

TOWN OF COTTAGE GROVE
PLAN COMMISSION MINUTES
AUGUST 27, 2025

- 1) Notice of the meeting was posted at the Town Hall and on the Town's website. A quorum was present with Steve Anders, Tom Banigan, Troy Eickhoff, Jerry Meylor present. Town Planner Mark Roffers was also present. Clerk-Treasurer Kim Banigan took minutes. Dave Muehl arrived at 7:05 P.M.
- 2) Anders called the meeting to order at 7:00 P.M.
- 3) Approve minutes of previous meetings: **MOTION** by Banigan/Meylor to approve the minutes of the May 28, 2025 meeting as printed. **MOTION CARRIED 4-0.**
- 4) Public Concerns: Art Voit Jr. would like to add a 40 x 80 cold storage addition to his existing 40 x 80 cold storage building at 2974 CTH BB. He has a CUP for a Limited Family Business on 1.3 acres of the property. Dane County Zoning has advised that there is not room for the addition within the CUP area, and advised him to apply for Limited Commercial zoning and a CUP for outdoor storage and the single-family residence. His property is in the Neighborhood Development planning district of the Town's future land use map. He was advised that the Town Plan does allow for consideration of expansion of existing commercial uses/zoning districts, and further advised of the process to apply for the LC-1 zoning and CUP.
- 5) Kyle R Herritz, petitioner and property owner, 2001 Rathert Road – seeking Conditional Use Permit for accessory building over 12 feet in average height (DCPCUP-02678): Mr. Herritz was present, and described the proposed accessory building as a 40 x 30 garage with loft, with peak height of 22'/mean height of 16'. The use of the building will be for storage of personal items. James Heise, 1992 Rathert Road, spoke in favor. No one spoke in opposition. The commission reviewed the seven standards for CUP approval and found them all to be satisfied. **MOTION** by Banigan/Muehl to recommend approval of the CUP, noting that all standards for approval have been satisfied. **MOTION CARRIED 5-0.**
- 6) Wade Huston, Skaar Pit LLC, Comprehensive Development Review for a Commercial Subdivision on 111.7 acres at 3440 CTH N intended for contractor-oriented uses that fall within Heavy Commercial zoning (See Exhibit A): Project Engineer Mike Calkins from Snyder & Associates represented Skaar Pitt LLC. Wade, Dale and Brad Huston were also present, along with RG Huston Engineer Dennis Richardson. Mr. Calkins explained that plans include an interceptor sanitary sewer to serve all of the lots in the development, except the existing Paul Davis Restoration parcel. The sewer system will have a septic field on outlot 1, and will accept only domestic flows. Each user will need to go through an approval process and be required to pre-treat any other effluent. Calkins acknowledged that the Traffic Impact Study under way will impact aspects of this project, but they plan to proceed with the approval process conditional on agreeing to comply with the TIA recommendations, and are hoping for a spring 2026 start to construction. Agreements are in place or progress for acquisition of lands in the project currently under separate ownership. The developers are looking for Heavy Commercial zoning over the entire development. Roffers' review letter (Exhibit B) supported this on all but lots 2-4 along CTH N, which he said were more suited to General Commercial. Discussion was that these highly visible lots require quality development and fully screened storage. Roffers suggested this could be accomplished under Heavy Commercial zoning with lot-specific deed restrictions on things such as building orientation, outdoor storage and display locations and screening. He cited the Paul Davis Restoration building as an example to strive for, which is oriented to face CTH N with storage behind. Consensus was to agree to Heavy Commercial zoning with lot specific deed restrictions. Calkins plans to apply to the county for Heavy Commercial zoning by September 16th, and will consult with Roffers regarding suggested deed restrictions.
- 7) Discuss/Consider revisions to Conditional Use Permit Process: Roffers explained that recommended

