

# Town of West Point Plan Commission Minutes July 6, 2023

Pursuant to Wisconsin State Statutes s. 19.84 the Plan Commission of the Town of West Point held its semi-monthly meeting on July 6, 2023, at the West Point Town Hall, N2114 Rausch Road, Lodi, WI 53555, and via Zoom. The meeting agenda was posted in three places as required by law and on the Town's website. Chairman Kevin Kessler called the meeting to order at 7:04pm. Members in attendance were Kevin Kessler, Nathan Sawyer, Byron Olson, Ron Grasshoff, Les McBurney, and Darrell Lehman. Also present was Taffy Buchanan, Clerk. There is one vacant seat on the Plan Commission.

Agenda #2 – Approval of Agenda – A motion was made by Darrell Lehman to approve the agenda as presented, 2<sup>nd</sup> by Nathan Sawyer – motion carried unanimously.

Agenda #3 Approve Minutes – June 1, 2023 – Copies of the June 1, 2023, Plan Commission minutes had been emailed to each member for their review. A motion was made by Darrell Lehman to approve the June 1, 2023, minutes with a correction to a typo, 2<sup>nd</sup> by Ron Grasshoff – motion carried unanimously.

Agenda #4 Welcoming of New Plan Commission Member – The Plan Commission welcomed Les McBurney as the new Plan Commission member and he was sworn in.

Agenda #5 Correspondence – Ben Carlson resigned from the Plan Commission on June 5<sup>th</sup>, 2023. There were emails from the Town Engineer updating the Town about N2061 Centennial Court and possible violations regarding the tree removal on the property and shoreline. The Columbia County Board of Adjustments met and approved the Bentley variances.

Agenda #6 Citizen Input – Brooke Milde property owner at N2061 Centennial Court, were there had been concerns with the removal of trees on the shoreline of a property, explained that they were trying to restore a prairie ecosystem and were careful to try and preserve trees that were identified on Ryan's Haven tree exhibit.

Agenda #7 Public Hearing for 5<sup>th</sup> Generation Homestead LLC c/o Tyler and Andrea Miller, to rezone a portion of Parcels #11040-249.A, #11040-262, and #11040-263 from A-1 Agriculture to RR-1 Rural Residential and rezone a portion of Parcel #11040-263 from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay. A 2.6-acre lot would be created from portions of Parcel #11040-249.A, #11040-262, and #11040-263 to be zoned RR-1 Rural Residence, 33 acres of Parcel #11040-263 would be rezoned to A-1 Agriculture with an A-4 Overlay, and the remaining acres of Parcels #11040-249.A, #11040-262, and #11040-263 would remain A-1 Agriculture. This proposal will require a Certified Survey Map. Public comment will be received on the proposed rezone as well as the proposed CSM. -The public hearing was opened at 7:30pm. Taffy Buchanan, Town Clerk, verified the notice was published in the Lodi Enterprise and the Star News; was posted in three places and on the Town's website; and 9 letters were sent to landowners within 1000 feet. Tyler & Andrea Miller, & applicants and John Miller were present and Andrea explained their proposal. They would like to divide off a flag lot of 2+ acres from the parcels to create a lot to build a house for themselves. About 400 acres are part of the parent parcel so there would be 4 development rights associated with the parent parcel. Two of the development rights have been used by the 2 existing houses, so there are 2 development rights left right now. No one else presented comments or registered at the public hearing and no other written comments were received. The public hearing was closed at 7:35pm

Agenda #8 Rezone & CSM for 5<sup>th</sup> Generation Homestead LLC c/o Tyler and Andrea Miller - Parcels #11040-249.A, #11040-262, and #11040-263. - A motion was made by Byron Olson to recommend to the Town Board they recommend to Columbia County to approve the rezone and to recommend to the Town board approval of the CSM subject to the payment of a "park fee" and having restrictive covenants, 2<sup>nd</sup> by Ron Grasshoff – motion carried unanimously. There is one" development right" left after this, for all the contiguous property by Parcel 262 & 263 owned by 5<sup>th</sup> Generation.

