TOWN OF NEW GLARUS

JENNIFER AND MATTHEW KLEIN LAND DIVISION PUBLIC HEARING WEDNESDAY, MARCH 13, 2024 AGENDA

LOCATION: New Glarus Town Hall DATE: Wednesday, February 8, 2023

26 5th Avenue TIME: 6:00 PM

New Glarus, WI 53574

NOTICE IS HEREBY GIVEN that the Board of Supervisors for the Town of New Glarus, County of Green, will conduct a public hearing to consider an application from Jennifer and Matthew Klein, N8250 Marty Road, New Glarus, for a proposed cluster land division of 3 lots by Certified Survey Map for residential use located along Marty Road, parcel 23024 0151.1000 in Section 21, T4N, R7E.

VIRTUAL: https://us06web.zoom.us/j/81939107577?pwd=AsLdBSaayL1ZKGSFk5pQEISATEghf8.1

Meeting ID: 819 3910 7577 Passcode: 728215 Phone: +1 312 626 6799

AGENDA

- 1. Call to Order
- 2. Confirm Proof of Posting
- 3. Open Public Hearing for the Proposed 3-Lot Cluster Division by Certified Survey Map
 - a. The applicant and/or their agent will be allotted 15 minutes to explain the proposal, followed by questions from the Town Board
 - b. Members of the public will be recognized to speak for up to 5 minutes each
- 4. Adjourn (after the public hearing is closed, the discussion will be among the Town Board members only)

Complete documents may be reviewed on our website: https://townofnewglarus.com/ under the Agendas/Minutes heading.

Chris Narveson, Chair New Glarus Town Board

NOTICE POSTED 02.22.2024 NOTICE PUBLISHED 02.29.2024 NOTICE MAILED 02.22.2024 New Glarus Town Hall New Glarus Garage New Glarus Post Office https://townofnewglarus.com/

John Wright Clerk-Treasurer

Persons requiring additional services to participate in a public meeting may contact the Town Clerk for assistance at 608-527-2390.

TOWN OF NEW GLARUS

LAND DIVISION HEARING NOTICE

WEDNESDAY, MARCH 13, 2024

LOCATION: New Glarus Town Hall DATE: Wednesday, March 13, 2024

26 5th Avenue TIME: 6:00 PM

New Glarus, WI 53574

NOTICE IS HEREBY GIVEN that the Board of Supervisors for the Town of New Glarus, County of Green, will conduct a public hearing to consider an application from Jennifer and Matthew Klein, N8250 Marty Road, New Glarus, Wisconsin, for a proposed land division of 3 cluster lots for residential use along Marty Road, parcel 23024 0151.1000 in Section 21, T4N, R7E.

- A. There will be a public hearing on the proposal; the applicant and/or their agent will be allotted 15 minutes to explain the proposal
- B. Members of the public will be recognized to speak for up to 5 minutes each

After the public hearing has adjourned, the discussion will be among the Town Board members only at the regular Town Board meeting that follows.

Complete Documents may be reviewed on our website: www.townofnewglarus.com under the Agendas/Minutes heading.

Chris Narveson, Chair New Glarus Town Board

Join Zoom Meeting: https://us06web.zoom.us/j/81939107577?pwd=AsLdBSaayL1ZKGSFk5pQEISATEghf8.1

Meeting ID: 819 3910 7577 Passcode: 728215

Dial by your location: +1 312 626 6799 US (Chicago)

POSTED 02/22/2024: New Glarus Town Hall PUBLISHED: Post Messenger Recorder on February 29, 2024

New Glarus Garage LETTERS MAILED: 2/22/2024

New Glarus Post Office https://townofnewglarus.com/

Persons requiring additional services to participate in a public meeting may contact the Town Clerk for assistance at 527-2390.

3/13 LAND DIV HRNG

Affidavit of Publication

STATE OF WISCONSIN SS COUNTY OF GREEN

Elizabeth Sutcliffe, being duly sworn, says:

That she is an authorized representative of the Post Messenger Recorder, a weekly newspaper of general circulation, printed and published in New Glarus, Green County, Wisconsin; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

2/29/2024

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Subscribed to sworn to me this 2/29/2024
Subscribed to sworn to me this 2/29/2024
Allenn & Schlingen
A. L. Henning Schlimgen, Notary Public, State of Wisconsin
My Commission Expires January 31, 2025

Printers Fe				
See Monthly Statement for Cost Received Payment				
100702	102438			
TOWN OF NEW GLARUS				
PO BOX 448 NEW GLARUS, WI 53574				

TOWN OF NEW GLARUS LAND DIVISION HEARING NOTICE WEDNESDAY, MARCH 13, 2024

LOCATION: New Glarus Town Hall

26 5th Avenue

New Glarus, WI 53574

DATE: TIME: Wednesday, March 13, 2024

6:00 PM

NOTICE IS HEREBY GIVEN that the Board of Supervisors for the Town of New Glarus, County of Green, will conduct a public hearing to consider an application from Jennifer and Matthew Klein, N8250 Marty Road, New Glarus, Wisconsin, for a proposed land division of 3 cluster lots for residential use along Marty Road, parcel 23024 0151.1000 in Section 21, T4N, R7E.