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revisions to the Town's Land Division Ordinance (Chapter 15) address recent changes to the County's CUP approval process, as well as solidifying policies for acceptance of applications for both CUPs and rezones. Under the County's new process, a public hearing is no longer required at the Town level, and the Town cannot request any information that is not also provided to the County, to ensure that both approving bodies are looking at the same materials. The Town may take action to recommend approval of CUPs as requested, approval with conditions, denial, or take no action. The County is no longer bound to deny a CUP if the Town recommends denial. Revisions to the Town's Petition for Change of Land Use include elimination of the Town's CUP checklist, and stipulate that the petition will be placed on a Plan Commission agenda once the Dane County Zoning Division provides an accepted County application submittal packet. For Roffer's full explanation see his memo to the Plan Commission (Exhibit C). **MOTION** by Muehl/Eickhoff to recommend approval of the revisions to Chapter 15 Land Division and Planning Code, and to the Petition for Change of Land Use as presented. **MOTION CARRIED 5-0.**

- 8) ADJOURNMENT: **MOTION** by Muehl/Eickhoff to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:23 P.M.

Submitted by: Kim Banigan, Clerk-Treasurer
Approved 10/22/2025

August 8, 2025

Ms. Kim Banigan
Clerk-Treasurer, Town of Cottage Grove
4058 County Road N
Cottage Grove, WI 53527

RE: SKAAR PIT CONCEPT DEVELOPMENT PLAN

Dear Ms. Banigan:

On behalf of our client, Skaar Pit, LLC, we hereby submit the following information for the proposed Concept Development Plan for the Skaar Pit, LLC property.

- Soil test information obtained before this submittal is enclosed. We acknowledge that additional testing will be required before the preliminary plat submittal. We are proposing an interceptor sanitary sewer to serve all lots in the development, except for the existing Paul Davis Restoration parcel. The interceptor sewer and private on-site wastewater treatment system will be designed to handle the domestic flows from the development. Any uses that require additional treatment of effluents before entering the interceptor will be installed as part of the proposed use on each lot. The anticipated location of the underground system is shown on the attached Concept Development Plan. Additional soil testing will be performed in this area to confirm the preliminary design.
- The enclosed test pit information outlines the proposed depths to groundwater and bedrock.
- The enclosed WDNR Natural Heritage Inventory for the property indicates the project overlaps the Rusty Patched Bumble Bee High Potential Zone.
- A Concept Development Plan is enclosed. The plan prints at a 1" = 200' scale on 22" x 34" paper.
- All lands are contiguous. All lands within the boundaries of the enclosed Concept Development Plan are owned by Skaar Pit, LLC, or have agreements in place with the adjacent landowners.
- A public road within a 70' 70-foot-wide right-of-way is proposed to connect County Highway N to North Star Road.
- Existing and proposed contours at 2' intervals are shown on the enclosed Concept Grading Plan.
- An exhibit highlighting slopes of 12-20% and 20%+ across the development is enclosed.
- Existing and proposed lots are shown on the enclosed Concept Development Plan.
- Proposed stormwater ponds and anticipated discharge locations are shown on the enclosed Concept Grading Plan. Detailed stormwater, utility, and development plans will be submitted with the preliminary plat.

- Most of the development is currently farmed, except for a few wooded areas. The wooded areas shown on the enclosed Concept Development Plan will be removed as part of the mass grading across the development.
- Little Door Creek runs along the northern boundary of the development. A wetland delineation will be completed as part of the preliminary plat submittal. We anticipate the only wetlands on the property will be along the banks of Little Door Creek. The proposed stormwater ponds are currently designed adjacent to the floodplain line shown on the FEMA map for the area. Confirmation of the floodplain limits will be part of the preliminary plat submittal.
- Shoreland zoning limits are shown on the enclosed Concept Development Plan.
- The owner is unaware of any existing drainage tiles on the property.
- The overall development contains 111.7 acres. The proposed commercial lots total 78.7 acres. The stormwater management outlots total 28.1 acres. The proposed road dedication totals 4.9 acres.
- Open space calculations are unknown at this time and will be subject to the future zoning approved for the development.
- No common amenities are proposed other than the shared private wastewater treatment.
- No waivers to the Town's subdivision design standards are anticipated at this time.
- Eight commercial lots are proposed, with one of them being an expansion of the Paul Davis parcel.
- Mass grading and road construction are proposed to commence upon plat and development agreement approvals, with full completion of construction anticipated before the end of 2026.