Agenda #9 Public Hearing for Steven & Lisa Britt, for a variance to Section 12.110.03(1) Parcels and Building Standards in Residential Zoning Districts, Section 12.110.03(2) Minimum Required Setback for Front and Street Side Yards, and Section 12.525.02(1) Shoreland Setbacks of the Columbia County Zoning Ordinance at W12694 Pleasant View Park Road, Lodi, Parcel #11040-657. Steve & Lisa Britt would like to remove the existing single-family residence which is in ill-

repair and rebuild a new single-family residence, under current standards, the lot size does not allow for any building. Public comment will be received on the requested variances. - The public hearing was opened at 7:50pm. Taffy Buchanan, Town Clerk, verified the notice was published in the Lodi Enterprise and the Star News; was posted in three places and on the Town's website; and 31 letters were sent to landowners within 500 feet. Steve Britt, applicant, was present and explained his proposal. Steve would like to tear down the existing house which is about 581 square feet in size which is not salvageable and build a new house which is about 1,265 square feet in size. No one else presented comments or registered at the public hearing and no other written comments were received. The public hearing was closed at 8:00pm

Agenda #10 Variances for Steve & Lisa Britt – Parcel #11040-657. - A motion was made by Byron Olson that the Plan Commission find the application incomplete and postpone action, 2<sup>nd</sup> by Nathan Sawyer – motion carried unanimously. The Plan Commission discussed if this variance would be a “legal hardship” and had some question they needed answers to before making a recommendation. The first question is regarding wording on the county form under Legal Standards for Variances, it says “In most cases, if property is already developed and has an established use, a hardship will not exist.;" What is “in most cases”? The second question is “What would the maximum square footage of the buildable area before it would be considered a “self-imposed” hardship?” The Town has 60 days to give a recommendation to the County from June 5<sup>th</sup>, 2023. Since the Plan Commission decided to postpone a recommendation would not be able to happen until the August Town Board meeting which is after the 60 days. Kevin Kessler is going to call the County and ask for an extension and meet with the County and applicant to get more information on the variance.

Agenda #11 Public Hearing for Vincent Demarte to rezone Parcel #11040-551.A from C-2 General Commercial with PD-2 Planned Commercial Overlay to R-1 Single-Family Residence with PD-1 Planned Residential Overlay and then combine it with Parcels #11022-275 & #11022-275.A which are in the Town of Lodi. There is an existing residence on this property and by rezoning this property to R-1 Single Family Residence the residential use on the property will be brought into compliance with the zoning code. This proposal will require a Certified Survey Map. Public comment will be received on the proposed rezone as well as the proposed CSM. - The public hearing was opened at 9:05pm. Taffy Buchanan, Town Clerk, verified the notice was published in the Lodi Enterprise and the Star News; was posted in three places and on the Town's website; and 48 letters were

sent to landowners within 1000 feet. Vincent Demarte, applicant, was present and explained his proposal. He has owned the property since 2012 and went to the Town of Lodi in 2017 to try and have it rezoned but at that time, they were not in favor of the rezone so he did not pursue it any farther; now he would like to try to rezone again. No one else presented comments or registered at the public hearing and no other written comments were received. The public hearing was closed at 9:12pm

Agenda #12 Rezone & CSM for Vincent Demarte – Parcel #11040-551.A - A motion was made by Ron Grasshoff to recommend to the Town Board they recommend to Columbia County to approve the rezone of parcel #551.A that is in West Point from the existing zoning to R-1 Single Family Residential, 2<sup>nd</sup> by Les McBurney – motion carried unanimously. A motion was made by Kevin Kessler to recommend to the Town Board to approve the proposed CSM for a lot-line adjustment, 2<sup>nd</sup> by Ron Grasshoff – motion carried unanimously.

Agenda #13 Town Board Report – Kevin Kessler reported on the June 8, 2023 Town Board meeting.

Agenda #14 Next Meeting Date – The next meeting will be scheduled as needed.

Agenda #15 Adjourn - A motion was made by Byron Olson to adjourn the July 6, 2023, Plan Commission meeting, 2<sup>nd</sup> by Nathan Sawyer –motion carried unanimously. The meeting was adjourned at 9:46pm.

Respectfully Submitted by  
*Taffy Buchanan*, Town Clerk