

AGENDA

MIDDLETON/WESTPORT JOINT ZONING COMMITTEE

MONDAY, JANUARY 21, 2019 AT 6:00 P.M.

**TO BE HELD AT TOWN OF WESTPORT HALL
5387 MARY LAKE RD., WAUNAKEE, WI 53597**

Posted on the City's web site at meetings.cityofmiddleton.us/

Agenda Items

- 1.) Call to Order**
- 2.) Approve Minutes of 10/16/18**
- 3.) PUBLIC HEARING: Rezoning of property from County R-1 to ER-1, Estate Residential District, Jason Smith, 4007 Burr Oak Drive in the Town of Westport (PC-2558)**
- 4.) Rezoning of property from County R-1 to ER-1, Estate Residential District; and, Extraterritorial Certified Survey Map (CSM) to create one additional residential lot, Jason Smith, 4007 Burr Oak Drive in the Town of Westport (PC-2558)
Discussion/Recommendation**
- 5.) PUBLIC HEARING: Amendment of Comprehensive Plan (Community Residential to Rural Preservation) & Rezone from County A-1 to County A-1EX, Laufenberg Property West of CTQ & South of Balzer Rd. in the Town of Westport (PC-2560)**
- 6.) Amendment of the Waunakee/Westport Joint Comprehensive Plan, Middleton/Westport Extraterritorial Area, Community Residential to Rural Preservation; and, Rezoning of Property from County A-1 to County A-1EX, Laufenberg Property West of CTH Q and South of Balzer Rd. in the Town of Westport (PC-2560), Discussion/Recommendation**
- 7.) Adjourn**

Posted: 01/10/19

Notice is hereby given that a majority of the members of the Common Council may attend this meeting to gather information about a subject over which the Common Council has a decision-making responsibility. If a quorum of the Common Council attends this meeting, no action will be taken by the Common Council at this meeting.

Any person who has a qualifying disability as defined by the American With Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format must contact the City Administrator at (608)821-8350, 7426 Hubbard Ave., Middleton, WI at least 24 hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

For more information, contact: Eileen Kelley, City Planning Director & Zoning Administrator
Phone: 821-8370 Fax: 827-1080 E-mail: ekelley@cityofmiddleton.us

MINUTES
MIDDLETON/WESTPORT JOINT ZONING COMMITTEE
Meeting Jointly with the Middleton Common Council
TUESDAY OCTOBER 16, 2018 5:30 pm

PRESENT: Dean Grosskopf, Ken Sipsma and Cyndi Kennedy, Town of Westport; Wayne Phirdehirt, Jennifer Murray, Leif Hubbard, City of Middleton
ALSO PRESENT: Eileen Kelley, Tom Wilson

1. Call to Order

Acting Chair Sipsma called the meeting to order at 7:35 p.m.

2.) Public Hearing on Rezoning of Several Properties within the City's Extraterritorial Zoning Jurisdiction in the Town of Westport in Order to Certify that Area/District under the State Farmland Preservation Credit Program and An Ordinance to Repeal and Recreate Sec. 10.96(8)(b)(1)-(3) and 10.96(8)(o), Relating to Agricultural Preservation Zoning and Farm Preservation Credits.

Acting Chair Sipsma opened the public hearing at 7:43 p.m., following a briefing by Wilson and Kelley on the purpose of the hearing and the proposed Ordinance changes.

Virginia Martens, 5055 Hardy Trail, asked about the changes and the effect on her property.

Sipsma closed the hearing at 7:48 p.m.

3.) Action and Recommendation on an Ordinance to Repeal and Recreate Sec. 10.96(8)(b)(1)-(3) and 10.96(8)(o), Relating to Agricultural Preservation Zoning and Farm Preservation Credits.

Following discussion, moved by Hubbard, seconded by Grosskopf, to recommend approval of the Ordinance to repeal and recreate Sec. 10.96(8)(b)(1)-(3) and 10.96(8)(o), Relating to Agricultural Preservation Zoning and Farm Preservation Credits, contingent on recommendations from the state regarding any minor language revisions. Motion carried 6-0.

4.) Action and Recommendation on an Ordinance Rezoning Several Properties within the City's Extraterritorial Zoning Jurisdiction in the Town of Westport in Order to Certify that Area/District under the State Farmland Preservation Credit Program.

Moved by Grosskopf, seconded by Murray, to recommend approval of the rezonings to the Common Council contingent on map changes for the Wegenke property to show the PDD zoning for 3 of the 4 parcels and A-1 zoning for the parcel closest to CTH "Q"; and for the property on Sumac Circle that is being rezoned to A-1, add language restricting the property that the only farm animals allowed are horses. Motion carried 6-0.

5.) Adjourn

Moved by Hubbard, seconded by Grosskopf, to adjourn. Motion carried 6-0, and the meeting adjourned at 7:56 p.m.