Sincerely,

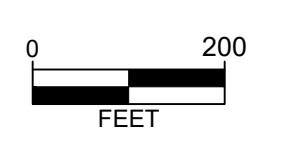
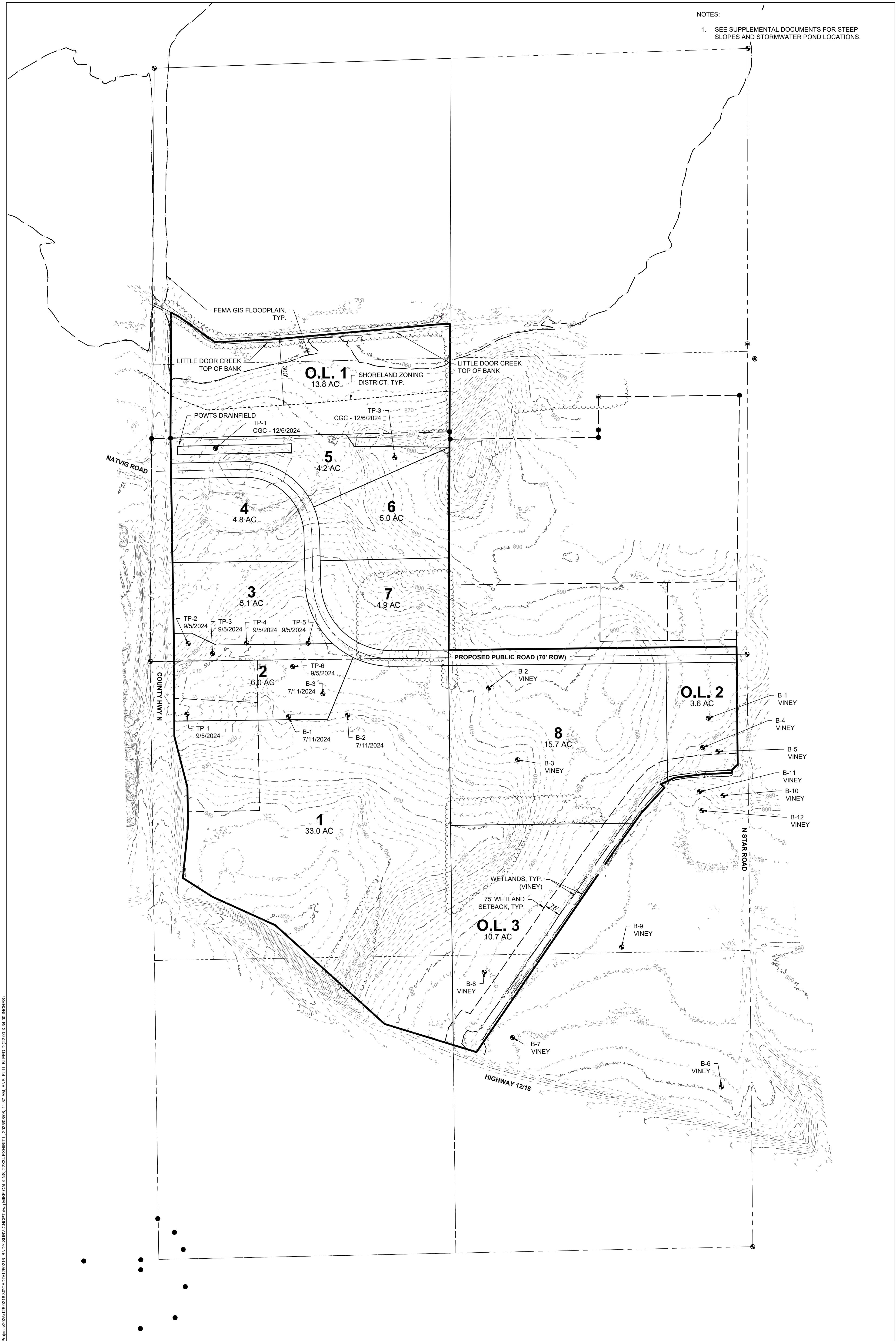
SNYDER & ASSOCIATES, INC.



