

Town of West Point Plan Commission Minutes January 5, 2012

Pursuant to Wisconsin State Statutes s. 19.84 the Plan Commission of the Town of West Point held its semi-monthly meeting on Thursday, January 5, 2012 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 7:32 p.m. Members present were Kevin Kessler, Nathan Sawyer, Sheila Landsverk, Wayne Houston, Fred Madison (7:40 p.m.) and Gordon Carncross (Town Board Representative). Also present was Edith K. Eberle, Town Clerk. Excused absence was Byron Olson.

Agenda #2 – Approval of Agenda – A motion was made by Sheila Landsverk to approve the agenda as presented, 2nd by Wayne Houston – motion carried unanimously.

Agenda #3 Approve Minutes – Copies of the December 15, 2011 Plan Commission minutes had been emailed to each member for their review. A motion was made by Sheila Landsverk approve the minutes as presented, 2nd by Gordon Carncross – motion carried unanimously.

Agenda #4 Correspondence – None

Agenda #5 Citizens Input – Chairman Kevin Kessler excused himself as Chairman and turned the gavel over to Vice Chair Sheila Landsverk. In the audience as a citizen Kevin Kessler stated that he has filed paper work and is running for County Supervisor District #28.

Kevin Kessler returned as Chairman of the Plan Commission.

Agenda #6 Public Hearing for Conditional Use Permit for Todd Anderson, representative for U.S. Cellular for a proposed tower on Bittner Road. Town Clerk Edith Eberle had send out 5 public hearing notices to adjacent landowners. Todd Anderson presented 2 sets of larger maps of existing signal, proposed Bittner signal, and the signal from the Edge tower for information. The land will be leased for 30 years and the lease is

renewable. The proposed tower will be built to allow for 4 carriers. There were no questions from the audience. The public hearing was closed.

Agenda #7 Public Hearing for a Variance Application request has been received from D. Devon and Sharon Osborn – Tax Parcel #717 and David Mitchell – Tax Parcel #716.02, at W12616 Pleasant View Park Road, Lodi, WI. 53555. The property is located in Section 11, Town 10N, Range 7E. The Variance request is to Columbia County Zoning Ordinance Chapter 16-1-2(b) (3) Lot Area (20,000 sq ft). David Mitchell and the Osborn’s are also requesting a modification to the existing deed restriction that applies to Lot 2, to permit division of that parcel as part of, and subject to the specifications of this project. Town Clerk Edith Eberle had send out 16 public hearing notices to adjacent landowners. Devon Osborn came before the Commission asking the Plan Commission to consider a variance for lot area (20,000 sq ft) and modification to the existing deed restriction that applies to Lot 2. The unnecessary hardship is size of current home site and parking. The proposed modification to the existing deed restriction would help get cars off the street and a backup plan for septic if needed. The proposed garage will be a 3 car garage and will be smaller than the footprint of the house. There will be no other improvements on the lot other than landscaping. There are other homes in Pleasant View Park that have garages on the other side of the road. A list of adjacent landowners that have signed in support of the proposed garage was presented by Mr. Osborn to the Plan Commission. Steve Britt an adjacent landowner was present and stated that he was in favor of the proposed garage as it would improve the lot and area. No one else spoke on the proposed variance. The public hearing was closed.

Agenda #8 Conditional Use Permit for Todd Anderson, representative of U.S. Cellular for a proposed tower on Bittner Road – A motion was made by Sheila Landsverk to recommend approval to the Town Board provided that space is provided for 4 carriers, 2nd by Nathan Sawyer - Discussion as follows:

- If the tower is abandoned, the Columbia County ordinance has requirements that the tower will be removed.
- Fred Madison stated that there are new technologies coming in the future to replace towers like the one proposed.
- Nathan Sawyer asked about the tower on State Highway 60 near Golf Road – Todd Anderson stated that he had looked at that tower and it is not being used. Further, that tower is not stable and should be taken down.

The motion carried unanimously.

Agenda #9 Variance Application request from D. Devon and Sharon Osborn – Tax Parcel #717 and David Mitchell – Tax Parcel #716.02, at W12616 Pleasant View Park Road, Lodi, WI. 53555. The property is located in Section 11, Town 10N, Range 7E. The Variance request is to Columbia County Zoning Ordinance Chapter 16-1-2(b) (3) Lot Area (20,000 sq ft). David Mitchell and the Osborn’s are also requesting a modification to the existing deed restriction that applies to Lot 2, to permit division of that parcel as part of, and subject to the specifications of this project. A motion was made by Sheila Landsverk to recommend to the Town Board approval of the variance request and approval for a modification of the existing deed restriction to permit division of that parcel provided that the revised deed restrictions are reviewed by and recommended for approval by the Town Attorney. Sheila Landsverk amended motion to add contingencies that the Attorney fees are to be paid by applicant and that deed restriction not be filed until the CSM is approved by the Plan Commission and Town Board , 2nd by Nathan Sawyer. Discussion as follows regarding the rationale for an affirmative vote:

- The intent is not to set a precedent – there are other lots in Pleasant View Park that are divided by the road –The situation with that street is unique.
- Pleasant View Park has substandard lots which contributes to the hardship.
- Adjoining properties are divided by the road.
- Pleasant View Park Road is not a state, or county road and doesn’t have heavy traffic.

