

MINUTES
of the
Capital Area Regional Planning Commission

June 10, 2021

Virtual Zoom Meeting

6:00 pm

Commissioners Present: Maureen Crombie, Grant Foster (6:41 pm), Mark Geller, Kris Hampton, Peter McKeever, Ed Minahan, Heidi Murphy, Larry Palm (Chair), David Pfeiffer, Jim Schuler (7:41 pm), Caryl Terrell (6:06 pm), Nick Zavos.

Commissioners Absent: Anthony Gray

Staff Present: Nick Bower, Melissa Breyer, Sean Higgins, Mike Rupiper, Haley Smith, Steve Steinhoff

Others Present: Brett Hofmeister (Johnson Block CPAs); 18 members of the public

1. Roll Call

The meeting was called to order at 6:00 pm by Vice Chair Pfeiffer. Quorum was established.

2. Public Comment on Matters not for Public Hearing

No members of the public wished to speak at this time.

3. **Consent Agenda (all items below in #3 are actionable items)**

a. Approval of Minutes of the May 13, 2021, CARPC Meeting

b. Executive Committee Recommendations

(1) Approval of Annual Agreement to Provide Water Quality Management Planning Assistance to the Wisconsin Department of Natural Resources

(2) Approval of April 2021 Financials and the May 2021 Disbursements

Mr. Hampton moved to accept the consent agenda; Ms. Crombie seconded. The motion carried on a voice vote.

4. **Adoption of CARPC Resolution 2021-07 Approving CARPC 2022 Preliminary Budget and Levy Charge (actionable item)**

Mr. Steinhoff explained that the preliminary budget is presented early in the year for the purpose of establishing the property tax levy which is required by state statute to be certified by August 1. Since approval at the June meeting is very early in the year, this budget really represents a continuation of operations. The 2022 budget reflects a small increase in revenues due to extra money from the WEM/FEMA and EDA grants. The expense increases are mainly due to merit pay and benefit premium increases and inflation; no parity increases are included for 2022. The budget does not have a reduction this year but does include a small draw down from the reserves. No changes are anticipated at this time. The budget is taken up in June to allow the Budget & Personnel Panel (BPP) an opportunity for input. The next step is to informally adopt the budget in July to meet the August 1st certification deadline and formally adopt in September to meet the October 1 RPC statutory deadline. CARPC staff met with BPP members, and no concerns have been expressed to-date.

Mr. Hampton moved for Adoption of CARPC Resolution 2021-07 Approving CARPC 2022 Preliminary Budget and Levy Charge; Mr. Geller seconded. The motion carried on a voice vote.

5. Presentation of CARPC 2020 Financial Audit (Johnson Block CPAs)

Mr. Hofmeister presented an overview and highlights of the 2019 financial audit. (https://carpc.sharepoint.com/:b/g/EXtlGMuSevtHs0KwQ3GHtLkB3_ygUDGLLeakdNJMgKRBN0g?e=HhXjn3).

Mr. Hofmeister stated that the results of the audit established that everything was done in accordance with Generally Accepted Accounting Principles (GAAP). The Agency's net position is good, and the audit went smoothly. The Net Pension and OPEB Liabilities are calculated by the state, but the Agency must report its share on its books. No year-end adjustments were required other than booking those Pension and OPEB Liability entries. Also, the year-end Net Position must account for the changes in those items, so those numbers may be slightly different from what is seen on the financials. The surplus for the year was primarily attributed to items coming in under budget due to unexpected staff turnover and vacancies which reduced salaries and benefits. Some of the other variances may have been due to staff working remotely and not travelling due to the COVID-19 pandemic.

A question was asked about a recommended "sweet spot" for the unrestricted net position. Mr. Hofmeister replied that the auditor's focus on the recommended minimum of 25% of total expenses to ensure the entity can meet its financial obligations. CARPC's reserve exceeds the minimum but staff have prepared a five-year projection that shows the reserve returning to the minimum over that period.

Agenda item #9 was moved up to fill time until the public hearing.

9. Regional Development Framework Communications

Mr. Steinhoff presented an overview of the communications-side of the Regional Development Framework (RDF). To date, Distillery has completed the "positioning" strategy which identifies the key concepts, values, and the messaging we wish to convey and is now working on a PowerPoint presentation for us, "Greater Madison grows together," to explain what the RDF is about. The materials challenge stakeholders to think regionally to address future growth projections and the impact those will have on the quality of life in our area. It focuses on top priorities such as reducing climate change impacts and flooding; increasing access to opportunity for all; and conservation of tax, natural and agricultural resources. The Regional Development Framework (RDF) provides a guide for doing this to local communities and regional agencies. Since CARPC and the MPO are working jointly on this project, they can coordinate the physical development with appropriate transportation options and solutions. The RDF also provides six strategies for communities on where and how to grow.