Michel L. Calkins
Project Engineer

Enclosures

cc: Wade Huston, Skaar Pit, LLC



SKAAR PIT CONCEPT DEVELOPMENT PLAN

TOWN OF COTTAGE GROVE, DANE COUNTY, WISCONSIN | 08/08/2025

HC Heavy Commercial Zoning District

Zoning district for commercial land uses – CH. 10-Zoning [10.273](#)

Permitted Uses 10.273(2)

- Undeveloped natural resource and open space areas
- Agriculture and accessory uses (livestock not permitted)
- ~~Adult book stores, subject to s.10.103(2).~~
- ~~Cemeteries~~
- ~~Colony house~~
- Contractor, landscaping, or building trade operations
- ~~Day care centers~~
- Freight and bus terminals
- Governmental, institutional, religious, or nonprofit community uses
- Indoor entertainment or assembly
- Indoor sales
- Indoor storage and repair
- ~~Institutional residential~~
- Light industrial
- Off-site parking
- Office uses
- Outdoor sales, display or repair
- Outdoor storage
- Personal or professional service
- ~~Personal storage facilities (mini-warehouse)~~
- ~~Transient or tourist lodging~~
- A transportation, utility, communication, or other use required by law
- Utility services
- Vehicle repair or maintenance service
- ~~Veterinary clinics~~
- Warehousing and distribution facilities

Conditional Uses: 10.273(3)

- Airport, landing strip or heliport
- Animal boarding, domestic pet
- Animal boarding, large animal
- Caretaker's residence
- Commercial indoor lodging
- Communication towers
- Renewable energy generation
- Drive-in establishment
- Marinas
- Outdoor active recreation
- Outdoor entertainment
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law..

Setbacks and Height requirements: 10.273(4) & (6)

Front setback for all structures from highway centerline / right-of-way line (whichever is greater)
State or Fed. Hwy: 100/42 feet
County Highway: 75/42 feet
Town Road: 63/30 feet
Subdivision streets platted prior to DCCO: 20 feet
All other streets: 30 feet

Side yard:
10 feet minimum
Rear yard:
10 feet minimum

Height:
50 feet, excluding tanks, storage bins, silos and towers

Minimum Lot Width & Area: 10.11(5)

Lots must have sufficient area to accommodate sanitary, stormwater, and parking for intended uses

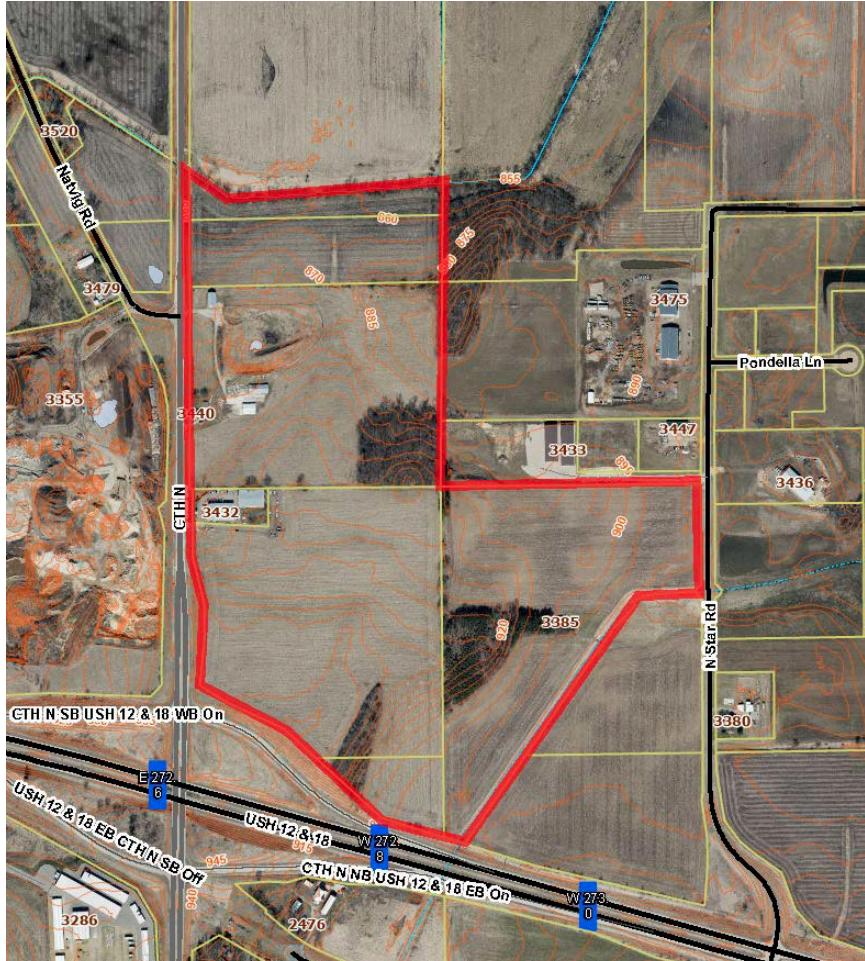
Lot Coverage 10.11(5)

