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**VILLAGE OF WAUNAKEE / TOWN OF WESTPORT  
JOINT PLAN COMMISSION  
Town of Westport Community Rm.  
5387 Mary Lake Rd., Town of Westport  
January 9, 2018, 6:00 PM**

Agendas may change prior to the commencement of the meeting.  
Please check the posting board at the Village Hall, 500 W. Main Street,  
Waunakee, Wisconsin for the current agenda.

**AGENDA**

**CALL TO ORDER**

**ROLL CALL: Ken Sipsma, Dean Grosskopf, Eileen Bruskewitz, Pat McGowan, Brian Malich, Tim Black**

**MINUTES**

**1 December 12, 2017**

**PUBLIC COMMENT**

**NEW BUSINESS**

**1 Public Hearing and Discussion/Action on Certified Survey Map & Rezone,  
5683 Harbort Road, Town of Westport**

**2 Initial Consultation, Breunig Rezone Request, 80 Acres NW of STH 113/19**

**ADJOURN**

Any person who has a qualifying disability as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format should contact the municipal clerk at (608) 850-8500, 500 West Main Street, Waunakee, Wisconsin, at least twenty-four hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

**VILLAGE OF WAUNAKEE BOARD AND PLAN COMMISSION MEETING  
TOWN OF WESTPORT BOARD AND PLAN COMMISSION MEETING**

Notice is hereby given that the Village or Town Board or Village or Town Plan Commission may attend this meeting. No action will be taken by the Village or Town Board or Village or Town Plan Commission at this meeting.

*Next scheduled meeting is 2/13/2018 6:00:00 PM.*



## **Village of Waunakee and Town of Westport Joint Plan Commission Minutes**

A regular meeting of the Waunakee/Westport Joint Plan Commission was held Tuesday, December 12, 2017, 6:00 p.m. at the Waunakee Village Hall  
500 W. Main Street, Waunakee, Wisconsin

### **CALL TO ORDER**

Mr. Sipsma called the meeting to order at 6:02 p.m.

Members Present: Ken Sipsma, Dean Grosskopf, Eileen Bruskewitz, Pat McGowan, Brian Malich.

Members Absent: Tim Black

Also Present: Tom Wilson, Kevin Even, Tracy Meinholz, Mary Woodburn, Gary Stone, Dave & Sharron Bruns, Petr Kolarsky.

### **APPROVAL OF MINUTES**

Motion McGowan, second Grosskopf, to approve the minutes from the November 14, 2017 meeting. Motion carried.

### **PUBLIC COMMENT**

None

### **NEW BUSINESS**

#### **Public Hearing and Discussion/Action on CSM and Rezone, County RH-1 to Village SR-4 & ER-1, 4850 Autumn Leaf Court, Town of Westport**

The Bruns own the lot along the north side of the east portion of Autumn Leaf Court and are looking to split off part of their approximate 3 acre lot to create a buildable area similar to what would be left of their buildable area remaining. The created lot is about 172 feet or so length, and a little over ½ acre. The proposal appears to be consistent with the Comp Plan in most respects as the lot size is over ½ acre, and only adds one more home to an area already



developed. The properties would be zoned SR-4 and ER-1 as appropriate for lots this size under the Village zoning code. The public hearing was opened at 6:06 p.m. Marcy Woodburn, neighbor to the north, asked about lot lines, and the wooded area between the lots. Petr Kolarsky asked that they consider the driveway placement along the east lot line. The public hearing was closed at 6:15 p.m. Motion to recommend approval of the rezone and proposed land division as requested to the Boards subject to standard Town conditions and restrictions and the sewer improvements as recommended by Staff. Motion carried.

