

**VILLAGE OF WINDSOR
VILLAGE BOARD RESOLUTION 2023-02**

**APPROVAL OF A THREE-LOT CERTIFIED SURVEY MAP AND TRANSFER OF DEVELOPMENT
RIGHTS**

WHEREAS, William Paulson (d.b.a. Windsor Quarry, LLC) (the “Petitioner”) has requested approval of three-lot Certified Survey Map and Transfer of Development Right for property adjacent to Castleton Crossing (the “Subject Property”).

WHEREAS, the Village Staff and Consultants have reviewed the Petitioner’s request and prepared a Staff Report dated December 30, 2022 (the “Staff Report”) recommending approval, subject to certain conditions specified in the Staff Report; and

WHEREAS, the Village of Windsor Plan Commission held a meeting regarding the request on May 12, 2022; and

WHEREAS, following review of information presented at the Plan Commission meeting and the Staff Report, the Village Board approves the three-lot Certified Survey Map and Transfer of Development Right located at the Subject Property, subject to the conditions specified in the Staff Report and as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Windsor as follows:

The Village of Windsor Village Board approves the three-lot Certified Survey Map and Transfer of Development Right located at the Subject Property, subject to the following conditions:

A. Certified Survey Map

1. The Petitioner shall address the Staff Comments set forth in this Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.
2. The Petitioner shall address the Policy Comments/ Concerns set forth in this Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.
3. The Petitioner shall satisfy all conditions of approval by the Village and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed’s Office.
4. The Petitioner shall promptly submit cash payment to the Village for Fees in Lieu of Land for Lots 2 & 3 in the amount determined pursuant to Sec. 38-636 of the Windsor Code of Ordinances prior to execution of the Certified Survey Map. The requirement for cash payment of Fees in Lieu of Land for Lot 1 was satisfied with the prior Certified Survey Map.
5. The Petitioner shall promptly submit cash payment to the Village for Fees for Initial Improvement of Parkland for Lots 2 & 3 in the amount determined pursuant to Sec. 38-638(e) of the Windsor Code of Ordinances prior to execution of the Certified Survey Map. The requirement for cash payment of Fees for Initial Improvement of Parkland for Lot 1 was satisfied with the prior Certified Survey Map.

B. Transfer of Development Rights

1. The Petitioner shall record a deed restriction, in a form approved by the Village Attorney, acknowledging the 70-acre property shall be deed restricted from future land division and residential development as described on the Petitioners exhibit called "Rademacher Farms Transfer of Development Rights Deed Restriction Map".

C. Acceptance of Dedication of Right of Way

1. The Petitioner shall provide to the Village as built drawings, in a form acceptable to the Director of Public Works, of the Right of Way.
2. Inspection and acceptance by the Director of Public Works or Village Engineer that the Right of Way has been constructed to Village standards and is in acceptable condition.
3. The Petitioner shall be prohibited from installing a gate within the Right of Way to be dedicated to the Village.

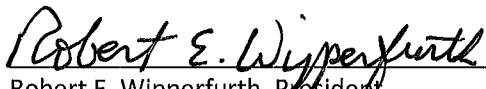
D. The Petitioner shall comply with the requirements of Sec. 52-70 (Countryside Residential Zoning District) of the Windsor Code of Ordinances.

E. The Petitioner shall promptly reimburse the Village for all costs and expenses incurred by the Village in connection with the review and approval of the Transfer of Development Rights and Certified Survey Map, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services.

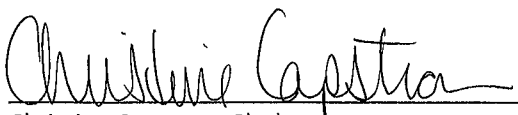
F. The Village Board's approval of the matters herein expires one hundred-eighty (180) days from the date of adoption of this Resolution unless the Petitioner has satisfied all conditions of approval stated herein. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty (180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, the approval shall be null and void and the matter will need to be resubmitted to the Village for review as an initial application.

The above and foregoing Resolution was duly adopted at a meeting of the Village Board of the Village of Windsor held on January 5, 2023, by a vote of 5 in favor and 0 opposed.

VILLAGE OF WINDSOR


Robert E. Wipperfurth, President

Attested by:


Christine Capstran, Clerk

Incorporated by Reference:

Staff Report

Petitioner Application

Plan Commission Resolution 2022-07



STAFF REPORT

To: Village of Windsor Plan Commission
Cc: Robert Wipperfurth, Tina Butteris, & William Cole
From: Amy Anderson Schweppe, Davis Clark, & Jamie Rybarczyk
Rpt Date: December 30, 2022
Mtg Date: January 05, 2023
Submtl Date: April 11, 2022
Re: William Paulson (d.b.a Windsor Quarry, LLC) – Three-Lot Certified Survey Map, Transfer of Development Rights, & Dedication of Private Road

BACKGROUND:

Petitioner: William Paulson (d/b/a Windsor Quarry, LLC)
Property Owner: William Paulson (d/b/a Windsor Quarry, LLC)
Address: Lot 1, Certified Survey Map #15814
Taxkey: 196/0910-134-8710-1
Area: 16.82 Acres
Existing Zoning: CR, Countryside Residential
Proposed Zoning: CR, Countryside Residential
Future Land Use: Agricultural Preservation / Agricultural Enterprise Area

REQUEST:

The Petitioner is requesting a three-lot Certified Survey Map, Transfer of Development Rights, and the Dedication of a Private Road. The request will create three single-family residential lots located along a private road extending from Castleton Crossing in the Village of Windsor.

See Exhibit A for additional information regarding the Development Review Application.

OVERVIEW:

Certified Survey Map (CSM #15814) & Dedication of Private Road

In 2021, the Petitioner received approval to create a 16.82-acre lot for a new home site at the terminus of Castleton Crossing. The Petitioner agreed to construct a private road extending from Castleton Crossing, built to Village Standards, to serve the new home site. The Petitioner also agreed to dedicate the private road to the Village of Windsor if/when additional residential lots were constructed.

The proposed Certified Survey Map subdivides the 16.82-acre lot into a total of three single-family lots and dedicates the private road as public right-of-way to Castleton Crossing. Lot 1 is 10.23-acres in size, and Lots 2 & 3 are 2.25-acres in size. The proposed Certified Survey Map also includes a 66' road reservation for the future extension of Castleton Crossing if/when the adjoining properties are reclaimed and/or developed.

Transfer of Development Rights

In order to permit the additional two residential lots per the Village of Windsor Comprehensive Plan: 2035, the Petitioner is required to restrict an additional 70-acres of farmland in the Agriculture Preservation Area. The Petitioner has acquired the additional 70-acres from the Rademacher land holdings (Parcels 196/0910-132-9001-0, 196/0910-132-9500-9, and part of 196/0910-133-8500-0) as described in the Petitioners exhibit called; “Rademacher Farms Transfer of Development Rights Deed Restriction Map”.

