet and a chord which bears N41°50'57"W, 38.44 feet; thence N76°41'44"E, 99.70 feet to the point of beginning. Containing 1,678 square feet (0.039 acres).

**RE to RR-1**

A parcel of land located in the NE1/4 of the NE1/4 and the NW1/4 of the NE1/4 of Section 8, T5N. R12E, Town of Albion, Dane County, Wisconsin to-wit: Commencing at the Northeast corner of said Section 8; thence S00°44'22"W, 552.12 feet along the East line of said NE1/4; thence N89°15'38"W, 1108.61 feet to the point of beginning; thence S76°41'44"W, 244.50 feet; thence N54°08'48"E, 96.06 feet; thence N90°00'00"E, 160.08 feet to the point of beginning. Containing 4,503 square feet ( 0.103 acres).

**CONDITIONAL ZONING**

Conditional zoning is hereby imposed pursuant to Section 10.255(3)(a)2.(b) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

**CERTIFIED SURVEY REQUIRED**

The above listed description/s is/are intended to describe land for which a certified survey map will be prepared for approval and recorded. Within 90 days of rezoning approval by Dane County, a *final* certified survey map that describes the land to be rezoned shall be prepared in accordance with all applicable provisions of Chapter 236 Wisconsin Statutes and Chapter 75 Dane County Code of Ordinances, and submitted to the Dane County Zoning Division. Upon submission of the final certified survey map, the Zoning and Land Regulation Committee, or its authorized representative, shall, within 30 days, approve, approve conditionally, or reject the certified survey map. **Failure to submit the final certified survey within the 90 day period and/or failure to record the survey with the Dane County Register of Deeds will cause the rezone to be null and void. Two copies of the recorded survey shall be submitted to Dane County Zoning.**

**GRANT AS MODIFIED  
DELAYED EFFECTIVE DATE**

## MAY 2019 BILLS TO PAY

VENDOR NAME	AMOUNT	DESCRIPTION
ALLIANT	1235.57	Utilities
CHARTER COMMUNICATIONS	399.94	Telephone
ROCK COUNTY ELECTRIC	58.18	Utilities
BANK OF EDGERTON - Credit Card	0.00	
M & I	2280.47	Payroll Tax, Fed, SS & Med SS
WI DEPT OF REVENUE	384.61	Payroll Tax - Wisconsin
WI RETIREMENT	1188.70	Retire - Andy, Julie, Josh
DEPT OF EMPLOYEE TRUST	4870.22	Insurance - Public Employees
DEEGAN HARDWARE	171.21	Garage Supplies
ROETHE, KROHN, POPE	340.00	Attorney fees
MURPHY DESMOND LAWYERS	0.00	Attorney fees
MSA PROFESSIONALS	452.50	Engineering
LANDMARK SERVICES	0.00	Gas, Fuel
MOTOR PARTS & EXHAUST	0.00	Garage Supplies
CINTAS CORPORATION	194.24	Office Supplies
DANE COUNTY TREASURER	595.06	Sherriffs contract
RHYME BUSINESS	116.91	Office Supplies
EDGERTON REPORTER	32.00	Public Notices, Publishing Expense
LANGE ENTERPRISES	193.78	Signs
MID-STATE EQUIPMENT	401.23	Repairs and Maint.
CRACK FILLING	23000.00	Roads
SCOTT CONSTRUCTION	58275.00	Roads
STAPLES	59.98	Office Supplies
JOHNSON BLOCK	3170.00	Audit
MID-WISCONSIN SECURITY	260.00	Office Supplies
WISCONSIN TOWNS ASSOC.	986.50	Dues and Subscriptions
<b>TOTAL</b>	<b>98666.10</b>	
ADVANCED DISPOSAL SERVICES	11494.06	

