

## TOWN OF WEST POINT

### Planning Commission Meeting

The Town of West Point Planning Commission convened their Feb. 22, 1996 meeting at 7:08 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, Cliff Lawton, Roger Ballweg Fred Madison and Joyce Sinkule. Absent was Dick O'Connor.

The minutes from the previous Jan. 25, 1996 and Feb. 15, 1996 meetings were read. Motion to approve the minutes was made by Dave Cole, seconded by Doug Richmond. Motion carried unanimously.

Correspondence: None.

Olson: (Rolling Woods) A public hearing will be held regarding this subdivision on March 7, 1996. Mr. Olson will meet with the Plan Commission after that date to obtain a recommendation from the Plan Commission to the Town Board for acceptance of the subdivision plat. The Town Board will be scheduled to approve or disapprove at their April, 1996 meeting.

The Town Engineer provided the following input

1. Mr. Costanza examined several different street locations and uses, none of which was better than the proposed cul-de-sac. A loop instead of the cul-de-sac serves too few people, and would be expensive for the Town to maintain. Allowing for a future road onto the Roger Thistle property is not practical because the Thistle property has adequate size to create one or more outlets from a separate subdivision if the property is developed in the future. Another street onto State Trunk Highway (STH) 188, near Lake Drive may not be approved by the State Department of Transportation (DOT).

2. Discussed the drainage ways and retention areas. The property has existing erosion problems, and the proposed plan should alleviate the existing problems and not cause any problems for the proposed lots or for the garage on the Roger Thistle property. The Thistle garage is located near a drainage way from the proposed subdivision. Even with a 100-year storm, the water flow should be less than one foot below the garage floor. Ron Steiner of General Engineering Company, Inc., representing Todd Olson, explained some of the details. The drainage ditches in the subdivision will be lined with stone, or grass in the low-flow areas. The plan meets the Town of West Point subdivision ordinances and the erosion control issues, but Joe Costanza stated that "the models which engineers work with are not exact", so unusual problems could develop.

3. Mr. Costanza asked the Plan Commission to consider requesting a bond to be obtained to insure that Lake Drive is not damaged by construction vehicles.

4. Mr. Costanza addressed the most prevalent citizen concerns which were presented at a previous meeting.

A. Contamination: A slim possibility of contamination, and if present, the most likely wells to be contaminated are the ones on the parcel(s) where there is septic failure. The subdivision has two fewer lots than the previous request because DILHR requested that more

area be available for mound systems. Mound systems will be used on most of the lots, caused by the steep slopes, and not necessarily from the soil permeability.

B. The ground water and water table level remained stable after pumping tests were conducted.

C. Safety: The lot density is less than that at the adjacent Aleray subdivision, therefore there will be minimal traffic impact from the proposed subdivision.

Attorney Jeff Clark was present to discuss any legal issues which are pertinent to this subdivision. The owner is asking for a variance from the ordinance requiring tree plantings along the street. A decision is needed regarding parkland dedication or fees in lieu of park land. Mr. Clark discussed assessed values of new lots with Town Assessor Harry Sawyer. The park fees are determined on the basis of the lot values.

Copies of the documents and covenants which will be applicable to each lot have been received by Attorney Clark. These documents are very similar to the Blackhawk Estates covenants, which will need small revisions to be pertinent to the Rolling Woods subdivision.

Joe Costanza will show building "envelopes" for each lot so that buyers will be limited to a specific location on each parcel for their residential construction.

Motion by Cliff Lawton to grant a tree variance, if an evergreen visual barrier is created along STH 188. Seconded by Doug Richmond. Motion carried unanimously.

Motion by Dave Cole, seconded by Roger Ballweg, to have the developer provided a low-intensity street light at the intersection of Lake Drive and Cecile Circle. Motion carried unanimously.

**Ferris:** (Promised Land condominiums) John Ferris was present. Attorney Clark discussed a letter which he had written to the owners regarding the condo development. Items which should be in the restrictive covenants or in the condominium association's responsibilities and restrictions should include

1. The driveway shall remain as a private road. The roadway shall have an 18-foot clearspan width at all times. If the road becomes overgrown, the town could have it cleared, and bill the condominium association for the costs, but the town does not want to be involved, so the road responsibility will be written into the appropriate documents for the association to be responsible.

