TOWN OF COTTAGE GROVE
PUBLIC HEARINGS TOWN BOARD MEETING
JUNE 1, 2026

PUBLIC HEARINGS FOR 2026-27 ALCOHOL BEVERAGE LICENSES, 2026-2027 NON-METALLIC MINING PERMITS, AND CREATION OF A HIGHWAY IMPACT FEE FOR THE NORTH STAR ROAD COMMERCIAL AREA

Notice of the public hearing for Alcohol Licenses was published in the legal section of the Wisconsin State Journal on May 28, 29 and 30, 2026, and posted at the Town Hall and on the Town website and Facebook page on May 22, 2026.

Notice of the public hearing for Non-metallic Mining Permits was posted at the Town Hall and on the Town website and Facebook page on May 15, 2026.

Notice of the public hearing for Highway Impact Fees was published in the legal section of the Wisconsin State Journal and posted at the Town Hall and on the Town website and Facebook page on May 12, 2026.

Town Board Chair Steve Anders and Supervisors Troy Eickhoff, Kristi Williams, and Patrick Buchholz were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen. Deer-Grove EMS Chief Eric Lang was present virtually. A list of others in attendance is available in the Clerk's office.

There were no public comments or questions regarding any of the licenses, permits or impact fees.

MOTION by Williams/Eickhoff to close the public hearing. **MOTION CARRIED 4-0.** The public hearings ended at 6:36 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE
   A. Notice of the meeting was posted at the Town Hall, and on the Town's website. Attendance was the same as stated for the public hearings above. Anders called the meeting to order at 6:36 P.M.
   B. Flag Pledge.
   C. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/Buchholz to approve the minutes of the May 18, 2026 Town Board meeting with one correction to item V. B. **MOTION CARRIED 4-0**.
   D. Finance Report and Approval of Bills:
      1. **MOTION** by Eickhoff/Buchholz to approve checks #38689 -38712, EFTs in the amount of $19,269.21, voided lost check #38552, and scheduled purchase card payments of $248.00. **MOTION CARRIED 4-0. MOTION** by Williams/Buchholz to approve payment of May per diems, with the addition of one additional Town Board per diem for Eickhoff for the May 28th Fire Commission meeting. **MOTION CARRIED 4-0.**
   E. Public Concerns: None.

II. BUSINESS
   A. Consideration of July 1, 2026– June 30, 2027 Alcohol Beverage Licenses:
      1. Renewal of Class A Beer and Class A Cider License for Door Creek Orchard, LLC, Elizabeth Griffith, Agent, 3252 Vilas Road: **MOTION** by Williams/Eickhoff to approve the 2026-27 Class A Beer and Cider licenses for Door Creek Orchard. **MOTION CARRIED 4-0.**

B. Renewal of Combination Class B Beer and Class B Liquor Licenses:

1. Ball of Fun LLC, d.b.a. Doubledays, Debra Stueber, Agent, 4586 Baxter Road
2. Badger Farms, LLC, David Muehl, Agent, 1682 County Road BB
3. Door Creek Golf Course, Inc., Phillip Frederickson, Agent, 4321 Vilas Road
4. Noras Tavern, Inc., Timothy Kluever, Agent, 1843 US Hwy 12 & 18
5. Warm Belly Noble, LLC, d.b.a. Warm Belly Farm, Francis D Wisnewski, Agent, 4311 Vilas Hope Road

MOTION by Buchholz/Williams to approve 2026-27 Class B Beer/Liquor licenses for all five of the applicants listed above. **MOTION CARRIED 4-0.**

C. Operators and Managers Licenses: **MOTION** by Williams/Buchholz to approve 2026-27 for all Operator and Manager license applicants (Exhibit A). **MOTION CARRIED 4-0.**

D. Consideration of July 1, 2026– June 30, 2027 Non-Metallic Mining Permit Renewals:

1. 2543 Gaston Road, Brad Huston, Operator, R.G. Huston Company, Owner.
2. 3355 County Road N, Brad Huston, Operator, Skaar Pit LLC, Owner.
3. 2294 US Highway 12 & 18, GR Lyons III, Operator, Rocky Rights, LLC, Owner.

