

Plan Commission

Regular Meeting Notice and Agenda

Village Hall
2417 Brewery Road
Cross Plains, WI 53528
(608) 798-3241

Tuesday, January 3, 2023
6:30 pm

Please note that due to current spacing requirements concerning COVID-19, the facility will have limited seating. The Village of Cross Plains will provide opportunities for the public to participate virtually or by calling in with the understanding that the meeting will continue even if technical problems occur. The log in information is as follows:

Zoom Meeting Link:

<https://us02web.zoom.us/j/83459730362>

Conference telephone line:

+1 312 626 6799

Meeting ID: 834 5973 0362

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Public Comment – This is an opportunity for anyone to address the Plan Commission on any issue. *Please observe the time limit of 3 minutes.* While the Plan Commission encourages input from residents, it may not discuss or act on any issue that is not duly noticed on the agenda. ***THOSE WISHING TO SPEAK DURING THE MEETING ARE ENCOURAGED TO REGISTER PRIOR THE START OF THE MEETING. YOU MAY ALSO REGISTER YOUR COMMENT BY SENDING AN EMAIL TO bmoooney@cross-plains.wi.us AHEAD OF THE MEETING.***
- V. General Business – Regular Meeting
 1. Approval of the Minutes from the November 7, 2022, Plan Commission Meeting
 2. Discussion Main Street Streetscape
 3. Discussion Village Water System Development Philosophy
 4. February Plan Meeting/Future Topics
- VI. Adjournment

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the Village Hall at (608) 798-3241 or bobbi@cross-plains.wi.us.

Plan Commission
Regular Meeting Minutes

Village Hall
2417 Brewery Road
Cross Plains, WI 53528
(608) 798-3241

Monday, November 7, 2022
6:30 pm

I. Call to Order

President Lengfeld called the meeting to order at 6:30 pm.

II. Roll Call

Present: Commissioner(s) Seth Johnson, Bill Brosius, Kevin Thusius, Todd Duquette; Trustee(s) Judy Ketelboeter, Cameron Bjorklund; and President Jay Lengfeld

Also Present: Village Administrator Brian Mooney, Village Planner Sonja Kruesel, Kyo Ladopoulos, and Zoom Meeting attendance by Nick Ladopoulos and Kevin Murphy .

III. Pledge of Allegiance – Everyone joined in the Pledge of Allegiance.

IV. Public Comment – Kyo Ladopoulos addressed the Commission stating he was present to offer comments related to topic 3 on the evening's Agenda. Mr. Ladopoulos stated the conversation on water service and potential Village development is important, and he will be following along with the Commission during this process.

V. General Business – Regular Meeting

1. Approval of the Minutes from the September 6 and 8, 2022, Plan Commission Meetings.

A motion was made by Commissioner Brosius, seconded by Commissioner Johnson, and unanimously carried by the Plan Commission, to approve the September 6 and 8, 2022, Plan Commission meeting minutes.

2. Discussion and Possible Action New Village Hall/Police Station Zoning.

Village President Lengfeld introduced the ongoing discussion topic of the future Village Hall/Police Station zoning and inquired whether the Commission had any new suggestions for the site. Commissioner Brosius stated the front of the proposed lot nearest to Bourbon Road will likely be the primary site of the building and parking lot. Mr. Brosius stated the Village should consider utilizing the rear portion of the lot to development of a needed Community dog park. Mr. Brosius stated the location would be ideal given the proximity to Zander Park, being in the center of the Community, utilizing space that otherwise isn't buildable, and having access to free Village parking.

3. Discussion new Village Development Philosophy.

Village President Lengfeld re-introduced the next topic to the Plan Commission, and stated this subject will become a primary area of continued research for members in the coming months. Mr. Lengfeld referenced the Village Development Philosophy document, and began delegation of topic assignments amongst the Commission and Village Staff/Consultants. Upon discussion with the Commission, a request was made to reword the discussion topic within future meetings to Development Philosophy Village Water System. Commissioner Thusius inquired as to the targeted deadline by which all research topics would be consolidated into a report for Village Board Policy consideration, and it was agreed the goal for a final document of all research topics would be the end of the first quarter, 2023.

