

TOWN OF WEST POINT

Planning Commission Meeting

The Town of West Point Planning Commission reconvened their Aug. 27, 1995 meeting on Thursday, Aug. 31, 1995 at 8:12 PM at the Town Hall. The meeting was posted in three places.

Pursuant to Wisconsin State Statute 19.84, the meeting of the Town of West Point Planning Commission was called to order by Fred Madison. Planning Commission members present were Dave Cole, Doug Richmond, Fred Madison, Roger Ballweg, Cliff Lawton and Joyce Sinkule. Dick O'Connor was absent. Also present was Town Engineer Joe Costanza and Town Attorney Jeff Clark

The minutes from the first part of the meeting which was held on Aug. 27, 1995 were not read. It is noted that the Plan Commission has different members in attendance at this reconvened meeting. This special reconvened meeting has only one agenda item, namely the Black Hawk Estates preliminary plat discussion with Dennis Bender.

Discussion continued regarding the Developers Agreement which will apply to the Black Hawk Estates subdivision. Dennis Bender conveyed his conversation which he had with a representative of Wisconsin Power and Light Company regarding the easements which they will need for electrical utilities, and how a shared easement with other utilities is reasonable and likely. A condition of approval will be granted so that enough easements are available for every entity which will need an easement. Wisconsin Power and Light Company will most likely require their easement along the street, and closest to the street surface. Dave Cole mentioned that the town is receiving several other requests for street lights, which will be an additional expense for the town. Attorney Clark indicated that this is a common occurrence, and the additional tax base of the new property improvements are the reason that street lights are typically granted for new subdivisions.

Declaration of Covenants, Restrictions and Conditions for the Plat of Black Hawk Ridge Estates: Jeff Clark has reviewed this document. The declarations are typical of new subdivisions. Those items which may concern the town are included in Section 5.4, with a provision that those items which affect the Town will not be changed without consent of the Town Board.

Permanent Drainage Easement Agreement: The responsibilities of the town and the lot owners are described. Attorney Clark is satisfied with the general contents of this document.

Motion by Doug Richmond and seconded by Roger Ballweg that the Plan Commission recommend to the Town Board that the Black Hawk Ridge preliminary plat be approved, subject to the conditions which are attached. The attachments should include

1. Declarations of Covenants, Restrictions, and Conditions for the Plat of Black Hawk Ridge Estates, as most recently corrected
2. Developer's Agreement for Plat of Black Hawk Ridge Estates, as most recently corrected

3. Permanent Drainage Easement Agreement

4. Letter from Dennis Bender to members of the Planning Commission indicating an intent to apply for variances for Black Hawk Ridge Estates. The variances shall become an attachment and a condition of approval of the Preliminary Plat, as mentioned above.

Motion carried, 5 in favor, 0 in opposition.

Motion to adjourn at 9:40 PM by Dave Cole. Seconded by Roger Ballweg. Motion carried.

Respectfully submitted,

Joyce Sinkule

Edith Eberle
 Township of Westpoint Clerk
 N 1104 Chrisler Rd.
 Lodi, WI. 53555

June 16, 1995

RE: INTENT TO APPLY FOR VARIANCES FOR BLACK HAWK RIDGE ESTATES

Members of the Planning Commission,

Bender Vollbrecht Developers, Inc., a Wisconsin Corporation hereby is filing for application of the following variances pursuant to Section 11 of the Township of Westpoint codes:

1. From Section 7(a)(19) limiting cul-de-sac roads to 500 ft maximum length. Maximum cul-de-sac length shall be as shown on the plat and street plans.
2. From Section 6(o), requirement for sidewalks, if applicable. Sidewalks shall not be provided in this Subdivision.
3. From Section 6(d)(s) and other applicable sections, requirement for curb & gutter shall be waived on Club Circle Dr.
4. From Section 7(b)(2)(f) and other applicable sections, requirement for 36 ft. wide streets. Street shall be 32 ft. wide on Club Circle with 2 ft wide shoulders and 24 ft. wide with curbing on Vista View Court.
5. From Section 9(b)(3) prohibiting development on slopes 20% or greater. A driveway to lot ¹³15 traverses over slopes greater than 20%.
6. From Section 6(h)(2)(j) and other applicable sections, requirement for trees in terrace areas. Much of the Subdivision already has trees. *Street trees will be provided on lots 2, 3, 4, 5, 6, 7, 8, 9, 27, 28, 29*
7. From Section 6(n) requirement for street lights. Street lights shall be provided by recommendation of WP&L and approved by Town Engineer. Old Style Carriage type lights shall be used to be compatible with the character of the Subdivision.
8. From Section 6(b)(2)(B), Subdivider requests Developer Agreement allow for completion of some of the required improvements prior to acceptance of the final plat to take advantage of the short construction season.

Granting of the above described variances is not detrimental to the

public safety, health or welfare nor injuries to other property in the neighborhood. The conditions upon which these variances are requested are unique to this property and are not in general applicable to all properties or situations. A particular hardship would result if these variances are not granted.

Sincerely,



Dennis E. Bender, Vice President BVD, Inc.
614 Spruce St.
Sauk City, WI. 53583
(608) 643-8247

cc.

Jeff Clark, Township attorney
Joe Castanza, Township engineer
Randy Lund, Project Engineer