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# Land use issue in Town of Dunn

By KATHY SODERBLOOM

STOUGHTON — A vigorous campaign for local offices is being waged in the Town of Dunn in which the only point of agreement between opposing factions is that land use is the major issue.

Incumbent Town Board Chairman Cal DeWitt is seeking a second term and is being challenged again by James Bossingham.

DeWitt says the outcome of this election is crucial to the future of the town.

"We're really at a crossroads" he said, "in which the town could go the route of urban development symbolized by Fitchburg or it could retain some of its rural character and preserve its major wetlands and fine agricultural lands."

DeWitt favors the latter route. He claims there are a number of farms in transition right now that could boost rural development to about 300 homes this year. A key decision to be made by the board, he said, is whether to approve an 80-acre development proposed by Fitchburg Treasurer Frank Baxter.

"The farm is in the heart of farm country," DeWitt said, "with stock farmers raising hogs on three sides." He believes the plat could be denied because it is in direct conflict with the Regional Planning Commission's land use plan.

The town withdrew from the RPC a few years ago but DeWitt believes it should rejoin on its own terms and revive the town planning committee so a land use plan can be established for Dunn.

"Attitude toward the land" is viewed by DeWitt as a major distinction between himself and Bossingham, a realtor. "To a realtor," DeWitt said, "land is something that changes hands and is to be sold and bought."

Incumbent Supervisor Terry Halverson, who has joined Bossingham's campaign, is developing 20 acres of his family farm. DeWitt said developers



James Bossingham



Cal DeWitt

view land as being developed from "low grade use to highest and best use-development."

DeWitt is a wetlands ecologist with the University of Wisconsin. He considers himself a preservationist who views land as a precious resource and land owners as stewards.

Development, he said, should be limited to areas which can be served by urban services. People could still buy country homes, he said, by choosing from existing homes. He quoted a survey done in Waubesa Heights which found that the average turn-over of homes per year was 20 per cent.

Aligned with DeWitt in his campaign is Edmond Miniham, who is seeking a supervisor's position. "We're not talking about political philosophy in this race," he said, "we're talking about profit."

The developers are coming out to the towns for higher profits, he claims, because the cities and villages have learned to pass back the costs of development to the developers.

Dunn, he said, is very close to the threshold where it will have to provide its own fire and police protection, and garbage collection. "We'll pay more taxes for a reduction in lifestyle."

Bossingham, Halverson, and incumbent supervisor Sid Hanson are running as a slate under the auspices of the Committee for Good Government in the

Town of Dunn.

Bossingham believes land use controls can be established at the local level. He does not favor any movement to re-establish ties with the RPC.

"I was born in this area and raised in this area. You know where the water flows and the terrain of the country," he said, "and this is pretty important in development."

He would not allow development on prime agricultural land but would accept plats on wooded acreage or stony areas. "You can't take away the right of a human being "who wants an acre or two of land to develop on," he said.

He rejects the notion that being a realtor colors his perspective on land use decisions. "By being a realtor and living here and wanting to keep the Town of Dunn a better place to live, we're not going to force development."

"I have owned and operated my own business for 22 years," he said, "and you have to have a knowledge of running a business if you're going to run a town."

Terry Halverson is assistant chief of the Mobile Homes Section for the Department of Industry, Labor and Human Relations. He says that stopping development is not a realistic approach. "We should continue development."

He argues that farmers are not leaving the land because of high property taxes caused by development, but

because of the poor prices for their crops. Newer homes are paying a disproportionate share of the taxes, he said, because they have been assessed more recently than most of the older residences.

Regarding a possible conflict of interest because he is a developer, too, Halverson said DeWitt has his own conflict of interest. "Being a biologist, he's interested in saving all the marshland, woodlands, and everything. I have no more conflict of interest."

Halverson said his knowledge of plats and development methods has been helpful to the board in its work. He said he developed a check-list for the developers which listed the items reviewed by the board in preliminary plats.

His decision to join Bossingham's campaign against DeWitt, he said, was based on the communications problem which he believes now exists on the board. He said DeWitt makes little attempt to consult with him or Hanson and often makes decisions without their counsel.

Hanson, a farmer, is a veteran supervisor, having served 16 years. He said the farmers do not want a rigid land use plan. "They feel it is going to lower the value of their property."

"At town board level," he said, "we should be able to look at each plat on its own merits and we should have the authority to approve or reject it."

He defends Bossingham's and Halverson's right to serve on the board. "A real estate agent or broker is a very honorable profession and the word profit is not a dirty word."

All the candidates have been sending literature through the mail and most are conducting some door-to-door campaigns.

## Dunn: a microcosm

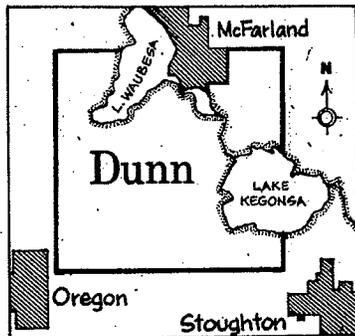
ONE OF THE MOST crucial races in Tuesday's election involves the future of Madison's neighbor to the southeast, the Town of Dunn.

Town chairman Cal DeWitt, a University of Wisconsin ecologist with a strong social conscience, is facing a stiff challenge for re-election from Jay Bossingham, a realtor. Vying for two supervisor posts are Edmond Minihan, a sociologist aligned with DeWitt in his desire to plan sensibly for the town's future; and incumbents Terry Halverson, a state employe and developer, and Sid Hanson, a farmer who sees continued growth in the township as "inevitable."

What's at stake is the same dilemma that plagues other rural areas in Dane County and much of the rest of the state: whether development can be allowed to continue in helter-skelter fashion across wetlands, farms and woodlands, destroying the environmental amenities that define the character of the area, or whether growth can be sensibly channelled toward existing communities.

ONE HAS ONLY to look at the sprawl-clogged Town of Fitchburg — a textbook case of human greed and short-sightedness — to see what's in store for Dunn if developers are allowed to run rampant.

Dunn has more to lose than many townships. Despite being blemished by rural subdivisions, it still has acres of rolling farmland and picturesque woodlots; the rich wetlands fringing Lake Waubesa; Hook Lake, the only tamarack bog in southern Wisconsin; Lower Mud Lake, a wintering area for waterfowl; and Grass Lake, a deep water



marsh.

These are the things DeWitt and Minihan are fighting to preserve. They argue persuasively that urban sprawl not only devastates unique resources but hurts the pocketbooks of those who have to pay the costs of extending urban services to the countryside.

**THEIR OPPONENTS** have conducted a sorry campaign of deception in an effort to convince voters that they, too, are concerned about future growth, when in fact they have consistently opposed all efforts to institute town planning.

A town meeting three years ago endorsed creation of a local planning commission; Hanson and Halverson have blocked it. When DeWitt tried to get the proposal put on the town board agenda recently, Hanson and Halverson voted it down.

With a personal stake in development, it's not surprising that Bossingham and Halverson are waging such a strenuous fight against DeWitt and Minihan. But the voters of Dunn must ask themselves whether the selfish interests of a few should be allowed to determine the shape of life for the many.

The election of DeWitt and Minihan will help put the town on a sane course for the future.

# THE CAPITAL TIMES

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MADISON, WIS., Monday, April 4, 1977

# At long, crowded town meeting, Dunn backs land planning

By KATHY SODERBLOOM

STOUGHTON — Town of Dunn residents resoundingly affirmed their stance on the land use issue at the town annual meeting Tuesday night, by voting 76-32 to establish a town plan commission.

Land use was the major issue in the recent local election with Town Chairman Cal DeWitt and supervisor Edmond Minihan stressing the need for land use planning and controls on development. A large election turnout gave them a wide margin of victory over opposition candidates James Bos-singham, Terry Halverson, and Sidney Hanson.

Nearly 200 people crowded the town hall Tuesday night to exercise their authority as the governing body for the town. Although a lengthy agenda thinned out the crowd somewhat, there was still standing room only when the plan commission vote was taken after midnight.