60% maximum

To: Town of Cottage Plan Commission
FROM: Mark Roffers, Town Planner
DATE: August 18, 2025
RE: Skaar Pit (Huston) Business Park Concept Plan/Comprehensive Development Plan

I reviewed the following submittals, together making up a “comprehensive development plan” for this proposed business park:

- Petition for Change of Land Use, dated 7/30/25
- Cover letter from Snyder & Associates, dated 8/8/25
- Skaar pit concept development plan, dated 8/8/25
- Skaar pit concept grading plan, dated 8/8/25
- Steep slopes map, submitted 7/29/25
- Endangered resources preliminary assessment, dated 6/3/25
- Soils information, various dates (I did not review in detail)
- Proposal for restricted uses under petitioner’s proposed HC zoning, submitted 7/30/25



Under the Town land development/division ordinance, the “comprehensive development plan” review stage is required before a preliminary subdivision plat may be submitted.

My comments on this comprehensive development plan submittal are as follows:

1. Relationship to Town Plan: This proposed business park is consistent with and advances the Town Comprehensive Plan. It has potential to result in significant tax base growth, also with additional infrastructure and service expense. The Plan advises this property as part of a larger planned “Commercial Development Area” in the North Star Road corridor (see attached map), subject to the following comments:
 - a. Figure 9 of the Comprehensive Plan suggests uses “that emphasize storage (particularly outdoor storage) and outdoor display and activities should be minimized.” The attached Conceptual Rural Business Park Development Plan map is part of the Town Comprehensive Plan. Per that map, some more interior parts of this proposed development are indicated as acceptable for larger outdoor storage yards (brown) due to lower highway visibility. Covenants or conditional use permit requirements (like what applies under GC zoning) may limit outdoor storage uses on some other lots or more exposed parts of larger lots like proposed Lot 1.
 - b. GC and HC zoning districts are listed among the “typical implementing zoning districts” for the Town’s planned “Commercial Development Area”. The petitioner seems to be interested in all HC zoning. I advise rezoning of proposed Lots 2-4 along Highway N, at least, to the GC district instead. The Paul Davis lot (most of Lot 2) is already zoned GC. The Town Plan also advises that the Town will sometimes limit the range and scale of land uses through deed restrictions. As the petitioner’s initial submittal suggests, a deed restriction should also be applied to restrict against the most objectionable HC uses for acceptable HC-zoned lands. I also advise outdoor storage locational and screening requirements for the large and highly-visible proposed Lot 1.
 - c. As described further below, the proposed development will require a traffic impact analysis (TIA). The extent of proposed highway improvements suggested by the TIA may be influenced by the types/intensity of uses allowed within the business park, and therefore the developer and Town may consider restricting such uses too (or at least limiting them to, say, Lot 4). For example, uses like gas stations/convenience stores (listed as “drive-in establishments” among allowed HC district uses) and hotels (listed as “commercial indoor lodging”) generate much more traffic than do most contractor and warehouse-type uses. Also, “freight and bus terminals” are normally a permitted HC use but also can generate a lot of large-vehicle traffic, and therefore should also be considered for restriction here.
 - d. The Town’s Rural Business Park Development Plan suggests a future public road extending from North Star Road through this proposed development area, to connect to

Highway N at Natvig Road, which is exactly what is proposed here. This will be a tremendous business and safety improvement. See road naming discussion below.