A. There will be a public hearing on the proposal; the applicant and/or their agent will be allotted 15 minutes to explain the

proposa

B. Members of the public will be recognized to speak for up to 5 minutes each

After the public hearing has adjourned, the discussion will be among the Town Board members only at the regular Town Board meeting that follows.

Complete Documents may be reviewed on our website: www. townofnewglarus.com under the Agendas/Minutes heading.

Chris Narveson, Chair New Glarus Town Board

Join Zoom Meeting:

https://us06web.zoom.us/j/81939107577? pwd=AsLdBSaayL1ZKGSFk5pQEISATEghf8.1 Meeting ID: 819 3910 7577 Passcode: 728215 Dial by your location: +1 312 626 6799 US (Chicago)

POSTED 02/22/2024:

New Glarus Town Hall New Glarus Garage

New Glarus Post Office

https://townofnewglarus.com/

LETTERS MAILED: 2/22/2024

Persons requiring additional services to participate in a public meeting may contact the Town Clerk for assistance at 527-2390.

Publish: 2/29/24 WNAXLP







999 Fourier Drive, Suite 201 Madison, WI 53717 (608) 826-0532 phone (608) 826-0530 fax www.vierbicher.com

February 13, 2024

Members of the Town Plan Commission Town of New Glarus 26 Fifth Avenue New Glarus, WI 53574

Re: Klein Preliminary CSM Review

Dear Chair Narveson and Plan Commission Members:

I am writing to convey my review comments of the CSM submitted by Kevin Pape on behalf of landowners Matthew and Mary Klein (Daryl Murken property at time of ordinance). The Applicant is seeking a 3-lot cluster division. The lots would be accessed using the frontage along Marty Road. As noted in the letter that accompanied the submittal, the existing driveway to N8250 Marty Road would be relocated and used to access the Lots. It is my understanding from discussions with the Applicants' land surveyor that they may wish to leave the existing driveway in place and construct a joint driveway for lots 1 and 3. This should be clarified by the Applicant. If a joint driveway is proposed, the Applicant shall provide a joint driveway agreement for execution with the final CSM as required by Section 36-5 (P.) of the Town Ordinances. No further driveway permits should be issued without this recorded agreement.

Available Splits and Development Potential

As provided by the Applicant, the proposed 3 lot cluster development is a viable development option for the property. The three lots are proposed on 42.347 acres and include three 2-acre cluster envelopes. Lots The original homestead is included as one of the lots (Lot 2). Assuming all acreage outside of the 2-acre building envelopes will be restricted as Open Space, the proposed development would need to provide a deed restriction on the remaining lands to satisfy the Town Open Space requirements. I have attached a sample deed restriction that can be used by the Applicant to develop the final document.

Comments Regarding Conformance with Town Ordinances

§110-7 Land Suitability

The Technical Review Committee was not convened to evaluate land suitability for the proposed CSM. However, much of the information required in this section of the Ordinance has been provided by the Applicant and is shown in the proposed CSM.

A screening for areas with endangered species or resources was completed by the Applicant. The screening indicates that there is potential for the development to impact endangered species or endangered species habitat. Therefore, we would recommend a formal ERR review be performed as a condition of CSM approval. We reviewed available archaeological site information from the Wisconsin Historical Society on behalf of the Applicant and there are no listed areas of Archaeological concern affected by this land division.

The soil information provided by the Applicant indicates that the soils on the site are primarily New Glarus Silt Loams which have are 'very limited' for use as septic tank absorption fields (USDA Web Soil Survey). The primary limiting factor for this soil is the depth to bedrock, and slow water movement through the soil medium. In consideration of these limitations, it would be prudent to require the Applicant to identify appropriate septic system locations based on percolation tests or provide a note on the CSM alerting potential lot owners that shallow bedrock conditions may not allow the installation of conventional waste disposal systems as approved by DSPS.

§110-9 Hillside Protection

The slope of the hillsides proposed for the proposed lots vary with some sections that exceed a 20% grade. These areas have been noted on the CSM and are outside of proposed the cluster envelopes. Access for Lot 3 will require construction of a long driveway across areas where the terrain is steep. Therefore, we recommend the Town require lot 3 to submit a site plan for the proposed building location and which including a driveway plan for review and approval by the Town prior to building permit issuance. A note to this effect should be included on page 3 of the CSM stating:

"Residential home construction on Lot 3 will require submittal of a site plan demonstrating compliance with the Town of New Glarus Driveway Ordinance (Chapter 36) and depicting the proposed home location within the cluster envelope."

§110-18 Technical Requirements for Certified Survey Maps

In general, the Applicant has provided a CSM that provides the information required by this section of the Town Ordinance. Beyond the addition of notes clarifying the previously mentioned items (see attached recommendation for motion), the following items should be added to the CSM:

- 1. The existing buildings should be dimensioned to the property lines unless they will be razed.
- 2. Notes clarifying the requirements for Open Space should be added to the CSM. Where the CSM provides the location of the Cluster Envelope (sheets 2, 3, 4, 5) label the areas outside of the cluster envelopes as "Open Space" and add the following notes:
 - a. "All areas designated as "Open Space" shall be left undeveloped and free from residential, commercial, or Industrial structures. Permitted uses of Open Space are agriculture, recreation, passive recreation use, and preservation of environmentally sensitive features."

b. "All buildings not supporting agricultural or passive recreational use shall be limited to placement within the Cluster Envelopes shown. Additional building setbacks per the Green County Zoning Code shall also be met."