MOTION by William/Eickhoff to approve 2026-27 Non-metallic Mining Permits for all of the above applicants, with hours and operating conditions the same as the expiring current year permits. **MOTION CARRIED 4-0.**

E. Discuss/Consider approval of Public Facilities Needs Assessment for Impact Fees for improvements at the intersection of US Highway 12/18 and North Star Road: **MOTION** by Buchholz/Williams to approve the Public Facilities Needs Assessment as printed. **MOTION CARRIED 4-0.**

F. Consider adoption of Ordinance 2026-06-01 Creating Section 07.04 Highway Impact Fees: **MOTION** by Eickhoff/Williams to adopt Ordinance 2026-06-01 with one typo correction. **MOTION CARRIED 4-0.**

G. Plan Commission Recommendations

1. Chris Adams or Noa Prieve, Williams Survey and Assoc. LLC, applicant, Kendal & Donna Uphoff, property owners, seeking rezone of 17.37 acres of parcel 0711-142-8070-2 on Ridge Road from FP-35 to FP-1 to create an agricultural lot for sale (DCPREZ 12288): No one was present to represent the applicants. The Clerk-Treasurer had provided an email string regarding a statement made by the surveyor at the Plan Commission meeting about possibly transferring a RDU with the sale of the lot. Discussion was that typically a RDU would not be attached to a FP-1 zoned lot, and would be difficult to keep track of. It was thought the sale of the RDU is for the seller and buyer to work out, and not related to this rezone. **MOTION** by Buchholz/Williams to accept the Plan Commission's recommendation to rezone 17.37 acres of parcel 0711-142-8070-2 from FP-35 to FP-1 to create an agricultural lot for sale, noting that there are no development rights with the new FP-1 parcel. **MOTION CARRIED 4-0.**
2. Peter Miller, applicant, BEMO Living Trust, landowner, parcel 0711-122-8790-0 at 4437 Ridge Road: Conditional Use Permit for a limited family business for rental property management (DCPCUP 2709): Rachel Miller was present, and was joined by Peter Miller partway through the discussion. Board questions included the height of the

building (34'), and whether the building would accommodate all business vehicles. Mrs. Miller said yes, the idea is to get everything inside, however some of the vehicles are personally owned and others never come to this site. **MOTION** by Williams/Buchholz to accept the Plan Commission's recommendation to approve the CUP for a limited family business, provided that all stormwater permits are in place, any issues with the shared driveway are worked out, only one non-family employee is on the premises, there is no outdoor storage of business materials, equipment or vehicles, and all new lighting is dark sky compliant. **MOTION CARRIED 4-0.**

3. Davin Blazek/ Travis Leeser (Cleary Buildings), applicant, Swalheim 2011 Rev Tr (c/o Elements Lawn and Snow), property owner of parcel 0711-273-4034-0, Swalheim Business Park Lot 4 on North Star Road: Conditional Use Permit to allow outdoor storage for a contractor business (DCPCUP 2708): Mr. Blazek and Mr. Lesser were both present virtually. **MOTION** by Buchholz/Eickhoff to accept the Plan Commission's recommendation to approve the CUP for outdoor storage, subject to Roffers' recommendation on Conditional Use Permit items 1. through 3. on page 1 of his letter dated May 18, 2026. (Exhibit B). **MOTION CARRIED 4-0.**

H. Consider granting a variance to application deadline for Parade or Race Permit for Cruzin' for a Cause on June 13th: Chad Chadwick was present and explained that the need for benefit rides like this often come up on short notice, and the 45-day application deadline can be difficult to comply with. He asked that the Town Board consider granting an exemption to this requirement for his organization. Anders said the 45-day deadline can be important for larger events where more coordination is needed with emergency services, etc. The Clerk-Treasurer said application can be made for multiple events in the same calendar year with a single application, and that application should be submitted as soon as the date of an event is known, even if the details are not fully known. **MOTION** by Eickhoff/Williams to waive the 45-day application for this application, but encouraging the applicant to try to meet it in the future. **MOTION CARRIED 4-0.**