NOTICE OF PUBLIC HEARING

Middleton/Westport Joint Zoning Committee

To Whom It May Concern:

At a meeting of the Middleton/Westport Joint Zoning Committee to be held on Monday, **January 21, 2019, at 6:00 pm**, at the Westport Town Hall, 5387 Mary Lake Rd, Town of Westport, the following matter will be heard:

An application by Jason Smith, representing Winchester Hideaway LLC, requesting a rezoning of property at **4007 Burr Oak Drive** in the Town of Westport. The applicant is requesting rezoning from County R-1, to ER-1, Estate Residential District. The purpose of the proposed rezoning is to accommodate two single family houses, one of which is an existing house (this creates one new buildable lot).

This area is part of the Middleton/Westport Joint Planning Area and is legally described below:

Lot 3, Certified Survey Map No. 954, Volume 4, Pages 203-204, located in part of the NE ¼ of the NE ¼ of Section 5, T7N, R9E, Town of Westport, Dane County, Wisconsin containing 2.46 acres.

At the hearing, all interested persons will have an opportunity to be heard, and action will be considered.

More information about this request is available at Middleton City Hall during normal business hours, 7:45 am to 4:30 pm, Monday through Friday. Ph. 821-8377 E-mail: ekelley@ci.middleton.wi.us.

EILEEN KELLEY
City Planning Director/
Zoning Administrator

Publish: 01/03/2019
01/10/2019

Town Board

Dean A. Grosskopf, Chair
Terry Enge
Kenneth R. Sipsma
Mark A. Trotter
John Cuccia



Thomas G. Wilson
Attorney/Administrator/Clerk-Treasurer

Robert C. Anderson
Utility, Finance & IS Manager

Jessica J. Frey
Executive Assistant

Kennedy Administration Building
5387 Mary Lake Road
Waunakee, WI 53597
Office: (608)849-4372 * Fax: (608)849-9657
www.townofwestport.org

December 18, 2018

Eileen Kelley
City of Middleton
7426 Hubbard Avenue
Middleton, WI 53562

Re: Town of Westport Resolution No.18-15
Smith Rezone, 4007 Burr Oak Drive, M/W JZC

Dear Eileen,

Attached please find a copy of the Town Resolution No. 18-15 recommending approval of the Smith Rezone, 4007 Burr Oak Drive, with restrictions. I understand this matter is on the JZC's agenda for a public hearing and action at its regular meeting on January 21, 2019. The Town Board respectfully requests you to pass this on to the JZC and the City Council for their review and action at their meetings.

Thank you.

Very truly yours,

Thomas G. Wilson
Attorney/Administrator/Clerk-Treasurer

TGW/jf
Enclosure

cc by e-mail only:

Dean A. Grosskopf, Town Board Chair
Jason Smith

**TOWN OF WESTPORT
RESOLUTION NO. 18- 15**

**RESOLUTION BY THE TOWN OF WESTPORT
BOARD OF SUPERVISORS CONDITIONALLY APPROVING
THE CERTIFIED SURVEY MAP AND REZONING
FOR THE SMITH PROPERTY WITHIN THE TOWN OF WESTPORT,
DANE COUNTY, WISCONSIN
(4007 Burr Oak Drive, MIDDLETON ETZ)**

WHEREAS, application to Create one new buildable lot by Certified Survey Map ("CSM" -- attached as Exhibit A) and associated rezoning identifying an area of land located in the Town of Westport (the "Town") was submitted by Jason Smith ("Petitioner"), to the Town for review and action on November 27, 2018, and the statutory sixty-day review period will expire on or about January 26, 2019; and,

WHEREAS, the CSM and rezoning request, since the property was located in the Middleton Joint Zoning Area was referred to the Middleton/Westport Joint Zoning Committee (the "JZC") for its review and its recommendation to the Town Board of Supervisors (the "Town Board"); and,

WHEREAS, the JZC, Town Plan Commission, and the Town Board have reviewed the CSM and rezoning and met with the Petitioners with respect to the proposed CSM and requested rezoning, or will do so; and,

WHEREAS, the Town Plan Commission determined that the CSM and requested rezoning will only be consistent with the Town of Westport Ordinances, the City of Middleton Ordinances, Ch. 236, Wis. Stats., Town of Westport Comprehensive Plan and the Middleton/Westport Joint Zoning Area Comprehensive Plan if certain conditions set forth in its recommendations adopted at its meeting on December 8, 2014, are met; and,

WHEREAS, the JZC will hear this item at its meeting on January 21, 2019; and

WHEREAS, the Town Board has determined that the CSM and requested rezoning will only be consistent with the Town of Westport Ordinances, the City of Middleton Ordinances, Ch. 236, Wis. Stats., Town of Westport Comprehensive Plan and the Middleton/Westport Joint Zoning Area Comprehensive Plan if all the conditions set forth below are met and also any further conditions and restrictions the JZC may recommend.

NOW, THEREFORE, the Town Board of Supervisors of the Town of Westport, based upon the above determinations, hereby approves the Certified Survey Map and recommends approval of the rezoning for the CSM Property as attached hereto at Exhibit A, subject to the following conditions and/or restrictions.