The land use discussions began with a motion to authorize the town board to acquire land for public use. It was followed by a motion from Jerrold Rouby to authorize the board to establish a park commission.

A park commission, he said, "would provide us with necessary development stages and planning stages offer us the opportunity to preserve resources we have and develop others as necessary."

Assessor Peter Malone argued that the town should first establish land use policies.

Several people expressed fears about the power and authority which are delegated by statute to commissions as opposed to committees. Town At-

torney Lloyd Schneider said a commission could act on its own with approval from the annual meeting.

The motion on the park commission failed 70-41.

David Joranson then moved to have the town board establish a plan commission as provided by statute.

Richard Bullock said the motion would give the commission the same authority as that given the park commission and which was rejected. "You're giving away your authority," he said, "Where as you could work with a committee."

Others objected to having a committee organization because they said the former planning committee was dissolved when it disagreed with the town board.

William Stone observed that many of the people are objecting to a commission because they do not want to give up their authority to make decisions. He said that any plan of land use would have to be endorsed at the annual meeting.

DeWitt said the town of Fitchburg had developed a land use plan which was being considered at their annual meeting for approval. (It was adopted Tuesday night by a 2-1 margin.)

It was Schneider's legal opinion that Fitchburg had organized its commission by ordinance rather than by following the state statute which governs city plan commissions.

The motion was then successfully amended to require that any plan developed by the commission would have to be approved at an annual or special meeting of the town.

Assurances were given by DeWitt that the town board would verify the legality of establishing such a commission under ordinance.

Bullock then argued that by removing the provision that the commission be established according to statute, the door is left open to organize the commission without people knowing how many will be appointed and whether they will be paid.

The motion was revised to read "as modeled by state statutes."

Receiving applause for her final argument in favor of the motion, Nancy Strutzel said "The time has come when all towns will have to think of planning for the future and I can't think of a better place for it to start than right here."

Other action taken at the annual meeting included adding an animal control officer, increasing the town clerk's salary to \$5,000 per year and the treasurer's salary to \$3,000.

Authorization was not given as requested by DeWitt to purchase or lease a car for use as a squad car by the constable. A motion was instead made to have the board study the proposal and report back at an annual or special meeting.

A \$253,000 budget was approved for 1978. It was noted that the town does not assess any local tax for government operation. The town derives its revenues mainly from state shared taxes.

Wednesday, April 13, 1977—THE CAPITAL TIMES

# Town of Dunn will soon face crucial battle over land use

By ROSEMARY KENDRICK  
Of The Capital Times Staff

Dane County government, if it wants to restrict urban sprawl, might consider using the Town of Dunn as a model.

Quickly and quietly, the Town Board last week approved a 30-day moratorium on subdivision of land to provide time for consideration of a longer moratorium and permanent controls.

"Timing is really critical," said Dunn Town Chairman Cal DeWitt. "As soon as you mention 'moratorium,' developments start coming in like wildfire." The board acted as swiftly as it did "to avoid a rush by people who would try to get in under the wire," he explained.

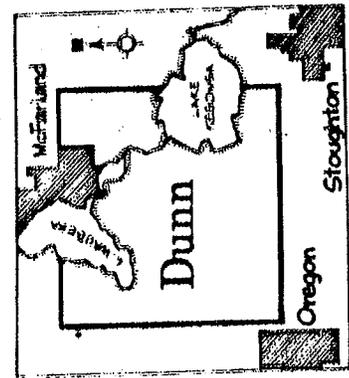
Dane County, which has held meetings on a proposed one-year county-wide moratorium on unserved subdivisions, has been hit by a flurry of controversy over the proposal, which appears to be floundering.

Dunn has managed to temporarily halt the creation of new subdivisions, but it has not avoided controversy altogether.

Jack McMannus, the defense attorney noted for his flamboyant handling of criminal cases, owns several hundred acres in the town and vows to sue the individual board members if they enact land controls beyond regular zoning restrictions.

McMannus was considering selling 150 acres to Terry Halverson for a housing development. He says this was before the April election, in which Halverson was defeated for town supervisor, and the deal is now off.

Stressing that "this is a matter of



over the place. While they might have sewers, they do not have police or fire protection, city water, schools, or shopping areas, he noted.

He and Town Supervisor Ed Minihan recently fought what they realized would be a losing battle against a 30-acre, 57-lot housing development by William and Neil Burnmaster. Since 60 days had elapsed since application for final plat approval, the board could not deny it without a certain court suit "which we would have lost," says DeWitt.

"But the fight was worthwhile. By raising a little hassle we sent a message to developers that the Town of Dunn isn't the best spot to develop any more."

At the first town meeting after the election, DeWitt proposed formation of a farm tax bill committee. At the next meeting, he proposed the Plan Commission to draw up a master plan for the town.

At the commission's first meeting, it approved the moratorium. During this month, says DeWitt, "we're tapping resource people in all types of agencies to determine the effects of rural development on the economy, roads, schools, the environment, natural resources, taxes."

"All this will culminate in a public hearing, tentatively set for June 7, which will be immediately followed (the same night) by a Plan Commission meeting and then a Town Board meeting" to decide what future course of action to take.

In short, the Town of Dunn is moving — and moving fast — in the direction of land use planning that could eventually set the tone for the entire county.

principle" to him rather than a desire to sell his land. McMannus claims that land use controls "would deprive me of (use of) my property without due process of law."

McMannus became so incensed at a recent town meeting that he suggested to one man that they "step out" to settle their differences. "He took on a very threatening posture," according to DeWitt, although McMannus pooh-poohs the incident.

Meanwhile, Halverson's plan to develop a nearby 20 acres is being held up by the month-long moratorium.

DeWitt estimates that about 500 acres will be developed in the foreseeable future unless something is done. Deputy Town Clerk Rosalind Gausman, also a member of the towns new Plan Commission, agrees, saying, "Farms are for sale and developers have inquired about them. It's in the air that they're on the drawing board."

DeWitt, elected chairman last month in a race dominated by environmental issues, feels it is "sheer folly" to have developments popping up all

May 24, 1977

ST May 24 1977

# Moratorium aim is to curb 'land rush'

By Thomas W. Still  
Of the State Journal

DUNN — A 30-day moratorium on the review of subdivision plats and certified survey maps in the Town of Dunn may be setting the stage for more permanent controls on the town's development.

The Dunn Town Board, acting on a recommendation by the town's new plan commission, has decided to wait one month before considering any more proposals to step up the town's residential growth.

Town Board Chairman Calvin B. DeWitt said the temporary ban on reviewing plats and survey maps, ap-

proved on a 2-1 board vote last week, is aimed at preventing a "residential land rush" while the town considers enacting a long-term moratorium.

"Once you've announced you're going to plan, there's always kind of a land rush," explained DeWitt, who said the town will schedule a public hearing in June to discuss adopting a moratorium that could last up to two years. "The purpose of the 30-day moratorium is to avoid a rush by people who would try to get in under the wire," he said.

The 30-day restriction, he added, doesn't apply to three subdivision plats already under review by Dunn's planning commission.

About 250 residential land parcels were created in Dunn between 1970 and 1976, with 113 of the lots carved out last year. Dunn's land parcel growth rate, the fifth highest among Dane County towns in 1976, has prompted the Town Board to set up the seven-member planning board and begin work on a comprehensive land use plan.

DeWitt said he thinks 70 percent of Dunn's residents want a slowdown in the town's residential growth, and a moratorium "would give us time to define our goals and work out a sensible plan."

State planning agencies and the

Dane County Regional Planning Commission (RPC) will be asked to supply information regarding the possible moratorium, DeWitt said, and testify at the public hearing. The length of any proposed moratorium, he said, could depend on how much time is needed to develop the town's master plan.

"I'm not at all interested in imposing any views on the community," DeWitt said, although adding he "personally supports" a moratorium. Opposition to the moratorium, however, may come from landowners and developers who consider such restrictions an infringement on the rights of property owners.