STAFF COMMENTS – PLANNING, ZONING & DEVELOPMENT:

The Planning, Zoning & Development Department provides the Plan Commission with the following comments:

1. Ch. 38: Planning & Development and Wis. Stats. Ch. 236
The Village Surveyor had the following comments:
 - a. The roadway dedication requires a Mortgagee’s Certificate. (s. 236.21 (2) (a) Wis. Stats.)
 - b. Clarify the dimensions along north and south lines of Lot 1.
 - c. Add area of dedication to Certified Survey Map.
2. Ch. 38: Planning & Development - Standards and Specifications
 - a. Per Sec 38-580, the land divider shall provide stormwater easements for drainage rights-of-way or stormwater management improvements conforming to the lines of such watercourses as may be required by the Village Engineer and in conformance with the approved stormwater management plan for the property as recorded in Document # 5782218, Recorded in the Dane County Register of Deeds. Said improvements were required as part of the prior submittal and shall be reflected on the revised Certified Survey Map.
 - b. Per Sec 38-579, the Certified Survey Map shall note that construction of a building or structure in a drainage easement shall be prohibited.
3. Ch. 52: Zoning Districts
The proposed lots shall comply with the requirements of Sec. 52-70 (CR, Countryside Residential District) of the Windsor Code of Ordinances.
4. Ch. 54 Shoreland Zoning
Portions of the proposed Certified Survey Map are located in the Shoreland Zoning District (an Overlay District). The Petitioner is hereby advised that additional requirements and permitting may be applicable if construction occurs within the boundary of the Shoreland Zoning District.
5. Comprehensive Plan: 2035
The Transfer of Development Rights and Certified Survey Map are consistent with the goals, objectives, and policies of the Comprehensive Plan: 2035.

STAFF COMMENTS – PUBLIC WORKS:

The Public Works Department provides the Plan Commission with the following comments:

1. The Public Works Department has no objection to the Certified Survey Map or Road dedication.

STAFF COMMENTS – DEFOREST WINDSOR FIRE & EMS:

The DeForest Windsor Fire & EMS District provides the Plan Commission with the following comments:

1. The DeForest Windsor Fire & EMS District has no objection to the Certified Survey Map or Road dedication.

POLICY COMMENTS/CONCERNS:

Staff provides the Plan Commission with the following policy comments/concerns which require further discussion and action:

1. To permit the additional two residential lots per the Village of Windsor Comprehensive Plan: 2035, the Petitioner is required to restrict an additional 70-acres of farmland in the Agriculture Preservation Area. The Petitioner has acquired the additional 70-acres from the Rademacher land holdings (Parcels 196/0910-132-9001-0, 196/0910-132-9500-9, and part of 196/0910-133-8500-0) as described in the Petitioners exhibit called; "Rademacher Farms Transfer of Development Rights Deed Restriction Map". The Rademacher parcels will be deed restricted from future land division and residential development. The Plan Commission must determine if the Transfer of Development Rights is appropriate for the Petitioner's development review application.

PLAN COMMISSION RECOMMENDATION:

On May 12, 2022 the Plan Commission recommended to the Village Board approval of the Three-Lot Certified Survey Map and Transfer of Development Rights for William Paulson (d.b.a Windsor Quarry, LLC) located adjacent to Castleton Crossing by Plan Commission Resolution 2022-07.

Exhibit B provides the Plan Commission's meeting minutes for the Petitioner's application.

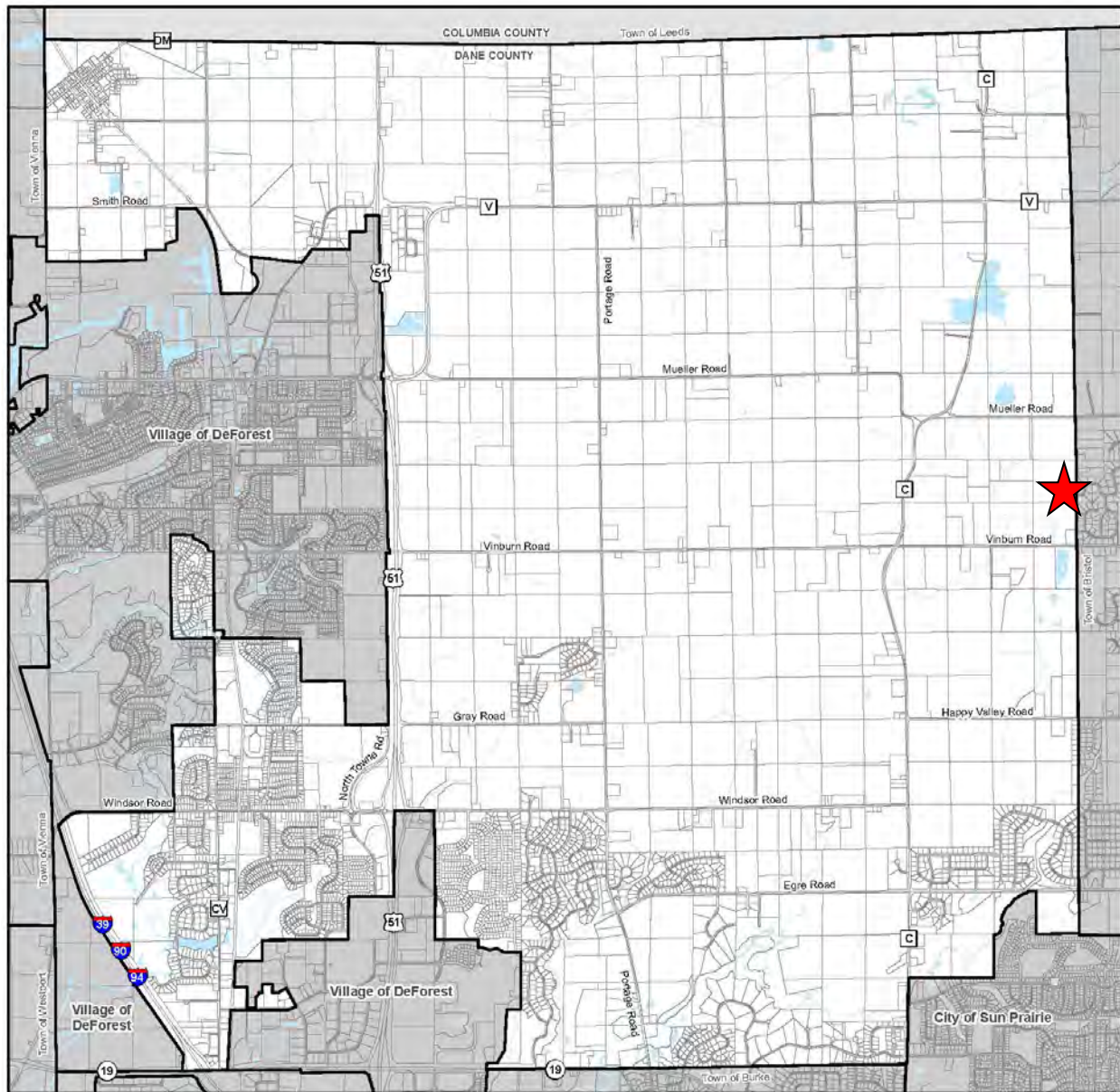
STAFF RECOMMENDED CONDITIONS:

Staff recommends any approval be subject to the following conditions:

- A. Certified Survey Map
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- D. The Petitioner shall comply with the requirements of Sec. 52-70 (Countryside Residential Zoning District) of the Windsor Code of Ordinances.
- E. The Petitioner shall promptly reimburse the Village for all costs and expenses incurred by the Village in connection with the review and approval of the Transfer of Development Rights and Certified Survey Map, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services.
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LOCATION MAP:



500' NOTICE:

Parcel Number	Owner	Address	City	State	Zip
91013483300	Current Owner	3182 CASTLETON XING	SUN PRAIRIE	WI	53590
91013483400	Current Owner	3190 CASTLETON XING	SUN PRAIRIE	WI	53590
91013483500	DANIEL BIDDICK	3198 CASTLETON XING	SUN PRAIRIE	WI	53590
91013380005	CHRIS T HARBORT	3342 VINBURN RD	SUN PRAIRIE	WI	53590
91013383208	CHRIS T HARBORT & BEVERLY J HARBORT	3342 VINBURN RD	SUN PRAIRIE	WI	53590
91013395811	CHRIS T HARBORT	3342 VINBURN RD	SUN PRAIRIE	WI	53590
91013486008	CHRIS T HARBORT	3342 VINBURN RD	SUN PRAIRIE	WI	53590
91013480021	WINDSOR QUARRY LLC	4607 OAK SPRINGS CIR	DEFOREST	WI	53532
91013483600	WINDSOR QUARRY LLC	4607 OAK SPRINGS CIR	DEFOREST	WI	53532
91013486911	WINDSOR QUARRY LLC	4607 OAK SPRINGS CIR	DEFOREST	WI	53532
91013492751	WINDSOR QUARRY LLC	4607 OAK SPRINGS CIR	DE FOREST	WI	53532
91013485009	WINDSOR QUARRY LLC	4607 OAK SPRINGS CIR	DEFOREST	WI	53532
91013487101	WINDSOR QUARRY LLC	4607 OAK SPRINGS CIR	DEFOREST	WI	53532
91013493251	WINDSOR QUARRY LLC	4607 OAK SPRINGS CIR	DE FOREST	WI	53532
91013495010	LIPSKY REV TR, MARK R & LORI S	7145 MILE RD	SUN PRAIRIE	WI	53590

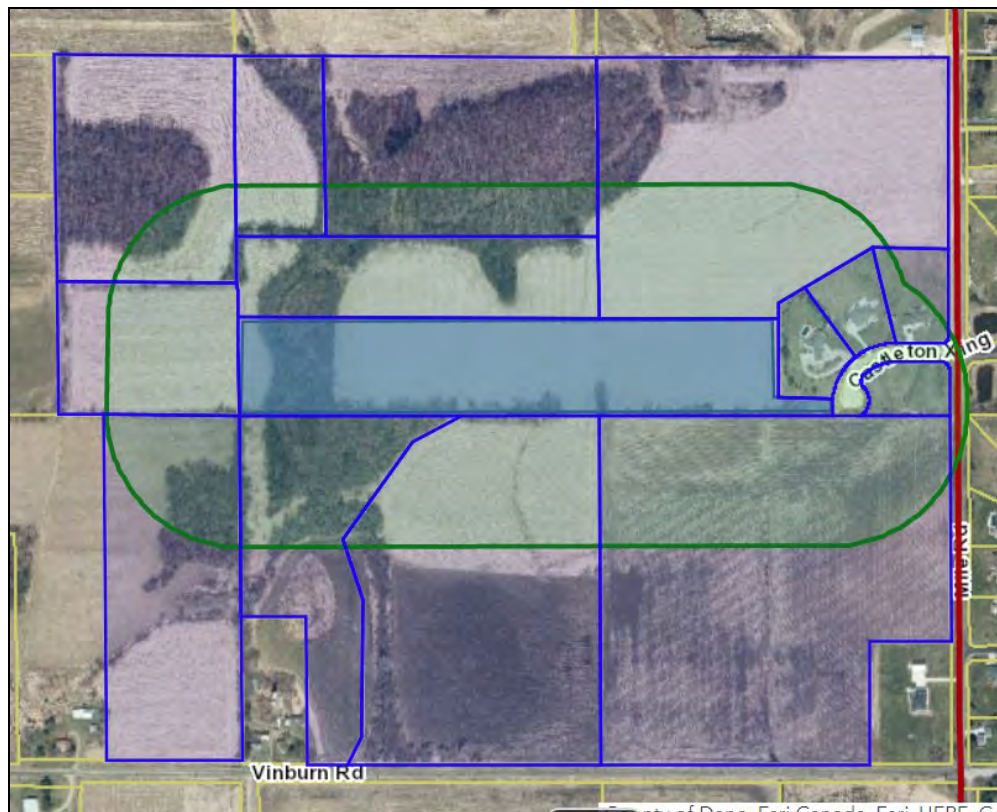


EXHIBIT:

- A. Development Review Application
- B. Plan Commission Meeting Minutes



Development Review Application
Acknowledgement of Understanding

The Petitioner, Property Owner, and Agent have reviewed and understand the Village of Windsor Code of Ordinances as it relates to the Development Review Application, Supplemental Information, and Technical Specifications required for the Development Review Request.

The Petitioner, Property Owner, and Agent understand that an Administrative Fee and Escrow Fee will be charged for review of the Development Review Request by the Village staff and professional consultants, and payment must be submitted with the Development Review Request.

Property Information
Location / Address:south & west of 3198 Castleton Crossing
Taxkey Number:0910-134-8710-1
Area:16.82 AC

Petitioner
Name:Windsor Quarry, LLC, William M. Paulson, member
Address:4607 Oak Springs Cir.
City, State, Zip Code:DeForest, WI 53532
Phone: (608) 846-5308
Residence / Business / Cell
Email:wmp@CenturyTel.net
Signature: William M Paulson

Property Owner
Name: same as Petitioner
Address:
City, State, Zip Code:
Phone:
Residence / Business / Cell
Email:
Signature:

Agent
Name:Paulson & Associates, LLC, Daniel A. Paulson, as agent
Address:136 W. Holum Street
City, State, Zip Code:DeForest, WI 53532
Phone: (608) 846-2523
Residence / Business / Cell
Email:Dan@PaulsonLLC.net
Signature: Daniel A. Paulson

Development Review Application

Development Review Request

The Petitioner must submit one electronic file (PDF format) of the Development Review Application and Supplemental Application Information to the Director of Planning/Zoning Administrator at amy@windsorwi.gov no less than thirty (30) days prior to the Village of Windsor meeting. The Village Plan Commission typically meets the second Thursday of every month, the Village Board typically meets the first Thursday of every month, both at 5:00 p.m. at the Village Municipal Building, 4084 Mueller Road, DeForest, WI 53532.

