

TOWN OF WEST POINT

Pursuant to Wisconsin State Statute 19.84, the Town Board of the Town of West Point held their regular monthly meeting on Thursday, August 10, 2017 at the West Point Town Hall. The meeting was published in the Lodi Enterprise, the Sauk Prairie Star, posted in the three designated places in the town.

The Town Board meeting was called to order by Ashley Nedeau-Owen, Town Chair, at 7:00 p.m. The town board members present were: Ashley Nedeau-Owen -Town Chairman, Renee Nair-1st Supervisor, Gordon Carncross-2nd Supervisor, and Matt Zeman - 4th Supervisor. Also present were Taffy Buchanan-Town Clerk and Lonna Zeman - Town Treasurer. Absent was Karmin Enge - 3rd Supervisor (excused).

The Pledge of Allegiance was said.

A motion was made by Matt Zeman to approve the agenda, 2nd by Gordon Carncross – motion carried unanimously.

Citizen Input – None

Copies of the July 13, 2017 Town Board meeting minutes were emailed to each town board member prior to the meeting for their review. A motion was made by Renee Nair to approve the July 13, 2017 Town Board meeting minutes, 2nd by Gordon Carncross - motion carried unanimously.

Treasurer Lonna Zeman had prepared the following report: General Fund as of July 31, 2017 - \$353,097.41; Park Fund \$1000.00; Historical Society is \$4,155.92; and Savannah Tree is \$2,171.44 is in a 1 year CD (matures 5/24/18). The Town Treasurer and Town Clerk reconciled the bank accounts for the month of July.

Correspondence – The Wisconsin State Journal had an article, “State Supreme Court sides with homeowners” by Todd Richmond, about the Court’s decision that residents need not let assessors inside to challenge property taxes. UW-Wisconsin Madison announced its 2017-2018 Capstone Project “Community Design and Planning Services” to get applications to choose a project. Professional Dairy Producers of Wisconsin Dairy are planning a free ACE On-the-Farm Twilight Meeting & tours for the public at Ripp’s Dairy Valley, LLC, 6626 Ripp Dr., Dane on August 31,

2017 starting at 6:00pm. The UW Extension has a schedule out for workshops for Town Officials.

The bills were reviewed by each town board member prior to the town board meeting. A copy of the bills, deposits, budget for 2017 were given to each town board member for their information. A motion was made by Matt Zeman to take \$1054.07 from 53314 Mowing and put it in 53313 Brushing and then take \$1824.00 from 53631 Wages Trans Site and \$3033.00 from 53633 Trans Site Expenses and move the total of \$4857.00 to 53630 Solid Waste Tip Fee, 2nd by Gordon Carncross – motion carried unanimously. A motion was made by Renee Nair to pay the bills as presented, 2nd by Ashley Nedeau-Owen - motion carried unanimously.

Alan & Marie Langeteig, W12130 Hillcrest Drive, Lodi, requested a CSM review for a lot line adjustment for Tax Parcel #11040-871. A motion was made by Matt Zeman to approve the CSM for the lot line adjustment, 2nd by Renee Nair – motion carried unanimously.

The Preliminary Plat and supporting documents for Ryan’s Haven were presented by Jim Grothman for the Town Board for approval. Jeff Clark, Town Attorney, presented a document entitled “Town of West Point Proposed Motions With Respect to Requests for Modifications/Conditional Waivers in Connection with Ryan’s Haven”. The Town Board first went over the requested waivers and acted on them.

LENGTH OF CUL DE SAC - A motion by Matt Zeman, seconded by Renee Nair that pursuant to Section 6.20 of the Town’s Land Division Ordinance, having considered the recommendation of the Plan Commission and after applying the relevant factors, the Town Board finds that due to exceptional circumstance the provisions of § 6.16(D)(18) limiting the maximum length of a cul de sac to 500’ be modified/conditionally waived to allow for the length of cul de sac established on the plat for Ryan’s Haven of approximately 1000’. A roll call vote was taken. Yes 4, No 0, Absent 1 – motion carried.

100’ SETBACK FROM 15% SLOPES - Motion by Matt Zeman, seconded by Renee Nair that pursuant to Section 6.20 of the Town’s Land Division Ordinance, having considered the recommendation of the Plan Commission and after applying the relevant factors, the Town Board finds that due to exceptional circumstance the provisions of § 6.16(D)(10) requiring any building be setback a minimum of a 100’ from the start of a 15% gradient be modified/conditionally waived to require all building construction to occur within the Building Envelopes set forth as Exhibit A attached to this motion and be further subject on Lots 3-9 to final siting within the

Building Envelope as recommended by the Town Engineer and approved by the Plan Commission. A roll call vote was taken. Yes 4, No 0, Absent 1 – motion carried.