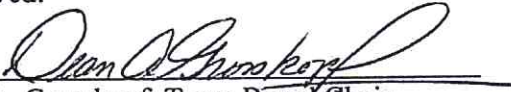
1. Finalization of any necessary zoning changes to rezone the parcels to ER-1 (Residential);
2. These lots shall be restricted to no further land divisions or creation of building sites without Town Board approval;

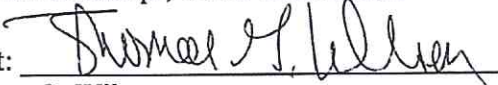
3. Only one home per lot shall be permitted;
4. No building shall be allowed on Lot 2 until at least the expiration of 10 years from the date the CSM is recorded;
5. Maintain current road improvement cost payment provisions should Burr Oak be reconstructed as contemplated;
6. A restriction that any residence on the CSM property shall connect to municipal water and sewer utilities should the service ever be extended to the property, at the then owners' expense and without challenge;
7. All restrictions above shall be shown on the face of the CSM;
8. The Petitioner shall pay all costs and fees incurred by the Town for any and all reviews, approval requests and document preparation by the Town Engineer and Town Attorney relating to the property, and shall enter into an agreement approved by the Town Attorney to pay these costs and fees; and,
9. The Petitioner shall provide to the Town a recorded copy of the CSM.

The above and foregoing resolution was duly adopted by the Town Board of Supervisors of the Town of Westport, Dane County, Wisconsin, at a regular meeting held on the 17th day of December, 2019, by a vote of 5 ayes and 0 nays, with 0 member(s) absent.

TOWN OF WESTPORT

Approved:

By: 
Dean A. Grosskopf, Town Board Chair

Attest: 
Thomas G. Wilson,
Town Attorney/Administrator/Clerk-Treasurer

Approved: 12/17/18
Posted: 12/18/18



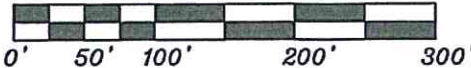
CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the NE ¼ & NW ¼ of the NE ¼ of Section 5, T7N, R9E, Town of Westport, Dane County, Wisconsin. Including all of Lot 3, C.S.M. No. 954, V. 4, Pg. 203-204.

SCALE 1" = 100'



NORTH ¼ COR.
SEC. 5, T7N, R9E
FD 2" PIPE
ALL TIES VERIFIED

NORTHEAST COR.
SEC. 5, T7N, R9E
FD 1½" REBAR
ALL TIES VERIFIED

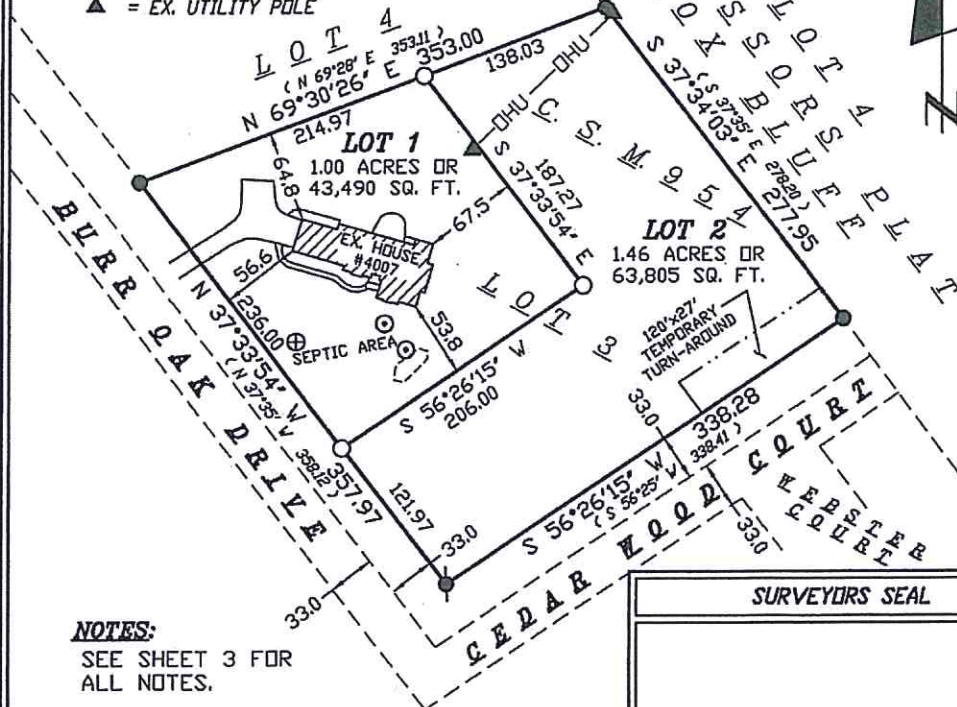
LEGEND

- = SET ¾"x24" REBAR
WT 1.5 LB PER LIN FT
- = FOUND ¾" REBAR
- ⊙ = FOUND 1 ¼" REBAR
- (##) = RECORDED AS
- ⊙ = EX. SEPTIC TANK
- ⊕ = EX. SEPTIC VENT
- ▲ = EX. UTILITY POLE

PREPARED FOR:

JASON SMITH
4009 BURR OAK DR
MIDDLETON, WI 53562

W.C.S. - DANE ZONE
BEARINGS ARE REFERENCED TO THE NORTH
LINE OF THE NE ¼ OF SECTION 5-7-9 LINE
TO BEAR S 89°42'47" E



NOTES:

SEE SHEET 3 FOR
ALL NOTES.