Next Steps toward Approval

Following discussion by the Plan Commission on the contents of this review letter, the Plan Commission should recommend action by the Town Board to hold a public hearing to consider the CSM. Further, the Plan Commission should provide a recommendation for Conditional Approval (with whatever amendments or adjustments they would like to include) addressing the above noted items. I have provided a draft motion for the Plan Commission to use in making these recommendations to the Board.

Should you have any questions please feel free to contact me.

Sincerely,

Timothy L. Schleeper, PE

Enclosures - Draft Motion for Conditional Approval

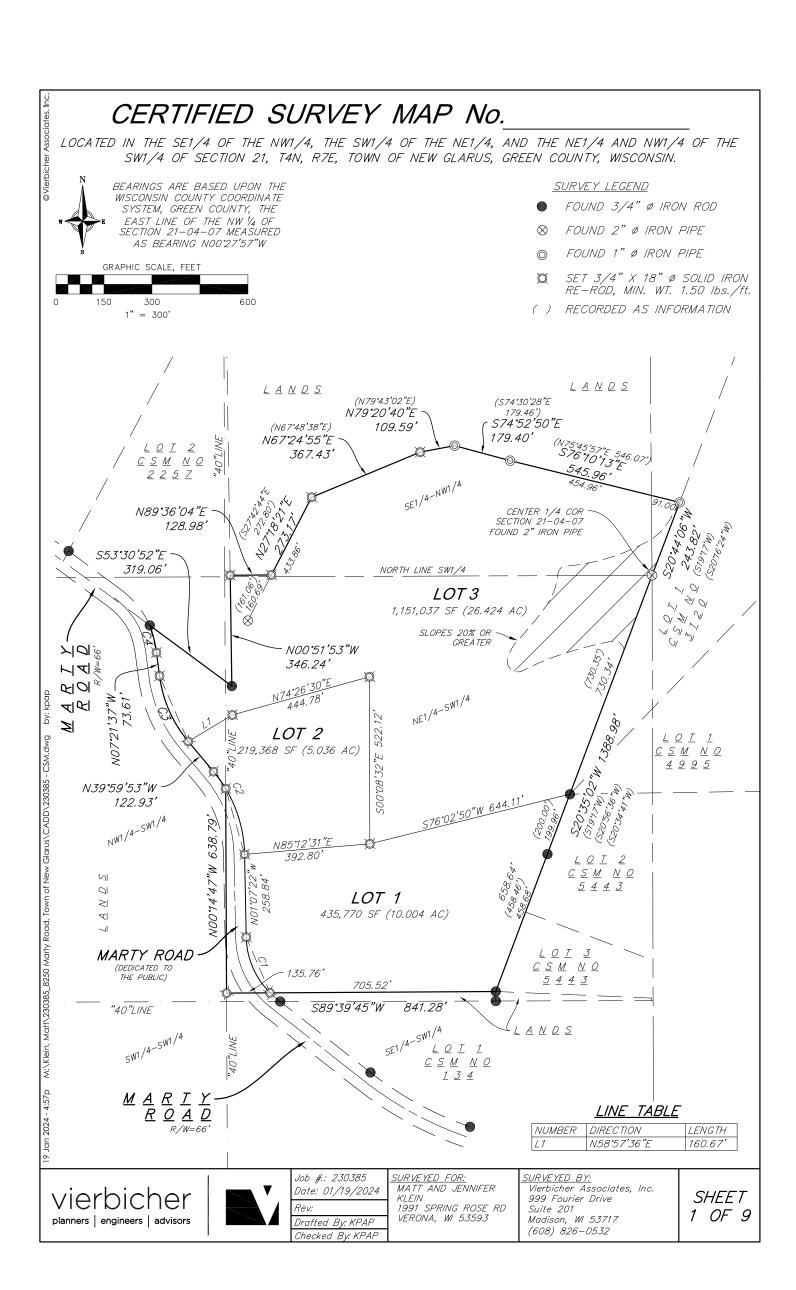
Cc: Kevin Pape, Vierbicher

M:\New Glarus, Town of\170068 Land Division Reviews\Task 31 - Klein\Reviews\2024-02-12 PC\2024-02-12 Klein CSM Ltr.docx