### **Initial Consult, Conditional Use Permit, Proposed Used Car Sales, 5495 Catfish Court, Town of Westport**

Gary Stone would like to use a portion of his building on Catfish Court that also fronts STH 113 for the sale of a few used cars. The space is approximately 2800 square feet as he has shown on a hand drawn map he has provided. The property has entirely been used for years as his sailboard and SUP business. The property has been approved for that purpose and is zoned accordingly. To add this particular use Gary would need a CUP to allow auto sales. The property is currently zoned C-2. The property is in the Comp Plan as a Commercial District of course, and this use could be accommodated there. Gary has indicated he would not have outside vehicles parked for sale, and business would take place inside. Obviously with only 2800 square feet available the number of vehicles would be limited. He has indicated also there would be signage, which can be reviewed as part of a design review application with the CUP. A public hearing would be necessary, and the property is located in the Waunakee ETZ so the JPC would hold that hearing and take action. The Town Plan Commission and Board are advisory here on the CUP, but the Plan Commission does have design review authority. Some of the issues to discuss are added customer traffic and parking, sales hours, signage, and any potential neighbor concerns. No action necessary.

### **Update on A1-Ex Code Changes and Bulk Rezoning for Ag Certification**

The reason for the classification changes are that parcels somehow zoned A-1 Exclusive need to be changed due to actual use or Comprehensive Plan changes in order to meet the changes required by DATCP for the district to meet the requirements under the Farmland Preservation Tax Credit program. The parcels being proposed for revision are close to 200 parcels currently zoned A1(EX) that are either already used for non-agricultural purposes or planned for future non-agricultural purposes in the Waunakee-Westport Joint Comprehensive Plan. A public hearing on these changes will take place at the Waunakee Village Hall on Monday December 18, 2017, commencing at 5:30 p.m. All interested parties or their representatives are welcome to attend and provide comments, or may do so prior to the meeting at either the Village or Town Halls. No action taken.

### **ADJOURN**

Motion McGowan, second Grosskopf, to adjourn the meeting at 6:32 p.m. Motion carried.



Submitted By: Tracy Meinholz, Recording Secretary Approved: \_\_



**MEETING DATE:** January 9, 2018

**ITEM:** NEW BUSINESS

**TITLE:** Public Hearing and Discussion/Action on Certified Survey Map & Rezone, 5683 Harbort Road, Town of Westport

**ISSUE SUMMARY:**

This is a request to create two new single family home parcels and 4 lots with an outlot for the private shared driveway on the former Harbort property, about 27 total acres by the buyer Mr. Arrington and family. Please note that the Natural Heritage Land Trust is working with the DNR and the family on a purchase of the two larger lots along the border of the current Governor Nelson State Park as located east of Six Mile Creek. They are proposing this as two separate land divisions in order to avoid some platting rules, which appears fine in this situation since only two lots will be proposed for new homes and uses.

The property is at the end of a long private drive with no sewer or water services. There is no neighborhood association right now to maintain the area, but the road does get plowed and maintained by the neighbors working together. The land is in the Comp Plan as Open Space, which is exactly what it was in the previous Plan. The land is zoned all County R-2 Single Family. With a land division the property would have to be appropriately zoned to allow the proposed uses.

Essentially what is being asked here is for two more homes off the end of this private road. There are currently 6 homes on Harbort Road. One lot would be used to create a separate lot for the existing Harbort house (about .64 acres), another would utilize land that had a swimming pool and other accessory structures for a new home site (about .75 acres). These two lots would be about the same size as or a little bigger than the other 5 lots along the road (between ½ and 1 acre size). There would be another lot for a bigger home site with wetlands and woodlands (the applicant wishes to use this approximate 4 acre site), and then about 22 acres left over to sell to the State through the NHLT. There is also a lot line adjustment being proposed for a current residential lot not owned by the Harborts on the south side of Harbort Road to make an adjustment for a structure that was placed a little over the property line and to accommodate side yard setbacks, which will make that lot about a .4 acre lot. The last lot being created is for the private road offering access to all of the parcels. This is a little bit different than the land division brought to you for a consult back in November, but the creation of two new residential building sites is consistent. The main difference is that additional property being proposed for open space and potential DNR/NHLT purchase.

At the consult in November on this item, the Plan Commission minutes show this information: "An Initial Consultation for a potential Land Division and Rezone (Create 2 New Single Family Residential Lots), Harbort Road, Harbort/Arrington, Waunakee ETZ was then held. After a presentation by Wilson and further comments by the applicant, the applicant was advised by the Commissioners that

there is not a clear consensus on moving forward and of issues to address, including access on CTH M, width of the private road and necessity of turnaround at the end for trucks and other vehicles, deed restrictions for no more development, if water/sewer become available then the homes must connect at the owners' cost, that there are many neighbors present at this meeting who the Commissioners are interested in hearing from before proceeding, and of the need for a shared driveway/private road maintenance agreement."

