

Town of West Point
Plan Commission Minutes
October 6, 2011

Pursuant to Wisconsin State Statutes s. 19.84 the Plan Commission of the Town of West Point held its semi-monthly meeting on Thursday, October 6, 2011 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 7:35 p.m. Members present were Kevin Kessler, Nathan Sawyer, Byron Olson, Sheila Landsverk, Wayne Houston, Fred Madison (7:37 p.m.) and Gordon Carncross (Town Board Representative). Also present were Edith K. Eberle, Town Clerk.

Agenda #2 – Approval of Agenda – A motion was made by Sheila Landsverk to switch agenda items #6 and #7 around, 2nd by Gordon Carncross – motion carried unanimously.

Agenda #3 Approve Minutes – Copies of the September 1, 2011 Plan Commission minutes had been emailed to each member for their review. Sheila Landsverk had emailed revised copies of the minutes for agenda item #8. A motion was made by Gordon Carncross postpone action on the September 1, 2011 minutes to allow Plan Commission members to review Sheila Landsverk suggestions to the minutes, 2nd by Nathan Sawyer – motion carried unanimously.

Agenda #4 Correspondence – John Bluemke from Columbia County Planning and Zoning had email copies of maps for Kathy Ballweg proposed CSM for Rural Residential ; and Proposed CSM to separate house and farm building totaling 4.892 acres to form a 37.508 acre parcel. A letter from Columbia County Planning and Zoning to Genny Lowy stating that they denied the variance for construction of a deck and approving the variance for retaining walls and patio steps.

Agenda #5 Citizens Input – Nathan Sawyer stated that a canning truck had tipped over on Golf Road due to high shoulders.

Agenda #7 Devon and Sharon Osborn at W12616 Pleasant View Park Road possible property line change. Devon Osborn came before the Plan Commission asking for their consideration of revising the Declaration of Covenants, Conditions, and Restrictions for David C. Mitchell which is recorded in Volume 28 of the Certified Survey Maps. The Covenants read that Lot 2 shall never have a single-family residence constructed and consist of a garage for the sole and exclusive benefit of the owner of Lot 1. The Osborn's are asking to split Lot 2 for the sole purpose of a garage and combine with their lot 10 of the West Park Plat. Mr. Osborn stated the following reasons for consideration:

1. That it was his understanding that the agreement was put in place to restrict expanded density on the site. The agreement required that the lot be attached to the lake lot and could not be used for residential purpose. We believe this modification meets the spirit of the original agreement and would enter into a similar Deed Restriction.
2. There is precedence along the street that a number of homes have a garage or land held across the street.
3. Due to limited parking there are times when cars, boats and trailers have to be parked on the street. This creates some safety and appearance concerns.
4. The current owner does not maintain the complete parcel.
5. The split and garage improvement would create additional tax base.
6. Have talked to all close neighbors and they are in support of the proposed split and garage project.

Kevin Kessler stated are we creating substandard lots/precedence. Sheila Landsverk stated that the Osborn's did a good job in laying out the packet of information for the Plan Commission. Gordon Carncross stated the strong wording in the agreement of one garage on 3,600 sq. ft. is obscene to have a garage. Kevin Kessler stated to Devon Osborn that there will be responsible for all attorney fees for revising the Declaration of Covenants, Conditions, and Restrictions. Devon Osborn agreed to pay the attorney fees for the revision. A motion was made by Sheila Landsverk to schedule a public hearing on December 1, 2011 contingent upon the Osborn's filing a Variance application with the Town of West Point within the next two weeks, 2nd by Fred Madison – motion carried unanimously.

Agenda #6 Todd Anderson Proposed U.S. Cellular Tower on Bittner Road – Todd Anderson representing U.S. Cellular stated that the proposed tower would be 195 feet, would have room for 4 to 5 other carriers and with

no timeline when another carrier could be added. U.S. Cellular had done a survey of 3 different areas along State Highway 60 and had picked the Bittner Road location. The Plan Commission had concerns on why U.S. Cellular did not pick the current tower that is located on Hartmann property on State Highway 60. The proposed tower would require a Conditional Use Permit. The timeline will be to go to Local Government, Columbia County, State and Federal which will take approximately 4 months. They are looking at putting up the tower in the summer/fall of 2012. Columbia County has a requirement that if the tower is not be used for one year that the tower will be taken down and put back the same as prior to the tower. Sheila Landsverk stated that a cell tower is needed along State Highway 60 as a safety issue because of high volume of residents/ visitors to Crystal Lake RV Resort and Treinen corn maze/pumpkin patch. A motion was made by Byron Olson to recommend approval of the Conditional Use Permit to the Town Board with a minimal of 5 carriers and internet on the Tower, 2nd by Sheila Landsverk - a roll call vote was taken as follows: Gordon Carncross – no; Byron Olson – yes; Sheila Landsverk – yes; Kevin Kessler – no; Fred Madison – no; Wayne Houston – no and Nathan Sawyer – abstained – the motion failed. The Plan Commission recommends to Todd Anderson that he go to Columbia County for a Conditional Use Permit. The Plan Commission also stated to Todd Anderson that the Town of West Point Erosion Control and Driveway Ordinance need to be complied with.

Agenda #8 Update on Columbia County Zoning Ordinance – Kevin Kessler stated that there will be a Town Advisory Meeting on October 17, 2011 to work on the language for the Conditional Use Permit and then they will proceed with the language for Towns Variances. Columbia County will not schedule or do anything until there is a variance application filed.

Agenda #9 Town Board Report – Gordon Carncross gave a report of the Town Board agenda held on September 8, 2011.

Agenda #10 Next Meeting Agenda – Rural Residential zoning of 5 acres for Kathy Ballweg and deed restricting remaining acreage; Farm Consolidation for Jon Ballweg on W12790 State Highway 60; Tom and Nancy Bannon creating a Rural Residential lot of 2 acres on State Highway 188-Tax Parcel 142; Town Board Report; Update on Columbia County Zoning Ordinance and any other business that may legally brought before the Plan Commission.

Agenda #11 Adjourn Meeting. A motion was made by Fred Madison to adjourn the October 6, 2011 Plan Commission meeting at 9:45 p. m., 2nd by Wayne Houston - motion carried unanimously.

Respectfully Submitted by,

Edith K. Eberle

Town Clerk