SURVEYORS SEAL

DOCUMENT NO. _____

CERTIFIED SURVEY MAP NO. _____

Sheet 1 of 3

18W-451

Exhibit A.



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC
NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the NE $\frac{1}{4}$ & NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, T7N, R9E, Town of Westport,
Dane County, Wisconsin. Including all of Lot 3, C.S.M. No. 954, V. 4, Pg. 203-204.

SURVEYOR'S CERTIFICATE

I, Chris W. Adams, Professional Land Surveyor hereby certify that this survey is correct to the best of the professional surveyor's knowledge and belief and is in full compliance with the provisions of Chapter A-E 7 and Chapter 236.34 Wisconsin Statutes, the subdivision regulations of Dane County, and by the direction of the owners listed below, I have surveyed, divided, and mapped a correct representation of the exterior boundaries of the land surveyed and the division of that land, being all of Lot 3, Certified Survey Map No. 954, Volume 4, Pages 203-204, located in part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, T7N, R9E, Town of Westport, Dane County, Wisconsin containing 2.46 acres.

Williamson Surveying and Associates, LLC
by Noa T. Prieve & Chris W. Adams

Date _____

Chris W. Adams S-2748
Professional Land Surveyor

OWNERS' CERTIFICATE:

As owner, I hereby certify that I caused the land described on this certified survey map to be surveyed, divided and mapped as represented on the certified survey map. I also certify that this certified survey map is required by sec. 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee for approval.

WITNESS the hand seal of said owners this _____ day
of _____, 20____.

Winchester Hideaway LLC

Jason Smith

STATE OF WISCONSIN
DANE COUNTY

Personally came before me this _____ day
of _____, 20____ the above named
Jason Smith to me known to be the person
who executed the foregoing instrument and
acknowledge the same.

County, Wisconsin.

My commission expires _____

Notary Public

Print Name

Sheet 2 of 3

SURVEYORS SEAL

18W-451



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC
NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the NE ¼ & NW ¼ of the NE ¼ of Section 5, T7N, R9E, Town of Westport,
Dane County, Wisconsin. Including all of Lot 3, C.S.M. No. 954, V. 4, Pg. 203-204.

NOTES:

1.) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT FOR THE SUBJECT TRACT OR ADJOINERS AND IS THEREFORE SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS AND STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.

2.) WETLANDS AND FLOOD PLAIN, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.

3.) ALL TIES WERE VERIFIED FOR THE NORTH 1/4 AND NORTHEAST CORNER OF SECTION 5, T7N, R9E PER THE LATEST TIE SHEET ON RECORD..

5.) ANY LOT ON THIS C.S.M. SHALL CONNECT TO THE MUNICIPAL WATER UTILITY AND SANITARY SEWER SHOULD THE SERVICE EVER EXTENDED TO THE PROPERTY, AT THE THEN OWNERS' EXPENSE AND WITHOUT CHALLENGE.

6.) ALL LOTS ARE LIMITED TO NO FURTHER LAND DIVISIONS OR CREATION OF BUILDING SITES AND NO ANNEXATION WITHOUT TOWN CONSENT.

TOWN BOARD RESOLUTION

Resolved that this certified survey map is hereby acknowledged and approved by the Town of Westport on this _____ day of _____, 20____.

Thomas G. Wilson
Town Clerk

CITY OF MIDDLETON APPROVAL

Resolved that this certified survey map in the Town of Westport is hereby acknowledged and approved by the City of Middleton on this _____ day of _____, 20____.

Eileen Kelley
Zoning Administrator

REGISTER OF DEEDS:

Received for recording this ____ day of _____, 20____ at ____ o'clock ____M.
and recorded in Volume _____ of Dane
County Certified Surveys on pages _____
through _____.

Kristi Chlebowski
Register of Deeds

DOCUMENT NO. _____

CERTIFIED SURVEY MAP NO. _____

Sheet 3 of 3

SURVEYORS SEAL

18W-451

TOWN OF WESTPORT

TOWN BOARD - Monday, December 17, 2018

The regular semi-monthly meeting of the Town Board was called to order in the Community Meeting Room of the Bernard J. Kennedy Administration Building at 7:05 p.m. by Chair Grosskopf. Members present: Cuccia, Enge, Grosskopf, Sipsma (at 7:10 p.m.), and Trotter. Members absent: None. Also Present: Jason Smith (with two children), Peter Lindblad, and Tom Wilson.

No one was present for Public Comment On Matters Not On the Agenda. The minutes of the December 3, 2018 regular meeting were approved as presented on a motion by Trotter, second Enge.