# Dunn puts 2-year moratorium on development

By KATHY SODERBLOOM

STOUGHTON — Following a lengthy and emotionally-charged public hearing, the Dunn plan commission and town board moved Tuesday night to clamp a two-year moratorium on any further development in the town.

The ordinance enacting the moratorium was unanimously recommended by the commission and approved on a 2-1 vote by the board. It prohibits the division and subdivision of land, including division of certified survey maps. It does not apply to any preliminary or final plats or certified survey maps which have already been officially submitted to the plan commission.

Commission Chairman Ron Larson said that six plats and a number of certified surveys which total about 300 lots have been presented to the town board thus far in 1977. Of these, three plats were officially presented to the plan commission.

One plat known as Keeley Estates was rejected by the commission and board last night. It contains 57 lots and was presented by Frank Baxter.

The purpose of the moratorium is to allow the commission time to develop a comprehensive master plan and implementing ordinances. The moratorium ordinance allows an easing of the development prohibition after the plan commission has completed preparation of a land use plan

but before it is officially adopted.

Voting against the moratorium was board supervisor Sid Hanson. "It's the plan that comes later that we fear," he said. "You can change the value of parcels of land by several thousand dollars," he argued, "by taking away the farmers' right to develop his land."

Hanson argued that a plan is being forced upon the farmers and even if every farmer voted against it in a referendum, it would still pass because they no longer constitute a majority in the town.

Board Supervisor Ed Minihan replied that farmers lose control as a result of subdivision developments in a rural community.

Minihan and board chairman Cal DeWitt appealed to the farmers and others who oppose or fear the plan to work with the commission on its development.

The public hearing on the moratorium proposal revealed a bitter conflict between proponents and opponents.

Madison attorney William Fahey presented a petition opposing the moratorium which was signed by 205 residents or landowners in Dunn. Accompanying the petition was a map of the town which illustrated the number of acres represented by the petitioners. It clearly covered more than half the land area. He said it involved 8,402 acres.

(Continued on Page 4, Col. 1)

## Ban in Dunn

(Continued from page 1)

The basic objection, he said, is that the ordinance is a land use ordinance rather than a land division ordinance. He questioned the authority of the town to impose such an ordinance and said it would conflict with county ordinance.

He called it a "very severe restriction" on the rights of land owners, developers and individuals who want to move into the community.

Charlene Fiedler voiced her opposition to the commission and the moratorium. "Most of the people affected by this are dirt farmers," she said, "and we're not represented by the commission."

"All we want to do," she said, "is keep our freedom and freedom of choice in a democratic way. I resent being told what to do with our lives."

There were other farmers, however, who supported the moratorium. "I can see development all around me," Bob Uphoff said, "and I don't like it."

Referring to farmers who want to farm and yet retain the right to sell the land for development, he said: "We're asking for our cake and eating it too. It seems a little selfish on our part."

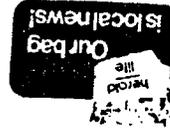
Jim Schermecker, who farms 650 acres of which 210 are in the town, called the argument about development rights a "phony issue." He contended that no one owns land without incurring some duties to the land. Those who wish to do what they please, he said, should consider costs to the town such as that resulting from a drainage problem on Colliday Point. He said the town has spent more than \$10,000 in legal fees to defend against lawsuits from property owners because unplanned development took place.

He claimed there are only about six farmers in Dunn who have kept up their land for farming and the rest are "sitting around waiting for a windfall."

Concerning the absence of a working farmer on the commission, he said: "I don't need someone up here dripping manure. I think one person in the room is enough."

Harlow Hawkinson, a non-farmer, spoke in opposition to the moratorium. "I think the farmers are in a vise," he said, "and they're being squeezed by the commission and so-called people who just move into the township, and I think this is wrong."

Jim Taylor said it is ironic that the landowners sold land to these people who wanted a rural atmosphere and now the landowners resent the fact that the residents want to maintain that atmosphere by controlling further development.



# Community life

mcfarland



## Master plan

Work continues on the town of Dunn master plan with the plan commission preparing maps of the town's farms, wetlands, public utilities, historic and scenic sites and other information important to town planning. Above, University of Wisconsin landscape architecture instructor Tom

Lamb, center, who, with his class, is assisting the town with mapping at no cost, shows the commission some of the work that has been done by his students. They plan to complete their work in December.

# Dunn urges Dane county towns to change ag zoning procedure

by Tom Thrun

With prompting from town of Dane officials, a majority of towns in Dane county have approved an amendment to the county zoning statutes giving towns the option to decide for themselves whether or not they wish to adopt exclusive agricultural zoning as a device to help protect towns from unorganized urban sprawl.

The amendment comes on the heels of a similar action, bill 1937, which recently was defeated by a majority of the towns because it did not offer them the opportunity to rule themselves, according to town of Dunn plan commission chairman Ron Larson. The bill stated that all agricultural lands would be zoned exclusively for agriculture, requiring developers or farmers wishing to develop part of all of their property to apply for rezoning before submitting a proposed plat. Currently, zoning changes are not required for single-family homes on agricultural land.

The new proposal would establish two types of agricultural zoning - A-1, which would allow homes to be built on farm land without a zoning change, and A-2, which would require the zoning change.

Larson proposed the amendment at a meeting of about one-third of the county's towns in Cottage Grove Nov. 9. Much to the surprise of Dunn officials, the proposal passed unanimously, according to town chairman Jack Prendergast. A similar meeting in the town of Roxbury saw the same results, but the proposal was tabled at a third meeting held Nov. 16 in Verona.

Executive chairman of the Dane county Towns' Assn. Harland Dahlk said town of Oregon chairman Philip

Peterson moved that the proposal be tabled until the meeting of the association as a whole in December or January.

Larson said a majority of the towns had voiced support for the amendment and that he saw no reason for the towns' committee established to look at the county zoning law not to begin its work to establish the exact wording of the

amendment.

Larson's initial recommendation to the towns was to give the towns' committee three months to prepare and present to the county zoning committee and board an amendment to the zoning laws along the lines of bill 1937, but allowing exclusive agricultural zoning to be adopted at the discretion of individual towns.

Prendergast noted that since

Dunn's moratorium on plat and certified survey approvals this past summer, developers have been bombarding other nearby towns, creating a sudden turnaround in attitude on developing of plan committees and commissions to begin work on town planning. All towns were offered help in mapping resources by the county regional plan commission.

Community life

McFarland, WI 53558  
November 24, 1977



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serving the village of mcfarland;  
town of dunn, mcfarland school district

## Historical map may guide Dunn's growth

by Doug Peterson

Before heavy construction equipment rolls and post-moratorium development in the town of Dunn is in full swing, there is a new map that might be consulted. It is a historical map of Dunn, drawn by University of Wisconsin students under the direction of Tom Lamm, extension specialist with the environmental awareness center.

The historical map is one of more than ten made for the Dunn planning commission. The maps describe characteristics such as soil limitations for septic systems, soil capability for agriculture, woodlots and natural vegetation.

According to Steve Hoffland, graduate student in landscape architecture, the main function of the historical map is to pinpoint historical sites so they might be preserved.

Lamm said, "We want to try and show people what they have. They can make the decision of what to save, but at least they'll know what they've got."

This historical map, which covers the span between 1850 and 1900, goes into greater detail than its two predecessors—a map published in 1974 by Historic Madison, Inc. showing marshlands, prairies and Indian trails in the four lakes region between 1832-34 and the town of Dunn map included in *Rural America Revisited—Town of Dunn Bicentennial Tour Guide*.

Hoffland's map not only combines the attributes of these two maps—marshlands, prairies, Indian trails and settlement sites—but it shows Indian mounds and villages.

It also traces the Madison-Janesville stagecoach route.

Hoffland used the Historic Madison map and Dunn bicentennial map as two of his sources.

Interviews with Dunn residents like Milo Schneider, Milo Edwards, Margaret Lalor and Lorraine Hawkinson provided details on local folklore.