Discussion ensued. Ms. Murphy asked at what point we get to the nuts and bolts of changing policy to make these goals happen? Mr. Steinhoff said that would be the logical next step. Mr. Pfeiffer stated that with the disruption of COVID might be a way to encourage communities to do mini updates to their comprehensive plans using what they have learned over the past year and a half.

6. PUBLIC HEARINGS (7:00 pm)

- a. Public Hearing on Amendment of the *Dane County Water Quality Plan* by Revising the Sewer Service Area Boundary and Environmental Corridor in the Sun Prairie Urban Service Area, Requested by the City of Sun Prairie
 - (1) Applicant Presentation – Amendment Overview
 - (2) Open Public Hearing to Take Testimony from Registrants, Close Public Hearing
 - (3) Commissioner Questions and Discussion

Tim Semmann and Tom Veith with the City of Sun Prairie and Aaron Falkosky of Quam Engineering (representing the developer, Coris Development Group, LLC) gave a presentation on the proposed urban service area amendment ([link to presentation](#)).

The parcel in question is 35 acres located along County Highway C just south of Egge Rd. The land was recently annexed into the City of Sun Prairie from the Village of Windsor and is owned by the Merry Brothers, but under contract with Coris Development Group, LLC. Coris is proposing a 39-home single-family

development (Token Creek / Serenity Estates) along the southside of Token Creek in which approximately 50% of the parcel would be set aside as environmental corridor. This environmental corridor would be dedicated to the City as an outlot and maintained by the City.

The development is consistent with the City of Sun Prairie comprehensive plan. City staff gave an overview of the proposed sanitary sewer service, public water supply, and stormwater management plan. The grading distance from Token Creek has been maximized to minimize disturbance.

Mr. David Muehl, representing Badger Farms LLC registered to speak. He commented on the City of Sun Prairie's work with Drainage District 8 & 9 on dredging and maintenance in Koshkonong Creek. He would like to see this work extended further downstream.

Discussion ensued. Ms. Crombie asked about the actions being taken to protect Token Creek. City staff responded that they felt that the environmental corridor and the stormwater management plan were both meeting that goal. Mr. McKeever expressed concern with the 75-foot set back from the creek. He noted that the application stated that "limited runoff from the back half of residential lots will not be treated through the pond system." His concern was that the runoff would be fertilized, go directly into the creek and that the buffer was insufficient given the activity in that area. He felt the development was inconsistent with what the Commission was trying to do and has concerns about how the basins would be maintained.

Mr. Veith stated that the developer was not building right up to the setbacks and that the farmland in that area had no setbacks at all. City staff noted that they have a contract in place to maintain stormwater basins. The City is open to working with the developers to improve the management of the runoff from the rear lots. Mr. Aaron Ruengpinyophun of Coris then spoke about the proposed multi-use path creating an additional barrier. Mr. Schuler posed questions about the percentage of imperviousness allowed on the lots. Ms. Murphy asked about the wetland setbacks and if the building envelopes are outside of the tree lines. Mr. Foster wanted to avoid any covenant restriction for the runoff at the back of the lots and would prefer an approach that would manage the runoff without having to depend on the homeowners to manage it themselves.

Ms. Terrell expressed concern about a low-density development in this area when the housing need is so great and public access to Token Creek. Is the path going in there solely for the residents of that community or will it allow for public access to the creek as well? Mr. Semmann stated it would be a public path.

Mr. Minihan wanted more information on where the warm water goes when it leaves the site? Aaron Falkosky responded that the first flush of stormwater would go into the storm inlets in the streets to the storm sewer pipes below ground where it will discharge into the wet detention ponds and then into the infiltration basins. In all there is a series of three ponds that it will drain to before going into the wetlands and Token Creek. Mr. Minihan expressed concern about the thermal temperature of the water entering the creek.

Mr. McKeever asked what storm these stormwater ponds were designed for given the increasing intensity of rainfall. He expressed appreciation for the City's willingness to address the concerns he had raised and requested better maps be made available when the applicant returns. Mr. Veith stated that their stormwater requirements mirror those of Dane County and that they also required the 25-year post event to match the 5-year pre-event. Mr. McKeever questioned whether that was enough given the climate change events we are currently experiencing and asked if the developer be willing to exceed that. Mr. Foster agreed that he would like to see the proposed 200-year standard be achieved.

Mr. Hampton asked Mr. Veith how much additional flow would be passing through their treatment plant? Mr. Veith stated that this development was included in their design capacity. Mr. Hampton stated that the developer needs to continue to look further downstream to mitigate the flooding that will be caused there compared to the flow of the water now.

