

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

AGENDA- June 13, 2022, 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. Consider the appointment of a Secretary to fill vacancy
3. Public Comment on Matters Not on the Agenda
4. Approve Minutes of the 5/9/22 Meeting
5. Rezone, R1 to SFR (Single Family Residential), Pine, 4959 Easy Street
PUBLIC HEARING/Discussion/Recommendation
6. Town Code of Ordinances Amendment, Land Development Practices Related to Stormwater Protections [Sections 10-1-3(d)] and Create Section 10-2-26]
PUBLIC HEARING/Discussion/Recommendation
7. Initial Consultation, Rezone and Land Division C2 to SFR (Single Family Residential) Former Webcrafters/Ruedebusch Development & Construction, Kennedy Drive (Waunakee ETZ)
8. Park Committee Report/Items for Action
9. Historic Preservation Commission Report/Items for Action
10. Waunakee/Westport Joint Planning Committee Report/Items for Action
11. Middleton/Westport Joint Zoning Committee Report/Items for Action
12. Miscellaneous Matters/Forthcoming Events
13. 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 – May 9, 2022

The regular monthly meeting of the Plan Commission was called to order at 7:01 p.m. in the Community Meeting Room of the Bernard J. Kennedy Administration Building by Chair Sipsma. Members present: Cuccia, Freidig, Kennedy, Moore, Sipsma, and Tande. Members absent: Ohm. Also attending: Nicholas Pine, Jeff Pfeil, Scott Longua, Duane Johnson, Brad Zellner, Bill von Rutenberg, Jack von Rutenberg, Tammy von Rutenberg, Mark Trotter, Neal Werner, Roberta Baumann, Dean Grosskopf and 23 other interested citizens.

Chair Sipsma opened the meeting by introducing the new members of the Plan Commission and explaining to the numerous interested citizens present that two items on the agenda at this meeting were “Initial Consultations” and were not matters that were appropriate for public comment but did note that a number of written comments were received and distributed to the committee members for their information. Sipsma went on to say that Public Hearings would be held as part of the process if applicants chose to make a formal application for consideration.

For Public Comment on Matters not on the agenda, none were brought forward.

The minutes of the March 14, 2022, regular meeting were approved as presented on a motion by, Cuccia, second Kennedy.

After an introduction by Grosskopf for the Initial Consultation, Rezone R1 to SFR, Pine, 4959 Easy Street (Town Zoning), and a brief explanation of the requested change by Mr. Pine, the owner was told that their proposed rezone to SFR was reasonable and acceptable, and were invited to make a formal application for consideration.

After a brief introduction by Grosskopf and explanation of the proposed design changes by the developer, the Design Review Amendment for Color Change, Farmco/Rural Insurance Building Addition, by BSA Real Estate LLC/Longua, at 5376 Farmco Drive (Waunakee ETZ) was approved on a motion by Cuccia, second Kennedy.

Grosskopf introduced an Initial Consultation for the Rezone and Re-Development, (B1 to Multi-Family), LZ Ventures, at 5360 Westport Road (Town Zoning). The potential developer LZ Ventures, represented by Brad Zellner and Duane Johnson presented their plans and answered questions posed by the Plan Commissioners. The developers were advised of the Commission’s concerns, including that the property is not planned for or zoned for residential development, and that a commercial use is preferred; and that the height of six stories, the density, road and water setbacks, stormwater runoff, traffic, parking, infrastructure requirements and general scope of the proposed development is not compatible with the overarching objective of the Plan Commission, which is to maintain the rural character of the Town; and that this development would result in the removal of a building of historical significance, that has been operating since 1861 serving the residents of the Town of Westport and all of Dane County.

Freidig reported on the work of the Park Committee and was advised that the committee could work toward a long-term solution for needed shelter in the town center's park. Moore reported on the work of the Historic Preservation Commission.

Grosskopf reported on the work of the Waunakee/Westport Joint Planning Commission and Middleton/Westport Joint Zoning Commission.

For Miscellaneous Matters or Forthcoming Events raised, Cuccia discussed the progress of the work of our consultants on the Town's sign design.