Edwards pointed out, as a boy, his family physician was W. G. McLachlen, who was also an amateur archaeologist and had published articles on Indian mounds and villages in copies of Wisconsin Archaeologist in the early 1900's.

McLachlen's articles, provided Hoffland with descriptions of Indian mounds, villages and trails the Dunn bicentennial map had missed.

The map plots 52 "settlement features" and 37 Indian mounds and

villages. A "settlement feature" can be a remnant of a farm or even a graveyard.

Most of the Indian villages clustered on the west bank of Lake Kegonsa. Lamm said the Indians probably centered in this region because, "they wanted to be close to the hunting and fishing."

Also most of the Indian trails converged on the area near the lake.

There are few Indian villages or settlement features in the southwest section of the map because Hoffland said, McLachlen did not do much research in those areas.

Lamm said there is a trade-off in drawing up a historical map—good and bad. Though it lets people know where historical sites are so they can be preserved, "it might alert people without good intentions," he added.

He said he is concerned that people might dig up these sites, but is confident the people of Dunn will keep a good eye on them.

"They'd know if someone was trespassing and digging in historical sites," he said. "People in Dunn are conscious of their environment."

The historical map and the other study maps, will be hung in the Dunn town hall. The students will present the maps to the planning commission Jan. 4.

Lamm said he liked the fact that students were able to do a project which gave them an educational experience and helped the town at the same time.

"It was not simply an empty academic exercise rolled up and put away in a closet," he said.

## Dunn tax rates set

Pete Melone, assessor for the town of Dunn, has announced the 1977 tax rates for the town.

For those in the McFarland school district the net rate per \$1,000 assessed valuation is \$16.10. In the Oregon school district it is \$17.71 and in the Stoughton district it is \$18.38.

The 1977 assessment reflects full market value, whereas the 1976 assessment was based on 37% of full market value.

Melone says that if anybody has questions regarding their assessed value, contact him at 835-3364.

— please turn to page 12 —

# Crowd at Dunn's plan meeting shows land use is hot item

By KATHY SODERBLOOM  
Capital Times Correspondent

STOUGHTON — Based on the turnout of area officials to the Town of Dunn's planning meeting Tuesday night, local land use planning appears to be an idea whose time has come.

The Town Plan Commission had invited neighboring town, village, and city officials to meet with them as they unveiled the first stage of their planning process — an impressive series of maps denoting existing land uses, soil limitations and capabilities, topography and drainage, district boundaries, parcel size and ownership, historical sites, and recreation and open space design options.

"We hope to establish a level of communication with our neighbors," Plan Commission Chairman Ron Larson told the full house at Dunn Town Hall. "Anything any one of us does can affect the rest of us."

The Dunn Plan Commission was established in May, Larson explained, and it has been meeting almost weekly. One of its first acts was to recommend a moratorium on division and subdivision of land, which was passed by the town board to be effective until June 1979. In August the town adopted a subdivision ordinance patterned after one adopted by the Town of Fitchburg.

To identify the existing community resources, the commission enlisted the assistance of Thomas Lamm, University of Wisconsin-Extension specialist at the Environmental Awareness Center and Department of Landscape Architecture. Lamm and his students from the Regional Design Workshop produced the maps and explanatory fact sheets.

The facts reveal the decline of farms and farmers in Dunn and an upsurge of population and residential development. From 1968 to 1976, the total land in farms decreased by 44 percent. The population increased by 24.3 percent from 1970 to 1975, as compared to total growth in the county of 5.3 percent.

At the same time there was a dramatic increase in residential construction. Parcels created by subdivisions and certified surveys jumped from 25 in 1975 to 113 in 1976. Since 1969, the town has issued 469 building permits.

Ownership of agricultural land was also identified by Lamm: "Only a third of the agricultural land in the town is owned and worked by the resident owner." Nonresident farm operators own and work 4.4 percent of the land while 38 percent is owned by town residents but leased for agricultural use.

The 22.1 percent owned by nonresidents is identified as "most likely to be developed because the owners of the land own it almost entirely for speculative purposes." A large concentration is located in the center of the town south of the Yahara River.

Following the presentation, some residents voiced their objections to the commission. Lyman Hawkinson said the commission was composed of nonfarmers and outsiders while "the only land we're talking about is what the farmers own." He said his family has never developed any land nor do they plan to develop any, but he would like to have his children build homes on his property.

Mike Bullock argued that farmers can't make a living on the land and the town is close enough to Madison to make it favorable for development. "If you kicked out everybody who didn't make a living here," he said, "you wouldn't have a problem." Bullock said he had been planning a development in Dunn before the moratorium.

Town Chairman Jack Prendergast reminded the residents that the intent of the meeting was to share information with other officials. He said the residents will have ample opportunity to express their views at other meetings.

Jim Bradley, a candidate for Dale McKenna's Senate seat, said local planning will not be effective unless the Legislature makes it "palatable to farmers."

Town of Sun Prairie Planning Committee member Gregory Blaska criticized the different standards used to regulate septic and sewage systems. He said the Department of Natural Resources can stop any further sewage system construction based on treatment plan standards while septic system use is allowed to continue. Within 10 years, septic systems usually fail, he argued, but rural development is encouraged when the DNR halts further extensions on sewage systems.

**THE CAPITAL TIMES**

**State News**

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# Dunn Holds Firm on Moratorium

By MARGIE JONES

Dunn planners denied two requests to subdivide land at the Feb. 22 Dunn Planning Commission meeting, because they "did not want to jeopardize the town's two-year moratorium on subdivisions."

Ann Whalen, who owns land along the Rutland-Dunn Road, said she wants to sell her house plus five acres, and rent out the remaining 35 acres for farming. The Whalens plan to build a new home on a handful of acres in the back of the tract where "the land is not suitable for farming," but they cannot begin to build until their present home is sold. They are asking permission to subdivide their land now because they fear their new house will not be completed before next winter if they must wait until the moratorium's procedural variance goes into effect Aug. 18. According to Whalen, it takes about four months to complete a new house.

Although the plan commission commended Whalen's intention to "preserve agricultural land and use land that has no agricultural purpose," planners decided to "protect the moratorium for the greater good of the town." Members decided to "postpone decision" on the Whalen request until the commission begins to "tackle such problems."

Terry Halverson, Dunn resident, also asked planners for permission to subdivide land on "behalf of Mrs. Roger Uphoff who has a farm at the corner of Hawkinson and Schneider." According to Halverson, Mrs. Uphoff has "about 17 acres, and she wants to sell the east end with the house on it, and build a new home on the west end." But the commission turned down the request, promising to inform Halverson when members begin discussing such problems, "hopefully

Oregon Observer, Thursday, March 2, 1978

## Dunn Stands Firm

(continued from Page One)

within the next month."

"We must find some way to subdivide such lands logically," said Chairman Ron Larson.

Linda Dennis, town hall aide, reported that there are "about 575 vacant lots in town that are platted." Discussion between commissioners and audience members, however, established that not all the lots are "available or suitable for building." Some lots may be in flood areas and some lots may be too small to build on. But planners said not all of the town's newer subdivisions were included in the number of platted vacant lots and some larger sites may be split into smaller ones.

The commission passed a motion "requesting that the town board approve the outline for the planning work program for Dunn by the

regional planning commission."

At the Feb. 21 Dunn Town Board meeting, members read a petition calling for a "road name change" signed by 100 percent of the homeowners living on the streets. Residents along Young Woodland Drive, Young Lakeview Drive and Young Lakeview Terrace, asked that "Young" be deleted from the road names because it made addresses "extremely long and cumbersome." The board passed a motion to endorse the request and to pass it on formally to the county.

Board Chairman John Prendergast announced that town board members would meet with officials involved with the proposed expansion of the Kegonsa Sanitary District on March 2. Prendergast stressed that although the meeting would be "an open meeting by law," it would "not be a public hearing."

# Kegonsa compromise is reached

by Doug Peterson

On Apr. 12, at 10:15 p.m., it would have been appropriate for a band to be playing in the Dunn town hall.