I. Discuss/Consider approval of a Parade or Race Permit for Cruzin' for a Cause UTV ride to use Nora and N. Jargo Roads on June 13th, including waiver of fees for charitable nature of event: The Clerk-Treasurer said that the she had shared the application with the Deputies, Fire and EMS Chiefs. The only concern she received was from the Deputies over crossing of USH 12/18 at Nora Road. Mr. Chadwick said this is a concern for him as well, and he will coordinate groups to include a person in charge of safe crossings. The Clerk-Treasurer also noted that the list of roads used should include West Jargo Road. **MOTION** by Anders/Buchholz to approve the Parade or Race permit for the June 13th UTV Benefit ride, waiving the application fee due to the charitable nature, and approving the notice of the event as presented. **MOTION CARRIED 4-0.**

J. Review/set public hearing date for Ordinance to amend section 25.04 of the Town Code – Penalty Provisions: The Clerk-Treasurer explained that in the process of designing the parking ticket books as directed on May 4, 2026, it became apparent that the Town's Class A forfeitures were below minimums required by State Statutes. She worked with Atty. William Cole to amend section 25.04 of the Town code for compliance. He recommended adding language to allow other Town officials to issue citations for Town Ordinance violations related to their official responsibilities. Discussion was to add language to the Class A forfeiture for Parking in Prohibited Areas to also include improper parking. **MOTION** by Williams/Buchholz to make the revisions discussed and schedule the ordinance amendment

for a public hearing on June 15th, with an agenda item for adoption at the Town Board meeting to follow. **MOTION CARRIED 4-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE

A. Report of Road Right-of-Way permits issued: Two permits have been issued since the last meeting, both to Alliant Energy for gas termination at 1) 3234 Vilas Road and 2) 4669 Kennedy Road.

B. The basketball court in the Meadow Grove park has been resurfaced. The Clerk-Treasurer said this should be coded to the parks budget, not the highway budget as previously mentioned by Dresen. A budget amendment can be considered if the parks budget ends up going over. Dresen reported that there appear to be vehicles crossing the grass area between the Town and Village portions of Meadowlark Street, and suggested planting some pine trees there. Anders suggested installing a gravel walking path, Dresen said two culverts would probably be needed.

IV. CLERK-TREASURER'S OFFICE UPDATE: Nothing to report.

V. BOARD REPORTS AND COMMUNICATIONS: None.

VI. COMMITTEE REPORTS:

A. Deer-Grove EMS District: Williams reported that Village of Deerfield President Kerri Hewitt was elected as Commission Chair, and Williams was elected as the new Secretary. There was an extensive discussion about the service dog, and a policy was adopted. Chief Lang said the Chiefs are working on a policy to cover building use. Anders said the Town of Christiana has informally requested a proposal for provision of services, Chief Lang has asked them for a formal request.