Motion to adjourn by Kennedy, second Cuccia. The meeting adjourned at 8:08 p.m.

Dean A. Grosskopf
Acting Secretary

AGENDA ITEM #5:

Rezone, R1 to SFR (Single Family Residential), Pine, 4959 Easy Street
PUBLIC HEARING/Discussion/Recommendation

NOTICE OF PUBLIC HEARING
Rezone to SFR- Single Family Residential
Pine Property, 4959 Easy St

Notice is hereby given that the Westport Plan Commission will hold a Public Hearing on Monday, June 13, 2022 at 7:00 PM in the Community Meeting Room, Kennedy Administration Building, 5387 Mary Lake Road, Westport, Wisconsin. The purpose of the Public Hearing is to solicit comments from interested parties regarding a request by Nicholas Pine to rezone his property at 4959 Easy Street from R-1 (Legacy Zoning) to SFR - Single Family Residential. The Plan Commission may act at this meeting to recommend adoption of the zoning request to the Town Board. Documents will be available for review at the Westport Town Hall, and on the Town of Westport website. Questions or comments about this zoning change may be directed to Deputy Clerk Bob Anderson.

Dean A. Grosskopf
Town Clerk

Published: The Waunakee Tribune May 26 and June 2, 2022



Town of Westport GIS



SCALE: 1 = 61'

Town of Westport
5387 Mary Lake Road
Waukegan, WI 53597
(608) 849-4372

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Print Date: 4/20/2022

March 31, 2022

Town of Westport
Plan & Zoning Committee
5387 Mary Lake Road
Waunakee, WI 53597

Town of Westport Plan and Zoning Committee:

The intent of this letter is to request approval for my current property, which is zoned as a R1 (residential), to be rezoned to a single-family residential (SFR).

A brief history of my property: My wife and I have lived at this address for the past 6 years and are hoping to make it our forever home. However, with our growing family, we have found ourselves limited in space. My wife has grown up on this property her entire life. Her late grandparents, Gerald and Nancy Pfeil, originally built our home in 1973. My wife's father Jeffery Pfeil, who lives right next door to us, owns the properties that surrounds our home; including to the rear of our property. With the lifetime of memories that have been created here and with family being located right next door to our home, moving just doesn't seem right.

I have been working closely with General Engineering Company to apply for a land use permit and a building permit for a planned home addition that is approximately 617.5 Sq. Ft. It was brought to my attention on 3-30-2022 that my current property falls under the grandfathered zoning ordinance through Dane County, as a R1 parcel. The allowed property setbacks under the grandfathered ordinance do not allow many options for a home addition towards the rear of the property. By switching to the new Town of Westport, single-family residential zone will allow my property to be in line with the most up to date Township zoning ordinances and will allow more space in regards to the rear property line setback.

It is my and my families hope that you will grant this request to rezone and update our property to SFR zoning district. I look forward to discussing this matter with the committee at your earliest convenience.

Sincerely,

Nicholas Pine
4959 Easy Street
Waunakee, WI 53597
Phone: 608-772-6616
Email: Npine5640@gmail.com

AN ADDITION & REMODEL FOR:DATE
6/12/21
$$\frac{C}{1}$$




Engineers • Consultants • Inspectors

ZONING ADMINISTRATOR REVIEW REPORT

TO: Town of Westport Plan Commission, Town Board, Town Clerk/Treasurer

FROM: Kory D. Anderson, P.E., Town of Westport Zoning Administrator

DATE: (for) June 13, 2022 Plan Commission Meeting

SUBJECT: Zoning Change Review for Pine
Tax Parcel 0809-012-8620-0

GEC NO.: 2-0122-46C

Background Information

Owner / Applicant: Nicholas Pine
4959 Easy Street
Waunakee, WI 53597

Agent/Surveyor/: N/A

Location: 4959 Easy Street
In part of the Northwest ¼ of the Northwest ¼ of
Section 1, all in T8N, R9E, Town of Westport, Dane County, WI.

Request: Zoning Change Approval

Existing Zoning: Tax Parcel 0809-012-8620-0 R-1 (Legacy) 0.82 Acres
Total 0.82 Acres

Existing Land Use: The Subject property currently contains a single-family house that is in the east central part of the property with an asphalt driveway connected to Easy Street. There are no other improvements on the property. There are no steep slopes, wetlands, streams, or floodplains associated with the property.