There was a festive mood as the Kegonsa sewer district officials and the Dunn planning commission finally reached a compromise on what lands should be invited into the district.

The controversy began over two months ago when district officials presented preliminary maps on how much the district should be expanded. Their map stuck exactly to the boundaries suggested by the farm home administration (FmHA)—it included all lands adjacent to the proposed sewer lines.

The district, which is 11 years old, still does not have sewer lines, and in order to get them, it needs a grant from the FmHA.

But the planning commission began questioning many areas which the FmHA suggested should be invited into the service—particularly lowlands and open areas. Then the commission made its own map which proposed a smaller expansion than the district's.

District officials urged the commission to agree to the larger map because the more lands in the district, the more people there will be to help pay for sewer costs; and thus, the better the chances would be for an FmHA grant.

But the commission maintained that it has more than economic responsibilities to town residents. It did not want to see high density development around the lake.

So last week a compromise was reached between these two maps.

There were four main areas of contention—land north of the lake owned by Mueller inc.; two areas west of the lake owned by Arnold Thompson and Truman Felland; and land south of the lake owned by Minnie Anderson and the Lutheran church-Missouri synod.

The commission did not want these areas to be invited into the service and the district did.

The compromise was this—the Anderson and church property will be invited in, while the Felland land will be kept out; and the Thompson land will be invited in, while most of the Mueller inc. property will be kept out. The only part of the latter to be invited will be a strip along hwy. AB.

This does not mean these lands will be annexed to the district—they will be given the option to join.

The unresolved question is whether portions of a tax parcel can be added to the district or whether entire pieces of property must be included.

In some areas, the commission wants to serve existing homes without having to bring in that person's entire piece of property.

The commission and district agreed that if it is legally possible to include only a portion of a piece of property, it would be done.

The main concern of Lloyd Schneider, district attorney, is that if the sewer boundary does not follow a tax description, the district might face legal squabbles over where the boundary is.

Rich Nordeng, Dunn attorney, pointed out that the town would be responsible for where boundary lines are drawn.

Schneider said the next step is to send the expansion agreement to the FmHA with revised figures.

Then the wait will begin for FmHA's decision whether a grant will be given.

community life

mcfarland, wi 53558

april 13, 1978 —

## Residents join commission in Dunn land use study

by Doug Peterson

Ron Larson, Dunn plan commission chairman, said that one of the commission's philosophies is that "anything is open for discussion."

And almost everything was up for discussion at last week's public hearing concerning the commission's work on the Dunn land use plan.

The commission and an estimated 35 people at the meeting scoured a number of topics in a three hour session.

John Thompson, Mahoney-Evans road, said he thought the present minimum lot sizes—one acre for sewerred lots and five acres for unsewerred—are too large and "breeds an exclusive type of neighborhood."

Ed Minihan, commission member, explained that those minimum sizes, specified in the subdivision ordinance, were made large because the ordinance was designed as a backup in case Dunn's two-year moratorium on the subdivision of land should be challenged in court.

Larson said the commission will lower the minimum lot sizes sometime before Aug. 19, when the moratorium variance procedure goes in effect and certain land divisions can be approved.

Thompson also suggested that the commission form buffer zones by not allowing development right next to a lake and river.

Pete Melone, Dunn town assessor who said he was speaking "as a Dunn resident," then brought up the question of how duplexes should be treated.

He said that since there already are duplexes in town, they couldn't be banned. He said the question is whether they should be kept in clusters or dispersed.

Melone pointed out that in areas in Oregon where duplexes are

clustered, they are eye sores. But he said duplexes which sit alone, often blend with the environment.

Larson said the commission all along has believed that the "best residential use was single family homes. People moved to the country to get away from density."

Commission member Dave Houghton pointed out that high density also increases the need for a commercial district.

Don Johnson, Dunn resident, said that if the town decides to allow duplexes, it could require them to be built on larger lot sizes.

"That sounds logical," Minihan said, "which means it's probably illegal."

Melone also suggested that maybe an architect's review board could

### Public hearing to discuss Aberg case

The Dunn town board has announced there will be a public hearing June 6 on Robert Aberg's request for the town to build a road to reach a home he plans to build in northwest Dunn.

It will be at 7:30 p.m. in the town hall.

To reach the home, the road would run through marshland and across Swan creek from the north end of his land.

The town already is contesting the county board of adjustments' decision to grant Aberg a permit to put fill on marshland so he could build a driveway to his home.

The permit is necessary in cases where more than 1,000 square feet of fill is to be put within 300 feet of a navigable waterway.

control the design of duplexes.

Minihan said the commission stopped short of forming a review board because "we were afraid of that. The notion of ugliness or beauty is in the eye of the beholder."

The continuing question over the commission's policy of requiring developers to put in sidewalks, curb and gutters in new subdivisions made its regular appearance at the meeting.

Some residents thought sidewalks, curb and gutters cause too much runoff into lakes, while others, including some commission members, cited safety hazards caused by the lack of sidewalks.

Mike Bullock, Dunn resident, also said he did not think the commission should require developers to put "closed loop" water systems in subdivisions because it will make those areas more "city-like."

The commission maintained that the "closed loop" water system is crucial for fire protection.

One resident also suggested the town build bicycle trails, another said an historical committee should be formed to study the preservation of historical sites and yet another said a noise control ordinance should be considered.

mcfarland

# community life



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erving the village of mcfarland,  
town of dunn, mcfarland school district

## Dunn passes exclusive ag zoning

by Doug Peterson

The town of Dunn last week became one of the first communities in Dane county to approve an exclusive agriculture zoning ordinance.

The controversial ordinance was made available to municipalities last month when the Dane county board gave it a 31-9 approval.

The Dunn town board approved exclusive ag zoning by a 2-1 vote.

Thus, all Dunn property now zoned agriculture will become part of the "exclusive" ag zoning district.

Other municipalities that have approved exclusive ag zoning are the town of Madison, Rutland and Pleasant Springs.

Board member Ed Minihan said that prior to exclusive ag zoning, homes could be built on property that was zoned just agriculture. In fact, he pointed out that the Meadowview subdivision in northwest Dunn was built on agricultural zoned land.

Under exclusive ag, a zoning change is required before the property can be built on.

There are exceptions. For example, the ordinance permits "single family dwellings or mobile homes occupied by parents of children of the farm operator."

Also, Minihan said the state farmland preservation board has tentatively approved that farmers with exclusive ag zoned land can qualify for a larger tax break under the farmland preservation act than farmers

with property zoned just agriculture.

Sid Hanson was the only Dunn board member to vote against exclusive ag zoning, while Minihan and town chairman Jack Prendergast

supported the ordinance.

Hanson said he voted "no" because individual farmers should be given the right to choose whether they want their land zoned exclusive ag. He said the ordinance "locks" all Dunn farmers into the new zoning.

He said farmers will not have the option to build on their land, even though the ordinance permits building if a zoning change is made.

The town has a "no grow" attitude, Hanson said, and will never approve zoning changes.

Prendergast responded, "We're not against growth. We're just for orderly growth."

Prendergast also pointed out that people often confuse exclusive ag zoning with the farmland preservation act, which gives farmers tax breaks for keeping land agricultural.

Exclusive ag zoning doesn't force farmers to sign up for the farmland preservation act, he said. It's still the farmer's choice.

The board then announced it will bring in a county agricultural agent to explain how a farmer qualifies for the farmland preservation act. No date has been set.

In other action, the board:

—approved an ordinance controlling boat speed along the Yahara river from its entrance into Lake Kegonsa to the McFarland border. It requires boats to travel, "slow, no wake."

There will be no more than a \$50 for the first offense and no more than \$100 for subsequent offenses within one year.

—confirmed terms for planning commission members: three years for Dave Houghton and Rosalind Gausman; one year for Ron Larson and Margaret Lalor; two years for Lorraine Hawkinson and Dave Joranson.

# Dunn Plan Board Grapples With Growth Problems

By SALLY QUAMME

Do the Kegonsa area residents identify with the Town of Dunn or Stoughton? That was one of the questions asked by Dunn Plan Commission chairman Ron Larson at the Plan Commission meeting on June 28.