B. Natvig Landfill Monitoring Committee: Reviewed bills and recent test results.

C. Cottage Grove Fire District Committee: An orientation booklet for new elected officials was reviewed.

VII. Adjournment: **MOTION** by Williams/Buchholz to adjourn. **MOTION CARRIED 4-0**. The meeting ended at 8:09 P.M.

Kim Banigan, Clerk-Treasurer
Approved 06-15-2026

EXHIBIT A

For Consideration 06-01-2026

2026-27 Operator's License Applicants

New/Renewal	Check	Cert.	Full Name	Establishment
New	Yes	Yes	Joshua A. Glass	Badger Farms
New	Yes	Yes	Connor M. Neumann	Badger Farms
New	Yes	Yes	Dalton D. Pollex	Badger Farms
New	Yes	Yes	Kaylie L. Albertson	Door Creek Golf Course
New	Yes	Yes	Avree J. Antony	Door Creek Golf Course
New	Yes	Yes	Olivia K. Bennett	Door Creek Golf Course
Renewal	Yes	Yes	Anna K. Christenson	Door Creek Golf Course
New	Yes	Yes	Julia G. Jones	Door Creek Golf Course
Renewal	Yes	Yes	Faith M. Morrissey	Door Creek Golf Course
Renewal	Yes	Yes	Abigail L. Smith	Door Creek Orchard
Renewal	Yes	Yes	Bernadette L. Archer	Doubledays
Renewal	Yes	Yes	Becky J. Kratochwill	Doubledays
Renewal	Yes	Yes	Mark A. Stueber	Doubledays
Renewal	Yes	Yes	Riva M. Stueber	Doubledays
Renewal	Yes	Yes	Brittany J. Calvert	Nora's Tavern
Renewal	Yes	Yes	Amy M. Fosdick	Nora's Tavern
Renewal	Yes	Yes	Michelle A. Gottschalk	Nora's Tavern
New	Yes	Yes	Roarke R. Hyde	Nora's Tavern
Renewal	Yes	Yes	Jaimee L. Linnerud	Nora's Tavern
Renewal	Yes	Yes	Jaybin R. Nielsen	Nora's Tavern
Renewal	Yes	Yes	Brittany M. Nolty	Nora's Tavern
Renewal	Yes	Yes	Maysa K. Nielsen	Nora's Tavern
Renewal	Yes	Yes	Brittany M. Nolty	Nora's Tavern
Renewal	Yes	Yes	Jason M. Schmidt	Nora's Tavern
Renewal	Yes	Yes	Lisa M. Serena	Nora's Tavern
Renewal	Yes	Yes	Jason M. Simle	Nora's Tavern
Renewal	Yes	Yes	Sarah L. Skalitzky	Warm Belly Farm
Renewal	Yes	Yes	Heidi J. Snodgrass	Warm Belly Farm

2026-27 Manager's License Applicants

New/Renewal	Background	ervers Ce	Full Name	Establishment
Renewal	Yes	Yes	Kristin Frederickson	Door Creek Golf Course
Renewal	Yes	Yes	Jakob Schroeckenthaler	Door Creek Golf Course
Renewal	Yes	Yes	Gary Stueber	Doubledays
Renewal	Yes	Yes	Sheryl Kluever	Nora's Tavern

MDR
MDRoffers Consulting

EXHIBIT B

To: Town of Cottage Grove Plan Commission

From: Mark Roffers, Town Planner

Cc: Kim Banigan, Town Clerk-Treasurer; Nick Bubolz, Town Engineer

Date: May 18, 2026

Re: Element Lawn and Snow, Conditional Use Permit and Design Review (Lot 4, Swalheim Business Park)

Recommendation on Conditional Use Permit: I recommend that the Plan Commission support a motion to recommend Town Board support of a County conditional use permit for outdoor storage in association with a lawn care and snow removal contractor on Lot 4 of the Swalheim Business Park, subject to the following recommended conditions:

1. Outdoor storage shall be limited to the area marked as "gravel storage area" and "trash area" on the Site Plan (Sheet C-400) revised 5/14/26.
2. Outdoor storage shall be limited as follows:
    a. Only materials and equipment that support the contractor business on site may be stored.
    b. Any inoperable, unlicensed, dilapidated, severely rusted, unpainted or junk vehicles of any nature must be kept indoors.
    c. Any rubbish, trash, garbage, building materials, yard waste (e.g., leaves, grass clippings, or other organic debris), or other waste materials may only be located within the "trash area" on said Site Plan.
3. Outdoor storage shall not be introduced to the site until building and zoning permits for the building shown on submitted plans revised 5/14/26 have been issued, construction of the building has commenced, and landscape screening along North Star Road per the Landscape Plan (Sheet A0.1) revised 5/14/26 has been installed.

Recommendation on Design Review Application: I further recommend that the Commission support a motion to approve the design review application for improvements associated with a lawn care and snow removal operation on Lot 4 of the Swalheim Business Park, subject to the following conditions:

1. The site shall be developed and maintained in accordance with the Site, Erosion Control, Grading, Utility, Building Elevation, and Landscape plans, all revised 5/14/26, and exterior lighting plan dated 4/27/26, along with any changes to those plans as required to meet the conditions that follow.