You will have to make a policy decision here, but in Ag circumstances we have often allowed a home or two to preserve the remaining acreage, generally 1 home to 35 acres. We could do the same here by preserving the remaining acreage and allowing just one or two more homes in this area. That I feel would be somewhat consistent with the Open Space district objectives of the Comp Plan, and tie up most of the property that is zoned to allow for single family homes. At the same time, it is indeed all in Open Space under the plan so two homes here may be two too many for you (or even one), and there were previous splits allowed of course (but this is zoned Residential NOT Ag). This purchase by the private holder and allowing these two sites may also be what the owners need to incentivize the sale to the State, so please keep that in mind. Additional park land is certainly desired here along Six Mile Creek, Lake Mendota, and the small man made access ditch for these homes.

I am not exactly sure but I also believe due to the soils and wet areas there may be septic issues in this area so that holding tanks for septic need to be used, which is not the most desirable system. We have no ordinance preventing their use, but it will require haulers on this unpaved private road for potentially two more home sites. I feel this should play into your decision here as well in some way.

What I see and hear from the neighbors along Harbort is that they seem ok with one new lot in the area, but two is too many. They will be present at the meetings to express their likely strong opinions in this regard. Of course the one neighbor immediate to the Harbort home is getting land so I feel they will support this plan.

You have the option to use the Comp Plan to reject these CSM's and rezones since they are not consistent with the Open Space district in the Plan. There is one home on the entire acreage now, and that is consistent with the Plan and zoning for the parcel. The property is close to DNR property and on the north shore of Lake Mendota, so preservation as it exists would certainly be something to consider based on the Plan. I have stated other reasons you could use for rejection of the concept below in my recommendation.

I also feel the Town and Village need to take two separate actions on these proposals.

For the Eastern area CSM (which proposes to create the two new residential lots), if the Town would agree that two lots (or even one lot) could be created because of the larger parcel being proposed for Open Space protections, there are a few issues to consider as conditions and restrictions:

1. No further land division or creation of building sites.
2. Connection to sewer and water utilities for the residences on the lots should either ever be extended to the parcels at the then owners cost.
3. Outlot 1 needs access to the private road, and should be zoned Conservancy with a restriction for no buildings, and a conditions for a trail, access, and sewer/water/utility easements over the property (northern border) for access to the DNR lands and utilities to the east.
4. Lot 1 should show the well location and main locations with an adjustment to the building envelope to protect those facilities.
5. An access/driveway/private road agreement for the lots in the CSM providing for the maintenance of the access.
6. Provide for the protection of any trees identified by the Town in previous studies as culturally significant.



7. Zoning would be for Lot 1 SR-4, Lot 2 CR-5ac and Outlot 1 CON.

For the Western area CSM (which really just proposes separating the roadway, doing the minor lot line adjustment for a current lot and separating the current home), if the Town would agree that this is acceptable to create the separated lot for the current home with the larger lot also being proposed for Open Space protections, there are also a few issues to consider as conditions and restrictions:

1. No further land division or creation of building sites.
2. Connection to sewer and water utilities for the residences on the lots should either ever be extended to the parcels at the then owners cost.
3. Lot 1 should be zoned Conservancy with a restriction for no buildings, and a conditions for a trail, access, and sewer/water/utility easements over or to the property for access to the DNR lands and utilities to the east.
4. An access/driveway/private road agreement for the lots in the CSM providing for the maintenance of the access, and specifically referenced here for Outlot 1, which shall also include the utility easement.
5. Provide for the protection of any trees identified by the Town in previous studies as culturally significant.
6. Zoning would be for Outlot 1 A-1, Lot 1 CON, Lot 2 SR-4 and Lot 3 SR-4.

The land is in the Waunakee ETZ so the JPC will hold a hearing on January 9 and act, along with the Town and Village Boards after the Plan and JPC recommendations are made.

