

TOWN OF WEST POINT

Planning Commission Meeting

The Town of West Point Planning Commission convened a public hearing at their Aug. 28, 1997 meeting at 8:07 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, and Joyce Sinkule.
Absent: Dick O'Connor and Roger Ballweg.

Public Hearing regarding Devon Osborn property: Mr. Osborn presented his request for a deck to be added to his house at Lot 11, Pleasantview Park. The deck will be 45 feet from the shore of Lake Wisconsin. Neighbors were contacted regarding this request, but none appeared at the public hearing.

Public Hearing regarding Vernon Richmond: Mr. Richmond summarized his request for the construction of a storage shed/garage which will be approximately 104 from state highway 188. The setback requirement is 115 feet. There were no public comments regarding this issue.

The regular meeting of the Planning Commission was called to order at 8:22 PM.

The minutes from the previous meeting were read by Fred Madison. Motion to approve the corrected minutes was made by Dave Cole, seconded by Doug Richmond. Motion carried 4-0. (Correction: Highway number corrected from 118 to 188.)

Correspondence: None

Agenda Item # 6; Variance for Vernon Richmond: Motion by Dave Cole to recommend to the Town Board that the variance request be granted. Seconded by Joyce Sinkule. Motion carried 4-0. Doug Richmond abstained from voting.

Agenda Item #7, Variance Request by Devon Osborn: Motion by Cliff Lawton to recommend to the Town Board that a variance be granted for a deck, no more than 10 feet wide, be granted on the condition that the cable-supported tool shed be removed from the shoreline. Seconded by Dave Cole. Motion carried 4-0.

Agenda Item #8, Heffron Certified Survey Map (CSM): Dan Heffron and his engineer, Ron Steiner of General Engineering were present. Town Engineer Joe Costanza explained the storm drainage detention pond which has been agreed upon by Mr. Costanza and Mr. Heffron. An additional \$500 to be bonded to pay for supervision of the pond construction.

Town Attorney Jeff Clark was present and stated that he had reviewed all the documents, namely the (A) Declaration of Covenants and Restrictions, (B) the Division Triangle Easement, and (C) the Developer's Agreement.

Issues which need to be decided include

A. Parkland dedication: if the subdivision is considered as three new lots, the fee is \$1,115; but if the existing structure plus the three lots is considered the entire subdivision, then the fee would be \$1,887.

B. An additional \$750 fee for financial guarantee will be charged as if additional trees, mulching, etc. were required. The Town has a conservation easement.

C. Maintenance of the detention pond was originally planned for all the CSM property owners, but the developer has assigned the responsibility to the Lot 1 owner. The owner can be assessed by the Town for the cost of maintenance if the maintenance is not completed as required.

D. There will be an additional fee for the extra work which was done by the Town Engineer.

Discussed the need to address Item A, from immediately above; i.e., "should subdivisions with existing structures have the lot with the building on it included for a park fee?"

Motion by Dave Cole to recommend to the Town Board that the CSM be accepted under the following condition: An additional \$500 bonding fee be required for financial guarantee. Motion seconded by Cliff Lawton. Motion carried 4-0.

Motion by Cliff Lawton to recommend to the Town Board that \$6,250 be paid to the Town in lieu of any parkland dedication, based on three lots. Motion seconded by Doug Richmond. Motion carried 3-1.

Motion by Doug Richmond to recommend to the Town Board that the retention pond maintenance shall be the responsibility of the Lot 1 owner. Motion seconded by Cliff Lawton. Motion carried 3-1.

Agenda Item #9, Preliminary Plat for Frank Pustaver (Wildwood Estates): Attorney Mike Collins and Surveyor Jim Grothman were present on behalf of the Pustavers. Attorney Clark needs to review the Developer's Agreement and other similar documents which must be prepared. The Town will also require a restrictive covenant for only single-family use. Based on the assessed value of the property, the parkland fee would be \$1,600 for four lots. The proposed plat is for a major subdivision. Engineer Costanza noted that he has no engineering concerns. The town road into the existing subdivision is 18 feet wide.

Discussed the need to change the basis of the parkland fee. Other new subdivisions had the park fee determined on its recently purchased value, but the Pustaver land has had the same owner for 20+ years. A fee per lot could be determined instead of using the assessed value. The existing choices are

A. Accept parkland

B. Accept cash in lieu of parkland, based on current value (purchase price or appraised value), assessed value, or the developer could pay a fee as the lots are sold, based on the sale price.

Motion by Dave Cole, seconded by Doug Richmond, to conditionally approve the preliminary plat, subject to the conditions attached to these minutes. Motion carried 4-0

Regarding the "Conditions of Preliminary Plat Approval", paragraph 3; motion by Dave Cole, seconded by Cliff Lawton, to assess a parkland fee as allowed in paragraph 8(e) (1) of the

Subdivision Ordinance. Motion carried 4-0.

Agenda Item #10, Rezoning for Myron and Carole Scharkey: A basic survey map had been prepared by Surveyor Greg Knudsen, who also will do a CSM. Motion by Dave Cole, seconded by Cliff Lawton to table this item until the Sharkeys are present or send a representative on their behalf. Motion carried 4-0.

Agenda Item #11, Town Parks & Recreation Planning:

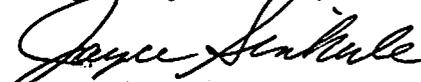
- A. Ice Age Trail report - possible corridors mentioned include those through the City of Lodi and the Town of Lodi.
- B. Parkland issues mentioned previously shall be discussed at future meetings under this heading.

Agenda Item #12, Next Meeting:

- A. Town Board report
- B. Town Parks & Recreational Planning

Motion to adjourn at 10:35 PM by Doug Richmond. Seconded by Dave Cole. Motion carried 4-0.

Respectfully submitted,


Joyce Sinkule

**CONDITIONS OF PRELIMINARY PLAT APPROVAL
WILDWOOD ESTATES**

1. Submission of Declaration of Covenants and Restrictions for the plat in a format that is satisfactory to the Town Engineer and Town Attorney prior to recording the final plat. The Declaration must be recorded immediately after recording the final plat. The Declaration must restrict the subdivision to single-family development, with no further lot development or division.

2. Entering into a Development Agreement, including all exhibits thereto, with the Town of West Point. The Development Agreement shall be in a format that is satisfactory to the Town's Engineer and the Attorney and shall be entered into prior to recording the final plat.

3. Paying the required plat review fee relating to the preliminary plat, along with the final plat review fees, the fees of the Town's consultants relating to this project upon approval of the final plat, or paid current prior to the commencement of any construction, and the fees in lieu of dedication of parkland in an amount to be determined upon the sale of the first lot. This method is described in Paragraph 8(e)(1) of the Subdivision Ordinance.

4. Obtaining the approval of all other agencies having legal approval or objecting authority prior to recording the final plat.

5. Submitting a title insurance commitment current to within one week, showing title or control of the plat to be in the owner or subdivider, for review by and final approval of the Town Attorney.

6. Obtaining a letter from the County Highway Commission stating the suitability of access onto the county highway from this project, and addressing any water drainage concerns from Lot 5 and along the county highway.