Approximately 18 Kegonsa area people attended the special meeting planned to gain input and give information to the people from this area of the township. "I think we have the cream of the crop; those who really give a rip, and I would just like to know how we can spread this around," remarked Larson.

**LARSON OPENED** the special meeting by explaining that the plan commission was composed of a well-balanced group consisting of three men and three women, plus another member who serves as a liaison between the commission and the town board, all coming from different areas of the township with varied backgrounds. The eight prime areas of the commission have been: transportation, farm lands, public services, the environment, industry, park or open lands, housing, and growth trends.

When the commission first started its work about a year ago, there were 300 requests for developments of one type or another in a four month period. Because the commission felt they must have adequate time for planning, a two year moratorium was established and the commission started setting up a schedule for their planning which has included weekly meetings, special meetings with interest groups, residents, and surrounding communities.

At present, the commission is working hard to meet the August 19 variance schedule deadline at which time they have to be aware of the best guess of what subdivisions there should be, their size, locations, etc., and the land uses within the township.

**LARSON EXPLAINED** that through the entire process, the commission has been and will be trying to meet their goal of developing the best plans for the

town with resident participation. The commission is also at work setting policies for next year, including allowing continued development of large lots already sewered and plotted as long as they are compatible with surrounding areas, after the August 19 deadline; setting criteria for allowable lot size divisions on large lots, salvaging valuable lands for some development as long as the development would actually enhance the agricultural character of land; and to promote building in the over 600 identified buildable lots at the present time.

It seemed to be the general opinion of the people present at the meeting that it is very difficult to set a limit on the size of lots to be developed. After resident Mike Bullock told the group that the Stoughton school census-taker informed him of the decrease in school enrollment despite the addition of over 100 developments, Jim Bradley, a past board member of the Sun Prairie Town Board, reminded the commission that if they plan to limit growth, they should take the school districts into consideration. Bradley contended that much tax money is generated within these districts and that if there is a portion of the township within a given school district with a declining enrollment, that might be the best place to encourage development.

Bradley also expressed his concern for concentrated development causing drainage problems and suggested that each development have a preplanned watershed district paid for by the landowners or developer so that nobody has to suffer from water runoff created by development.

**BULLOCK AGAIN** reminded citizens that lot sizes could be varied according to ecological criteria and controlled through deed restriction.

Resident Terry Rouby asked if the town could legally get involved in what he termed "zone contracting," which is illegal. Larson explained that a new amendment to

the Dane County zoning standards now allow townships to use deed restrictions.

Resident Stanley Sitts suggested that using Dane County's population versus the population within the township to estimate the number of people per square mile and then use this as a formula based on the county's people per square mile and this would give the

township a handle with which to control growth.

Larson answered by asking where these developments would go. Sitts replied that first the board would need to know the numbers and this would determine where the developments would go. This type of plan is being used now in Boulder, Colorado where developers must be on a waiting list and

the developers with the best services and locations get chosen to be allowed to develop areas.

**LARSON, TRYING** to get input from the residents asked, "At what rate should the town grow? The pressure is intense even without controls. The commission has found that Dunn's growth rate was

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## Dunn Plan Board

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more than triple that of Dane County."

Rouby asked if there is a mandate as to when a town reaches a certain population they have to provide services such as police and fire protection. Larson replied that the town is almost at the threshold now. The police department from McFarland, which services parts of the township, has felt that Dunn should have its own police force for a long time.

Town Board chairman Jack Pendergast interjected that the police problem is now being worked on with hopes of developing protection via a contract with the county police

very strongly about avoiding these types of problems with any future developments within Dunn.

When Larson told the group that some growth is necessary and that the town "can't be an island onto itself," Rouby asked, "Why can't we be an island onto ourselves?"

Larson retorted that not allowing any growth would lead to certain serious legal problems. Rouby then

explained that he was not against growth; but that he meant slow, structural growth. As he explained, "We certainly have been a leader so far and I feel we should continue that leadership."

When asked if there were any cost studies done on services, Larson explained that the best example is from Fitchburg where residents pay about \$300 per year town tax in addition to all other taxes. Fitchburg is about 2 to 3 times larger in population than Dunn with a budget of \$1.4 million as opposed to Dunn's \$200,000 budget.

**DRAINAGE PROBLEMS** were discussed with tales of destruction from the villages of Oregon and McFarland and Fitchburg. Development would cause more drainage problems and the commission feels

# Dunn Sets Subdivision Guidelines

By RICK MOONEY

The Dunn Town Board voted 2-1 to approve a new subdivision ordinance at the Aug. 15 meeting.

**THE NEW ordinance, which is** basically a revision of an ordinance adopted in August of 1977, lowers the minimum lot size from one acre to 20,000 square feet in sewered areas, and from five acres to two acres in unsewered areas.

The new ordinance also requires:

- sidewalks in sewered areas, but leaves the need for other street improvements, such as concrete curb and gutters and ornamental street lights, to the "sole discretion of the plan commission."

- a developer, at his own expense, to notify persons who live within a quarter mile of the proposed development.

- the developer to pay, to the town, a fee of \$15 plus \$1 for each lot or parcel within the preliminary plat or certified survey at the time the application for approval of the plat or survey is filed.

- the developer to deposit, with the town, \$500 plus \$100 for each lot or parcel to guarantee the payment of engineering, inspection, and attorney's fees.

- drainage easements to substantially maintain existing water flow patterns onto neighboring lands, where feasible.

**SUPERVISOR SIDNEY Hanson** cast the dissenting vote even though he labelled the new ordinance "a good one."

Hanson said, "It's a strict ordinance, and a cautious one, but I guess it has to be that way. My main objection is to the two acre minimum in unsewered areas."

Hanson explained that he felt two acres was unacceptable be-

cause it required people to purchase something they didn't necessarily want and, in many cases, couldn't take care of.

"I'm thinking basically of the retiring people in the area," he said. "Two acres requires a lot of maintenance. I think a one acre minimum would be much more reasonable."

Ron Larson, chairman of the Plan Commission, said that the commission felt the two acre minimum was in the best interest of the town.

**"WE BELIEVE that two acres is** both economically feasible and aesthetically acceptable," said Larson.

Town Chairman John Prendergast asked Larson if he felt the new ordinance gave enough attention to erosion control.

Larson answered, "Frankly Mr. Chairman, planning has been such a full-time job that we haven't given erosion control sufficient consideration."

Larson promised the board that the commission would devote more attention to the subject of erosion

control before the moratorium ends next June 14.

In an action related to the ordinance, the board passed two resolutions that establish policies for variances to the moratorium.

**ONE VARIANCE will allow land** divisions in sewered and platted areas if the divisions are compatible with the surrounding neighborhoods, meet the minimum lot size requirement of 20,000 square feet and are accompanied by a request to re-zone the new lots R-1.

The other variance will allow landowners to create one new lot for every 35 acres of land owned provided they meet the two acre lot minimum and request a change from exclusive agricultural to rural home zoning. Because this right "runs with the land," a change in ownership will not permit additional divisions.

**ACCORDING TO Larson, the** principle reason for developing these variance policies was to "find ways to help people who may have been hurt by the moratorium."

Hanson repeated his dissatisfaction with the two acre minimum and voted against the second variance proposal.

Oregon Observer, Thursday, August 24, 1978—

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## Restrictions On Developers In Dunn Are Legal, Judge Rules

By RICK MOONEY

A Dane County judge recently ruled in favor of the Dunn Town

Board in a case which questioned the board's right to impose certain conditions on developers before approving subdivision plats.

In a memorandum decision filed on August 30, Circuit Court Judge Michael B. Torphy stated that the board had sufficient authority, under section 236 of the Wisconsin State Statutes, to stipulate four conditions to Frank and Elizabeth Baxter before allowing them to plat 80 acres of land on Schneider Drive.

