

Town of West Point
Plan Commission Minutes
July 20, 2017

Pursuant to Wisconsin State Statutes s. 19.84 the Plan Commission of the Town of West Point held its semi-monthly meeting on Thursday, July 20, 2017 at the West Point Town Hall, N2114 Rausch Road, Lodi, Wisconsin. The meeting agenda was posted in three places as required by law and on the Town's web site. Chairman Kevin Kessler called the meeting to order at 7:00 p.m. Members present were Kevin Kessler, Gordon Carncross (Town Board Representative), Byron Olson, Darrell Lehman, Renee Nair, Nathan Sawyer, and Ron Grasshoff. Also present was Taffy Buchanan, Town Clerk.

Agenda #2 – Approval of Agenda – A motion was made by Ron Grasshoff to approve the agenda, 2nd by Gordon Carncross – motion carried unanimously.

Agenda #3 Approve Minutes – Copies of the July 6, 2017 Plan Commission minutes had been emailed to each member for their review. Corrections and edits were suggested by Darrell Lehman. A motion was made by Ron Grasshoff to approve the minutes as edited, 2nd by Renee Nair - motion carried unanimously.

Agenda #4 Correspondence – Byron Olson received a few complaints about the music at Sunset Harbor Bar.

Agenda #5 Citizen Input – None

Agenda #6 CSM Review for Alan & Marie Langeteig, W12130 Hillcrest Dr., Tax Parcel #11040-871 – land division / lot line adjustment – Alan & Marie Langeteig bought 2 buildable lots, #13 & #14 about 24 years ago and built their house on the lot line as reportedly was allowed at the time. They would now like to adjust the lot line so they can sell one of the lots in the future. At the July 6, 2017 meeting, the Plan Commission had asked the Langeteigs to submit a revised CSM which includes, among other things; the building setback lines, proposed driveway location, and certification that the CSM complies with the Town's ordinances. At this meeting the Langeteigs submitted a revised CSM with the things the Plan Commission asked for included. A motion was made by Gordon Carncross to recommend to the Town

Board to approve the lot line adjustment as shown on the CSM, 2nd by Darrell Lehman. The motion carried.

Agenda # 7 Ryan's Haven Plat – Jeff Clark, Town Attorney, distributed and presented a document which he had prepared entitled “Town of West Point Proposed Resolution With Respect To Plan Commission Recommendation to Conditionally Approve Preliminary Plat of Ryan's Haven”. He also distributed and 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 Plan Commission first went over the requested waivers and acted on them. The actions below refer to the proposed motions suggested by Attorney Clark.

Waiver regarding Distribution of Common Open Space. A motion was made by Byron Olson, seconded by Renee Nair that pursuant to Section 6.20 of the Town's Land Division Ordinance, having considered and applied the relevant factors, the Plan Commission finds that due to exceptional circumstance it recommends to the Town Board that 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 5, No 2 – motion carried.

Waiver regarding Active Recreational Use of Common Open Space. A motion was made by Byron Olson, seconded by Kevin Kessler that pursuant to Section 6.20 of the Town's Land Division Ordinance, having considered and applied the relevant factors, the Plan Commission finds that due to exceptional circumstance it recommends to the Town Board that 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 5, No 2 – motion carried.

Waiver regarding Length of Cul De Sac. A motion was made by Ron Grasshoff, seconded by Byron Olson that pursuant to Section 6.20 of the Town's Land Division Ordinance, having considered and applied the relevant factors, the Plan Commission finds that due to exceptional circumstance it recommends to the Town Board that the provisions of § 6.16(D)(18) limiting the maximum length of a cul de sac to 500' be modified/conditionally waived to allow the length of cul de sac established on the plat for Ryan's Haven of approximately 1000'. A roll call vote was taken. Yes 7, No 0 – motion carried unanimously.

Waiver regarding 100' Setback From 15% Slopes. A motion was made by Darrell Lehman, seconded by Byron Olson that pursuant to Section 6.20 of the Town's Land Division Ordinance, having considered and applied the relevant factors, the Plan Commission finds that due to exceptional circumstance it recommends to the Town Board that 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 7, No 0 – motion carried unanimously.

Waiver of Management Plan. A motion was made by Byron Olson, seconded by Nathan Sawyer that pursuant to Section 6.20 of the Town's Land Division Ordinance, having considered and applied the relevant factors, the Plan Commission finds that due to exceptional circumstance it recommends to the Town Board that 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 7, No 0 – motion carried unanimously.

The Plan Commission next discussed the document on the proposed Resolution with Respect to Plan Commission Recommendation to Conditionally Approve Preliminary Plat of Ryan's Haven that the Town Attorney had presented. A motion was made by Byron Olson, seconded by Renee Nair to adopt the proposed resolution as presented except removing the words "subject to Plan Commission" in brackets in section 4.e. A roll call vote was taken. Yes 7, No 0 – motion carried unanimously. The final resolution as adopted is attached and incorporated into these minutes.

Agenda #8 Open Space Committee Report – Ron Grasshoff gave a report of the July 12, 2017 Open Space Committee meeting.

Agenda #9 Town Board Report – Gordon Carncross gave a report of the July 13, 2017 Town Board meeting.

Agenda #10 Next Meeting Agenda and Date – The next meeting will be scheduled as needed.

Agenda #11 Adjourn Meeting. A motion was made by Ron Grasshoff to adjourn the July 20, 2017 Plan Commission meeting, 2nd by Nathan Sawyer – motion carried unanimously. The meeting was adjourned at 9:40pm.

Respectfully Submitted by
Taffy Buchanan, Town Clerk

**TOWN OF WEST POINT
PROPOSED RESOLUTION
WITH RESPECT TO
PLAN COMMISSION RECOMMENDATION
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, now having completed its review of the Ryan’s Haven Plat on July 20, 2017;

THEREFORE, upon the motion of Byron Olson, seconded by Renee Nair, the Plan Commission hereby recommends approval of the preliminary plat of Ryan’s Haven to the Town Board 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) Lots 2-12 to R-1 Single Family Residence;
 - b) Outlot 1 and Outlot 2 to A-1 Agriculture with an A-4 Agricultural Overlay; and
 - c) 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 all 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. Approval of the necessary modifications/conditional waivers by the Town Board required by the design of the plat consisting of the following:

- a) to 6.16(D)(10) with respect to the 100' setback from the start of slopes of a 15% or greater gradient;
- b) to 6.16(D)(18) with respect to the 500' maximum length of a cul de sac;
- c) to 6.18(D)(1)(b) requiring 10% of the open space to be dedicated for suitable active recreation;

- d) to 6.18(D)(5) requiring that common open space not be isolated in one area and instead be distributed appropriately throughout Ryan's Haven development; and
- e) to 6.18(E)1B. requiring a plan providing a means to properly manage the common open space

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

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

7. Approval of final building envelopes for Lots 2-12 of the plat by the Town Board.

8. 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.

9. 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.

10. Payment of 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 fees of the Town Engineer and Town Attorney

11. 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.