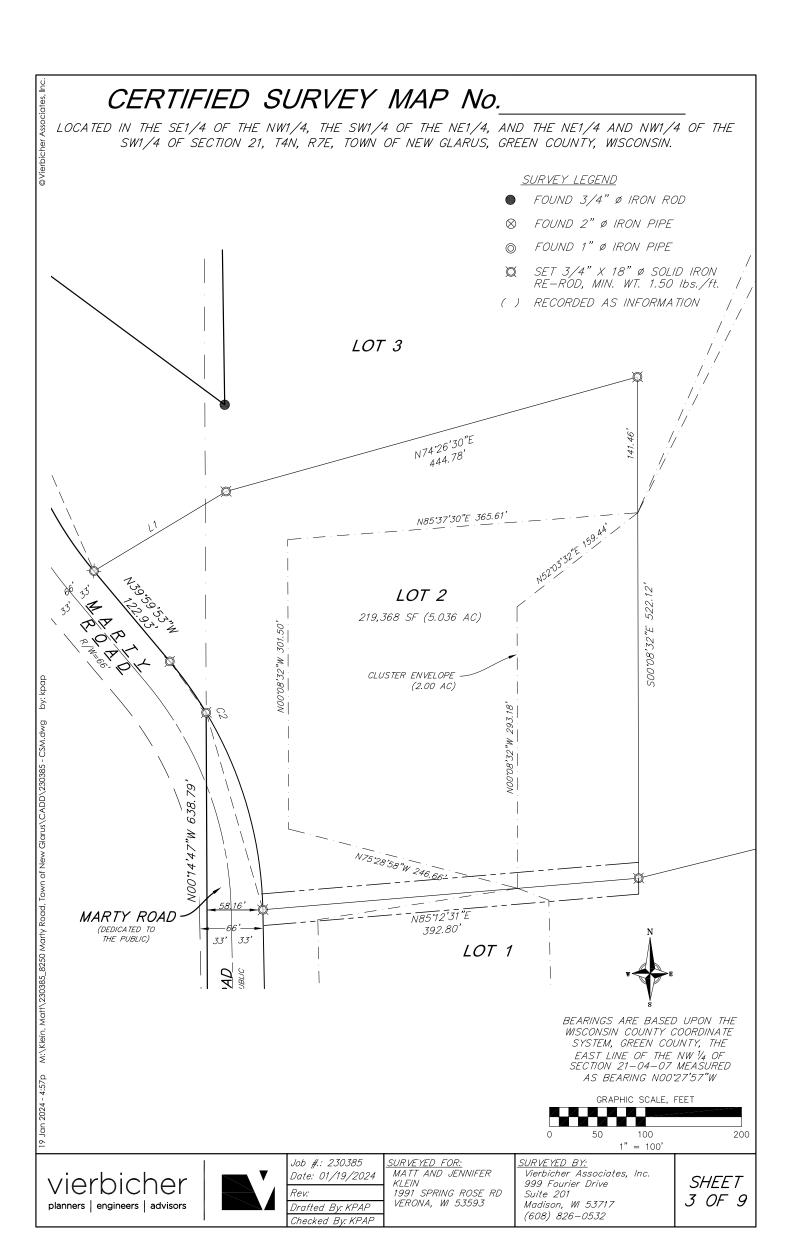
Klein CSM - POSSIBLE RECOMMENDATION TO THE TOWN BOARD

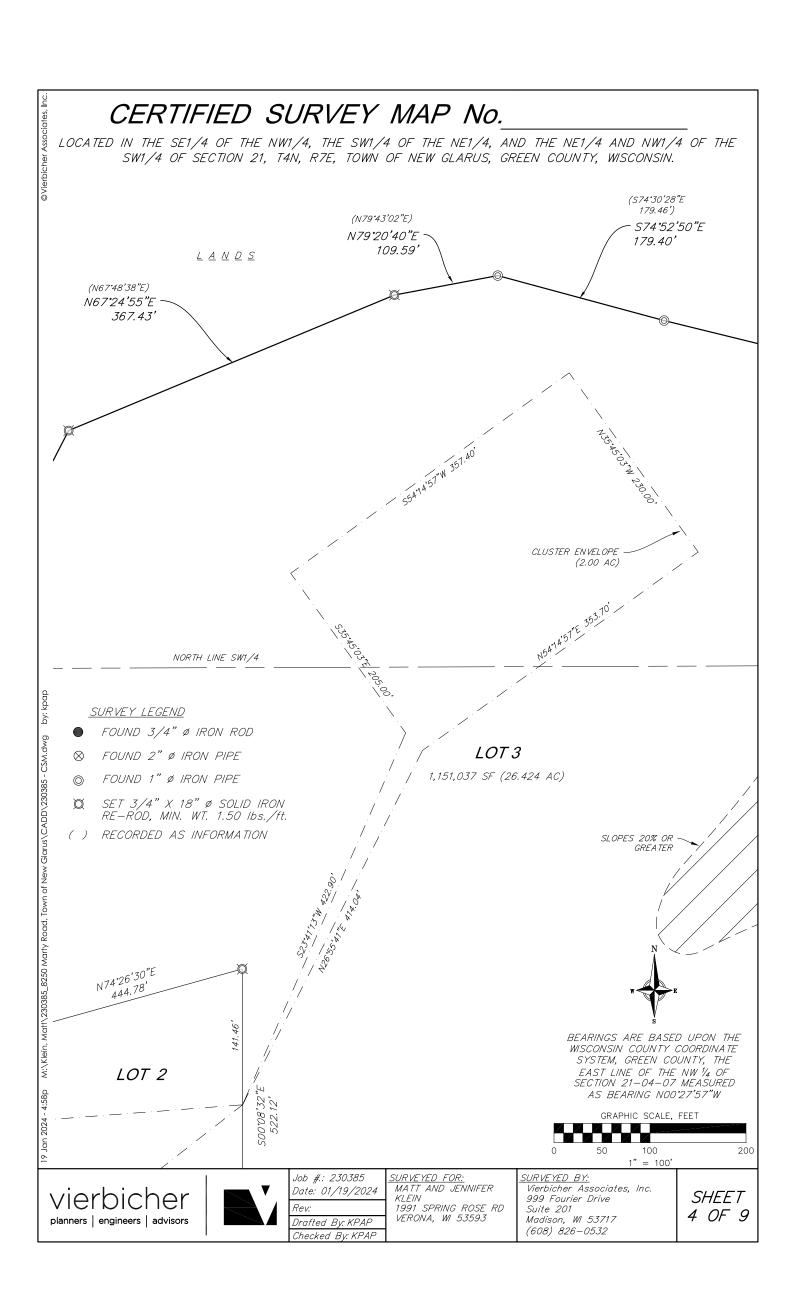
The Town of New Glarus Plan Commission hereby recommends the Town Board hold a Public Hearing to consider the CSM for the Klein property on Marty Road as prepared by Vierbicher.. The CSM, dated January 19, 2024, should be considered at the next regularly scheduled Town Board meeting. Further, the Plan Commission RECOMMENDS CONDITIONAL APPROVAL of the CSM by the Town Board subject to the Applicant providing an amended CSM and supporting documents addressing the following items:

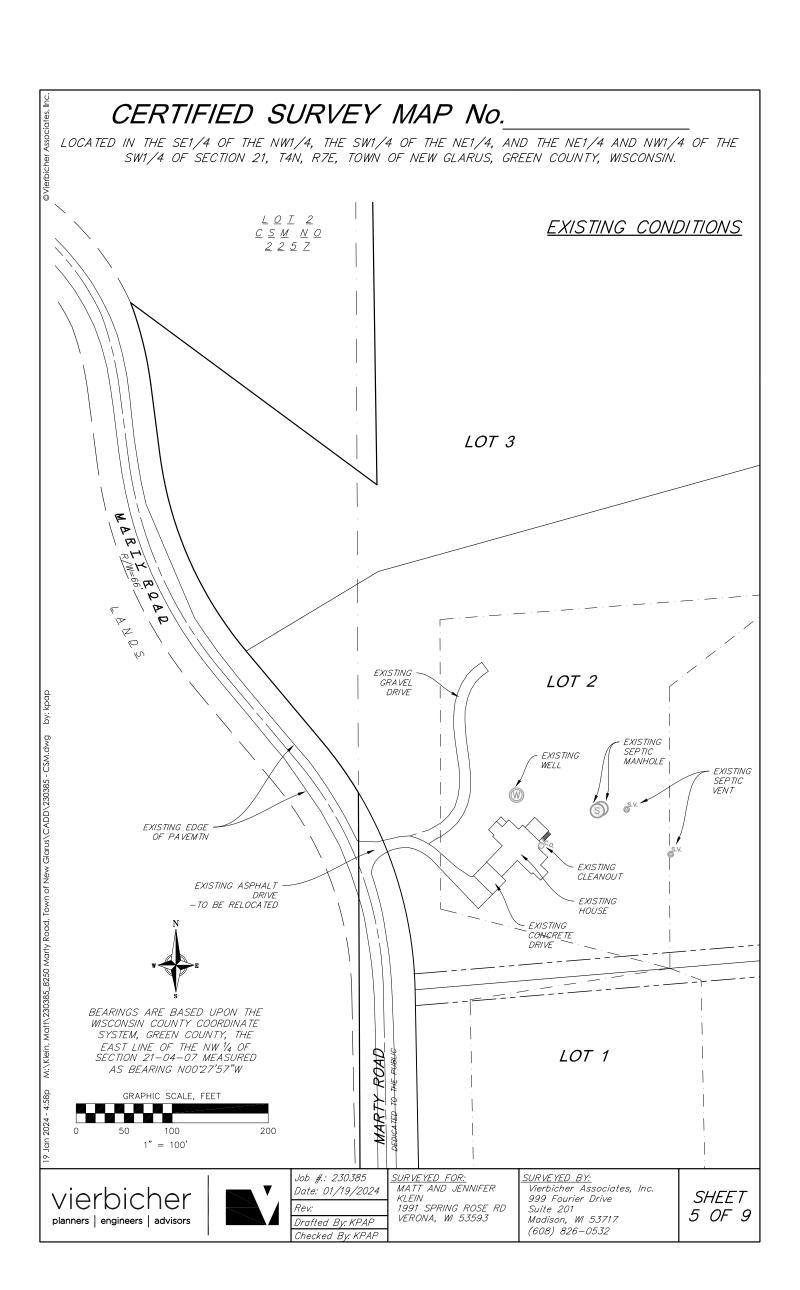
- The Applicant shall clarify the intention to construct joint or individual driveways for the CSM with the final CSM. A Joint Driveway Agreement shall be provided with the final CSM for all lots that will be served by a joint driveway and shall be recorded concurrently with the CSM by the Applicant with copies provided to the Town Clerk.
- 2. The Applicant shall provide a deed restriction for the Open Space outside of the depicted Cluster Envelopes on all parcels to satisfy the Open Space requirements of the development. The Deed Restriction shall be recorded concurrently with the Final CSM by the Applicant with copies provided to the Town Clerk.
- 3. The Applicant shall provide a copy of the Endangered Resources Review from the DNR to the Town prior to recording the CSM.
- 4. The Applicant shall amend the CSM to address the following:
 - a. Include a note on the CSM stating: "Lots within this land division may have areas of shallow depths to bedrock that preclude the installation of conventional waste disposal systems. All waste disposal systems shall be approved by the Wisconsin Department of Safety and Professional Services."
 - b. Dimension the existing buildings to the property lines unless they will be razed.
 - c. Add the following notes:
 - i. "Residential home construction on Lot 3 will require submittal of a site plan demonstrating compliance with the Town of New Glarus Driveway Ordinance (Chapter 36) and depicting the proposed home location within the cluster envelope."
 - ii. "All areas designated as "Open Space" shall be left undeveloped and free from residential, commercial or Industrial structures. Permitted uses of Open Space are agriculture, recreation, passive recreation use, and preservation of environmentally sensitive features."
 - iii. "All buildings shall be limited to placement within the Building Envelopes shown. Additional building setbacks per the Green County Zoning Code shall also be met."
- 5. All revisions to the CSM and required supporting documents shall be provided to the Town Engineer and Planner for review prior to the Applicant requesting signature on the CSM by the Town Chair.