**STAFF RECOMMENDATION:** This is a close one, but here is what I would propose:

Western Parcel, due to furthering the goals of the Comp Plan in protecting Open Space properties, move to recommend approval of the land division and rezoning as proposed here to create the one lot for the current Harbort home and lot line adjustment for the other existing home, with the conditions and restrictions above.

Eastern Parcel, due to the property being in an Open Space district under the Comp Plan in which land divisions for single family homes may not have been contemplated here, no utility access and septic issues, and due to neighborhood concerns over access, protecting open spaces, and increased density in a set neighborhood, move to recommend approval of a revised CSM with only one more home site which could combine the two northern parcels and be zoned CR-5ac, subject to the conditions and restrictions above, and provide for a specific area for the structures on that revised lot to be shown on the CSM. [Alternatively for this Eastern CSM, although there are the concerns noted above, due to and in consideration of providing for public access, to aid the sale of the open space to the DNR, providing for utility easements for the neighborhood, protecting culturally significant trees, and cleaning up the maintenance concerns over the private road, allow the two lots as proposed.]

**RECOMMENDED MOTION:** None at this time.

**ATTACHMENT(S):** 2 CSM's, Rezone application.



5683 Harbort Road



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 = 285'

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

Print Date: 12/15/2017





## PLAN COMMISSION APPLICATION

PROJECT ADDRESS / NAME: Harbort Trust CSM-West

APPLICANT: <u>Jeremy Arrington</u>	
ADDRESS:	
PHONE: <u>608-630-4451</u>	EMAIL: <u>jeremy@wihbn.com</u>

OWNER: <u>Gary Harbort</u>	
ADDRESS: <u>6451 St Hwy 113 Waunakee</u>	
PHONE: <u>608-849-4738</u>	EMAIL: <u>gbah@tds.net</u>

PROJECT DESCRIPTION: Adjust Lot Line between 2 existing residential lots and create 1 additional remaining parcel and 1 outlot for the private Road.

OWNER/APPLICANT SIGNATURE: [Signature] DATE: 12/14/17

FEES: (CHECK ALL THAT APPLY)		ESCROW DEPOSIT:
• SITE PLAN	<input type="checkbox"/> \$320	An escrow deposit is required in accordance with the Development Application Agreement.
• REZONE	<input checked="" type="checkbox"/> \$345	
• CONDITIONAL USE PERMIT	<input type="checkbox"/> \$350	
• CERTIFIED SURVEY MAP	<input checked="" type="checkbox"/> \$100 + \$25 per lot	
• PRELIMINARY PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• FINAL PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• GDP/SIP APPROVAL	<input type="checkbox"/> \$475	ESCROW FEE PAID: <u>[Signature]</u>
TOTAL: _____		DATE: _____
		FEE WAIVED BY: <u>KAE</u>