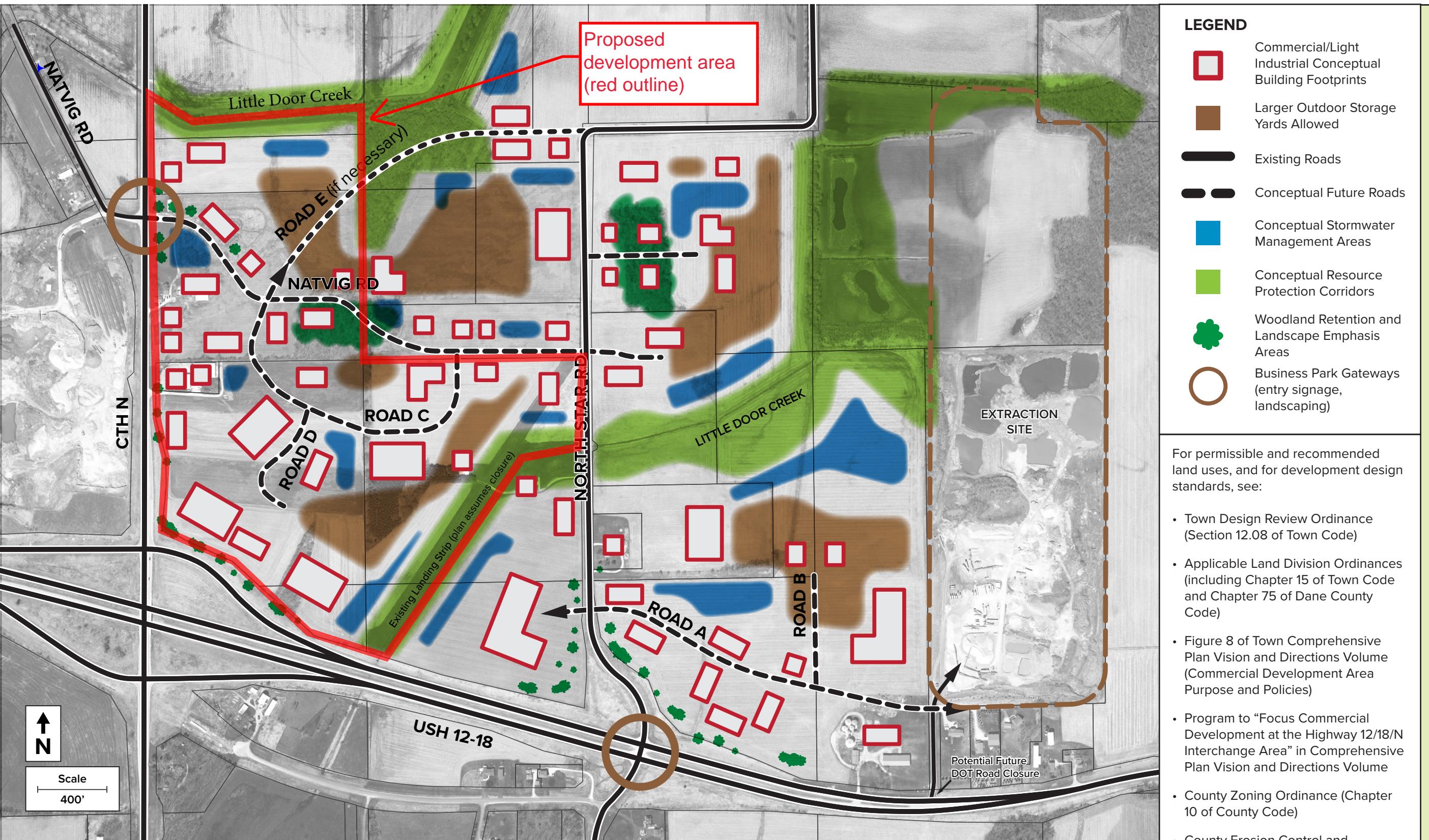
- e. The Town Plan suggests potential for a secondary road connection to the northeast (labeled “ROAD E (if necessary)” on attached map) to connect at the northern “bend” of North Star Road, through parcel 071128482510 (Larry Skaar). The feasibility of this secondary road is questionable given intervening low lands and steep slopes associated with a wooded drumlin. There may also be development interest from another party on at least part of this parcel 071128482510. For these reasons, I advise collaboration on the wetland delineation described below.
2. Sanitary Waste Treatment: The proposal suggests potential for a group/community wastewater treatment (septic) system, serving all the development except the Paul Davis lot. A common drain field is envisioned near the north edge of the development, with sewer lines leading to that field from each proposed lot. Additional soil testing and other feasibility analyses will be required. The lot/outlot arrangement for the common drain field area, and other legal issues including ownership and maintenance of the drain field and sewer lines, will have to be resolved. Better understanding of the feasibility of this approach—or if not feasible a more typical approach—will be necessary before submittal of the preliminary plat. In any case, the development pattern may require adjustment to work towards a non-holding tank solution for all lots, per recently amended Town Plan policy.
3. Floodplain, Wetland, and Shoreland Setback Area: There is floodplain and likely wetland at the north edge of the proposed development, associated with the Little Door Creek. Before the preliminary plat, the applicant should survey the property so that the actual floodplain line can be identified using the FEMA base flood elevation. Further, the petitioner should have an assured wetland delineator delineate any wetland. (Collaboration/extension of wetland delineation to northeast is also advised—see above.) County zoning requires a 75 foot setback from wetland edges. The petitioner should coordinate with the County to determine the extent that grading associated with proposed stormwater management basins can be completed in this setback area.
4. Plant and Animal Species Assessment: The submitted DNR endangered resources preliminary assessment suggests that the development site overlaps the Rusty Patched Bumble Bee High Potential Zone. Given that much of the proposed development site has been cropped or otherwise disturbed, actual habitat may not be present. Still, there is woodland near the east central portion of the site (currently proposed for removal) and floodplain/wetland area near the north edge may provide habitat, and appropriate planting is advised. The DNR assessment suggests a protocol going forward, which should be advanced with the preliminary plat submittal.