2. Prior to building and driveway permit issuance, and the commencement of any building or driveway construction:
    a. Plans shall be adjusted to meet any requirements of the Town Engineer, and to match grades and improvements with those for the adjacent reconstruction of North Star Road.
    b. The applicant shall either verify to the satisfaction of the Town Planner that the selected RAB wall light fixtures are shielded so that ligh□ng does not extend above the horizontal plane (i.e., "dark sky" compliant), or select a different fixture that meets this standard.
    c. Per the recorded Swalheim Business Park plat and covenants, reconstruction of North Star Road adjacent to Lot 4 must be substantially complete pursuant to plans approved by and in the judgement of the Town Engineer.
    d. The landscape plan shall be revised to reflect the final stormwater management/grading plan and to add two additional deciduous trees (ornamental trees advised) north and west of the building.
    e. A stormwater management and erosion control permit from Dane County shall have been obtained, with all associated plan changes incorporated.
    f. If a holding tank is ultimately proposed, associated requirements indicated in Figure 9 of the Town's Comprehensive Plan shall be met.
3. All approved site improvements, including all landscaping, shall be installed prior to commencement of operations on the site, unless weather conditions do not allow in the opinion of the Town Building Inspector. In such case, the Town may require a financial guarantee to ensure their completion.
4. The area marked as "Future Bituminous or Concrete Pavement" on the approved plans shall be surfaced either with such material at time of initial construction, or may be surfaced with gravel or recycled asphalt.
5. Regardless of surfacing, parking spaces indicated on plans shall be striped or otherwise marked to ensure their visibility.

Comments and Analysis:

1. The plans indicate a location for a septic tank and drain field, suggesting that a holding tank is <u>not</u> being requested to serve this lot. If this changes, then per Figure 9 of the Town's Comprehensive Plan, the Town will require before building permit issuance:
    a. Demonstration through a report completed by a soil/environmental scientist that an on-site waste treatment system(s) are not feasible, accepted by the County Sanitarian.
    b. An executed service contract with a WisDNR licensed pumper, providing a signed copy of that contract to the County and Town. The pumper must file semiannual reports of service on the tank to the County and Town thereafter, and keep all pumping records.

c. A holding tank agreement with the Town, which among other provisions shall require the owner to pay all charges and costs incurred by Dane County or the Town for inspection; pumping, hauling, or otherwise servicing and maintaining the holding tank; and that if such charges are not paid the Town will place the charges on the tax roll as a special charge.

2. The Town's standard for outdoor storage in the design review ordinance is that "Outdoor storage of materials, trash and recycling dumpsters, equipment (aside from vehicles used in the operation), fuel, scrap, inoperative vehicles, and similar objects shall not be visible from public rights-of-way and lands used or zoned for residential or public open space purposes. Such areas shall instead be screened by opaque fences, walls, berms, dense landscaping, buildings, or combinations thereof." The applicant's proposal to plant a dense row of arborvitae along the North Star Road frontage of the lot seems a reasonable approach to screening, given the location and moderate size of the storage area and the relatively remote setting of the site. Such landscaping should be installed before any storage occurs. Screening will likely not be full for a few years as the arborvitae grow; some may require replacement over time.

3. In the development of Swalheim Business Park plat, the plat developer removed an approximately 4-acre wooded lot. As part of plat approval, the Town required that the number of additional trees planted in the platted area exceed the number of trees required by the Town's design review ordinance in a quantity equal to the number of mature, non-invasive trees on the platted area as of March 2022. For this Lot 4, the plat covenants require the planting of 9 additional deciduous trees with a diameter at chest height of at least 2 inches at the time of planting and a projected mature height of at least 35 feet. The current landscape plan includes 13 deciduous trees that meet the size criteria. The ordinance normally required 4 deciduous trees per developed acre of the site, and I estimate that the to-be-developed part of the site is 1.6 acres (6 trees). Two additional trees should be proposed to meet the ordinance + covenant requirements. I advise a location north and west of the building, avoiding utility areas.

4. The applicant's plans indicate gravel surfacing for the outdoor storage area, pavement for the driveway segment near North Star Road, and "Future Bituminous or Concrete Pavement" and "Tentatively Gravel/Recycled Asphalt until hard surfaced within 1-3 years" for the rest of the surfaced area. Further information from the applicant's representative suggests that potential future expansion of the site (which would need to come back to the Town in a later year) would be the likely trigger for paving this area. The Town has no requirement that all circulation and parking areas be paved.

5. The recommended conditions earlier in this memo cover minor outstanding issues relative to the Town's design review ordinance and a possibly more significant issue regarding reconstruction of North Star Road. Otherwise, in my opinion, Town ordinance and plat covenants requirements will be met. Dane County may apply its own requirements as part of its conditional use permit and stormwater plan reviews.