

TOWN OF WESTPORT
REGULAR PLAN COMMISSION MEETING
Kennedy Administration Building
Community Meeting Room
5387 Mary Lake Road
Town of Westport, Wisconsin

Virtual Meeting Via GoToMeeting

PLEASE TAKE NOTICE that this meeting will take place virtually via GoToMeeting.

Please join the meeting from your computer, tablet or smartphone by visiting <https://global.gotomeeting.com/join/407187653>. You can also participate by phone by dialing +1 (872) 240-3311 and use access code: 407-187-653 If you are new to GoToMeeting, get the app and be ready when the meeting starts. You may be muted or be asked to mute your device.

AGENDA - July 13, 2020 7:00 p.m.

This meeting is being noticed as a possible gathering of a quorum of the Westport Town Board due to the possible attendance of Supervisors not appointed to the Commission. Supervisors may discuss items on this agenda, or gather information on these items, but no action will be taken on these items as the Town Board.

1. Call to Order
2. Public Comment on Matters Not On the Agenda
3. Approve Minutes
4. Proposed Town Zoning Code Revisions, Kennel Location and Variance Standard for Building Errors, Discussion/Recommendation
5. Park Committee Report/Items for Action
6. Historic Preservation Commission Report/Items for Action
7. Waunakee/Westport Joint Planning Committee Report/Items for Action
8. Middleton/Westport Joint Zoning Committee Report/Items for Action
9. Miscellaneous Matters/Forthcoming Events
10. Adjourn

If you need reasonable accommodations to access this meeting, please contact the clerk's office at 849-4372 at least three business days in advance so arrangements can be made to accommodate the request.

TOWN OF WESTPORT

PLAN COMMISSION – June 8, 2020

The regular monthly meeting of the Plan Commission was called to order at 7:03 p.m. via GoToMeeting.com virtual video conference by Chair Grosskopf. Members present: Bruskewitz, Cuccia, Grosskopf, Kennedy, Manering, Ohm, and Pichette. Members absent: None. Also attending: Joel Brandt, Charlie Brandt, Taylor Brengel, Gordon Hunter, Nate Stevens, Joe Cox, Jake Bunz, Anne and Phil Bakke, Tim Wohlers, and Tom Wilson.

No one was present For Public Comment on Matters not on the Agenda. The minutes of the March 9, 2020 regular meeting were approved as presented on a motion by Bruskewitz, second Kennedy.

An Initial Consultation for a proposed Land Division and Possible Rezone (Create One Additional Residential Lot), Bakke, 5687 Cobblestone Lane (Waunakee ETZ) was then held. After a brief presentation by Wilson and discussion with the landowners, the Commissioners advised generally of their approval of the concept.

Wilson presented introductory comments on the proposed Zoning Amendment, GIP Amendment, Relocate 13 Residential Lots for Church and School, The Community of Bishops Bay, Cross Lutheran Church, Texas Longhorn Drive (Middleton ETZ) item, followed by a presentation from Pastor Joel Brandt. There was then a lengthy discussion with questions and comments from the Commissioners regarding several issues such as: Clarification regarding the access to the church property (there will be a temporary driveway at the beginning maintained by the Church, but eventually there will be a Town road maintained by the Town); traffic control and the possibility of the need for a traffic study, particularly when the school was built (it was noted there will be a traffic light at the intersection of CTH M and Bishops Bay Parkway); Town water and sewer is available to the site; Waunakee EMS and Middleton Fire and have not objected to the plan; SIP approval and Town Design Review will be required for each of the Church phases; comments were made regarding the ultimate Church structure including that the design seem dated, some Commissioners would like to see more of a farm themed building or consider a prairie style structure; the Commission stressed the need for stormwater management and meeting the standards set for the development; and, it was suggested the Church have community gardens. The Commissioners each noted their general approval of the Church location subject to further Town and City review, with concerns about the lot relocation plan proposed, but that the Town would maintain 394 total residential lots in the Town, since the adding of the some land from The Reserve to The Farm offsets potential Town area density issues and provides for the exact amount of homes agreed upon in Westport (not ADDING lots even though yet another change to the development), helps move the Church forward in a good location, may help jump start the development, and will act as a buffer from CTH M for the other residents, all consistent with the development intent in Westport for the Community of Bishops Bay and the Comprehensive Plan.

After further comment and discussion, Bruskevitz moved to approve the proposal based on the documents submitted, second Cuccia, subject to the following conditions and restrictions as recommended by Town staff: Compliance with comments from the fire dept., town engineer, town maintenance staff, and WAEMS as approved by the Town Administrator; build generally as presented with consideration to comments suggested by Commissioners; a CSM consistent with the proposal that contains all Town standard conditions; easements as necessary for access and utilities; restrictions on the use of non-dark sky lighting with all lighting and fixtures to be approved by the Town Administrator prior to installation; Wilson to review and approve any restriction documents; maintain SIP and Design Review over the church and other new structures; maintain all plat easements, covenants, and restrictions; municipal water and sewer shall be provided to the Church as approved by the Town Utility Manager, Town Engineer, and Town Administrator; and, stormwater and erosion control measures to comply with those already approved for the area through the GIP, with an accepted friendly amendment that the relocation of the 13 lots as requested be allowed but be specifically determined at a later date. The motion was defeated by a vote of 3-4 (Kennedy, Ohm, Pichette, Manering voting no).