A Regular Operator License for Whitney Miranda as on file with the Clerk and presented was granted subject all state and local requirements on a motion by Enge, second Trotter.

After a brief presentation by Wilson, Ordinance 18-07 [Conditionally Approve Rezone and Comprehensive Plan Revision (For Farmland Preservation Tax Credits, to County A1-Ex and Rural Preservation/Long Term Agricultural Preservation), Laufenberg, 80 Acres North of Northlake Subdivision in Middleton and West of CTH Q, Middleton ETZ] was adopted as presented and as recommended by the Town Plan Commission on a motion by Cuccia, second Trotter.

After a brief presentation by Wilson and discussion, Resolution 18-15 [Conditionally Approve Rezone and Land Division (Create One New Buildable Lot), County R-1 to ER-1, 4007 Burr Oak Drive, Smith, Middleton ETZ, with restrictions] was adopted as presented and as recommended by the Town Plan Commission on a motion by Sipsma, second Enge.

Grosskopf reported that the Personnel Committee will be reporting on its work later in this meeting. Grosskopf and Wilson reported on items before the plan commission/committees. The Audit Committee recommended payment of bills as presented by the Administrator after questions were answered.

For Administrative Matters raised, Wilson provided an update on the Six Mile Creek restoration project. For Miscellaneous Business or Forthcoming Events raised, Cuccia reminded the Board members of the December 18 PIM for the Commercial Design Guidelines draft.

Current bills were paid as presented by the Administrator and recommended by the Audit Committee after questions were answered on a motion by Enge, second Sipsma.

After discussion on the Personnel Pay and Policies matter, the Board determined it was not necessary to go into closed session, and after further discussion, including Sipsma raising concerns about the continued rise in health care costs being absorbed by employees, the Board approved the recommendations of the Personnel Committee in the confidential memorandum dated December 6, 2018, on a motion by Trotter, second Enge.

Motion to adjourn by Enge, second Cuccia. The meeting adjourned at 7:31 p.m.

Thomas G. Wilson
Town Attorney/Administrator/Clerk-Treasurer

TOWN OF WESTPORT

PLAN COMMISSION – December 10, 2018

The regular monthly meeting of the Plan Commission was called to order at 7:02 p.m. in the Community Meeting Room of the Bernard J. Kennedy Administration Building by Chair Grosskopf. Members present: Bruskewitz, Cuccia, Grosskopf, Kennedy, Manering, Ohm, and Pichette. Members absent: None. Also attending: Terry Enge, Jason Smith, Stephen Dickmann, Denise Holmes, and Tom Wilson.

No one was present For Public Comment on Matters not on the Agenda. The minutes of the October 8, 2018 regular meeting were approved as presented on a motion by Manering, second Cuccia.

After a presentation by Wilson, the Rezone and Comprehensive Plan Revision (For Farmland Preservation Tax Credits, to County A1-Ex and Rural Preservation/Long Term Agricultural Preservation), Laufenberg, 80 Acres North of Northlake Subdivision in Middleton and West of CTH Q, Middleton ETZ, was recommended for approval as presented with a delayed effective date until Dane County amends its Farmland Preservation Plan consistent with this action on a motion by Manering, second Bruskewitz.

After a presentation by Wilson; comments from the owner, his realtor, and a neighbor; questions from the Commissioners were answered; and discussion, the Rezone and Land Division (Create One New Buildable Lot), County R-1 to ER-1, 4007 Burr Oak Drive, Smith, Middleton ETZ, was recommended for approval as presented with conditions and restrictions recommended by staff including no further land divisions, allowing only one home on each lot, no building on the empty lot for 10 years, maintain current road cost payment provisions should Burr Oak be improved, and connection to Town sewer and water required at the then owner's expense if ever available, on a motion by Pichette, second Bruskewitz.

Cuccia reported on the work of the Design Guidelines Development Committee. Enge reported on the work of the Park Committee. Pichette reported on the work of the Historic Preservation Commission. Wilson and Grosskopf reported on items before the Waunakee/Westport Joint Planning Committee and the Middleton/Westport Joint Zoning Committee.

There were no Miscellaneous Matters and Forthcoming Events raised.

Motion to adjourn by Cuccia, second Kennedy. The meeting adjourned at 7:51 p.m.

Mary Manering, Secretary

City of Middleton and Town of Westport

NOTICE OF PUBLIC HEARING

Amendment of Comprehensive Plan and Rezone

To Rural Preservation/Long Term Agricultural

Preservation and County A-1 Agriculture (Exclusive)