Development Review Request	Application		
	Fee	Escrow (Min)	Escrow (Max)
<input type="checkbox"/> Comprehensive Plan Amendment	\$500	-	\$2,500
<input type="checkbox"/> Buildings and Building Regulations			
<input type="checkbox"/> Standard Site Plan Review	\$350	-	\$2,500
<input type="checkbox"/> Limited Site Plan Review	\$225	-	-
<input type="checkbox"/> Planning and Development			
<input type="checkbox"/> Concept Plan	\$225	-	\$500
<input type="checkbox"/> Preliminary Plat	\$500	\$1,000/lot	\$10,000
<input type="checkbox"/> Final Plat	\$350	\$1,000/lot	\$10,000
<input type="checkbox"/> Replat	\$350	\$1,000/lot	\$10,000
<input checked="" type="checkbox"/> Certified Survey Map	\$325	\$1,000/lot	T.B.D. ¹
<input type="checkbox"/> Condominium Plat	\$500	\$1,000/lot	\$10,000
<input type="checkbox"/> Zoning Districts			
<input type="checkbox"/> Zoning Map and/or Ordinance Amendment	\$350	-	\$1,000
<input type="checkbox"/> Conditional Use Permit	\$350	-	\$2,500
<input type="checkbox"/> Planned Unit Development	\$500	-	\$2,500
<input type="checkbox"/> Sign	\$150	-	-
<input type="checkbox"/> Zoning Variance	\$350	-	\$1,000
<input type="checkbox"/> Nonmetallic Mining Operations			
<input type="checkbox"/> Processing Facility License	\$250	-	\$5,000
<input type="checkbox"/> Mining Registration License	\$250	-	\$500
<input type="checkbox"/> Mining Operator's License	\$250	\$5,000	\$10,000
<input type="checkbox"/> Other	\$150	T.B.D.	T.B.D.

Footnote:

¹ Maximum escrow is determined per Sec. 38-89(7) of the Code of Ordinances, or as amended.

Transfer of Development Rights

Development Review Application
Supplemental Application Information

The Petitioner must submit one electronic file (PDF format) of the Supplemental Application Information per the below stated requirements. All questions regarding the Supplemental Application Information shall be directed to the Director of Planning/Zoning Administrator at amy@windsorwi.gov or (608) 888-0066.

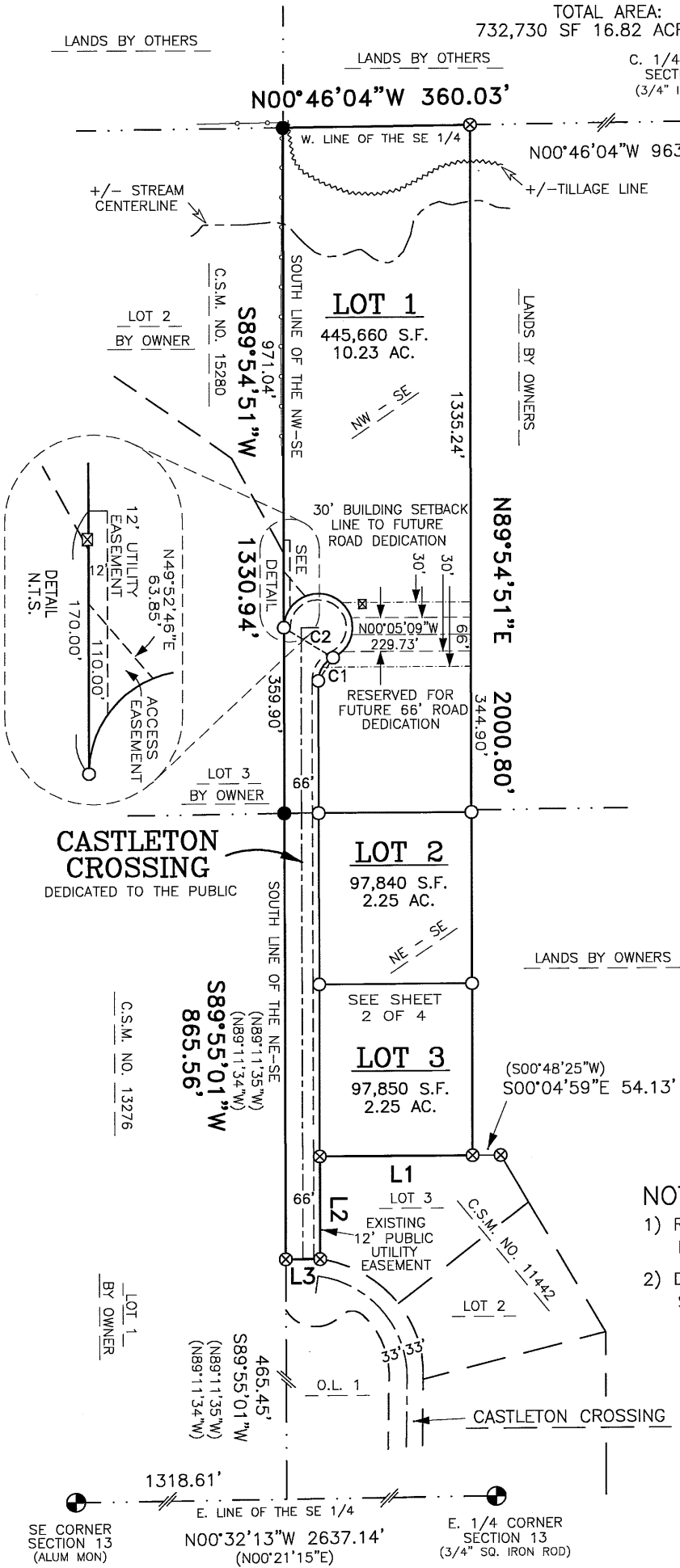
The Windsor Code of Ordinances is located at www.windsorwi.gov/ordinances.

Development Review Request	Supplemental Application Information
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Refer to Windsor Comprehensive Plan: 2035 <input type="checkbox"/> Refer to Wis. Stats. 66.1001
<input type="checkbox"/> Buildings and Building Regulations	
<input type="checkbox"/> Standard Site Plan Review	<input type="checkbox"/> Refer to Ch 10, Art IX <input type="checkbox"/> Refer to Ch 52, Sec 52-101(3)
<input type="checkbox"/> Limited Site Plan Review	<input type="checkbox"/> Refer to Ch 10, Art IX <input type="checkbox"/> Refer to Ch 52, Sec 52-101(3)
<input type="checkbox"/> Planning and Development	
<input type="checkbox"/> Concept Plan	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 2, Sec 38-128
<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 3
<input type="checkbox"/> Final Plat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 4
<input type="checkbox"/> Replat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 5
<input type="checkbox"/> Certified Survey Map	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 6
<input type="checkbox"/> Condominium Plat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 10
<input type="checkbox"/> Zoning Districts	
<input type="checkbox"/> Zoning Map and/or Ordinance Amendment	<input type="checkbox"/> Refer to Ch 52, Art V, Sec 52-101(4)
<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Refer to Ch 52, Art V, Sec 52-101(5)
<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Refer to Ch 52, Art V, Sec 52-101(6)
<input type="checkbox"/> Sign	<input type="checkbox"/> Refer to Ch 52, Art V, Sec 52-101(7)
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Refer to Ch 52, Art V, Sec 52-101(8)
<input type="checkbox"/> Nonmetallic Mining Operations	
<input type="checkbox"/> Processing Facility License	<input type="checkbox"/> Refer to Ch 52, Sec 52-75 & Ch 55, Sec 55-4(2)
<input type="checkbox"/> Mining Registration License	<input type="checkbox"/> Refer to Ch 52, Sec 52-75 & Ch 55, Sec 55-4(3)
<input type="checkbox"/> Mining Operator's License	<input type="checkbox"/> Refer to Ch 52, Sec 52-75 & Ch 55, Sec 55-4(4)