Adjacent Land Uses: North: Easy Street and Residential
West: Agricultural
East: Agricultural/Farmette
South: Agricultural/Farmette

Proposal

Zoning Change: Tax Parcel 0809-012-8620-0 SFR 0.82 Acres
Total 0.82 Acres

Applicant submitted information for a zoning change of Tax Parcel 0809-012-8620-0 from zoning R-1 (Legacy) Residential District to SFR Single-Family Residential District. The owner is looking to build an addition and deck on the back of his house and the SFR zoning allows a smaller rear setback (25ft) requirement versus the rear setback (50ft) required under the Legacy zoning.

Submittals/Attachments

1. Zoning Change Application, received April 20, 2022.
2. Application Cover Letter, received April 20, 2022.
3. Town of Westport Plan Commission Application, received April 20, 2022.
4. Town of Westport Parcel Map, received April 20, 2022.
5. Proposed Site Plan, received April 20, 2022.

GEC reviewed the attachments and the information submitted by the applicant/agent and has the following comments outlined below:

Comprehensive Plan

I'll always defer to the Town on how the proposed rezoning is affected by the Town's Comprehensive Plan and their future land use map/plan.

Zoning Ordinance/Town Ordinances

1. General

The owner is looking to build an addition and deck on the back of his house and the SFR zoning allows a smaller rear setback (25ft) requirement versus the rear setback (50ft) required under the Legacy zoning.

Recommendation

GEC recommends that the Plan Commission conditionally approve the proposed zoning change of Tax Parcel 0809-012-8620-0 from zoning R-1 (Legacy) Residential District to SFR Single-Family Residential District, contingent on the following:

1. Town Board discuss any concerns with above comments.
2. Any comments or conditions from the Town Attorney shall be addressed.

AGENDA ITEM #6:

Town Code of Ordinances Amendment, Land Development Practices
Related to Stormwater Protections [Sections 10-1-3(d)] and
Create Section 10-2-26] **PUBLIC**
HEARING/Discussion/Recommendation

TOWN OF WESTPORT
NOTICE OF PUBLIC HEARING
Town Code of Ordinances
(Land Development Practices)

Notice is hereby given that the Town of Westport Plan Commission will hold a Public Hearing on Monday, June 13, 2022 at 7:05 P.M. The purpose of the Public Hearing is to solicit comments regarding amending the Town Code of Ordinances regarding Land Development Practices Related to Stormwater Protections [Sections 10-1-3(d)] and Create Section 10-2-26]. Ordinance amendments are available on the Town website at www.townofwestport.org. Questions or comments may be directed to the Town Administrator/Clerk-Treasurer Dean A. Grosskopf at dgrosskopf@townofwestport.org.

Dean A. Grosskopf
Administrator/Clerk-Treasurer

Published: _____
Posted: _____

TOWN OF WESTPORT
ORDINANCE NO. 22-01

AN ORDINANCE TO AMEND SECTION 10-1-3(d) AND CREATE SECTION 10-2-26,
TOWN OF WESTPORT CODE OF ORDINANCES, LAND DEVELOPMENT PRACTICES
RELATED TO STORMWATER PROTECTIONS, IN THE TOWN OF WESTPORT,
DANE COUNTY, WISCONSIN
(Yahara CLEAN Practices)

WHEREAS, the Westport Town Board has determined that the purpose of this section is to provide additional and necessary stormwater protections for the development of property in the Town of Westport; and,

WHEREAS, the Town of Westport has the authority to adopt these recommended practices pursuant to Sections 60.10, 60.22(3), and 61.34, Wis. Stats.; its authority under Sections 66.0401 and 66.0403, Wis. Stats.; its adoption of village powers under Section 60.10(2)(c), Wis. Stats.; and other authority under the Statutes including Section 236.45(2), Wis. Stats.; and,

WHEREAS, the Town Board, after receiving the recommendation of the Town Plan Commission which held the required public hearing under section 236.45, Wis. Stats., has therefore determined that it is in the public interest to amend Section 10-1-3(d) and create Section 10-2-26, Town Code, below; and,

