

TITLE: Town of Berry Plan Commission Meeting Minutes  
DATE: March 1, 2021  
TIME: 7:00 – 7:53 p.m.  
PLACE: Town Hall, 9046 State Road 19, Mazomanie, WI 53560  
POSTINGS: Town Hall and Town of Berry website

#### I. CALL TO ORDER

The meeting was called to order at 7:00 p.m. Members present: Anthony Varda, Christine Molling, Joe Kruchten, Robert Agee and Mike Theis

#### II. APPROVE MINUTES OF FEBRUARY 1, 2021

**Motion** Theis/Kruchten to approve the February 1, 2021 minutes. Motion carried.  
Vote 5-0.

III. PUBLIC COMMENTS: You may address the Commission on any item not on the agenda. A discussion item may be placed on a future agenda. Public comment may be heard on any agenda either now, or at the time the agenda items is to be discussed, or at the discretion of the Chair at the time the agenda item is discussed.

#### IV. PUBLIC HEARING, FOLLOWED BY DISCUSSION/ACTION RE:

A. (R-2021-2) Indian Trail Farms, 8055 Indian Trail, zoning change of 45.91 acres from A-1(Ex) to AG, to create 2 lots

Public hearing started at 7:01 pm

Duane Haag commented that the family has a history of not wanting any growth in the town. Mr. Dega, owner at that time and a Planning Committee member told us that we were not welcome in the town when we had applied to build our shop. Now the family is selling 200 plus acres to Dane County Parks and the town will be losing revenue along with eight development rights.

Public hearing closed at 7:05 pm

**Motion** Varda/Kruchten to recommend approval of Indian Trail Farms' zoning change of 45.91 acres from A-1Ex to AG, to create two lots. Motion carried. Vote 5-0

B. (C-2021-1) Sam Acker, Blackberry Road, conditional use permit for plumbing fixtures in an accessory building

Public hearing started at 7:01 pm. No public comments. Public hearing closed at 7:05 pm.

**Motion** Kruchten/Varda to recommend approval of Sam Acker's conditional use permit for plumbing fixtures in an accessory building. Motion carried. Vote 5-0

#### V. DISCUSSION/ACTION RE:

A. (D-2021-1) Samuel Acker, Blackberry Road, driveway permit application

**Motion** Varda/Kruchten to recommend approval of Samuel Acker's driveway permit application. Motion carried. Vote 5-0

B. (D-2021-2) David Ohnstad, 9425 Blackberry Road, driveway permit application

**Motion** Varda/Theis to recommend approval of David Ohnstad's driveway permit application. Motion carried. Vote 5-0

C. (D-2021-3) Joseph Virnig, County Road KP, driveway permit application

**Motion** Kruchten/Theis to recommend approval of Joseph Virnig's driveway permit application. Motion carried. Vote 5-0

VI. TENTATIVE DISCUSSION/ACTION RE: AGREEMENT FOR JURISDICTIONAL TRANSFER OF A PORTION OF NORTH HILL POINT ROAD AND A PORTION OF BREWERY ROAD FROM THE TOWN OF BERRY TO THE VILLAGE OF CROSS PLAINS

**Motion** Kruchten/Agee to recommend approval of the Agreement for Jurisdictional Transfer of a Portion of North Hill Point Road from the Town Berry to the Village of Cross Plains.

**Motion** Varda/Kruchten to amend the motion to include recommending the agreement be amended to provide that there be no driveway or village street access onto Stone Valley Road and that if in fact this requires enforcement the court would have the authority to terminate the agreement and equity if it was deemed appropriate if an enforcement action is taken that is more than possible one of the possible results that the court and equity could impose and also as a condition the sliver of property on Stone Valley Road be transferred over to the Town of Berry. Motion carried. Vote 5-0

**Motion** Molling/Varda to amend the motion to include language stating that development of North Hill Point Road shall not cause any detrimental damage and no special assessments to William Meicher's driveway. Motion carried. Vote 5-0

**Motion** to recommend approval of the Agreement for Jurisdictional Transfer of a Portion of North Hill Point Road from the Town Berry to the Village of Cross Plains including the agreement be amended to provide that there be no driveway or village street access onto Stone Valley Road and that if in fact this requires enforcement the court would have the authority to terminate the agreement and equity if it was deemed appropriate if an enforcement action is taken that is more than possible one of the possible results that the court and equity could impose and also as a condition the sliver of property on Stone Valley Road be transferred over to the Town of Berry and to include language stating that development of North Hill Point Road shall not cause any detrimental damage and no special assessments to William Meicher's driveway. Motion carried. Vote 5-0

**Motion** Varda/Kruchten to recommend to reject the Agreement for Jurisdictional Transfer of a Portion of Brewery Road from the Town Berry to the Village of Cross Plains. Motion carried. Vote 5-0

VII. ADJOURN

**Motion** Varda/Kruchten to adjourn until the next regular meeting or the call of the Chair. Motion carried. Vote 5-0