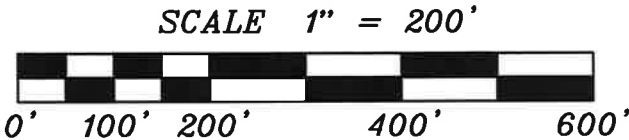
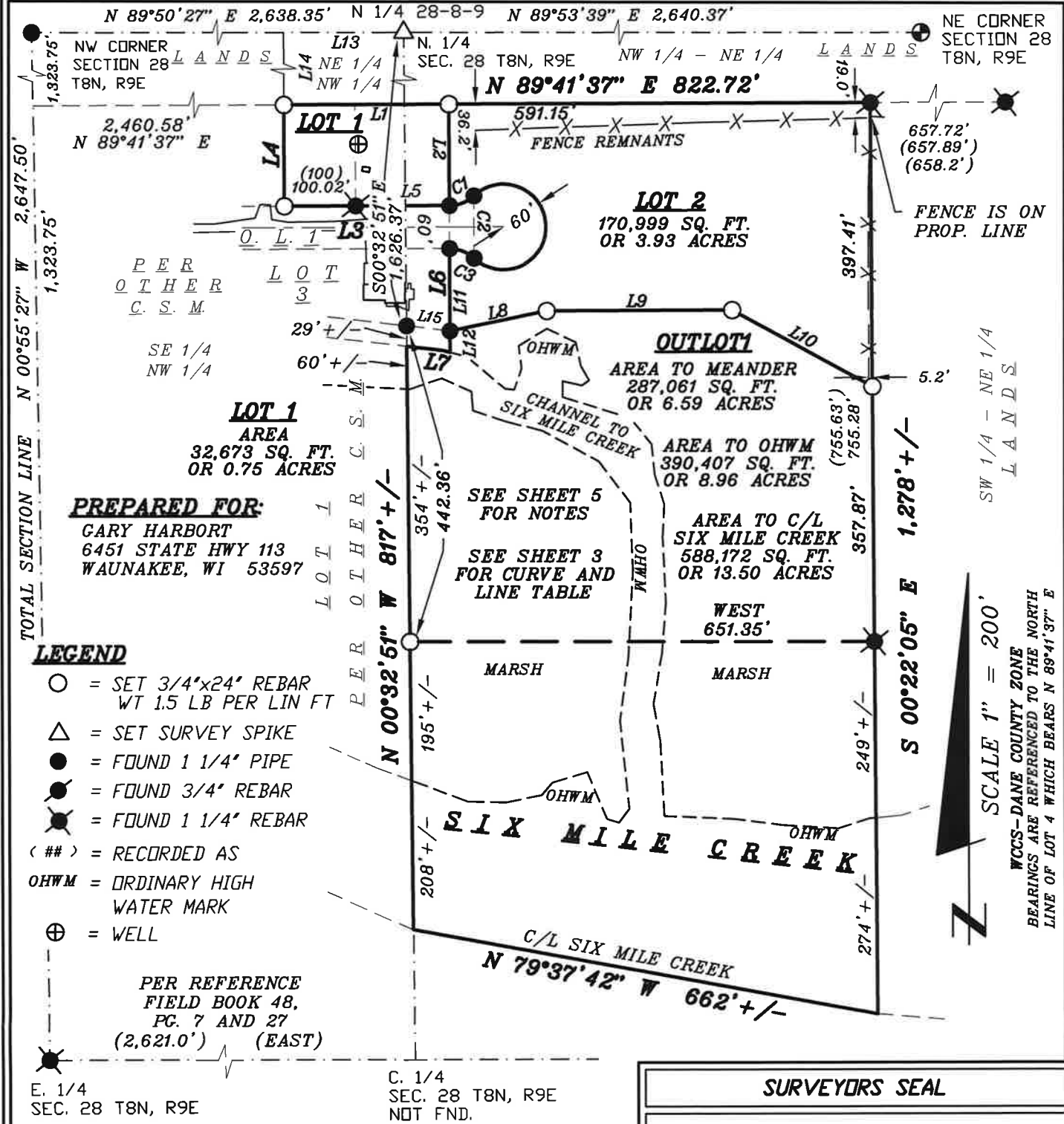


# CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

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

Located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.