DISTRIBUTION OF COMMON OPEN SPACE - Motion by Matt Zeman, seconded by Renee Nair that pursuant to Section 6.20 of the Town's Land Division Ordinance, having considered the recommendation of the Plan Commission and after applying the relevant factors, the Town Board finds that due to exceptional circumstance the provisions of § 6.18(D)(5) requiring that common open space not be isolated in one area and instead be distributed appropriately throughout Ryan's Haven be modified/conditionally waived in favor of allowing the common open space to primarily consist of deed restricted agricultural lands being Outlot 2 of Ryan's Haven. A roll call vote was taken. Yes 3, No 1, Absent 1 – motion carried.

ACTIVE RECREATIONAL USE OF COMMON OPEN SPACE - Motion by Matt Zeman, seconded by Renee Nair that pursuant to Section 6.20 of the Town's Land Division Ordinance, having considered the recommendation of the Plan Commission and after applying the relevant factors, the Town Board finds that due to exceptional circumstance the provisions of § 6.18(D)(1)(b) requiring that 10% of the required open space be suitable for active recreational use be modified/conditionally waived. A roll call vote was taken. Yes 3, No 1, Absent 1 – motion carried.

MANAGEMENT PLAN - Motion by Matt Zeman, seconded by Gordon Carncross that pursuant to Section 6.20 of the Town's Land Division Ordinance, having considered the recommendation of the Plan Commission and after applying the relevant factors, the Town Board finds that due to exceptional circumstance the provisions of § 6.18(E)(8) requiring a plan providing a means to properly manage the common open space be modified/conditionally waived since Outlot 2 will be used for long term agricultural production and otherwise subject to other laws and regulations. A roll call vote was taken. Yes 4, No 0, Absent 1 – motion carried.

The Town Board then discussed the rezoning of the property. A motion was made by Matt Zeman, seconded by Renee Nair to recommend to Columbia County to approve the rezoning under the Columbia County Zoning Ordinance of Lots 2-12 and Outlots 1, 2 and 3 of the Plat as follows: a) Lot 1 to AO-1 Agriculture and Open Space; b) Lots 2-12 to R-1 Single Family Residence with a PD-1 Planned Residential Development Overlay; c) Outlot 1 and Outlot 2 to A-1 Agriculture with an A-4 Agricultural Overlay; and d) Outlot 3 to R-1 Single Family Residence; with the effective date of all rezoning being deferred and to only take effect upon

the recording of the approved final plat of Ryan's Haven. A roll call vote was taken. Yes 4, No 0, Absent 1 – motion carried.

Next the Town Attorney distributed and presented a document which he had prepared entitled "Town of West Point Resolution to Conditionally Approve Preliminary Plat of Ryan's Haven". A motion was made by Matt Zeman, seconded by Renee Nair to adopt the resolution subject to the 10 conditions as outlined in the resolution. A roll call vote was taken. Yes 4, No 0, Absent 1 – motion carried. The final resolution as adopted is attached and incorporated into these minutes.

A motion was made by Matt Zeman to approve Resolution #08-10-2017A , Resolution Authorizing an Adjustment to the Municipal Levy Limit for Increases in Charges Assessed by the Sauk Fire District, 2nd by Renee Nair – motion carried unanimously.

Reports:

Town Park Committee – no report

Lodi Fire Commission – no report

Sauk Fire District – no report

Plan Commission – Gordon Carncross reported the Plan Commission recommended to approve the CSM for the lot line adjustment for Langeteigs and recommended approval of the Ryan's Haven Preliminary Plat. The Plan Commission would like to have a "retreat" or meeting to discuss issues with the process of "major land divisions" and our ordinance.

Sauk EMS Committee – no report

Transfer Site Report – Matt Zeman reported the Clemen's Excavating is going to be coming next week to start the Transfer Site expansion.

Lodi EMS Committee – no report

Open Space Committee – no report

Columbia County Report – no report

Fish, Crystal and Mud Lake District/Pumping – no report

Broadband Committee – no report

The next regular town board meeting will be on Thursday, September 14, 2017 at 7:00 p.m. on the agenda is: Town roads, solar panels, sign for boat landing, set budget meeting date, and any other business that can be legally added to the agenda.

A motion was made by Renee Nair to adjourn the August 10, 2017 Town Board meeting at 8:55pm, 2nd by Matt Zeman – motion carried unanimously.