VI. Adjournment

A motion was made by Commissioner Thusius, seconded by Commissioner Brosius, and unanimously carried by the Plan Commission to adjourn at 7:05 pm.

Proper notice of this meeting was given to the public and posted on the public bulletin boards in accordance with the Open Meeting Law.

Respectfully submitted,

Brian Mooney
Village Administrator



Village of Cross Plains
PO Box 97, 2417 Brewery Road
Cross Plains, WI 53528
Phone: (608) 798-3241
Fax: (608) 798-3817

November 4, 2022

To: Plan Commission Members
From: Jay Lengfeld, Village President
Subject: Village Development Philosophy Discussion

We will start this discussion at our Nov. 7th meeting and I have started a list of topics and issues to research in the next couple of months. I would ask that you review the below list and come to the meeting with other topics or issues you think we should add to the list and/or which item you have an interest in researching.

- Housing Density [Sonja K.](#)
- Cost of adding a zone 2 to our water system [T&C](#)
- Cost of adding a zone 3 to our water system
- Rate of private well contamination in area [Plan Comm. and Sustainability Comm.](#)
- Options and costs of providing municipal water to hill top areas [T&C](#)
- Legal responsibility of village to provide clean water to residents [Jay L.](#)
- Options of water impact fees [T&C](#)
- Funding options related to municipal water systems [Kyo L. and Plan Comm.](#)
- Develop policy on when, where, how to allow private wells in the village. [Sonja K., Kevin T., Village Comprehensive Plan](#)
- Developer and village relationship to paying for water system [Kyo L., Plan Comm.](#)
- Safety concerns (fire) with private wells [Justin R.](#)

Notes regarding a policy for private wells in the Village of Cross Plains
Kevin Thusius
DRAFT - December 8, 2023

CITY OF MADISON:

Madison's situation is different as they are expanding to include homes that are currently on private wells whereas Cross Plains is looking to consider new homes in the Village that would be on private wells. However, some aspects of Madison's ordinances and policies are still pertinent.

City of Madison had allowed private wells although they must meet certain requirements or be abandoned.

<https://www.cityofmadison.com/water/water-quality/private-wells>

However, now there is an [ordinance](#) and connection requirement to connect to municipal water within 90 days (or 180 if via annexation), PROVIDED, there is access to municipal water (and used for human habitation). Homes greater than 150 feet from a water main are exempt this requirement, however the private well must still be [permitted](#) through the water utility.

<https://www.cityofmadison.com/water/water-quality/private-wells/water-service-connection-requirement>

CITY OF LACROSSE:

LaCrosse deals with private wells very similarly to Madison.

<https://www.cityoflacrosse.org/your-government/departments/utilities/water-utility/private-wells>

CITY OF BROOKFIELD:

FAQs about the advantages of municipal water (and disadvantages of private wells).

<https://www.ci.brookfield.wi.us/Faq.aspx?QID=278>

PENN STATE EXTENSION:

Its clear that if there are private wells in a municipality, there must also be very stringent requirements and monitoring/reporting of the well's conditions. This will take considerable resources to manage.

<https://extension.psu.edu/planning-for-private-water-supplies-in-your-community>

Todd DuQuette- Dane County Wastewater System Report

https://dnr.wi.gov/lakes/swims/documents/Appendix_I-Public_Comment_Draft.pdf

Village of Cross Plains
Provision of Water to High Elevation Areas

Sundance Development LLC
December 2022

BACKGROUND

The Village of Cross Plains has large potential development areas at water pressure Zone 3, two zones above the existing Village municipal water system. The Village and CARPC have approved the provision of water by private well to one of these areas (Sundance/Roessler). However at this point, the Village is looking to take a more systematic look at how water should be supplied these high elevation areas *overall*.

Why the focus on water? Because it is the overriding constraint on future development in these areas. It is far and away the biggest bottleneck which controls density, development costs, infrastructure costs, and so on.

Our opinion is that future planning and development would benefit from something along the lines of a “water provision” map concerning future development lands for the Village. This would presumably be an extension or addendum to the Village Comprehensive Plan map. The map would show the intended water system (well vs. public) for each area. It would also show appropriate uses based on the planned water system—e.g. lower/single-family density for wells, higher density possible with public water. Underlying that map would be a plan and rough timetable for expected Village infrastructure improvements to support the various areas as they develop.