**THE BAXTERS** decided to challenge the board in court last January. At that time, the board told the couple that it would not approve the plat for Keeley Estates (the name of the subdivision) until the couple had provided:

- (1) two or more closed loop water systems with fire hydrants
- (2) a peripheal chain link fence
- (3) sidewalks on both sides of the streets
- (4) a curb, gutter and sewer system

According to the memorandum, the Baxters argued that the board's requirements were "arbitrary, unreasonable, and discriminatory."

Torphy ruled that the conditions imposed by the board are "public improvements reasonably necessary to accomplish the purposes of the platting statutes."

"They (the conditions) do not constitute blanket interdictions," Torphy said. "They are merely one

way in which a governing agency such as the Town Board can approach the problem of providing necessary public services when an influx of people is anticipated."

**TOWN OFFICIALS** were jubilant when they learned of the decision.

Ed Minihan, a town supervisor and member of the Plan Commission, said that Torphy's ruling was a "great one for the town."

He added, "We imposed the kind of improvements that we felt were consistent with what we're trying to do. In effect the decision says that we can have subdivisions in the town without leaving ourselves open to the kind of future problems that subdivisions can create."

Plan Commission Chairman Ron Larson called the decision a "landmark decision for Town of Dunn and for all towns in general."

"Torphy's decision means that we have the right to be reasonable," Larson said. "We know now that we're on solid legal ground as long as we set reasonable standards for developers."

When contacted, Frank Baxter refused to comment on the decision.

# Dunn Plan Commission Takes More Heat

By RICK MOONEY

Baseball may still be the national pastime in most of the country, but questioning the motives of Plan Commission members seems to be gaining popularity as the number one participation sport in the Town of Dunn.

At last week's commission meeting, Orma Uphoff, 2083 Hawkinson Road, joined the ranks of the enthusiasts of the new sport when she accused the commission of trying to keep people from moving to the township.

"You came out here, bought land and built your house. Now that

you have what you want, you don't want anybody else out here to spoil it for you," Uphoff told the commission.

Uphoff made the remark after the commission told her that she did not have a valid reason for planning to divide a 17 acre parcel into two parcels (one of ten acres and one of seven acres.) She planned to sell one of the lots and use the money from the sale to build a house on the other.

Commission Chairman Ron Larson explained to Uphoff that the division could not be allowed because the commission policy set the minimum acreage for such a

division at 35 acres.

"I wish there was a way we could say that you can do whatever you want to do," Larson said. "But I don't see how allowing you to do this at this time can be anything but harmful to the goals of this commission and the welfare of the town. If we change the policy for you, we have to change it for the entire town."

In other business, the commission met with K.W. Nuernberg, 4627 Highway B, to discuss Nuernberg's plans to split a 6.3 acre parcel into 3 lots. The commission asked Nuernberg for more time to study his request because one of

the resulting lots would not meet the two acre minimum lot size required by the subdivision ordinance for unsewered, unplatted areas.

Larson said that Nuernberg might have a legitimate request because his property is in a platted area and is also located across the road from a subdivision.

"I don't see a big problem with this particular request," Larson said. "My concern is what will go on in the rest of the town if we allow it. I think we might be able to change our policy to allow divisions of this kind in unsewered, platted areas."

The commission also: •voted to recommend that the town board approve the division of Clyde Lund. Lund plans to divide a lot on Berkan Street into two lots. The commission set individual wells, the payment of a park lands dedication fee and the dedication of a 66 foot right of way as conditions of approval.

•voted to recommend the approval of the division of Vincent and Catherine Pieper, 383 Beale Street, into three lots. The commission waived the right of way requirement for the division because Beale Street is a dead-end street.

# Variance Problems Continue to Aggravate Dunn

By RICK MOONEY

At a brief meeting last Wednesday night, the Dunn Plan Commission continued to discuss the question of how to deal with unsewered, platted areas in developing a town policy on land divisions. The discussion centered around two requests for variances to the

town's two year moratorium on land divisions that had been presented to the commission at the September 13 meeting.

At that meeting, Kermit Nuernberg, 4627 Highway B, asked for permission to split his 6.3 acre parcel into three lots. He explained that he intended to keep one lot for himself and give the additional lots to his two daughters.

The other request came from Orna Uphoff, 2083 Hawkinson Road. Uphoff wanted to split her 17 acre parcel into lots of ten and seven acres. She said that the present parcel was more than she needed and that she intended to use the money from the sale of the larger lot to build a new home on the seven acre piece.

The present variance policy,

which was developed to help people who had been caught by the moratorium, allows landowners in unsewered, platted areas to create only one new lot (of at least two acres) for every 35 acres they own.

The commission members said that while they were sympathetic to the request of both Nuernberg and Uphoff, they felt that they could not grant a variance to either person

because of the impact that such an action could have on the rest of the town.

Commission member Margaret Lalor expressed concern that granting a variance in either case would "open the floodgates," for people with similar requests. Lalor said she favored a hard line on variance

he can already make two very large and very nice lots under our present policy," Gausman said.

About Uphoff's request, Gausman said, "I can't agree with her about not needing that much land. It shouldn't make a difference when we consider granting a variance. She should have thought about that when she bought the property."

Ed Mimihaan suggested that the commission invite Nuernberg and Uphoff to the October 11 meeting. He said that the commission could explain to both parties that while it could not grant a variance at this time, the commission members would keep both requests in mind when developing the town's master plan and policy for unsewered, platted areas.

requests and that she would continue to do so until the town had developed a definite policy on unsewered, platted areas.

"If we proceed and grant variances now, we have already made our policy for unsewered, platted areas," Lalor said in regard to Nuernberg's and Uphoff's requests. "How can we approve these requests and turn down someone else who has a similar request?"

Rosalind Gausman said that she felt that neither Uphoff or Nuernberg had sufficient reasons for requesting a variance.

"I would feel uncomfortable recommending a variance for Mr. Nuernberg to make three lots when



# Preserve Dunn's Ruralness —Plan

By RICK MOONEY

Maintaining the rural character of the town is the main thrust of a goals and policy statement recently developed by the Dunn Plan Commission. The commission prepared the statement to help town officials in making decisions about "the magnitude and location of new development" in the town.

Ed Minihan, a member of the commission, explained why the commission felt the rural areas should be given number one priority in town planning.

"We have some of the best farmland in the state," Minihan said. "But there's just not that much of it left. And we want to make sure farming remains a viable alternative in the future."

Limiting the number of building permits the town issues (for non-farm housing units) is one way the commission hopes to preserve farmland. The statement suggests that 36 permits each year would be adequate.

"It is a further goal of the town" the commission members said in the preamble to the statement, "to direct 60 percent of the growth to existing developable lots; 30 percent to the rural homes concept area; and 10 percent to sewerred areas."

Minihan defended the seemingly small number of permits to be issued by pointing to the fact that there are many lots open in subdivisions and to the fact that the "push outward" from Madison has slowed in recent years.

Minihan said, "If this was the late 1940's and there was significant population increase in the Madison metropolitan area, we might have to allow more development. In the future, we also might find that we need more development. But right now this might appear to be the best course."

When asked if there would be legal problems involved in restricting the number of building permits, Minihan replied that the number was only a guideline, not an actual figure.

"But I believe it's legal," he said. "We had a moratorium that no one thought was legal either. But it stood up."

Minihan also said that he

believed the proposal was not anti-development in nature. He said that other areas in the state have much more severe rules concerning development in farm areas.

"The town of Vermont doesn't allow land divisions smaller than

ten acres," he said. "The City of Madison has a stringent policy about building. They don't restrict the number of buildings through permits, but their rules and regulations about building are stringent, almost prohibitive. The philosophy is the same, even if it's expressed different."



McFarland

# community life

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## Planners examine rough draft on the Dunn land use plan

by Doug Peterson

The title reads, in bold black, "Land Use Plan, Town of Dunn, Wisconsin."

The Dunn planning commission last week got a chance to examine the first draft of its land use plan.

The plan is broken into several sections: an introduction and statement of purpose; background, material such as population and development trends, town resources, and a description of Dunn's sanitary districts; the goals and objectives; the land use plan; and ways to implement it.