WHEREAS, the practices contained below were considered and recommended as part of the Yahara CLEAN partnership project completed in 2022, which included Dane County, Wis. DNR, City of Madison, the Dane County Towns Association, and the Madison Metropolitan Sewerage District, and these practices should be considered and utilized for land divisions or property development upon recommendation of the Town Engineer or Town administrative staff when reasonable based upon a written report.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Board of Supervisors of the Town of Westport, Dane County, Wisconsin, that Sections 10-1-3(d) and 10-2-26, Westport Town Code of Ordinances, are hereby amended or created to provide as follows:

SECTION 1. Section 10-1-3(d), Town Code, is hereby repealed and recreated to provide as follows:

Sec. 10-1-3 Design Review.

- (d) **Development to Comply With Design Standards.** No development subject to design review shall be commenced unless such development complies with all applicable design review standards, as well as all applicable Town ordinances, including appropriate provisions of Section 10-2-24, “Land Development Policies to Preserve Rural Character”, as determined by the Plan Commission, which shall include at a minimum Sections 10-2-24 (b), (c), (e), (f), (i), (j), (m), (n) and (p); and Section 10-2-26 “Land Development Practices Related to Stormwater Protections”.

SECTION 2. Section 10-2-26, Town Code, is hereby created to provide as follows:

Sec. 10-2-26 Land Development Practices Related to Stormwater Protections

- (a) **Purpose.** The purpose of this Section is to provide stormwater protections for the development of property in the Town in addition to others provided in this Chapter and elsewhere in the Town Code. The practices contained below were considered and recommended as part of the Yahara CLEAN partnership project completed in 2022, which included Dane County, Wis. DNR, City of Madison, the Dane County Towns Association, and the Madison Metropolitan Sewerage District and these practices should be considered and utilized for land divisions or property development upon recommendation of the Town Engineer or Town administrative staff when reasonable based upon a written report.
- (b) **Practices for Increased Stormwater Runoff Protection.**
 - (1) **Minimize Soil Losses from Construction.**
 - a. Document expected soil loss and demonstrate soil loss protection measures on all new construction sites. (Preventing soil loss from active construction sites prevents phosphorus containing soil from running off into the stormwater system.)
 - b. Use soil protection zone (SPZ) guidance for new development projects (based on the US Green Building Council's SITES Tool). (SPZ are areas that will be protected from all disturbances throughout the construction process to prevent damage to vegetation, soil structure, and function.)
 - c. For all new projects, include mechanical sediment trap inside new and existing inlets that capture the project runoff in addition to ex. temporary sediment control measures. (Mechanical sediment traps would be in addition to upstream best management practices that meet the 80% reduction in sediment loading rates.)
 - (2) **Stabilize Shorelines and Riverbanks.** For projects along the shoreline implement stabilization methods in a way that meet the ecological goals of the water body. Follow the latest guidelines and criteria for design and development of shorelines. (Stabilize shorelines to prevent phosphorus containing sediment and plant material from eroding into the waterways.)
 - (3) **Manage Runoff Volumes.**
 - a. Protect and preserve existing internally drained areas and wetlands for new projects and developments. Internally drained areas and wetlands should not overflow into adjacent waterways in minor rain events and can capture phosphorus and E.coli conveyed in stormwater runoff and keep it in place.
 - b. Prioritize the use of green infrastructure best management practices in new developments such as permeable pavement, rain gardens, bio-swales, etc. Green infrastructure slows runoff while also capturing sediment in the runoff. Sediment is a known source of phosphorus. Install green infrastructure that goes above and beyond the best management practices required to meet Total Suspended Solids (TSS) reduction requirements. Treatments should include directing down spouts at vegetated, permeable infiltration areas, reducing areas of unused turf and lawn, and converting streetside terraces into lower-maintenance vegetated strips.