Respectfully Submitted By

Taffy Buchanan

Town Clerk

**TOWN OF WEST POINT
RESOLUTION TO CONDITIONALLY APPROVE
PRELIMINARY PLAT OF RYAN'S HAVEN**

WHEREAS, the Amalia W. Ryan Revocable Living Trust initiated the process for a major land division under Chapter 6 of the Town's Code of Ordinances; and

WHEREAS, pursuant to Section 6.08 of the Code, on September 1, 2016, the Plan Commission, in consultation with the Town Engineer and Town Attorney, approved the August 1, 2016 Initial Application for Land Division known as Ryan's Haven subject to certain conditions; and

WHEREAS, by letter dated June 20, 2017, the Town Clerk advised the Revocable Trust that the preliminary plat and all related documents had been received as of June 7, 2017, commencing the 90 day statutory and Chapter 6 review period within which to either approve, conditionally approve, or reject the preliminary plat; and

WHEREAS, the Plan Commission completed its review of the Ryan's Haven preliminary plat on July 20, 2017 and voted to recommend approval of the preliminary plat subject to conditions including the granting of certain waivers/modifications to the provisions of Chapter 6 of the Town's Code of Ordinances; and

WHEREAS, the Town Board, having received the commendation of the Plan Commission and having otherwise completed its review of the preliminary plat and related documents on August 10, 2017; and

WHEREAS, the Town Board having granted certain waivers/modifications to the requirements of Chapter 6 of the Code with respect to the preliminary plat;

THEREFORE, upon the motion of Matt Zeman, seconded by Renee Nair, the Town Board hereby approves the preliminary plat of Ryan's Haven provided all of the conditions set forth below are met prior to the time the final plat is submitted for review and approved or other provisions in connection with same are made to the satisfaction of the Town Board:

1. Rezoning under the Columbia County Zoning Ordinance of Lots 2-12 and Outlots 1, 2 and 3 of the Plat as follows:
 - a) Lot 1 to AO-1 Agriculture and Open Space;
 - b) Lots 2-12 to R-1 Single Family Residence with a PD-1 Planned Residential Development Overlay;
 - c) Outlot 1 and Outlot 2 to A-1 Agriculture with an A-4 Agricultural Overlay; and
 - d) Outlot 3 to R-1 Single Family Residence;

with the effective date of all rezoning being deferred and to only take effect upon the recording of the approved final plat of Ryan's Haven.

2. Adoption of necessary amendments to the Town and Columbia County Comprehensive Plans prior to the recording of the final plat incorporating the revisions required by the rezoning of the Lots and Outlots and the development of the final plat.

3. Submission of the following legal documents associated with the plat for final review and approval by the Town Engineer, Town Attorney and Town Board, and the recording of same all in accordance with Chapter 6 of the Code:

- a) Declaration of Covenants, Restrictions and Conditions for the Plat
- b) Conservation Easement Agreement
- c) Trust/Hanson Driveway Agreement
- d) Declaration of Conditions, Covenants and Restrictions for Maintenance of Stormwater Management Measures
- e) Homeowners Association documents including non-stock Articles of Incorporation and Bylaws
- f) Development Agreement including Opinion of Probable Cost of Improvements and submission of required and approved form of surety

4. Submission and final review and approval of final Stormwater Management and Erosion Control Plan by the Town Engineer, Town Attorney and Town Board.

5. Submission and final review and approval of final engineering plans by the Town Engineer, Town Attorney and Town Board.

6. Incorporation of the Building Envelopes reflected on the Building Envelopes Exhibit prepared by Grothman & Associates, S.C., last revised June 28, 2017, into the Declaration of Covenants, Restrictions and Conditions for the plat in a manner satisfactory to the Town Engineer, Town Attorney and Town Board.

7. Payment of all park fees in lieu of park land dedication totaling \$874.71 per Lot for each vacant Lot (Lots 2-12), totaling altogether \$9,622.14.

8. Obtaining written approval of any other agency or department having legal approval or objecting authority prior to the recording of the final plat including, but not limited to, Town of West Point, Columbia County, any agency of the State of Wisconsin, and any municipality having extraterritorial plat jurisdiction.

9. Payment of all plat filing fees and all fees in connection with the review of the preliminary plat and all related documents including, but no limited to, all review fees including the costs and fees of the Town Engineer and Town Attorney

10. Providing satisfactory evidence to the Town Attorney of the existence of the Revocable Trust and that Marilyn E. Meffert is the Trustee of the Revocable Trust and has the authority to execute the final plat and all other related documents to bind the Trust.