Classification

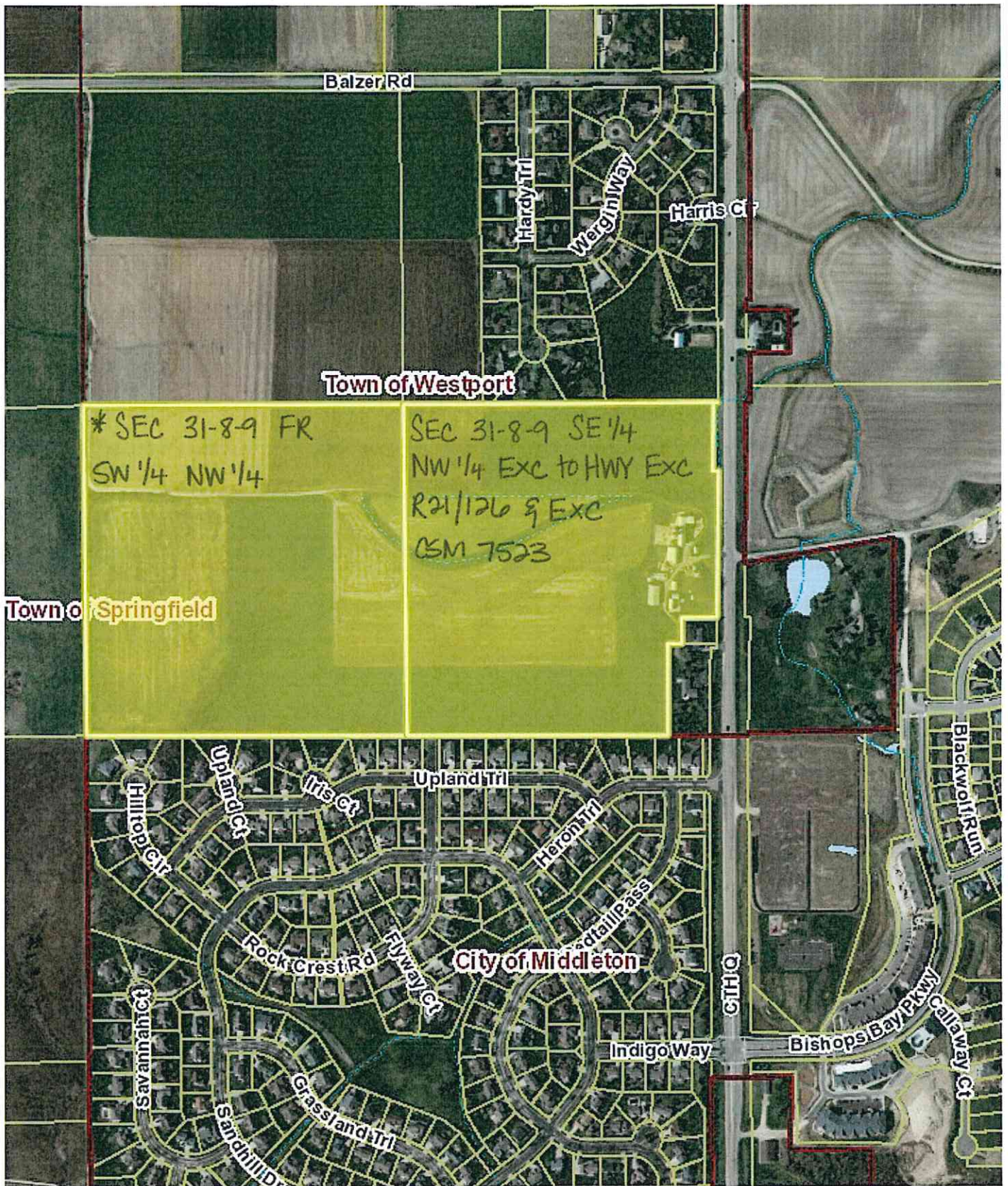
[Laufenberg Property, CTH Q]

Notice is hereby given that the Middleton/Westport Joint Zoning Committee ("JZC") will hold a Public Hearing on Monday, January 21, 2019 at 6:00 PM in the Community Meeting Room, Westport Town Hall, 5387 Mary Lake Road, Westport, Wisconsin. The purpose of the Public Hearing is to solicit comments from City and Town residents regarding amending the Waunakee/Westport Joint Comprehensive Plan (Middleton/Westport ETZ Area Comprehensive Plan) to change approximately 80 acres in the Town located west of CTH Q and north of the City's North Lake subdivision to Rural Preservation (Long Term Agricultural Preservation), and to rezone the parcels to County A-1 Agriculture (Exclusive). See attached map. The JZC may act at this meeting to recommend adoption of these revisions by the City Council and Town Board. Documents will be available for review at the Middleton City Hall, the Westport Town Hall, and on City of Middleton and Town of Westport websites. Questions or comments about this plan amendment and zoning change may be directed to Town Attorney/Administrator/Clerk-Treasurer Tom Wilson or Eileen Kelley, City Planner.