- c. Amend soils in project developed areas to increase the infiltration rates for all turf areas on a development site. Increased infiltration rates decrease runoff rates that can wash E.coli and phosphorus into the stormwater system.
 - d. Protect vegetated areas from over compaction during construction. Over compacting soil decreases the infiltration capacity of the soil. Higher infiltration rates decrease the amount of stormwater runoff that can wash E.coli and phosphorus into the stormwater system.
 - e. Restrict stormwater runoff rates to less than or equal to the DNR defined "natural conditions." Lowering runoff rates decreases the amount of stormwater that will wash E.coli and phosphorus into the stormwater system.
- (4) **Reduce Phosphorus in Urban Stormwater Runoff.**
- a. Perform regular street sweeping and leaf collection on all developer-owned property (including hard scape surfaces such as private roads, parking lots, and walkways). Decaying leaves and plant material are a known source of phosphorus. Frequent street sweeping, especially immediately before a storm event, clears plant material from the streets that would wash into the sewer and out to the waterways during the storm.
 - b. Omit the use of phosphorus-based fertilizers for the establishment of vegetated areas. Excess fertilizer will runoff into storm sewers or swales during a rain event.

SECTION 3. It is the intention of the Town Board of Supervisors that the provisions of this ordinance are severable such that if any court of competent jurisdiction adjudges any provision of this ordinance to be invalid, the judgment shall not affect any other provision of this ordinance chapter not specifically included in the judgment.

The above and foregoing Ordinance was duly adopted by the Town Board of Supervisors of the Town of Westport, Dane County, Wisconsin at a regular meeting held on ____ day of _____, 2022, by a vote of ____ ayes and ____ nays, ____ abstaining, and ____ not voting, and shall take effect the day after proper publication.

TOWN OF WESTPORT

By: _____
Kenneth R. Sipsma, Town Board Chair

Attest: _____
Dean A. Grosskopf,
Town Administrator/Clerk-Treasurer

Approved: _____
Published: _____

AGENDA ITEM #7:

Initial Consultation, Rezone and Land Division C2 to SFR (Single
Family Residential) Former Webcrafters/Ruedeusch
Development & Construction, Kennedy Drive (Waunakee ETZ)



Town of Westport GIS

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SCALE: 1 = 492'

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

Print Date: 5/11/2022



April 29, 2022

Mr. Robert C. Anderson
Town of Westport Planning & Zoning
5387 Mary Lake Road
Waunakee, WI 53597

Re: Kennedy Drive Rezone

Dear Mr. Anderson:

On behalf of our Client, Ruedebusch Development & Construction, thank you for your consideration of our intent to downzone the undeveloped 49.5-acre area southeast of Kennedy Drive and southeast of the Wisconsin & Southern Railroad in the Town of Westport from Village C2 to a residential district, Village R1.

The proposal consists of the addition of ~45 single family residential lots with Village R1 zoning as depicted on the enclosed site plan.

The southernmost group of lots will consist of 32 single family lots with two proposed cul-de-sacs. An asphalt walking path placed on lot perimeters will connect the two cul-de-sacs for easy pedestrian access and to serve as an access path for the proposed watermain beneath the path. The northern group of lots consists of 16 single family lots with a new street providing access to Kennedy Drive from both the north and the west.

The private walking paths will meander about the development. Access to the walking path is aligned from newly built streets on the north and west areas of the parcel and wraps around the east and south sides of the southernmost group of lots.

The enclosed exhibit indicates existing and proposed zoning for this and adjacent parcels, along with the anticipated alignment of the new residential lots, streets, walking paths, and stormwater management features.

Site Development Data:

Lot Area	49.5 Acres
Single Family Sites	Approximately 45 Lots
Average Lot Size	Approximately 13,000 Sq. Ft.



Community members will be invited to a Town Meeting in early May to address any questions on the proposed development, with a date and time to be announced.

The developer desires to break ground for the project in late fall 2022. The project cost and number of construction jobs created have not been determined. There is no public subsidy requested.

Again, thank you for your consideration. If you have any questions or require additional information, please do not hesitate to contact our office.

Respectfully,

WYSER ENGINEERING, LLC

A handwritten signature in blue ink that reads "Wade P. Wyse". The signature is written in a cursive, flowing style.

Wade P. Wyse, P.E.

Principal – Project Manager

Enclosures: Project Exhibit