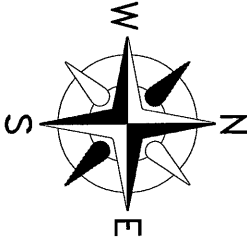
DANE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING LOT 1, CSM NO. 15814
LOCATED IN THE NE 1/4 OF THE SE 1/4 AND THE NW 1/4 OF THE SE 1/4,
SECTION 13, T9N, R10E, VILLAGE OF WINDSOR, DANE COUNTY, WISCONSIN

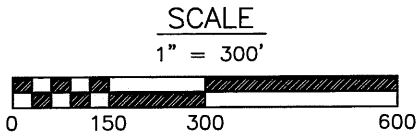
TOTAL AREA:
732,730 SF 16.82 ACRES



DOCUMENT NO.

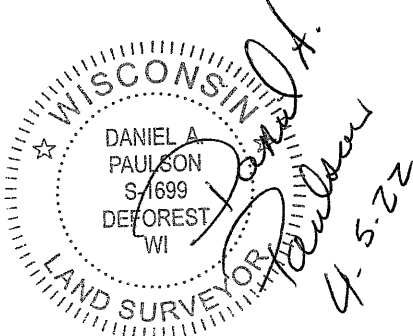


BASIS OF BEARINGS
THE EAST LINE OF THE SE 1/4 IS
ASSUMED TO BEAR N00°32'13"W.



- LEGEND
- ⊕ DANE COUNTY SECTION CORNER (FOUND) (AS NOTED W/ 4-TIES)
 - 3/4" X 18" ROUND IRON RE-BAR WEIGHING 1.50 LBS/LF (SET)
 - 2" IRON PIPE (FOUND)
 - ⊗ 3/4" IRON RE-BAR (FOUND)
 - () "RECORDED AS" INFORMATION
 - ⊠ UTILITY PEDESTAL
 - — — FENCE LINE REMNANTS
- L1=S00°04'59"E 294.03'
(S00°48'25"W)
- L2=N89°55'01"E 200.00'
(S89°11'35"E)
- L3=S00°04'59"E 66.00'
(S00°48'25"W)

- NOTES:
- REFER TO BUILDING SITE INFORMATION CONTAINED IN THE DANE COUNTY SOIL SURVEY.
 - DISTURBING SURVEY STAKES IS A VIOLATION OF SECTION 236.32 OF THE WISCONSIN STATUTES.

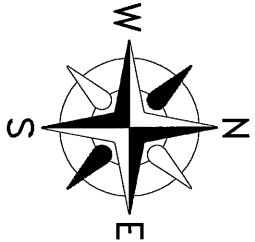


OWNER/SUBDIVIDER
WINDSOR QUARRY LLC
4607 Oak Spring Circle
DeForest, WI 53532

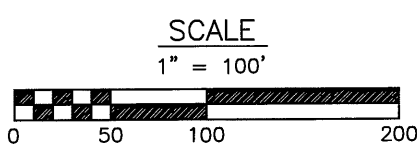
SURVEYOR
PAULSON & ASSOCIATES, LLC
Daniel A. Paulson
136 W. Holum Street
DeForest, WI 53532

DANE COUNTY CERTIFIED
SURVEY MAP NO. _____

BEING LOT 1, CSM NO. 15814
LOCATED IN THE NE 1/4 OF THE SE 1/4
AND THE NW 1/4 OF THE SE 1/4,
SECTION 13, T9N, R10E, VILLAGE OF
WINDSOR, DANE COUNTY, WISCONSIN



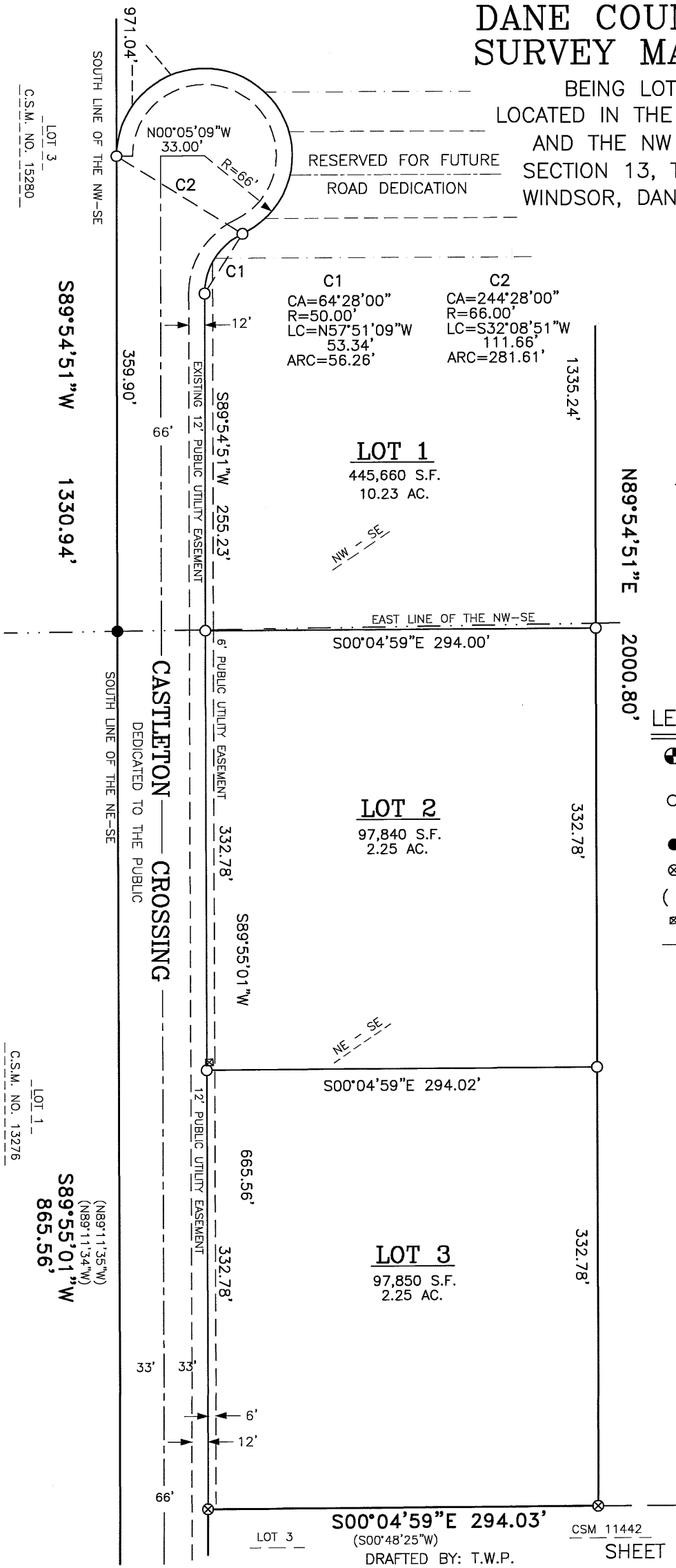
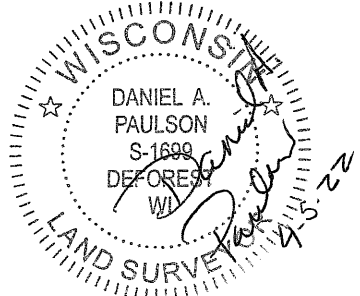
BASIS OF BEARINGS
THE EAST LINE OF THE SE 1/4 IS
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SURVEYOR
PAULSON & ASSOCIATES, LLC
Daniel A. Paulson
136 W. Holum Street
DeForest, WI 53532



DANE COUNTY CERTIFIED SURVEY MAP NO. _____

Being Lot 1, Certified Survey No. 15814, Located in the NE ¼ of the SE ¼ and the NW ¼ of the SE 1/4 of Section 13, Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin.