5. Traffic Impact Analysis (TIA): The petitioner, Viney business park engineer, Town, County, and WisDOT representatives have discussed the need for a TIA to project traffic and identify what improvements to highway intersections and segments may be required. To the extent that highway or intersection improvements are required, associated engineering design and responsibility for construction and funding will need to be assigned. The TIA, its review, and these discussions and decisions will likely be a several month process. Rezoning and platting may proceed in parallel with the TIA process—at the petitioners' risk and with the County's permission. Otherwise, the petitioners' proposed construction schedule will not be attainable in my opinion.
6. Next Steps/Plat Considerations: I advise that these conceptual materials be provided to County Planning and Zoning staff for their comments too. Once this conceptual review stage is complete, this development will be subject to a rezoning procedure and all subdivision platting procedural and substantive requirements in the Town's land division ordinance. This includes provision for a development agreement, security for public improvements such as a letter of credit, submittal of full sets of engineering and stormwater management plans, and preparation and recording of covenants. Following platting, Town design review will be required for building development on any of the lots, per Section 12.08 of Town ordinances. As this comprehensive development plan evolves to a preliminary plat, the following plat-related matters will need to be resolved:
 - a. While the majority of this 112-acre development area is owned by "Skaar Pit LLC", the northern approximately 13 acres is indicated on DCIMap as owned by "Everson Properties LLC." Everson also owns approximately 35 acres immediately north of Little Door Creek. The ownership situation will need to be resolved; will Skaar Pit LLC be acquiring some or all of the Everson lands? Everson-owned lands north of Little Door Creek may need to be included as a platted lot and possibly rezoned. Keeping proposed Outlot 1 out of Everson's northern parcel 071128485000 may be another option. The petitioner should consult with Dane County Zoning on this matter.
 - b. Per recent practice in multi-lot developments with public streets, stormwater outlots should be indicated as "dedicated to public for stormwater management." It would be the responsibility of the developer to improve each of these outlots with stormwater facilities and appropriate vegetation before the Town would accept them. State law requires developer maintenance until 80% of the lots are sold and a professional engineer has certified that each stormwater facility is in proper working condition, construction sediment has been removed and required plantings are fully-established and reasonably free of invasive species.