DOCUMENT NO. \_\_\_\_\_

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 1 of 5

SURVEYORS SEAL

PRELIMINARY

17W-407

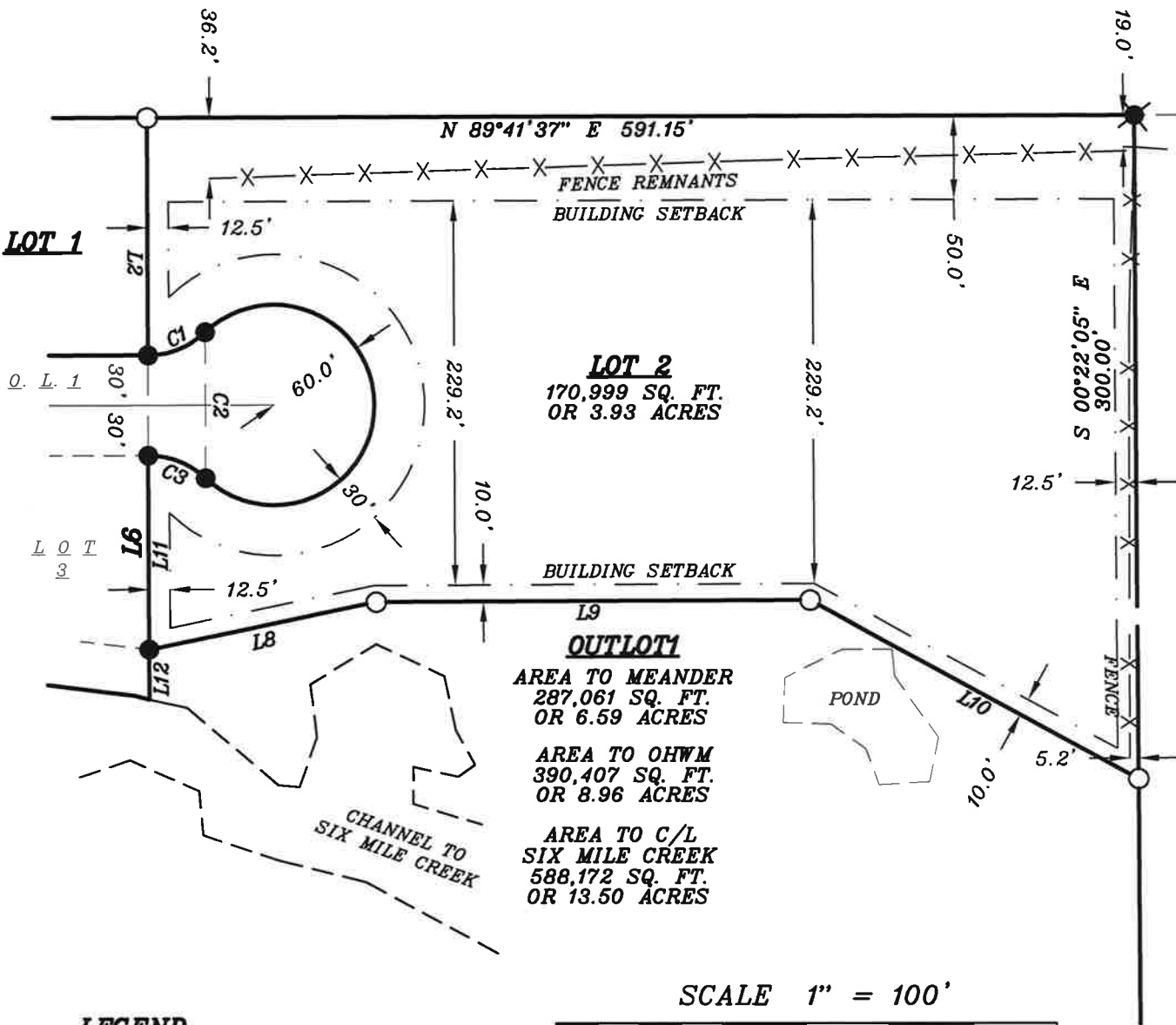


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Located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.



## LEGEND

- = SET 3/4"x24" REBAR  
WT 1.5 LB PER LIN FT
- △ = SET SURVEY SPIKE
- = FOUND 1 1/4" PIPE
- = FOUND 3/4" REBAR
- = FOUND 1 1/4" REBAR
- ( ## ) = RECORDED AS
- OHWM = ORDINARY HIGH  
WATER MARK
- ⊕ = WELL

SCALE 1" = 100'