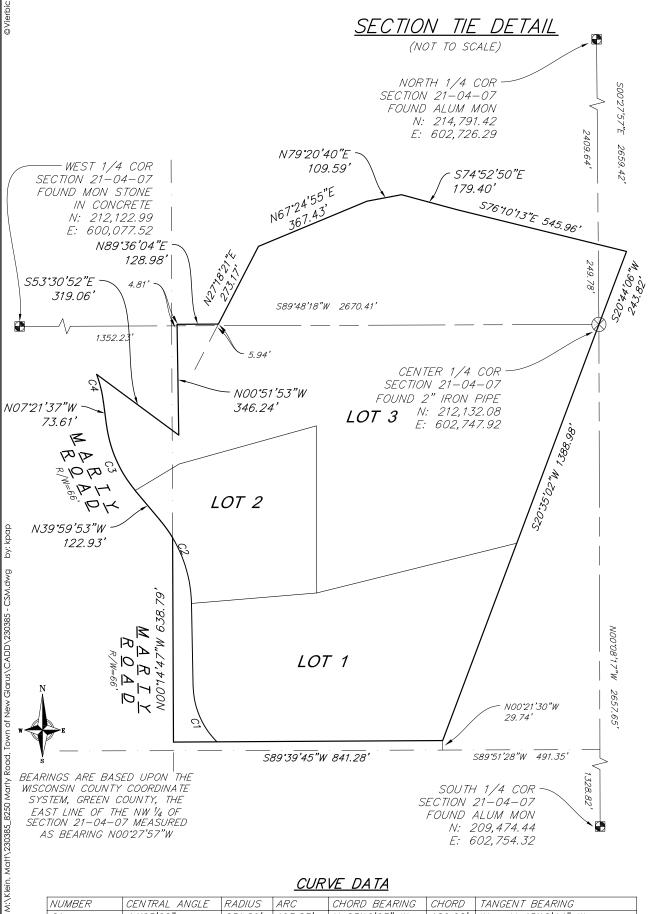
CERTIFIED SURVEY MAP No. LOCATED IN THE SE1/4 OF THE NW1/4, THE SW1/4 OF THE NE1/4, AND THE NE1/4 AND NW1/4 OF THE SW1/4 OF SECTION 21, TAN, R7E, TOWN OF NEW GLARUS, GREEN COUNTY, WISCONSIN. LOT 2 33' WIDE ACCESS EASEMENT AND PUBLIC UTILITY EASEMENT 126.40 266.40 N85°12'31"E 392.80°, N69*10'08" W 33' 34.69 S81"06'07"W ROAD THE PUBLIC 219.51 NO014'47"W 638.79' NO1°07'22" 258.84' MARTY DEDICATED TO TI VO1.07'08"W 375.50' LOT 1 435,770 SF (10.004 AC) Q \geq \forall 33 33' CLUSTER ENVELOPE (2.00 AC) by: k New Glarus\CADD\230385 - CSM.dwg N89°51'28"E 199.11' FXIST FFNCF LANDS 841.28 S89°39'45"W NORTH LINE OF LOT 1 <u>L 0 T</u> <u>C S M N O</u> 1 <u>3</u> <u>4</u> M:\Klein, Matt\230385_8250 Marty Road, Town of <u>SURVEY LEGEND</u> FOUND 3/4" Ø IRON ROD FOUND 2" Ø IRON PIPE FOUND 1" Ø IRON PIPE \bigcirc SET 3/4" X 18" Ø SOLID IRON RE-ROD, MIN. WT. 1.50 lbs./ft. RECORDED AS INFORMATION BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, GREEN COUNTY, THE EAST LINE OF THE NW 1/4 OF SECTION 21-04-07 MEASURED AS BEARING NOO'27'57"W GRAPHIC SCALE, FEET 100 200 1" = 100' SURVEYED FOR: MATT AND JENNIFER KLEIN 1991 SPRING ROSE RD VERONA, WI 53593 Job #.: 230385 SURVEYED BY: Vierbicher Associates, Inc. 999 Fourier Drive Suite 201 Madison, WI 53717 Date: 01/19/2024 SHEET vierbicher 2 OF 9 planners | engineers | advisors Drafted By: KPAP (608) 826-0532







CERTIFIED SURVEY MAP No. LOCATED IN THE SE1/4 OF THE NW1/4, THE SW1/4 OF THE NE1/4, AND THE NE1/4 AND NW1/4 OF THE SW1/4 OF SECTION 21, T4N, R7E, TOWN OF NEW GLARUS, GREEN COUNTY, WISCONSIN.