LORIE BURNS
City Clerk

TOM WILSON
Town Clerk

Published: The Waunakee Tribune and The Middleton Times-Tribune
on December 6, 2018, January 3, 2019 and January 10, 2019
Publish as a Class 2 Notice and 30 days prior to hearing (3 times)



Town of Westport GIS

DISCLAIMER: The Town of Westport does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1 = 758'

Town of Westport

5387 Mary Lake Road
Waunakee, WI 53597
(608) 849-4372

Town Board

Dean A. Grosskopf, Chair
Terry Enge
Kenneth R. Sipsma
Mark A. Trotter
John Cuccia



Thomas G. Wilson
Attorney/Administrator/Clerk-Treasurer

Robert C. Anderson
Utility, Finance & IS Manager

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December 18, 2018

Eileen Kelley
City of Middleton
7426 Hubbard Avenue
Middleton, WI 53562

Re: Town of Westport Ordinance No.18-07
Laufenberg Rezone and Comp. Plan Revision, M/W JZC

Dear Eileen,

Attached please find a copy of the Town Ordinance No. 18-07 recommending approval of the Laufenberg Rezone with restrictions, and Comprehensive Plan revision. I understand this matter is on the JZC's agenda for a public hearing and action at its regular meeting on January 21, 2019. The Town Board respectfully requests you to pass this on to the JZC and the City Council for their review and action at their meetings. I am also copying Jason Valerius and will ask him to revise the Comprehensive Plan map to include this revision after the City Council confirms.

Thank you.

Very truly yours,

Thomas G. Wilson
Attorney/Administrator/Clerk-Treasurer

TGW/jf

Enclosure

cc by e-mail only:

Dean A. Grosskopf, Town Board Chair
Robert Anderson, Utility, Finance & IS Manager
Henry Laufenberg
Jason Valerius, MSA Professional Services, Inc.

TOWN OF WESTPORT

ORDINANCE NO. 18-07

AN ORDINANCE TO AMEND THE WAUNAKEE/WESTPORT JOINT COMPREHENSIVE PLAN (MIDDLETON/WESTPORT ETZ AREA COMPREHENSIVE PLAN) AND RECOMMEND REZONE (Laufenberg Property, to Rural Preservation District [Long Term Agricultural Preservation] and County A1-EX Zoning)

WHEREAS, pursuant to section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes, the Town of Westport is authorized to prepare, adopt, and amend a comprehensive plan; and,

WHEREAS, The Town Board of the Town of Westport, Wisconsin, has adopted written procedures designed to foster public participation in the preparation of a comprehensive plan update as required by section 66.1001(4)(a) of the Wisconsin Statutes; and,

WHEREAS, The Plan Commission of the Town of Westport, and the Middleton/Westport Joint Zoning Committee, have each, by a majority vote of the entire body recorded in official minutes, adopted a resolution recommending to the Town Board the adoption of a revision to the future land use map of the document entitled "Village of Waunakee - Town of Westport Joint Comprehensive Plan," (the "Plan") as noted at Exhibit A containing all of the elements specified in section 66.1001(2) of the Wisconsin Statutes, which Plan also serves as the Middleton/Westport ETZ Area Capital Plan; and,

WHEREAS, the Town has held at least one public hearing on this Plan Amendment, the proposed rezone, and this ordinance, in compliance with the requirements of section 66.1001(4)(d) of the Wisconsin Statutes; and,

WHEREAS, the approval of the Plan Amendment and proposed rezone will assist a Town farmer in obtaining Farm Preservation Tax Credits.

NOW THEREFORE, The Town Board of Supervisors of the Town of Westport, Dane County, Wisconsin, does hereby ordain as follows:

SECTION 1: The Westport Town Board, does, by enactment of this ordinance, formally adopt the amendment to the future land use map of the Plan as noted at Exhibit A, pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 2: The Town hereby incorporates the Amended Plan into this Ordinance, as if fully set forth here.

SECTION 3: The Plan amendment is also adopted pursuant to sec. 60.62 (6), Wis. Stats. The Plan amendment shall be incorporated, without change, into the Dane County Comprehensive Plan.

SECTION 4: The Town Board recommends the approval of the rezoning of the 80 acre parcel to County A1-EX as proposed.

SECTION 5: This Ordinance shall take effect upon passage by a majority vote of the members-elect of the Town Board and publication as required by law, in accordance with the statutes process for adoption of a Comprehensive Plan amendment, and after action by the Village of Waunakee Supervisors confirming this action. After becoming effective, the Town shall give notice of the adoption of this Ordinance and the adopted Comprehensive Plan amendment, including a copy of these documents, to:

1. Every Governmental body that is located in whole or in part within the boundaries of the Town.
2. The clerk of every local governmental unit that is adjacent to the Town.
3. The Wisconsin Department of Administration.
4. The Capital Area Regional Planning Commission.
5. The Public Library for the Town.
6. Dane County is order to amend the Dane County Farmland Preservation Plan.

The above and foregoing ordinance was duly adopted at a regular meeting of the Town Board of Supervisors of the Town of Westport on December 17, 2018, by a vote of 4 ayes 0 nays, and 1 not voting (absent).