2. If sewer lines are installed, the owners will be asked to hook up to the available services.

Other issues:

1. Parkland dedication: Should the parkland be based on the two new "parcels" which are being created or should it apply to all three lots which will be a part of the condo association?

2. Forfeiture fees: Discussion regarding the amount which should be assessed to the owner. The fees can be \$50 to \$500 per day, from the date the condominium plat was filed on Aug. 9, 1994. Attorney Clark will determine the fees which the owner will have as a total, discuss the amount with the owners and their attorney, and provide a recommendation to the Plan Commission and Town Board.

Issues regarding this condominium development will be discussed at a public hearing on March 7, 1996, with the Plan Commission making its recommendation to the Town Board at one of their meetings following the public hearing.

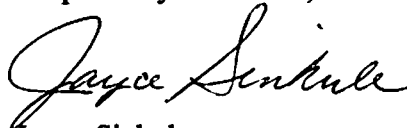
**McNulty:** Requesting a variance for his property to build a second-story house addition. A variance is needed because the existing house has been “grandfathered” with non-compliance for water front setback and side yard setbacks. A copy of the revised plans are attached, as recommended by Plan Commission members at previous meetings with the owner. Motion by Dave Cole, seconded by Cliff Lawton, to recommend to the Town Board that a variance be granted. Motion carried unanimously.

**Scott Sorenson:** Mr. Sorenson appeared to request a variance to build a wood deck on the south end of the property known as Sunset Harbor. A variance is needed because of the proximity of the water frontage to the proposed deck. Motion to recommend to the Town Board that a variance be granted was made by Dave Cole, seconded by Cliff Lawton. Motion carried unanimously.

**Bender:** (Blackhawk Estates) Mr. Bender is requesting a variance to allow lot owners to begin house construction before the streets are paved with asphalt. (The formal letter request is attached and made a part hereof.) Motion by Dave Cole to have Attorney Clark add an amendment to the Developer’s Agreement to allow the request, as instructed by the Plan Commission to Attorney Clark.. Motion seconded by Roger Ballweg. Motion carried unanimously.

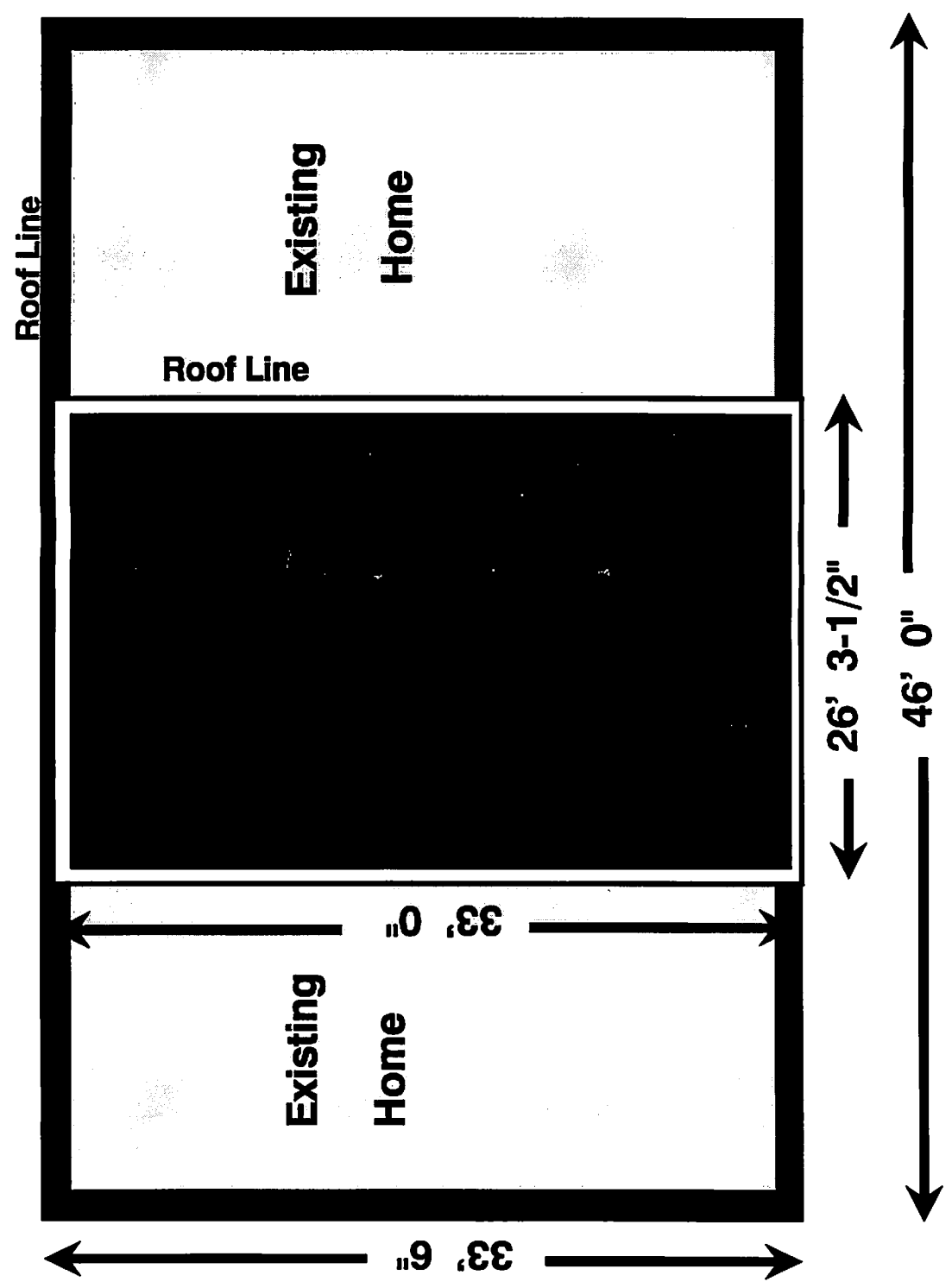
Motion to adjourn at 9:40 PM by Dave Cole. Seconded by Doug Richmond. Motion carried.