CURVE DATA

NUMBER	CENTRAL ANGLE	RADIUS	ARC	CHORD BEARING	CHORD	TANGENT BEARING
C1	44°05'02"	251.89'	193.83'	N 23°10'03" W	189.08'	IN - N 45°12'44" W
C2	<i>38°52'31"</i>	415.00'	281.58'	N 20°33'37" W	276.21	
LOT 2 R/W	29°50′12″	415.00'	216.11'	N 16°02'28" W	213.68'	OUT - N 30°57'34" W
EXT BNDY	09°02′19″	415.00'	65.47'	N 35°28'43" W	65.40'	
C3	<i>32°38'15"</i>	398.00'	226.71'	N 23°40'45" W	223.66	
C4	13°03'55"	385.00'	87.79'	N 13°50'55" W	87.60'	OUT - N 20°22'53" W

vierbicher planners | engineers | advisors

Jan 2024 - 4:58p



Job #.: 230385 Date: 01/19/2024

Drafted By: KPAP Checked By: KPAP

SURVEYED FOR: MATT AND JENNIFER KLEIN 1991 SPRING ROSE RD VERONA, WI 53593

SURVEYED BY: Vierbicher Associates, Inc. 999 Fourier Drive Suite 201 Madison, WI 53717 (608) 826-0532

SHEET 6 OF 9

vierbicher planners | engineers | advisors

Jan 2024 - 4:58p

Notary Public, State of Wisconsin

My Commission expires: __



SURVEYED FOR: MATT AND JENNIFER KLEIN 1991 SPRING ROSE RD VERONA, WI 53593

CERTIFIED SURVEY MAP No.

LOCATED IN THE SE1/4 OF THE NW1/4, THE SW1/4 OF THE NE1/4, AND THE NE1/4 AND NW1/4 OF THE SW1/4 OF SECTION 21, T4N, R7E, TOWN OF NEW GLARUS, GREEN COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Kevin J. Pape, Professional Land Surveyor No., S-2568, do hereby certify that this Certified Survey Map is in full compliance with Chapter 236.34 of the Wisconsin State Statutes, Chapter A-E7 of the Wisconsin Administrative Code and Chapter 110 of the Town of New Glarus Code; and under the direction of the Owner listed heron, I have surveyed, divided and mapped the lands described herein and that said map is a correct representation of the exterior boundaries and division of the land surveyed.

Date:	
DRAFT	
Kevin J. Pape, WI PLS No. S-2568 Vierbicher Associates, Inc	

DESCRIPTION

Being located in the SE1/4 of the NW1/4, the SW1/4 of the NE1/4, and the NE1/4 and NW1/4 of the SW1/4 of Section 21, T4N, R7E, Town of New Glarus, Green County, Wisconsin, described as follows: Commencing at the south quarter corner of said Section 21; thence N00'08'17"W, 1328.82 feet along the east line of the southwest quarter of said Section 21; thence S89'51'28"W, 491.35 feet; thence N00'21'30"W, 29.74 feet to the southwest corner of Lot 3, Certified Survey Map No. 5443 and the point of beginning; thence S89'39'45"W, 841.28 feet; thence N00'14'47"W, 638.79 feet along the west line of the NE1/4 of the SW1/4 of said Section 21 to a point on the northeasterly right-of-way line of Marty Road and point of curve; thence northwesterly on a curve to the left which has a radius of 415.00 feet and a chord which bears N35'28'43"W, 65.40 feet; thence N39'59'53"W, 122.93 feet along said northeasterly right-of-way line to a point of curve; thence northwesterly along said northeasterly right-of-way line on a curve to the right which has a radius of 398.00 feet and a chord which bears N23'40'45"W, 223.66 feet; thence N07'21'37"W, 73.61 feet along said northeasterly right-of-way line to a point of curve; thence northwesterly along said northeasterly right-of-way line to a point of curve; thence northwesterly along said northeasterly right-of-way line on a curve to the left which has a radius of 385.00 feet and a chord which bears N13'50'55"W, 87.60 feet; thence S53'30'52"E, 319.06 feet; thence N00'51'53"W, 346.24 feet; thence N89'36'04"E, 128.98 feet; thence N27'18'21"E, 273.17 feet; thence N67'24'55'E, 367.43 feet; thence N79'20'40'E, 109.59 feet; thence S74'52'50'E, 179.40 feet; thence S20'44'06"W, 243.82 feet along said northwesterly line of Certified Survey Map No. 3120; thence S20'44'06"W, 243.82 feet along said northwesterly line to the center quarter corner of said Section 21; thence S20'35'02"W, 1388.98 feet along said northwesterly line to the center quarter corner of said Section 21; thence S20'35'02"W, 1388.98 fe