Sipsma

APPROVED:

By: *Dean A. Grosskopf*
Dean A. Grosskopf, Town Board Chair

Attest: *Thomas G. Wilson*
Thomas G. Wilson
Town Attorney/Administrator/Clerk-Treasurer

Approved: 12/17/18
Published: 12/18/18
Posted



Town of Westport GIS

DISCLAIMER: The Town of Westport does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1 = 758'

Town of Westport

5387 Mary Lake Road
Waunakee, WI 53597
(608) 849-4372

Print Date: 11/7/2018

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TOWN OF WESTPORT

TOWN BOARD - Monday, December 17, 2018

The regular semi-monthly meeting of the Town Board was called to order in the Community Meeting Room of the Bernard J. Kennedy Administration Building at 7:05 p.m. by Chair Grosskopf. Members present: Cuccia, Enge, Grosskopf, Sipsma (at 7:10 p.m.), and Trotter. Members absent: None. Also Present: Jason Smith (with two children), Peter Lindblad, and Tom Wilson.

No one was present for Public Comment On Matters Not On the Agenda. The minutes of the December 3, 2018 regular meeting were approved as presented on a motion by Trotter, second Enge.

A Regular Operator License for Whitney Miranda as on file with the Clerk and presented was granted subject all state and local requirements on a motion by Enge, second Trotter.

After a brief presentation by Wilson, Ordinance 18-07 [Conditionally Approve Rezone and Comprehensive Plan Revision (For Farmland Preservation Tax Credits, to County A1-Ex and Rural Preservation/Long Term Agricultural Preservation), Laufenberg, 80 Acres North of Northlake Subdivision in Middleton and West of CTH Q, Middleton ETZ] was adopted as presented and as recommended by the Town Plan Commission on a motion by Cuccia, second Trotter.

After a brief presentation by Wilson and discussion, Resolution 18-15 [Conditionally Approve Rezone and Land Division (Create One New Buildable Lot), County R-1 to ER-1, 4007 Burr Oak Drive, Smith, Middleton ETZ, with restrictions] was adopted as presented and as recommended by the Town Plan Commission on a motion by Sipsma, second Enge.

Grosskopf reported that the Personnel Committee will be reporting on its work later in this meeting. Grosskopf and Wilson reported on items before the plan commission/committees. The Audit Committee recommended payment of bills as presented by the Administrator after questions were answered.

For Administrative Matters raised, Wilson provided an update on the Six Mile Creek restoration project. For Miscellaneous Business or Forthcoming Events raised, Cuccia reminded the Board members of the December 18 PIM for the Commercial Design Guidelines draft.

Current bills were paid as presented by the Administrator and recommended by the Audit Committee after questions were answered on a motion by Enge, second Sipsma.

After discussion on the Personnel Pay and Policies matter, the Board determined it was not necessary to go into closed session, and after further discussion, including Sipsma raising concerns about the continued rise in health care costs being absorbed by employees, the Board approved the recommendations of the Personnel Committee in the confidential memorandum dated December 6, 2018, on a motion by Trotter, second Enge.

Motion to adjourn by Enge, second Cuccia. The meeting adjourned at 7:31 p.m.

Thomas G. Wilson
Town Attorney/Administrator/Clerk-Treasurer

TOWN OF WESTPORT

PLAN COMMISSION – December 10, 2018

The regular monthly meeting of the Plan Commission was called to order at 7:02 p.m. in the Community Meeting Room of the Bernard J. Kennedy Administration Building by Chair Grosskopf. Members present: Bruskewitz, Cuccia, Grosskopf, Kennedy, Manering, Ohm, and Pichette. Members absent: None. Also attending: Terry Enge, Jason Smith, Stephen Dickmann, Denise Holmes, and Tom Wilson.

No one was present For Public Comment on Matters not on the Agenda. The minutes of the October 8, 2018 regular meeting were approved as presented on a motion by Manering, second Cuccia.

After a presentation by Wilson, the Rezone and Comprehensive Plan Revision (For Farmland Preservation Tax Credits, to County A1-Ex and Rural Preservation/Long Term Agricultural Preservation), Laufenberg, 80 Acres North of Northlake Subdivision in Middleton and West of CTH Q, Middleton ETZ, was recommended for approval as presented with a delayed effective date until Dane County amends its Farmland Preservation Plan consistent with this action on a motion by Manering, second Bruskewitz.

After a presentation by Wilson; comments from the owner, his realtor, and a neighbor; questions from the Commissioners were answered; and discussion, the Rezone and Land Division (Create One New Buildable Lot), County R-1 to ER-1, 4007 Burr Oak Drive, Smith, Middleton ETZ, was recommended for approval as presented with conditions and restrictions recommended by staff including no further land divisions, allowing only one home on each lot, no building on the empty lot for 10 years, maintain current road cost payment provisions should Burr Oak be improved, and connection to Town sewer and water required at the then owner's expense if ever available, on a motion by Pichette, second Bruskewitz.

Cuccia reported on the work of the Design Guidelines Development Committee. Enge reported on the work of the Park Committee. Pichette reported on the work of the Historic Preservation Commission. Wilson and Grosskopf reported on items before the Waunakee/Westport Joint Planning Committee and the Middleton/Westport Joint Zoning Committee.

There were no Miscellaneous Matters and Forthcoming Events raised.

Motion to adjourn by Cuccia, second Kennedy. The meeting adjourned at 7:51 p.m.

Mary Manering, Secretary