The motion was carried unanimously.

Agenda #10 Information from Terry Askevold on a possible Bar/Restaurant/Marina/Campground on O’Brian Road – As an informational item, Terry Askevold presented the Plan Commission will a folder containing information about his proposed new development located on O’Brian Road near Golf Road. The proposed development would include a new restaurant, bar, RV campground, marina and facility for rental of watercraft including boats, canoes, kayaks and tubes. Mr. Askevold indicated that is family currently owns and operates Trader’s Bar & Grill and Restaurant located at 6174 Hwy. 14, Arena. The estimated cost of the proposed project is \$1,000,000.00 plus and would employ 6-8 full time and 12 part time staff. The bank Mr. Askevold is working with is Middleton

Community Bank. To make this financially feasible, a liquor license for a bar would be required.

The Town Clerk indicated that the Town of West Point currently has no Class B Liquor license available. The licenses are based on population – every 500 people qualify for one liquor license. The Town of West Point currently has 4 Class B Beer and Liquor Licenses (Lake Wisconsin Country Club, Crystal Lake RV Resort, Fish Tales Restaurant, and the Reserve Class B Liquor License issued to Sunset Harbor in 2000). The current population is 1960 and therefore the Town of West Point currently has no Class B Liquor License available. Mr. Askevold asked whether the Town could make a commitment for a future liquor license when one becomes available. Chairperson Kessler indicated that although the Plan Commission deals with a number of aspects related to the proposal, the Commission does not have responsibility for liquor licenses. He further indicated that he was not aware of any ordinance or other authority for the Town Board to establish a priority list to enable such a commitment. The Town would have to make a decision if there were multiple applicants at the time that a future liquor license was available. The Town Clerk Edith Eberle and Town Chairman Dean Schwarz will talk to the Town Attorney about the Liquor Licenses availability and let Mr. Askevold know the findings.

Agenda #11 Update on Columbia County Zoning Ordinance – Kevin Kessler stated that he had talked to Randy Thompson, Zoning Administrator and the new zoning ordinance was passed by the County Planning and Zoning Committee in December. There will be an open house for County Board members in February and in March the full County Board will consider approval of the new zoning ordinance. The Town of West Point then has 12 months to take action on agreeing to the new ordinance or opting out of county zoning.

Agenda #12 Approval of New Zoning Maps – Prior to the meeting copies of the proposed zoning maps was given to each Plan Commission member for their review. The Plan Commission reviewed and discussed the proposed zoning map. The present “Marina” zoning category is being eliminated and the county staff proposed that any property formerly zoned as “Marina” be rezoned to C-1, light commercial. Kevin Kessler indicated that there were two such properties in the Town of West Point, a vacant property on O’Brian Road, and Sunset Harbor Bar and Grill. Mr. Kessler indicated that the other bars and restaurants in the Town were zoned C-2, General

Commercial, and that for equity perhaps Sunset Harbor Bar and Grill should be zoned that same. Chairman Kessler indicated that Randy Thompson, the County Zoning Administrator had indicated that he had no problem with such a change to the proposal. A motion was made by Fred Madison to recommend to the Town Board approval of the proposed zoning map with one proposed change that Sunset Harbor Marina zoning be changed to C-2 General Commercial, instead of C-1. 2nd by Wayne Houston – motion carried unanimously.

Agenda #13 Update on Crystal Lake – Kevin Kessler stated that the pipeline is complete and that he has volunteered and been appointed as a citizen consultant for the Lake District.

Agenda #14 Town Board Report – There was no report as the Town Board has not met since the last Plan Commission meeting.

Agenda #15 Next Meeting Agenda on January 19, 2012 - Rezoning of house and 5 acres from Agricultural to Rural Residential for Kathy Ballweg at W12744 State Highway 60. Jim Grothman representing Kathy Ballweg. Tax Parcel 317.01; 5 acre CSM for Kathy Ballweg at W12744 State Highway 60. Jim Grothman representing Kathy Ballweg. Tax Parcel 317.01; CSM for John and Carrie Ballweg to do a Farm Consolidation at W12790 State Highway 60. Tax Parcel #321. Jim Grothman representing John and Carrie Ballweg; 2 acre CSM for Thomas and Nancy Bannan at N1897 State Highway 188. Tax Parcel #142. . Jim Grothman representing Thomas and Nancy Bannan., Town Board Report and any other business that may legally brought before the Plan Commission.

Agenda #16 Adjourn Meeting. A motion was made by Wayne Houston to adjourn the January 5, 2012 Plan Commission meeting at 9:47 p. m., 2nd by Fred Madison - motion carried unanimously.

Respectfully Submitted by,
Edith K. Eberle
Town Clerk