SURVEYOR'S CERTIFICATE

I, Daniel A Paulson, Professional Land Surveyor **DO HEREBY CERTIFY** that by the direction of William M. Paulson, I have surveyed, divided, monumented, and mapped **Lot 1, CSM No. 15814, recorded in Volume 115 on Pages 197-200 as Document No. 5774537**, located in the NE ¼ of the SE ¼ and the NW ¼ of the SE ¼ of Section 13, Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin.

Containing 732,730 square feet, (16.82 acres).
Subject to all recorded and unrecorded easements.

I do hereby certify that to the best of my information, knowledge and belief this survey is a correct representation of the boundaries of land surveyed and the division of that land and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Village of Windsor Code of Ordinances in surveying and mapping the same.

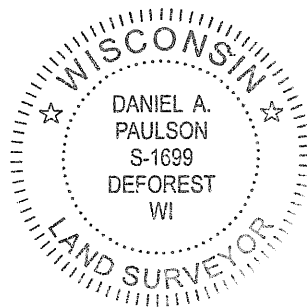


Daniel A. Paulson

PLS-1699

4-5-22

Date:



VILLAGE OF WINDSOR APPROVAL CERTIFICATE

Approved for recording by the Windsor Village Board this _____ day of _____, 2022.

Christine Capstran, Village of Windsor, Clerk

CERTIFICATE OF THE DANE COUNTY REGISTER OF DEEDS

Received for recording this _____ day of _____, 2022, at _____ o'clock ____.
M. and recorded in Volume _____ of Certified Survey Maps of Dane County, Pages _____.

DOCUMENT NO. _____

Dane County Register of Deeds

DANE COUNTY CERTIFIED SURVEY MAP NO. _____

Being Lot 1, Certified Survey No. 15814, Located in the NE ¼ of the SE ¼ and the NW ¼ of the SE 1/4 of Section 13, Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin

OWNER'S CERTIFICATE OF DEDICATION

We, William M. and Susan K. Paulson, as members of Windsor Quarry, LLC, as owners hereby certify that we caused the land described to be surveyed, divided, dedicated and mapped as represented on the map. We also certify that this Certified Survey Map is required to be submitted to the Village of Windsor for approval.

Willaim M. Paulson, member

Date

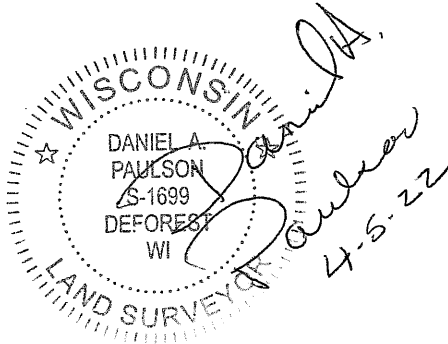
Susan K. Paulson, member

Date

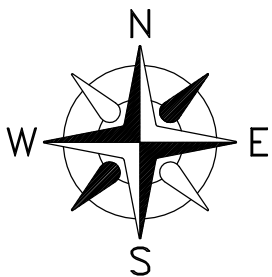
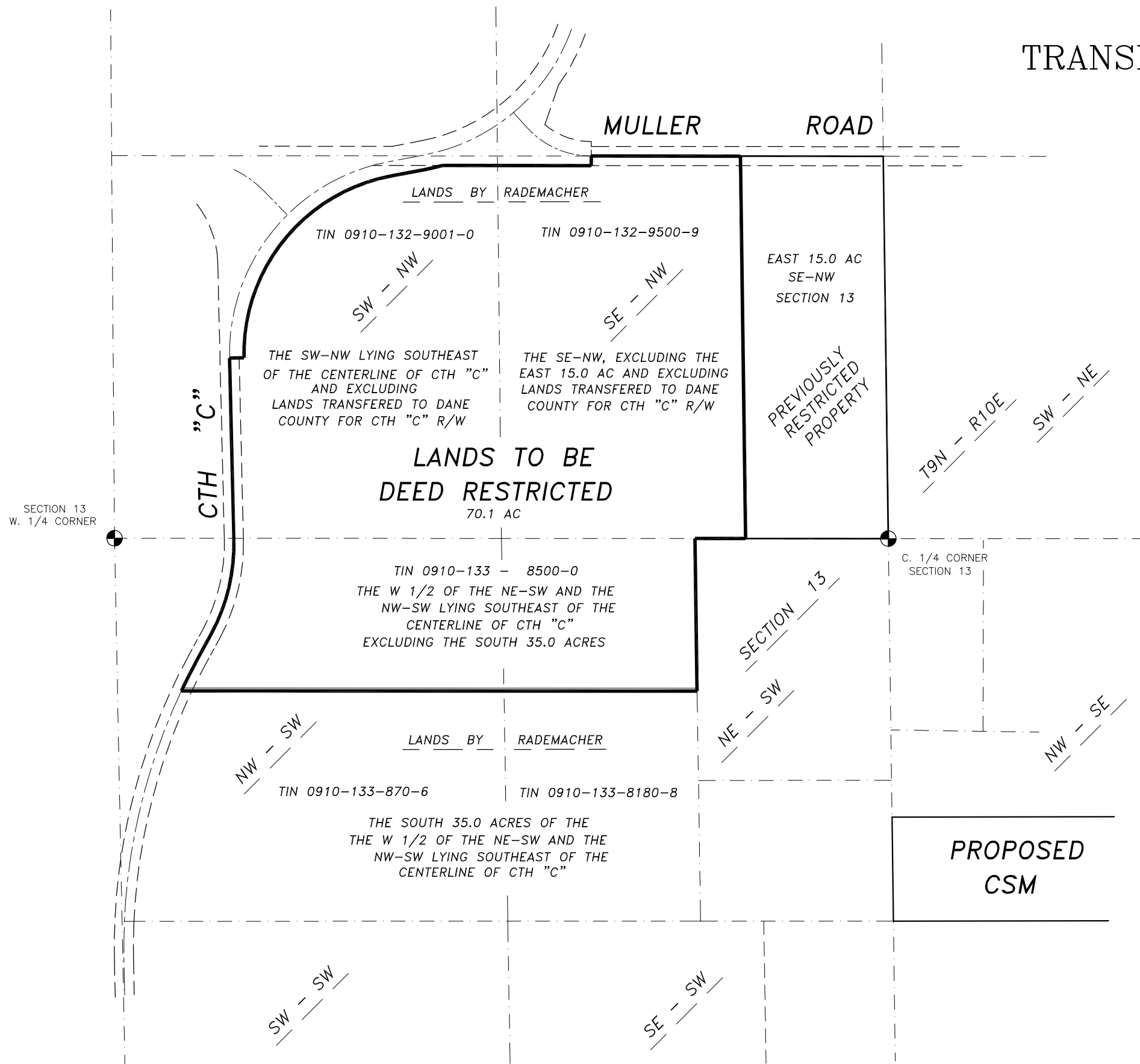
STATE OF WISCONSIN)
_____)SS
COUNTY)