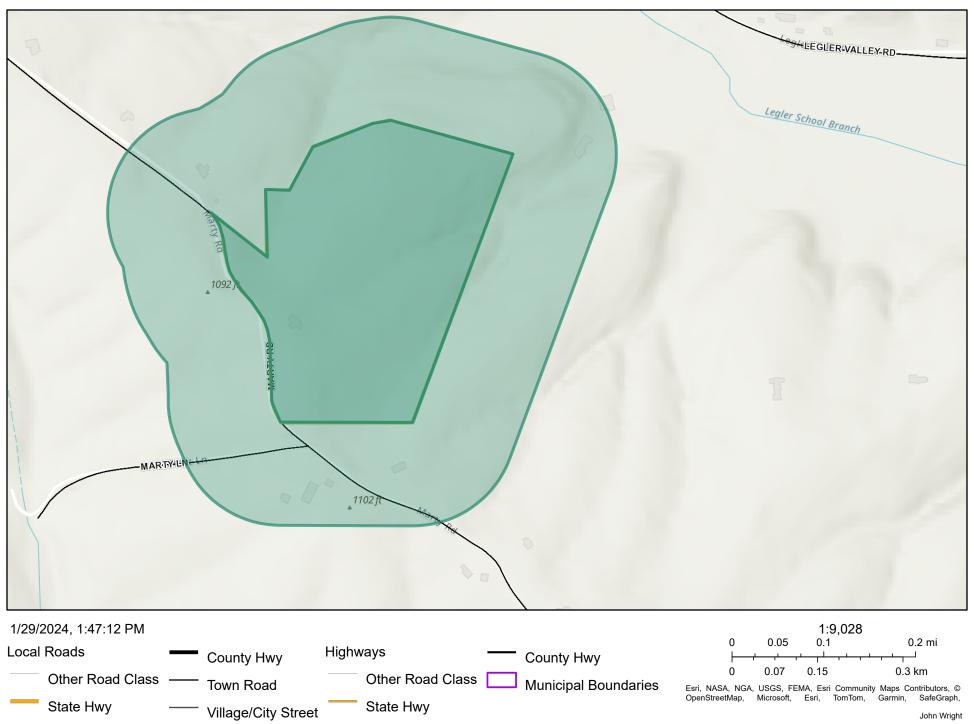
		GLARUS, GREEN COUNTY, WISCONS,
TOWN OF NEW GLARUS AP.	<u>PROVAL</u>	
Approved for recording this per the Town of New Glarus.	_day of	
Chris Narveson, Town Chair		
<u>VILLAGE OF NEW GLARUS L</u>	EXTRATERRITORIAL /	4 <i>PPROVAL</i>
Approved for recording this per the Village of New Glarus.	_day of	
Kelsey Jensen, Clerk/Treasurer		
Approved for recording this per the Green County Zoning Co	mmitte.	
Adam Wiegel, Zoning Administro	ator	
REGISTER OF DEEDS CERTI	<u>FICATE</u>	
Received for recording this		
at o'clockm. and Survey Maps on pages		
Cynthia Meudt, Green County Regis	ter of Deeds	

vierbicher planners | engineers | advisors



Drafted By: KPAP Checked By: KPAP

Klein Notification Area



OFFICE OF

Town of New Glarus

Town of New Glarus PO Box 448 New Glarus, WI 53574-0448

February 22, 2024

Town of New Glarus PO Box 448 New Glarus, WI 53574-0448

Town of New Glarus staff,

This notification is being sent to all property owners within 600' of tax parcel 23024 0151.1000 in Section 21 within the Town of New Glarus, including the applicants, to make you aware of a public hearing regarding the division of this 42.347 acre parcel by Certified Survey Map.

The draft Certified Survey Map was reviewed by the Town of New Glarus Plan Commission on February 15, 2024 and was recommended to the Town Board to consider for approval following a public hearing at 6:00 PM on Wednesday, March 13, 2024 at the New Glarus Town Hall, 26 5th Avenue, New Glarus, WI.

The proposed division of the property is by the cluster option, which requires at least 40 acres for each proposed building site and deed-restricted open space. There is one existing lot with a residence. The Town Plan Commission recommended that the applicant consider enlarging proposed cluster envelope contained within Lot 3 so that the contiguity with the cluster envelope contained in Lot 2 is more than a single point. The applicant is also considering a request for three driveway access points instead of the two that are pictured on the enclosed draft.

Enclosed is a copy of the public hearing notice and the draft Certified Survey Map to be considered.

Respectfully, John

John Wright
Clerk-Treasurer
clerk@townofnewglaruswi.gov
608-527-2390
Town of New Glarus

Owner	Mail_Address	City_St_ZIP
ALME, DIANE K	PO BOX 960	NEW GLARUS, WI 53574
BOYLE, DANIEL L; BOYLE, JENNIFER S	N8350 MARTY RD	NEW GLARUS, WI 53574
DENU, BRENT; DENU, JULIE	N8393 MARTY RD	NEW GLARUS, WI 53574
DOLL, DANA D; DOLL, ERIKA L	N8152 MARTY ROAD,	NEW GLARUS, WI 53574
FRENCH, RONALD DEAN	N8174 MARTY ROAD	NEW GLARUS, WI 53574
HUBANKS, CINDY L; HUBANKS, KERRY R	W6155 LEGLER VALLEY RD	NEW GLARUS, WI 53574
KLEIN, JENNIFER L; KLEIN, MATTHEW J	N8250 MARTY ROAD	NEW GLARUS, WI 53574
KLOSIEWSKI, JAMES M; MCNULTY, DIANA C	N8302 MARTY ROAD	NEW GLARUS, WI 53574
LAMP, DAVID A; LAMP, SALLY A	W6287 LEGLER VALLEY RD	NEW GLARUS, WI 53574
OEMICHEN, MARY ANNE; OEMICHEN, WILLIAM L	W6159 LEGLER VALLEY ROAD	NEW GLARUS, WI 53574
TOWN OF NEW GLARUS	PO BOX 448	NEW GLARUS, WI 53574