**TOWN OF ALBION**  
**Profit & Loss Budget vs. Actual**  
 January through May 2019

Ordinary Income/Expense	<u>Jan - May 19</u>	<u>Budget</u>
<b>Income</b>		
4300 · BUILDING PERMITS	3,315.54	9,000.00
4301 · BUILDING PERMITS-TNS SHARE	1,105.18	2,250.00
4305 · DRIVEWAY PERMITS	-2,400.00	200.00
4320 · ZONING	2,538.10	4,000.00
4325 · TITLE SEARCH	900.00	1,800.00
4330 · BANK INTEREST	29.90	100.00
4340 · COURT FINES	115.00	1,200.00
4360 · TOWN HALL RENT	1,200.00	4,600.00
4370 · STATE SHARED REV	0.00	38,025.00
4375 · EXEMPT COMPUTER STATE AID	0.00	121.00
4390 · CABLE TV FRANCHISE FEE	5,509.08	10,000.00
4400 · LIQUOR LICENSES	3,000.00	3,800.00
4420 · OPERATORS & OTHER LICENSE	1,745.00	2,450.00
4425 · RECYCLING GRANT	4,973.16	5,000.00
4430 · DOG LICENSE	795.00	300.00
4460 · GENERAL TRANSPORATION AID	60,513.36	121,026.74
4701 · OTHER INCOME	10.00	50.00
4820 · SHELTER-RENT	2,725.00	
4850 · PLAYGROUND EQUIP./PARK IMPROVE	750.00	2,250.00
4890 · CURBSIDE SERVICE	47,470.30	135,780.00
4891 · ATC MONEY	78,451.00	78,451.00
<b>Total Income</b>	<u>212,745.62</u>	<u>420,403.74</u>
<b>Gross Profit</b>	212,745.62	420,403.74
<b>Expense</b>		
5224 · COLLECTION CENTER EXPENSE	0.00	165.00
5235 · RECYCLE EXPENSE	57,470.30	135,780.00
5240 · PLANNING COMMISSION	0.00	2,000.00
5250 · DOG LICENSE FEES TO DANE COUNTY	1,003.75	1,000.00
5260 · ELECTION EXPENSE	542.34	3,000.00
5270 · BOARD OF REVIEW	0.00	200.00
5280 · BRIDGE REPLACEMENT	969.00	2,100.00
5292 · SEWER ASSESSMENTS FOR ALBION	2,883.72	2,883.72
5333 · GRAVEL EXPENSE	1,048.37	8,000.00
5343 · CULVERTS	4,496.25	5,000.00
5420 · DANE COUNTY SHERIFFS CONTRACT	3,285.67	9,000.00
5430 · ASSESSOR SALARY	2,180.00	10,900.00
5450 · ROCK RIVER SAFETY PATROL	0.00	2,400.00
5516 · PERMITS BUILDING	3,315.54	9,000.00
5601 · ROAD & MATERIALS	67,267.09	260,140.00
5621 · HIGHWAY FRINGES	14,344.21	42,700.00
5630 · REPAIRS & MAINTANCE	8,698.39	25,000.00
5638 · TREE TRIMMING	300.00	10,000.00

**TOWN OF ALBION**  
**Profit & Loss Budget vs. Actual**  
 January through May 2019

	<u>Jan - May 19</u>	<u>Budget</u>
5640 · GAS OIL FUEL	78.08	16,500.00
5645 · ROAD SIGNS	476.15	4,000.00
5650 · GARAGE GENERAL SUPPLES	4,643.10	8,000.00
5695 · SALT EXPENSE	29,878.65	35,000.00
5700 · EDUCATION	110.00	300.00
5701 · PLOW PURCHASE-NEW	0.00	34,453.81
5732 · EQUIPMENT PURCHASE	500.00	3,000.00
5735 · ROOF-GARAGE/TOWNHALL	2,500.00	
5920 · TOWN HALL EXPENSE	547.04	2,000.00
5925 · UTILITIES	8,361.11	15,000.00
5935 · TELEPHONE	2,165.81	5,400.00
6010 · PARK EQUIPMENT/MAINT	0.00	4,000.00
6105 · Clerk Fringes	6,394.77	19,500.00
6120 · PUBLIC NOTICE/PRINTING	298.67	1,000.00
6130 · DUES/SUBSCRIPTIONS	4,548.50	3,300.00
6140 · POSTAGE	15.00	
6145 · OFFICE EQUIP/SUPPLIES	2,810.51	3,000.00
6240 · INSURANCE	21,763.00	22,000.00
6250 · ENGINEERING	452.50	5,000.00
6270 · AUDIT	6,270.00	6,250.00
6275 · LEGAL	1,020.10	4,000.00
6280 · MISC EXPENSE	10,057.95	2,000.00
6700 · 6560 - Payroll Expenses		
5020 · BOARD SALARY	3,250.00	13,000.00
5620 · HIGHWAY WAGES	38,623.90	126,500.00
5921 · TOWN HALL CLEANING	645.00	2,000.00
6100 · CLERK/TREASURE SALARY	12,937.50	34,500.00
6190 · PAYROLL TAXES	4,806.25	13,000.00
6700 · 6560 - Payroll Expenses - Other	10,719.85	
<b>Total 6700 · 6560 - Payroll Expenses</b>	<u>70,982.50</u>	<u>189,000.00</u>
<b>Total Expense</b>	<u>341,678.07</u>	<u>911,972.53</u>