Personally came before me this _____ day of _____, 2022, the above William M. & Susan K. Paulson to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public _____, Wisconsin
My commission expires: _____

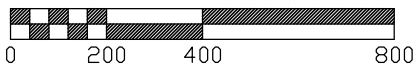


RADEMACHER FARMS
TRANSFER OF DEVELOPMENT RIGHTS
DEED RESTRICTION MAP



SCALE

1" = 400'



OWNERS

ROBERT E RADEMACHER III
ANDREW W RADEMACHER
3398 CTH "V"
DEFOREST, WI 53532

SURVEYOR

PAULSON & ASSOCIATES, LLC
DANIEL A. PAULSON
136 W. HOLUM STREET
DEFOREST, WI 53532

SUBDIVIDER

WINDSOR QUARRY, LLC
WILLIAM PAULSON
4607 OAK SPRINGS CIRCLE
DEFOREST, WI 53532

PAULSON & ASSOCIATES, LLC

136 W. HOLUM STREET DeFOREST, WI 53532 (608)846-2523

MAP OF DESCRIPTION

WINDSOR QUARRY, LLC PROPERTIES

LOCATED IN THE SE 1/4-NW 1/4, THE SW 1/4-NW 1/4, THE
NE 1/4-SW 1/4 AND THE NW 1/4-SW 1/4 OF SECTION 13,
T9N, R10E, VILLAGE OF WINDSOR, DANE COUNTY, WISCONSIN.

JOB NO. 93-013 (2021)	DRAWING NO.	DRAWN BY: DAP
REF:	REVISIONS:	DATE: 03-22-22

**RADEMACHER FARMS
TRANSFER OF DEVELOPMENT RIGHTS
VILLAGE OF WINDSOR
DANE COUNTY, WISCONSIN**

Deed Restriction Description

Located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, T9N, R10E, Village of Windsor, Dane County, Wisconsin, described as follows:

The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, excluding the East 15.0 Acres of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and excluding lands transferred to Dane County for CTH "C" road right-of-way.

And

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ lying southeast of the centerline of CTH "C", excluding lands transferred to Dane County for CTH "C" road right-of-way.

And

The W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ lying Southeast of the centerline of CTH "C", excluding the South 35.0 Acres.

Containing 70.1 Acres more or less

Subject to all recorded and unrecorded easements.

This description was prepared from record information and is not the results of an actual field survey. This description does not meet the minimum standards of a property survey as defined in Chapter AE-7 of the Wisconsin Administrative Code.

This Description Prepared by:

PAULSON & ASSOCIATES, LLC
Daniel A. Paulson
Professional Land Surveyor

March 22, 2022

**Village of Windsor Plan Commission Meeting
Thursday, May 12, 2022 at 5:00 PM**

MINUTES

1. CALL MEETING TO ORDER AND ROLL CALL

The meeting was called to order by Chairperson Wipperfurth at 5:00 p.m. Commissioners present included Robert Wipperfurth, Bill LeGore, Kristine Schmidt, Dave Gaustad, Tyler Kerr, Kay Hoffman and Jeff Heisig. Staff present included Deputy Administrator | Director of Economic Development Jamie Rybarczyk, Director of Planning | Zoning Administrator Amy Anderson Schweppe and Village Attorney Bill Cole.

2. RECITATION OF THE PLEDGE OF ALLEGIANCE

Commissioner Hoffman led the Plan Commission in the Pledge of Allegiance.

3. ANNOUNCEMENTS

Chairman Wipperfurth announced that the Bishop proposal was postponed until the June 9th Plan Commission and the Public Hearing would be held at that time.

4. APPEARANCES BEFORE THE PLAN COMMISSION

There were no appearances.

5. MINUTES FROM APRIL 14, 2022

Commissioner Schmidt made a motion to approve the meeting minutes of April 14, 2022 as presented. The motion was seconded by Commissioner Hoffman. Motion passed with a 7-0 vote.

6. PUBLIC HEARING

6.a. *Forward Development Group Requests a Rezone of Property from C-1, Limited Commercial District to PUD, Planned Unit Development and Site Plan Review for a Senior Multi-Family Housing Development Located on the Southwest Corner of North Towne Road and North Towne Court.*

Chairperson Wipperfurth opened the public hearing at 5:03 pm.

Director of Planning | Zoning Administrator Anderson Schweppe presented the staff report for an age-restricted senior housing development located in Windsor Crossing. The proposal included a 50 unit senior multi-family apartment building and a request for Planned Unit Development in order to provide flexibility for setback requirements.

Fred DeVillers of Forward Development Group was present to answer questions. He responded to comments regarding proposed rental rates, proposed value and trash collection and accessibility issues for a senior population.

Additional comments from the Plan Commissioners included concern about bus staging for the daycare next door in proximity to parking entries, incomplete building plans and accessibility issues for senior residents.

Sandra Wilke, 6660 North Towne Road - Apt 202, provided written comments regarding the senior housing proposal prior to the meeting, which Chairperson Wipperfurth shared with the Plan Commission.

Chairperson Wipperfurth closed the public hearing at 5:27 pm.

- 6.b. *Windsor Quarry, LLC (represented by William Paulson) requests a three-lot Certified Survey Map and a Transfer of Development Rights to create two additional lots along Castleton Crossing.*

Chairperson Wipperfurth opened the public hearing at 5:38 pm.

Director of Planning | Zoning Administrator Anderson Schweppe presented the staff report for a three-lot Certified Survey Map that will add two additional lots along a proposed extension of Castleton Crossing. The proposal includes a Transfer of Development Rights to transfer two residential splits from a nearby farm in order to permit the two new lots created by the Certified Survey Map.

The Petitioner's Surveyor, Dan Paulson, was present to answer questions. The Plan Commission had minor comments regarding the Certified Survey Map that concerned the removal of the security gate. Staff indicated that the security gate must be removed in order to have the public road dedicated and needed for the required frontage for the proposed lots. Staff indicated that a Condominium Plat would allow the security gate and private access however the road would not be dedicated.

Chairperson Wipperfurth closed the public hearing at 5:45 pm.