SURVEYORS SEAL

PRELIMINARY

DOCUMENT NO. \_\_\_\_\_

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 2 of 5

17W-407

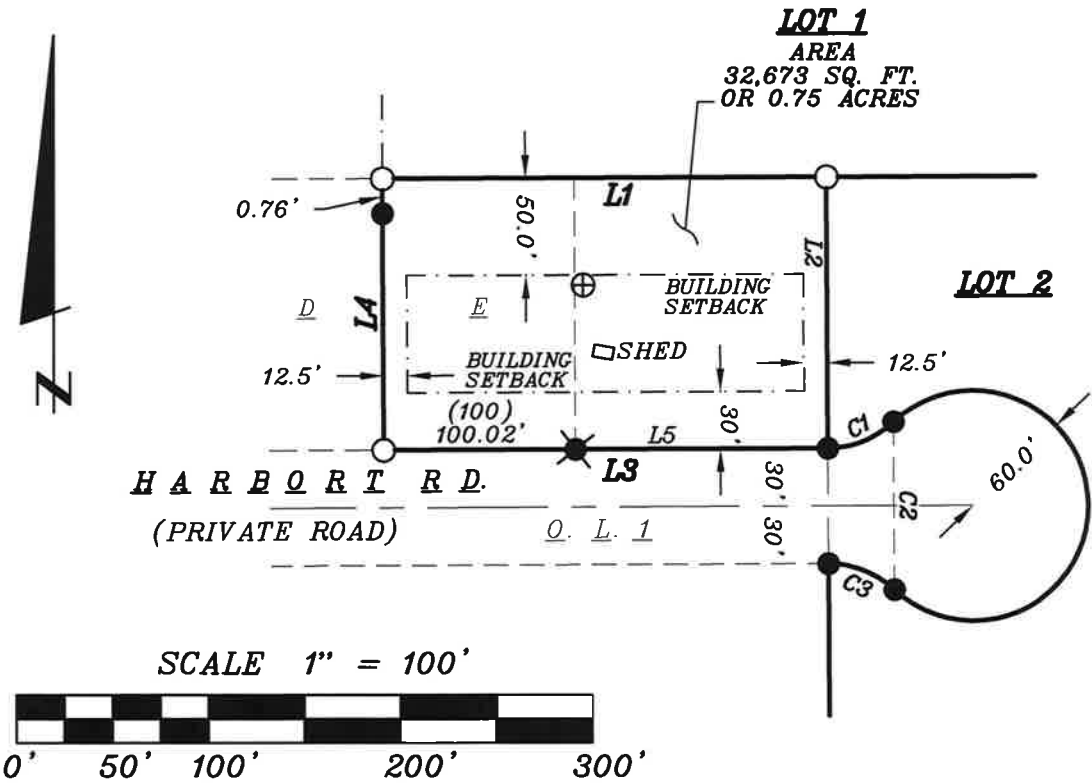


CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

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

Located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4  
of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.



CURVE TABLE

CURVE #	RADIUS	ARC	DELTA	CHORD
C1	50.00'	37.82'	43°20'07"	S 68°03'44" W 36.92'
C2	60.00'	279.27'	266°41'01"	N 00°15'49" W 87.27'
C3	50.00'	37.83'	43°20'54"	S 68°35'45" E 36.93'

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N 89°41'37" E	231.57'
L2	N 00°15'09" W	141.17'
L3	S 89°43'48" W	231.57'
L4	N 00°15'09" W	141.02'
L5	N 89°43'48" E	131.55'
L6	N 00°15'09" W	146' +/-
L7	S 82°04'23" E	61' +/-
L8	S 78°15'28" W	138.78'
L9	S 89°41'37" W	260.00'
L10	N 61°23'40" W	223.74'
L11	S 00°15'09" E	115.59'
L12	S 00°15'09" E	30' +/-
L13	S 89°50'27" W	162.25'
L14	S 00°15'09" E	1,317.32'
L15	N 83°28'15" W	61.38'

LEGEND

- = SET 3/4"x24" REBAR WT 1.5 LB PER LIN FT
- △ = SET SURVEY SPIKE
- = FOUND 1 1/4" PIPE
- ⦿ = FOUND 3/4" REBAR
- ⊗ = FOUND 1 1/4" REBAR
- ( ## ) = RECORDED AS
- OHWM = ORDINARY HIGH WATER MARK
- ⊕ = WELL

SURVEYORS SEAL

PRELIMINARY

DOCUMENT NO. \_\_\_\_\_

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 3 of 5

17W-407





**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 SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4  
of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.

**SURVEYOR'S CERTIFICATE**

I, Noa T. Prieve, 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 part of the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin, more particularly described as follows:

Commencing at the North 1/4 of said Section 28, thence S 89°50'27" W along the North line of the NW 1/4 of said Section 28, 162.25 feet; thence S 00°15'09" E, 1,317.32 feet to the South line of the NW 1/4 of the NE 1/4 of said Section 28 and also the point of beginning.