Respectfully submitted,

  
Joyce Sinkule

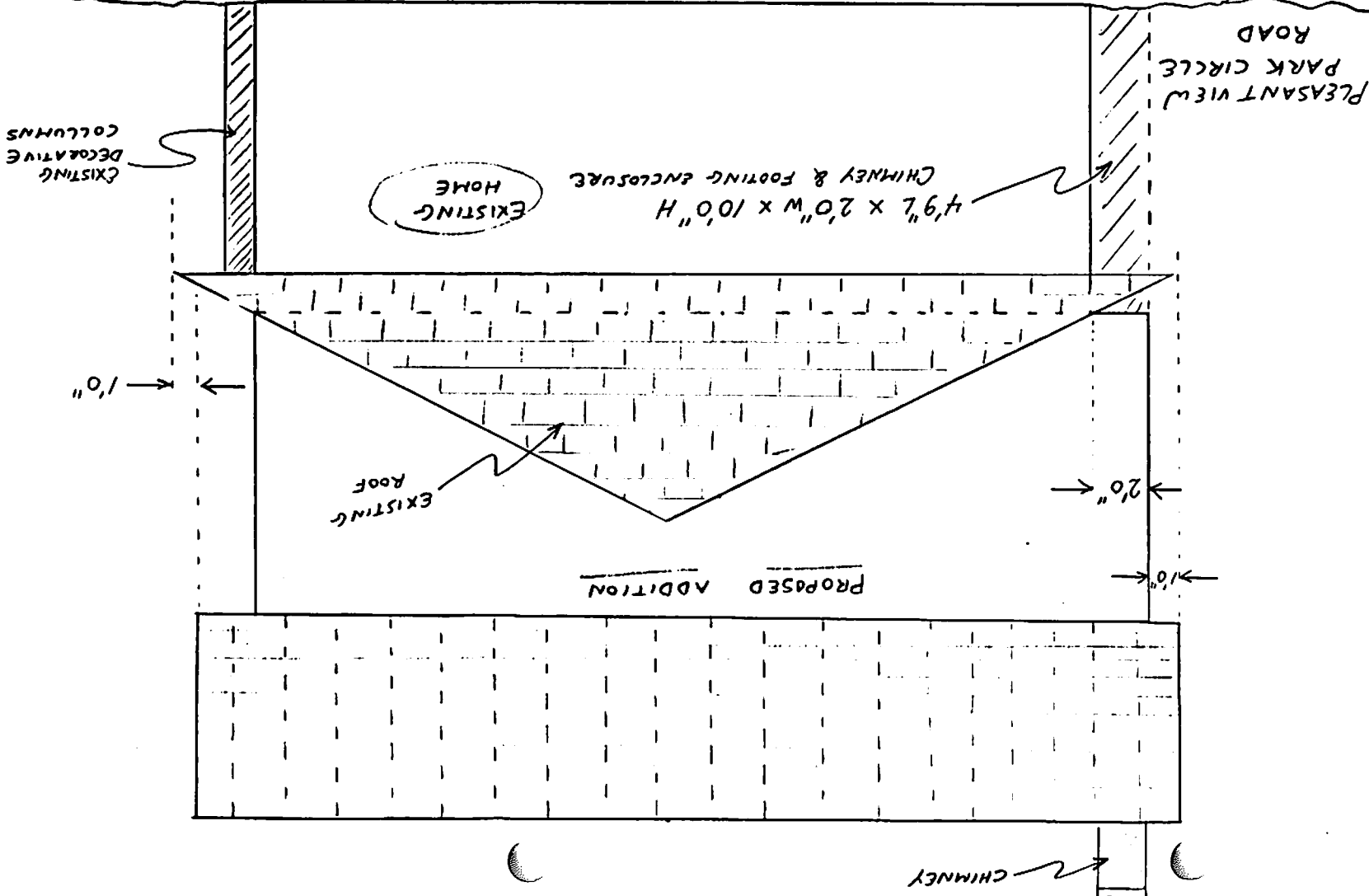
McNulty  
House

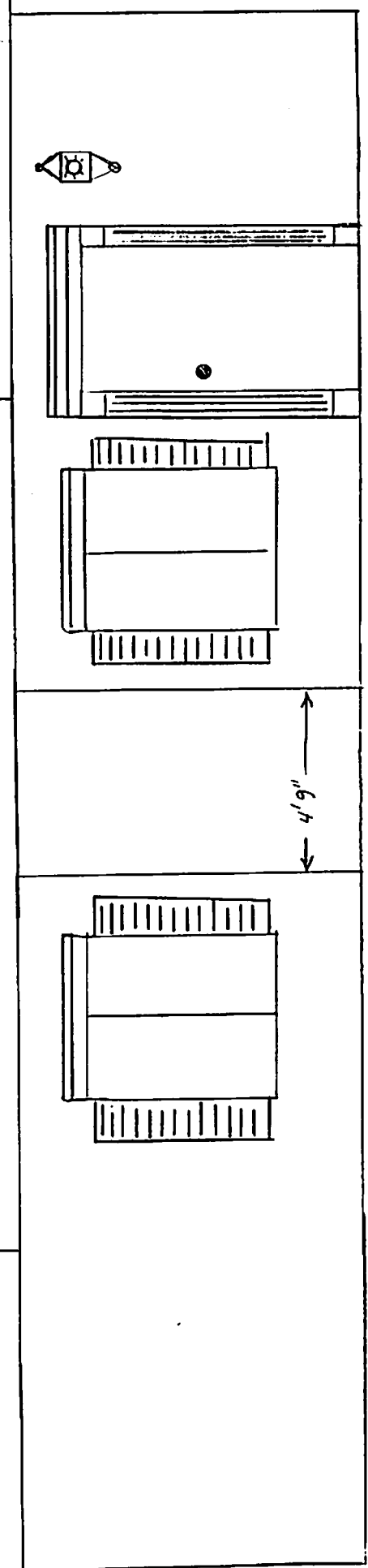
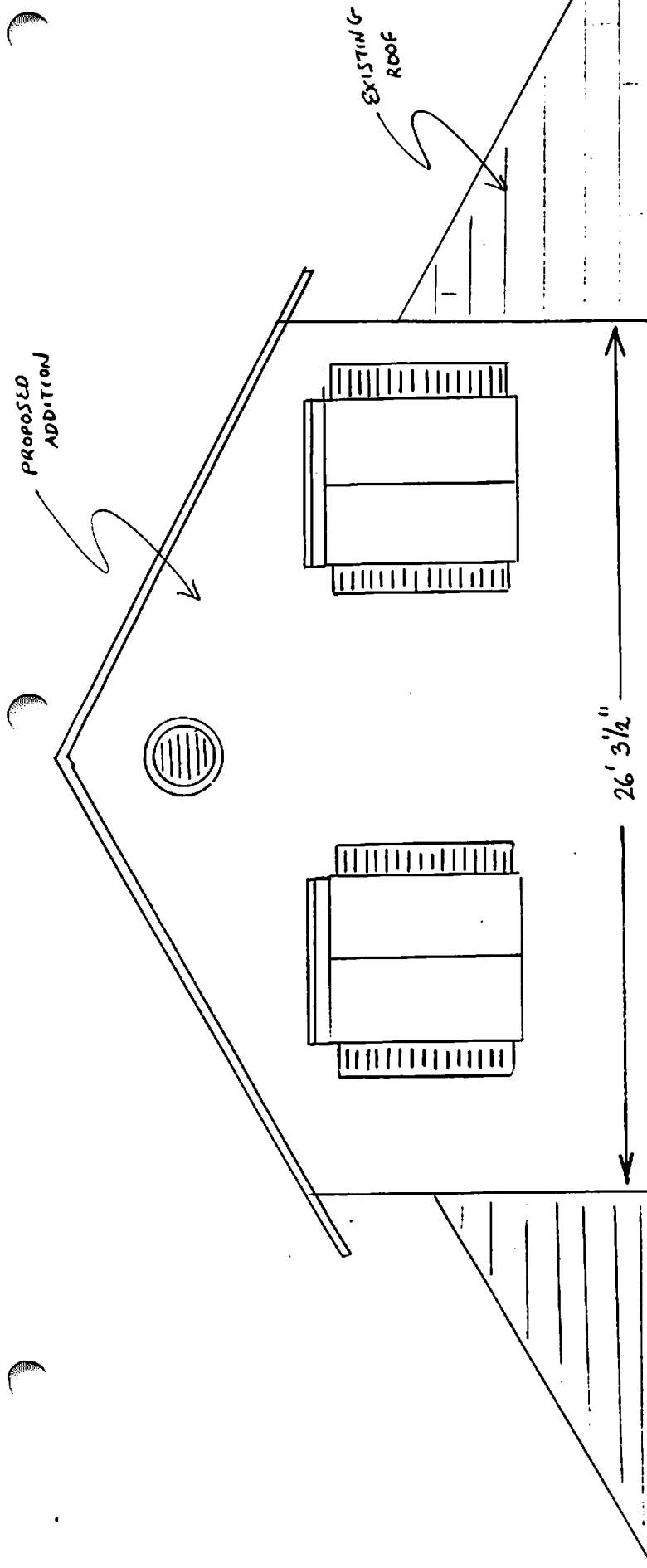
# Lake Wisconsin Side



LAKE WISCONSIN

SIDE VIEW





FRONT VIEW

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

February 21, 1996

RE: LETTER TO APPLY FOR A VARIANCE TO BUILD SIX HOMES IN BLACK  
HAWK RIDGE ESTATES PLAT BEFORE ASPHALT APPLICATION

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 6(d)(4)(A) allowing for no bldg. construction  
until roads are constructed WITH THE FOLLOWING CONDITIONS:
  - A. Allow construction starts for up to six homes before  
public improvements are completed.
  - B. Upon completion of first home, gravel base course shall  
be applied.
  - C. At least binder asphalt (1st lift) shall be applied  
before starting the seventh home construction. Also  
detention basins along golf Rd, all ditching, except that  
associated with the private drive to lot 13, and all curb  
& gutter on Vista View shall be installed and/or  
functional before starting seventh home construction.

Additionally the following changes in the Golf Cart path as  
requested by Merlin Lohr on behalf of the Lake Wisconsin Country  
Club need to be made:

1. Golf cart path shall be extend along the west side of lot 29,  
along-side but exterior to the existing Golf Road R/W, instead  
of between lots 26 and 25 as shown on recorded plat.

2. To accommodate the new golf cart path the northwest detention basin shall be increased in size by approx 4800 sq. feet.
3. No additional detention pond area is necessary at southwest basin.

Sincerely,

*Dennis E. Bender*

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

cc.

Members of the Planning Commission  
Joe Castanza, Township engineer