COST SHARING SUMMARY: TYPES OF COST SHARING

Connection fees: The Village manages and pays for large scale infrastructure shared across multiple developments. Developments pay connection fees based on their size as they tie in to that infrastructure.

Upgrade cost-sharing: The developer manages, pays, and builds for infrastructure to serve their development. The Village pays for any up-sizing or upgrades that serve other developments and/or existing Village residents. The Village recaptures these costs via conventional connection fees to future developments (along with fees from current and future Village rate payers for Village-wide infrastructure, its future maintenance, etc).

Recapture-sharing: Rather than paying via connection fees, the developer is involved in the upfront payment for large scale shared infrastructure. As above, the Village uses its authority as a municipality to recapture costs from connection fees. The Village disburses relevant recaptured funds to the developer via legal agreement.

COST SHARING: FURTHER DISCUSSION

Conventional Infrastructure

Typically, the developer pays the costs of infrastructure pertaining to their development—roads, and water and sewer under the roads to serve the subdivision lots. The developer borrows for, pays, and manages this work. The municipality only participates by approving plans and providing some additional oversight via its own engineers.

Large scale infrastructure for use by multiple developments is typically paid for by the municipality. The municipality controls this infrastructure: it plans, borrows, pays, and manages the project. These costs are shared with developers as each particular subdivision is built. The municipality recoups its investment via ‘recapture’ from developers who pay a connection fee based on the size of their development, and/or from existing rate payers based via other fees and assessments.

In some cases the Village asks that some of the infrastructure to a development be upgraded to serve other future projects, and will pay the upgrade difference (e.g. upsized Brewery Road water main).

Unusual Case: the High cost of Public Water to Zone 3

Provision of public water to Zone 3* is exceptionally expensive. It requires a complete set of booster stations, water towers, (and eventually wells) running into many million dollars**.

Water via private wells (with municipal sewer) are much lower cost. No cost sharing would apply in this case—it would fall under the “conventional infrastructure” approach.

Developer Upfront Payment

It would take an unusually large or dense development could pay any significant costs of a public water system upfront. In the case of a development the size of Sundance/Roessler (115 lots), development costs would be doubled, tripled, or more and would render the project nonviable economically:

- 1) Consumers would not buy the lots at the much-higher-than-market price it would be necessary to charge.
- 2) Developers are limited to the private banking system for subdivision construction loans. If a bank sees itself exposed to much higher than normal costs, or unusually long repayment times, it will not offer a loan.

Village Pays Upfront Payment

The Village can fund public water in whole or in part and share costs with developers in the typical fashion: recapturing some of these expenses by assessing fees to subdivisions as they tie in to the system.

Significant infrastructure like new water zones would require calculating those special assessment costs—for example, on a per lot basis. This allows prospective developers to reliably estimate the cost of building a subdivision and proceed accordingly.

Unlike private developers, Villages can draw from specialized sources of funding: long term loans and grants directed at municipal infrastructure development. The requirements and limitations of these would best be addressed by the Village Engineer.

Public Water: Split Payment

If a development takes on infrastructure costs with significant use by future developments, it would be in a similar position to the Village with regard to the need to recapture. An individual development would need to recover money from other/future developments that tied in to that water system.

There is no established mechanism or clear legal precedent that we are aware of for a private developer to assess and recapture from other developers. In this case, the Village would presumably become the “middleman.” It would collect connection fees from other/future developments in the conventional manner and disburse funds to the initial developer using its authority as a municipality.

As in the conventional case, the Village would presumably commission and supervise any large scale municipal infrastructure.

Additional Issues Regarding Recapture

How much infrastructure cost is recaptured and when is dependent on the size and timing of future development projects and will obviously stretch into many years.

A wrinkle of Zone 3 public water systems is that they would be likely remain independent from the rest of the Village water system for many years. This limits the ability to spread assessments and recapture from Village residents as a whole. Assessments for recapture would fall mostly on Zone 3 developments.

* Village geography could require two independent Zone 3 systems: one to the West (Sundance/Roessler and any development to the east and north), and one to the East (PI).

** See Village Engineer. In the neighborhood of 5-10 million dollars (low end without new wells, high end includes new wells—though this is presumably several years down the road).