- c. The preliminary plat should be accompanied by sufficient stormwater management planning to verify that the outlot sizes and positioning are sufficient to handle projected stormwater, there is adequate conveyance routes from the new public streets and all lots to stormwater basins within the outlots, and there is adequate access for future basin maintenance. The Town Engineer will hopefully have further advice.
- d. My supposition is that the common “POWTS drainfield” currently shown on the west end of proposed Lot 5 would instead be on its own outlot. In any case, its ownership and management should be discussed, assuming the Town does not wish to maintain a private sewer system.
- e. A 75 foot setback should be shown around the Little Door Creek and all wetlands on the plat, with restrictions indicating that such setback applies to all buildings and other impervious surfaces (including gravel). The date and preparer of the wetland delineation should also be indicated on the plat.
- f. New vehicular access to Highways N and 12/28 ought to be restricted on the plat. I understand that the proposal may allow for the removal/relocation of the existing Paul Davis driveway to the new road. I advise that the existing house driveway to its north should also be removed; WisDOT or the County may end up requiring this anyway.
- g. The new road should be named on the plat. “Natvig Road” initially seemed an obvious naming choice. However, the generally north-south orientation (and addressing) of existing Natvig Road to the west, and the fact that it intersects twice with Highway N, may suggest a different name through this development. This different name may assist with wayfinding and more easily facilitate east-west addressing in this development.
- h. It is possible that the County may seek additional right-of-way for Highway N, but that would likely reveal itself from the TIA and its review.
- i. Vision triangles should be provided at all public street corners.
- j. The existing buildings should be indicated on the plat. Particularly if they cross proposed lot lines or violate minimum setbacks (such as may be the case in the Lot 3-4 area), a specific plan and timeline for building removal should be included. Also, final lines for Lot 2 should be set so that all Paul Davis buildings and other improvements meet setback requirements.
- k. Additional technical requirements in the Town land division ordinance will apply.
- l. WisDOT will likely require at least a 42 foot setback along Highway 12-18 in which it will allow no improvements potentially including no landscaping, all of which would be indicated on the plat.

CONCEPTUAL RURAL BUSINESS PARK DEVELOPMENT PLAN
HIGHWAYS 12/18/N INTERCHANGE—NORTHEAST QUADRANT
DANE COUNTY, WISCONSIN

OCTOBER 2021





To: Town of Cottage Grove Plan Commission
From: Mark Roffers, AICP, Town Planner
Date: August 13, 2025
Re: Proposed Code and Form Amendments for Rezonings and Conditional Use Permits

Rezonings and conditional use permits—and Town roles in acting on them—are governed by the Dane County Zoning Ordinance and Wisconsin Statutes. Generally, the Town Board has approval/disapproval authority over rezonings and recommends County action on conditional use permits.

Through a recent County zoning ordinance amendment, Town procedures and requirements for conditional use permits have changed. These include no requirement anymore for a Town public hearing, that the Town must consider only County-provided materials to make its recommendations, and that such recommendations must have a “factual basis.”

Sections 15.01(5) and (6) of the Town’s Code of Ordinances (in its Land Division and Planning Code) lays out the Town role in rezonings and conditional use permits. We are proposing the attached changes and additions to that section to meet the new County ordinance requirements, and to provide greater clarity on Town processes for both conditional use permits and rezonings. Under the amended County ordinance and Wisconsin Statutes, these processes (particularly the Town role) have a lot of similarities but also some timeframe and other differences that are laid out in the attached proposed amendments.

As proposed amendments to a land division ordinance, under Section 236 of Wisconsin Statutes they would require a recommendation from the Plan Commission, a Class 2 notice in advance of a public hearing before the Town Board, a Board hearing, and Board adoption. The Plan Commission could offer its recommendation as soon as its August meeting.

We are also proposing the attached changes to the Town’s Petition for Change of Land Use form that relate to these ordinance amendments. This form may be revised as directed by action of the Town Board. We are also seeking a Commission recommendation to the Board on the proposed petition form changes.