- 6.c. *Robert and Debra Bishop request A two-lot Certified Survey Map for a lot line adjustment and farm consolidation, A one-lot Certified Survey Map to create a new residential lot, a Transfer of Development Rights to create the new residential lot and a Rezone of the new residential lots to ER, Estate Residential Zoning District.*

The proposal was held in abeyance until the June 9th, 2022 Plan Commission meeting. There was no Public Hearing.

7. OLD BUSINESS

There was no old business to discuss.

8. NEW BUSINESS

- 8.a. *Forward Development Group Requests a Rezone of Property from C-1, Limited Commercial District to PUD, Planned Unit Development and Site Plan Review for a Senior Multi-Family Housing Development Located on the Southwest Corner of North Towne Road and North Towne Court.*

Commissioner Gaustad made a motion to approve Resolution 2022-06. The motion was seconded by Commissioner LeGore with an amendment to add additional conditions regarding (1) the applicant shall work in good faith with staff to reduce the distance residents must travel to dispose of trash and (2) changes to the plans or specifications may be approved by the Director of Planning/Zoning

Administrator if they do not alter the dimensions or structural aspects of the building, or in the determination of the Director of Planning/Zoning materially alter the aesthetics of the building.

Motion carried with a 7-0 vote.

- 8.b. *Windsor Quarry, LLC (represented by William Paulson) requests a three-lot Certified Survey Map and a Transfer of Development Rights to create two additional lots along Castleton Crossing.*

Commissioner Kerr made a motion to approve Resolution 2022-07. The motion was seconded by Commissioner Heisig with a request that the Petitioner confirm the removal of the gate. Motion carried with a 7-0 vote. Mr. Paulson indicated he would share this request with the Petitioner and either move forward with the Certified Survey Map or consider withdrawal of the application in favor of a Condominium Plat.

- 8.c. *Robert and Debra Bishop request A two-lot Certified Survey Map for a lot line adjustment and farm consolidation, A one-lot Certified Survey Map to create a new residential lot, a Transfer of Development Rights to create the new residential lot and a Rezone of the new residential lots to ER, Estate Residential Zoning District.*

There was no action.

9. ADJOURNMENT

Commissioner Gaustad made a motion to adjourn the meeting at 5:51 pm. The motion was seconded by Commissioner Hoffman. The motion passed 7-0.

Respectfully submitted,

Amy Anderson Schweppe

Amy Anderson Schweppe
Director of Planning | Zoning Administrator

**VILLAGE OF WINDSOR
PLAN COMMISSION RESOLUTION 2022-07**

**RECOMMENDING APPROVAL OF A CERTIFIED SURVEY MAP, TRANSFER OF DEVELOPMENT
RIGHTS AND DEDICATION OF PRIVATE ROAD, VILLAGE OF WINDSOR**

WHEREAS, William Paulson d/b/a Windsor Quarry, LLC (the “Petitioner”) received approval for a Certified Survey Map (#15814) and Rezone in 2021 to create a 16.82 acre lot for a residential home site (the “Subject Property”); and

WHEREAS, the Petitioner has requested approval of:

1. A Certified Survey Map to further subdivide the Subject Property in to three (3) Residential Lots; and
2. A Transfer of Development Rights of 70-acres from the Rademacher land holdings (Parcels 196/0910-132-9001-0, 196/0910-132-9500-9, and part of 196/0910-133-8500-0) as described in the Petitioners exhibit called; “Rademacher Farms Transfer of Development Rights Deed Restriction Map” to the Subject Property in order to meet the Comprehensive Plan: 2035 requirements for an additional two (2) residential splits in the Agriculture Preservation Area; and
3. Dedication of the private road as an improved public road.

WHEREAS, the Village Director of Planning / Zoning Administrator has reviewed the Petitioner’s request and prepared a Staff Report dated May 06, 2022 (the “Staff Report”) recommending approval, subject to certain conditions specified in the Staff Report; and

WHEREAS, the Village of Windsor Plan Commission held a public hearing regarding the request on May 12, 2022; and

WHEREAS, following review of information presented at the Plan Commission meeting, public hearing, and the Staff Report, the Plan Commission recommends approval to the Village Board, subject to the conditions specified in the Staff Report and as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the Village of Windsor as follows:

The Village of Windsor Plan Commission recommends to the Village of Windsor Board Approval of the Certified Survey Map, Transfer of Development Rights and extension and dedication of Castleton Crossing to the public, subject to the following conditions:

1. Certified Survey Map
 - a. The Petitioner shall address the Staff Comments set forth in this Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.
 - b. The Petitioner shall address the Policy Comments/ Concerns set forth in this Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.

- c. The Petitioner shall satisfy all conditions of approval by the Village and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed's Office.
 - d. The Petitioner shall promptly submit cash payment to the Village for Fees in Lieu of Land for Lots 2 & 3 in the amount determined pursuant to Sec. 38-636 of the Windsor Code of Ordinances prior to execution of the Certified Survey Map. The requirement for cash payment of Fees in Lieu of Land for Lot 1 was satisfied with the prior Certified Survey Map.
 - e. The Petitioner shall promptly submit cash payment to the Village for Fees for Initial Improvement of Parkland for Lots 2 & 3 in the amount determined pursuant to Sec. 38-638(e) of the Windsor Code of Ordinances prior to execution of the Certified Survey Map. The requirement for cash payment of Fees for Initial Improvement of Parkland for Lot 1 was satisfied with the prior Certified Survey Map.
2. Transfer of Development Rights
 - a. The Petitioner shall record a deed restriction, in a form approved by the Village Attorney, acknowledging the 70-acre property shall be deed restricted from future land division and residential development as described on the Petitioners exhibit called "Rademacher Farms Transfer of Development Rights Deed Restriction Map".
3. Acceptance of Dedication of Right of Way
 - a. The Petitioner shall provide to the Village as built drawings, in a form acceptable to the Director of Public Works, of the Right of Way.
 - b. Inspection and acceptance by the Director of Public Works or Village Engineer that the Right of Way has been constructed to Village standards and is in acceptable condition.
4. The Petitioner shall comply with the requirements of Sec. 52-70 (Countryside Residential Zoning District) of the Windsor Code of Ordinances.
 5. The Petitioner shall promptly reimburse the Village for all costs and expenses incurred by the Village in connection with the review and approval of the Transfer of Development Rights and Certified Survey Map, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services.
 6. The Plan Commission's recommendation for approval of the Certified Survey Map, Transfer of Development Rights and Dedication of Private Road expires one hundred-eighty (180) days from the date of adoption of this Resolution unless the Petitioner has satisfied all conditions of approval stated herein. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty (180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Village Board is unable to or does not act on the Plan Commission's recommendation prior to expiration, then this matter shall be re-referred to the Plan Commission prior to further action by the Village Board.

The above and foregoing Resolution was duly adopted at a meeting of the Plan Commission of the Village of Windsor held on May 12, 2022, by a vote of ____ in favor and ____ opposed.

PLAN COMMISSION

By: _____
Robert E. Wipperfurth, Chairperson

Attested by:

Amy Anderson Schweppe
Director of Planning / Zoning Administrator

INCORPORATED BY REFERENCE:

Staff Report
Petitioner Development Review Application
Rademacher Farms Transfer of Development Rights Deed Restriction Map
Ordinance 2021-07
Village Board Resolution 2021-23