7. Amending the *Dane County Water Quality Management Plan* by Revising the Sewer Service Area Boundary and Environmental Corridors in the Waunakee Urban Service Area, Requested by the Village of Waunakee
 - a. Opportunity for Public Comment
 - b. Overview of Staff Recommendations
 - c. Questions of Staff Recommendations
 - d. **Approval of CARPC Management Letter #2101 – Waunakee USA, Recommending to the Wisconsin Department of Natural Resources Amendment of the Dane County Water Quality Management Plan by Revising the Sewer Service Area Boundary and Environmental Corridors in the Waunakee Urban Service Area, Requested by the Village of Waunakee (*actionable item*)**

No members of the public chose to speak at this time. The staff report and recommendations was presented by Mr. Rupiper ([link to presentation](#)). This is a small amendment for the Village of Waunakee, currently in the Town of Westport. The parcel is approximately 20 acres split between existing development (12.4 acres), environmental corridor (2.5 acres), and net developable land (5.0 acres). There are no registrants opposed to the amendment or public concerns raised at the public hearing last month.

The existing development is Carl F Statz and Sons, an agricultural equipment supply company that will remain. It is the staff's opinion that the proposed amendment is consistent with adopted policies and criteria for sewer service area amendments and state and local requirements. Dane County is expected to add peak rate control for the 200-year design storm to their stormwater ordinance. Once it is adopted it will apply to all communities within the county. Other stormwater requirements include volume control, oil & grease control, and groundwater recharge rates. A requirement is in place for field verification of site suitability for infiltration. There are also easement and perpetual legal maintenance agreements with the Village to allow them to maintain stormwater management facilities if the owners fail to do so.

Recommendations include fostering the responsible use of chlorides by encouraging the use of winter maintenance professionals certified by Wisconsin Salt Wise and encouraging the use of native flora favored by the Rusty Patched Bumble Bee in landscaping.

Mr. Minihan stated that Waunakee has consistently developed according to their plan and held them up as a planning standard model for other communities.

Mr. McKeever moved for Approval of CARPC Management Letter #2101 – Waunakee USA, Recommending to the Wisconsin Department of Natural Resources Amendment of the Dane County Water Quality Management Plan by Revising the Sewer Service Area Boundary and Environmental Corridors in the Waunakee Urban Service Area, Requested by the Village of Waunakee; Mr. Schuler seconded. The motion carried on a voice vote.

8. **Approval of letter from CARPC to Village of Waunakee expressing substantial consistency between portions of the comprehensive plan for Village of Waunakee and draft Regional Development Framework goal(s) (*actionable item*)**

Mr. Steinhoff reminded the commission that we are in a transition period between regional plans. The Commission opted to retire the Dane County Land Use and Transportation Plan last year and to focus on the Regional Development Framework (RDF). Presentations have since been made by the City of Middleton and the City of Sun Prairie on how they are working to meet those goals. The Village of Waunakee has been contacted about this as well.

Mr. Minihan moved to approve the letter from CARPC to Village of Waunakee expressing substantial consistency between portions of the comprehensive plan for Village of Waunakee and draft Regional Development Framework goal(s); Mr. Zavos seconded. The motion carried on a voice vote.

Mr. Minihan reminded the Commission that the City of Fitchburg presented their development plan which included development along the Town of Dunn border that did show up on their plan. The “pink” did not show up on their plan. Steve Steinhoff said he would investigate that.

10. Reports

- a. Executive Chairperson and Executive Committee
 - (1) Options for Returning to In-Person Meetings / Fall Retreat
 - (2) CARPC Policies for Budget Amendments
- b. Members of the Greater Madison MPO
- c. Agency Director/Division Director, Community and Regional Planning
- d. Deputy Agency Director/Division Director, Environmental Resources Planning

Chair Palm started the discussion on returning to in-person meetings and said we would watch and see what Dane County and other local government entities are doing technology-wise.

He also spoke about how we make budget amendments and the criteria to initiate them since public hearings are required for them. The Executive Committee is reviewing the options on this.

Mr. Foster stated that the City of Madison is going through a similar exercise right now. They have heard from their IT staff about the challenges of doing the hybrid meetings and MMSD decided not to do hybrid for every meeting, but to do some meetings in person for those meetings that work better that way. In general, continue with the virtual, but try not to have a set standard for every meeting.

Mr. Foster noted the information commissioners received for tonight's meeting on the Beltline study and said that the Hwy 51 / Stoughton Rd should be starting soon. Mr. Minihan stated that there are going to be a couple of roundabouts on Hwy 51 McFarland to Stoughton scheduled for 2024 and 2025. County Hwy B in the Town of Dunn has now been completely rebuilt. Mr. McKeever asked if bike lanes had been added to Hwy B and Mr. Minihan stated that they were just the off-the-shoulder type and that he is concerned about bikers on the road.