The most notable point concerning the land use plan was an explanation of why the commission's "Boulder plan" was left out.

The Boulder plan, modeled after one in Boulder, Co., would limit the number of building permits issued every year in Dunn.

Ron Larson, commission chairman, said the plan was left out because, "Our attorneys strongly believe this can't be enforced. But we haven't asked for a formal opinion."

Larson pointed out that Colorado

law permits Boulder to limit building permits, but in Wisconsin, the plan would stand less of a chance in court.

"We should keep working on it," he said. "I would like to see it."

But the commission spent little time discussing the actual land use plan portion, and instead concentrated its work on the latest draft of its goals and policies.

The commission scoured the goals and policies, changing poor wording and eliminating irrelevant sentences.

The main thrust of the goals and policies is to state the commission's dedication to preserving farmland, protecting valuable open spaces and keeping the town's growth at a controlled, orderly rate.

Under the category, "policies for farmland preservation areas," the commission decided to add the statement that it will "encourage local assessment policies conducive to continued agricultural land uses."

Pete Melone, Dunn assessor, told the commission he works under state statutes and must assess farm-

land like any other property—according to full market value.

But he did add that Dunn farmland is assessed lower than typical farmland because it is zoned "exclusive agriculture."

Farmland that is zoned exclusive agriculture can't be developed unless the farm gets a zoning change. Thus, its full-market value is lower than typical "agricultural" zoned farmland, which can be

developed without a zoning change.

Melone said the assessment of exclusive agriculture land "is closely related to the value of the land."

Commission member Rosalind Gausman then said she wondered whether the goals and policies should include a statement on industrial and commercial prospects in Dunn.

But Dave Houghton, commission member, pointed out that "the goals and policies were not supposed to cover all areas." He said they also don't talk about transportation and recreation.

The commission decided to consult with Bud Tabatka, of the Dane county regional planning commission, to see if such a statement is necessary.

mcfarland

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serving the village of mcfarland,  
town of dunn, mcfarland school district

## Dunn woodlots come under study

It took two cases of bug spray to do it, but it may have been well worth it.

Joan Balogh needed the bug spray to defend herself from bites as she spent the past summer hiking throughout the Dunn woodlots she had permission to study.

Balogh, a graduate student at the University of Wisconsin, recently completed this study. It is part of a project being done by the Dunn open space committee, which formed last July.

The committee, made up of Dunn residents, is probing the resources of the town and soon will begin looking at the tools available for preserving them.

Balogh found that Dunn has over 90 woodlots. According to Tom Lamm, an extension specialist with the environmental awareness center, a woodlot is defined as a "piece of woods over three acres."

Lamm had organized the project that produced the colorful display of Dunn resource maps now hanging in the town hall. He also is working on this latest project by the open space committee.

Balogh compiled a list of wildlife in the woodlots, as well as trees and Indian Mounds.

From this sylvan survey, Balogh found that there were good populations of red-tail hawks and great horned owls. Lamm said there were some fox, but not many

pheasants.

The study also came across areas where there have been poor logging practices and over-grazing. An invasion of honeysuckle shrubs also has driven out numerous native shrubs and plants, Lamm said.

One of the most common trees found in Dunn was oak, he said; a type of tree very susceptible to root damage by development.

Thus, Lamm said the general consensus of the committee is that it wouldn't like to see much development on the woodlots.

But since Lamm admitted, "It's not realistic to think development can be kept off all woodlots," they are rating the quality of each woodlot.

He said this will help the Dunn planning commission when it comes

to the point of choosing which lots it would like to save from development.

The committee divided Dunn into seven sections and students are making detailed maps of each.

The mapwork, being headed by graduate student Bab Macauley, will detail wetlands, woodlots, wildlife, streams, springs and archeological sites.

Another one of its tasks is researching methods of preserving the lots—through tax incentive programs, zoning changes, funding for purchasing environmentally sensitive areas and subdivision requirements for the donation of land.

"But responsible private ownership is the most effective tool," Lamm added.

Members of the open space committee are George Kirch, Dorothy Berkan, Jim Taylor, Lottie Halvorson, Milo Schneider, Dick Onsrud, Wes Licht, Ione Gustrowsky and Fred Uphoff.

Janet Breidel, a Dunn resident, also has volunteered her time.

Lamm said the open space committee hopes to be able to present the product of all this work sometime in early 1979.

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## Joint plan commissioners ponder land use planning

by Meg Nielsen

Dunn's plan commission met last week with plan commission representatives from McFarland, Oregon, Stoughton, Madison and the Dane county regional planning commission (RPC) to discuss the effects of the Dunn town's new master plan.

Plan commission chairman Ron Larson said Dunn intends to remain a basically rural community.

The town called a moratorium on the division and subdivision of land one and one-half years ago to prepare a new subdivision ordinance and town master plan. With both nearly finished and the moratorium scheduled to be lifted in June 1979, the commission expressed a desire to share its hopes for limited growth with surrounding towns and to call for their support.

Larson said all of the towns and villages at the meeting have extraterritorial areas within the town of Dunn. "We certainly want them to be aware of our plan and its implications on them," he said.

Dunn hopes to allow a "legitimate growth rate" by permitting no new subdivisions, but rather a controlled growth of new homes within already existing developments.

Dunn is overplatted, plan commission members said and the

town's population could fulfill the RPC's projections by the year 2,000 by merely allowing existing areas to be filled.

Control of growth will fall to the newly prepared ordinances, Dunn's exclusive agriculture zoning policy and a legal plan.

Members of the Dunn plan commission estimate that when the moratorium is lifted, they will be barraged with subdivision requests containing from 600 to 1,000 homes.

Larson said the commission knows it will be faced with court suits as soon as the new ordinance goes into effect.

The greatest pressure to develop will occur in the urban services area on the south end of Lake Waubesa, Larson said. The area is within McFarland's extraterritorial limits and if Dunn refuses subdivision there, the village could be pressed to annex the land.

McFarland plan commission members David Crane and Dick Circo said McFarland had no desire to annex the area.

Larson noted that Dunn's new plan is compatible with most of the farm people. "When someone

develops, it's not the farmer who gets rich," he added.

Part of the new plan allows that one two-acre minimum plot for every 35 acres be permitted for development. This way a farmer could build and sell an extra home to help him out of financial difficulties or to allow his son to take over.

Representatives at the meeting said their governments felt no particular need for annexing portions of Dunn found within their extraterritorial boundaries. Board members expressed an air of admiration and cooperation with the town for its new plan.

Larson said that the help of the RPC, the University of Wisconsin environmental awareness center and its legal council have been invaluable.

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## Dunn land use plan will have public hearing

By Allen Mundth  
Of The State Journal

DUNN — No more large-scale land divisions will be permitted in the Town of Dunn until more than 600 vacant lots have homes constructed on them, the town Plan Commission has recommended in the town's first comprehensive land use plan.

The plan, which culminates nearly two years of work by plan commission members, will be presented to the public in its final form at 7:30 tonight at the town hall. A second meeting on the land use plan will begin at 7:30 p.m. Monday at the town hall.

The plan calls for preservation of the town's rich farmlands and open spaces while allowing for steady population growth.

With two exceptions, it prohibits new land divisions in the town until the 600-plus vacant lots are developed. Disposing of the vacant lots will keep the town's population growth ahead of that projected for Dane County through the year 2000.

In addition to filling the vacant lots, the plan permits growth in sewer-platted areas where large lots surround smaller lots, provided the division is compatible with the surrounding neighborhoods.

In agriculturally zoned areas, residential growth would be permitted in a ratio of one two-acre lot for every 35 acres. The allowance is intended to grant farmers flexibility in developing a limited amount of their land.

The plan also includes an extensive survey of the town's community resources, which was completed in 1977 by a team of students from the Environmental Awareness Center of the University of Wisconsin-Madison, and 12 fact sheets and maps.

The plan, when finally adopted, will serve as a guide for future land use decisions made by the commission and town board.