After a brief further discussion to refine the motion, Kennedy moved to approve this proposal based on the documents submitted, second Manering, subject to the following conditions and restrictions as recommended by Town staff: Compliance with comments from the fire dept., town engineer, town maintenance staff, and WAEMS as approved by the Town Administrator; build generally as presented with consideration to comments suggested by Commissioners; a CSM consistent with the proposal that contains all Town standard conditions; easements as necessary for access and utilities; restrictions on the use of non-dark sky lighting with all lighting and fixtures to be approved by the Town Administrator prior to installation; Wilson to review and approve any restriction documents; maintain SIP and Design Review over the church and other new structures; maintain all plat easements, covenants, and restrictions; municipal water and sewer shall be provided to the Church as approved by the Town Utility Manager, Town Engineer, and Town Administrator; stormwater and erosion control measures to comply with those already approved for the area through the GIP; and, that the relocation of the 13 lots as requested can be relocated in Westport but only with an agreed upon location by Middleton and Westport which may include some ultimate boundary changes. The motion passed unanimously.

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

For Miscellaneous Matters or Forthcoming Events raised, Wilson advised the Commission members that the Town is working to get back to in-person meetings, but that may be after Summer depending on the Commission's work load and Dane Forward allowances, the Cross Lutheran pastors thanked the Town for its work and consideration on the proposed church, and Ohm inquired about the work at Woodland and Simon Crestway to which Wilson replied.

Motion to adjourn by Manering, second Ohm. The meeting adjourned at 8:35 p.m.

Mary Manering, Secretary

AGENDA ITEM #4:

Proposed Town Zoning Code Revisions, Kennel Location
and Variances Standard for Building Errors,
Discussion/Recommendation

TOWN OF WESTPORT

ORDINANCE NO. 20-01

AN ORDINANCE TO AMEND THE TEXT OF THE TOWN OF WESTPORT ZONING CODE, TITLE 10, CHAPTER 9, TOWN OF WESTPORT CODE OF ORDINANCES, TOWN OF WESTPORT, DANE COUNTY, WISCONSIN

WHEREAS, The Town Board has reviewed the proposed amendment to sec. 10-9-1.0622, Kennel; secondary standards. The section currently states that a kennel must be set back "1,000 feet from any residential dwelling other than that of the owner, agent, or employee of such kennel." The Town Board believes that the setback should have been written as 100 feet. The 1000 – foot setback currently contained in the ordinance is unreasonable.

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

Section 10-9-1.0622 (2) of the Town Zoning Ordinance is amended to read:

(2) Kennel Setbacks. All kennels, outdoor runs, and exercise areas shall be no closer than 100 ~~1,000~~ feet from any residential dwelling other than that of the owner, agent, or employee of such kennel.

The above and foregoing ordinance was duly adopted at a regular meeting of the Town Board of Supervisors for the Town of Westport on July 20, 2020, by a vote of _____ ayes, _____ nays, and _____ not voting (absent).

The amendment shall take effect upon its publication on the Town's website.
Dated , 2020.

APPROVED:

By: _____
Dean A. Grosskopf, Town Board Chair

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

Approved: _____
Published: _____

TOWN OF WESTPORT

ORDINANCE NO. 20-02

AN ORDINANCE TO AMEND THE TEXT OF THE TOWN OF WESTPORT ZONING CODE, TITLE 10, CHAPTER 9, TOWN OF WESTPORT CODE OF ORDINANCES, TOWN OF WESTPORT, DANE COUNTY, WISCONSIN

WHEREAS, The Town Board has reviewed a proposed amendment to sec. 10-9-1.098 Variances. The section currently states that "Negligence of a contractor in locating a setback, sideyard or building location shall not be considered a practical difficulty or a hardship." The Town Board believes that absolute restriction is too harsh in application to unintentional minor encroachments on setbacks and siting requirements.

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

Section 10-9-1.098 variances, (7) Hearing and Final Decision of the Town Zoning Ordinance subsection (e) is amended to read:

(e) Negligence of a contractor in locating a setback, sideyard or building location ~~shall not~~ may be considered a practical difficulty or a hardship only if (1) the Board is satisfied the negligence was not intentional, (2) the variance necessary is less than 1 foot, and (3) compliance absent a variance would involve substantial economic waste.

The above and foregoing ordinance was duly adopted at a regular meeting of the Town Board of Supervisors for the Town of Westport on July 20, 2020, by a vote of _____ ayes, _____ nays, and _____ not voting (absent).

The amendment shall take effect upon its publication on the Town's website.
Dated , 2020.

APPROVED:

By: _____
Dean A. Grosskopf, Town Board Chair

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

Approved: _____
Published: _____