Mr. Steinhoff noted a couple upcoming meetings. A Greater Madison Vision (AGMV) Executive Committee is being rescheduled for July to follow up on the communications for the Regional Development Framework (RDF). The next joint CARPC-MPO webinar is on the 17th and will be on our RDF and their Regional Transportation Plan and how they are related to each other.

Mr. Rupiper stated that next month there will be two public hearings on USA amendments: one for the Village of Oregon and one for the City of Stoughton. The first community outreach event for the Black Earth Creek Green Infrastructure Planning project will be held on Saturday, June 26th from 10:00 am to 2:00 pm at the Shoe Box in Black Earth. That is being held in conjunction with a BECWA event. A very productive meeting with many of the town chairs in the watershed took place earlier this week. Staff have been participating in Steering Committee meetings for the Dane County Hazard Mitigation Plan update that is being led by Dane County Emergency Management. Finally, the Swan Creek USGS Water Monitoring station has been installed and there is a ribbon-cutting on Wednesday, June 23rd at 2:30 pm.

11. Feedback to the WisDOT Policy Advisory Committee for the Madison Beltline Planning and Environmental Linkages Study

Mr. McKeever provided an overview of his participation, as a representative of CARPC, at the June 3 meeting of the Policy Advisory Committee (PAC) to the Madison Beltline Planning and Environmental Linkages (PEL) Study. He felt that this information presented did not really align with our Regional Development Framework and wondered if it should? He is not unhappy with what is in the study but is concerned that the study did not address climate change, a reduction in vehicle emissions or miles travelled, the fact that more people are now working from home and that there may now be less traffic or at least it will not increase at the rate they expect. This study is more focused on where people get on the Beltline and where they get off and there really are no other alternative routes to consider. WisDOT is willing to come and make a presentation at the July meeting if requested, but Mr. McKeever would like some feedback from the Commission on how to proceed.

Mr. Minihan stated that there has been a great deal of discussion on "alternate lanes". Mr. Foster thought an opportunity to meet with DOT staff and get more of a tailored presentation from a regional planning perspective

might be a good idea while DOT is still open to receiving feedback on this project. Mr. Minahan provided some history on this project. Ms. Terrell supports meeting with the DOT but noted that there are also discussions going on all over regarding the role of transportation impacts on climate change. Perhaps we should get documentation from studies from other communities or that they have done and comments from the public? Mr. McKeever responded that that many of those groups and local municipalities were on the committee, but attendance was very low, and those people were not there this first meeting. Most of those in attendance were municipal employees. Mr. Steinhoff did remark that the MPO is looking at that issue but agreed that we should ask for a more customized presentation from DOT from a Regional Development Framework perspective.

12. Future Agenda Items (Next meeting is July 8, 2021, via Virtual Zoom Meeting at 7:00 pm with the Executive Committee meeting beforehand at 6:00 pm.)
 - a. Discussion of roles the commissioners can plan in education and outreach of the Regional Development Framework (RDF)

There will be two public hearings during the July 2021 CARPC meeting.

13. Adjournment

Mr. Hampton moved to adjourn; Mr. Minihan seconded. The motion passed on a voice vote. The meeting adjourned at 9:01 pm.

Minutes taken by Haley Smith and reviewed by CARPC staff

Respectfully Submitted:



Kris Hampton, Secretary

Members of the public who attended the meeting:

- Aaron Falkosky, P.E., Quam Engineering representing Coris Development Group, LLC
- Aaron Ruengpinyophun, Coris Development Group, LLC
- Andrew Kessenich, D L Evans Company
- David Muehl, Member, Badger Farms LLC
- Dean Statz, Owner, Carl F Statz & Sons Inc
- Ellery Jensen, Ellery Jensen Real Estate
- Forbes McIntosh, Administrator/Lobbyist, Dane County City & Villages Association
- Jason Valerius, Consultant/Planner, Village of Waunakee
- Kris Sturman, Co-Owner, Coris Development Group, LLC
- Matt Schreiner, Engineering Manager, Vierbicher
- Michael Lawton, Attorney, Boardman & Clark LLP
- Robbie Webber
- Sarah Sauer, Planner, City of Sun Prairie
- Scott Kugler, AICP, Community Development Director, City of Sun Prairie
- Steven Merry, Co-Owner, Merry Brothers Enterprise
- Tim Semmann, AICP - Planning Director, City of Sun Prairie
- Tom Veith, P.E., Engineering Director, City of Sun Prairie
- William Schaefer, Planning Manager, Greater Madison MPO