Thence N 89°41'37" E along the North line of the SE 1/4 of the NW 1/4 and the North line of the SW 1/4 of the NE 1/4 of said Section 28, 822.72 feet; thence S 00°22'05" E to the centerline of Six Mile Creek; thence N 79°37'42" W along the said centerline, 662 feet +/- to the East line of the SE 1/4 of the NW 1/4 of said Section 28; thence N 00°32'51" W along the said East line, 817 feet +/- to the Ordinary High Water Mark of the north side of a channel flowing into Six Mile Creek; thence S 82°04'23" E along said north side of channel, 61 feet +/-, thence N 00°15'09" W, 146 feet +/- to the south right of way line Harbort Road, a private road; thence along the arc of a curve concaved southwesterly having a radius of 50 feet, a chord bearing of S 68°35'45" E and a chord distance of 36.93 feet; thence along the arc of a curve concaved westerly having a radius of 60 feet, a chord bearing of N 00°15'49" W and a chord distance of 87.27 feet; thence along the arc of a curve concaved northwesterly having a radius of 50 feet, a chord bearing of S 68°03'44" W and a chord distance of 36.92 feet to the north right of way line of Harbort Road, a private road; thence S 89°43'48" W along said north right of way line, 231.57 feet; thence N 00°15'09" W, 141.02 feet to the point of beginning. The above described parcel contains 18.18 acres more or less.

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

Date \_\_\_\_\_

\_\_\_\_\_  
Noa T. Prieve S-2499  
Professional Land Surveyor

**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

**SURVEYORS SEAL**

**PRELIMINARY**



**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 SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4  
of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.

**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\_\_\_\_.

\_\_\_\_\_  
Harbort Living Trust  
Trustee-Donald V. Harbort

STATE OF WISCONSIN)  
DANE COUNTY)

\_\_\_\_\_  
Trustee-Bernadine C. Harbort

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the  
above named Donald V. and Bernadine C. Harbort 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

**NOTE:**

REFER TO BUILDING SITE  
INFORMATION CONTAINED IN  
THE DANE COUNTY SOIL  
SURVEY.

**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 \_\_\_\_\_.

**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.) PER THE NW CORNER OF SECTION 28, NO  
TIES WERE FOUND AND WE MADE A NEW TIE  
SHEET.

4.) PER THE NORTH 1/4 OF SECTION 28, ONLY  
ONE TIE WAS FOUND AND WE MADE A NEW TIE  
SHEET.

\_\_\_\_\_  
Kristi Chlebowski  
Register of Deeds

**SURVEYORS SEAL**

**PRELIMINARY**



## PLAN COMMISSION APPLICATION

PROJECT ADDRESS / NAME: Harbort Trust CSM - East

APPLICANT: <u>Jeremy Arrington</u>	
ADDRESS:	
PHONE: <u>608-630-4451</u>	EMAIL: <u>Jeremy@vibbn.com</u>

OWNER: <u>Gary Harbort</u>	
ADDRESS: <u>6451 St Hwy 113 Waukegan</u>	
PHONE: <u>608-849-4738</u>	EMAIL: <u>gbah@Tds.net</u>

PROJECT DESCRIPTION: Create 2 New Residential lots and 1 outlot of remaining wetland area.

X OWNER/APPLICANT SIGNATURE: [Signature] DATE: 12/11/17

FEES: (CHECK ALL THAT APPLY)		ESCROW DEPOSIT:
• SITE PLAN	<input type="checkbox"/> \$320	An escrow deposit is required in accordance with the Development Application Agreement.
• REZONE	<input checked="" type="checkbox"/> \$345	
• CONDITIONAL USE PERMIT	<input type="checkbox"/> \$350	
• CERTIFIED SURVEY MAP	<input checked="" type="checkbox"/> \$100 + \$25 per lot	
• PRELIMINARY PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• FINAL PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• GDP/SIP APPROVAL	<input type="checkbox"/> \$475	ESCROW FEE PAID: <u>[Signature]</u>
TOTAL: _____		DATE: _____
		FEE WAIVED BY: <u>KAE</u>

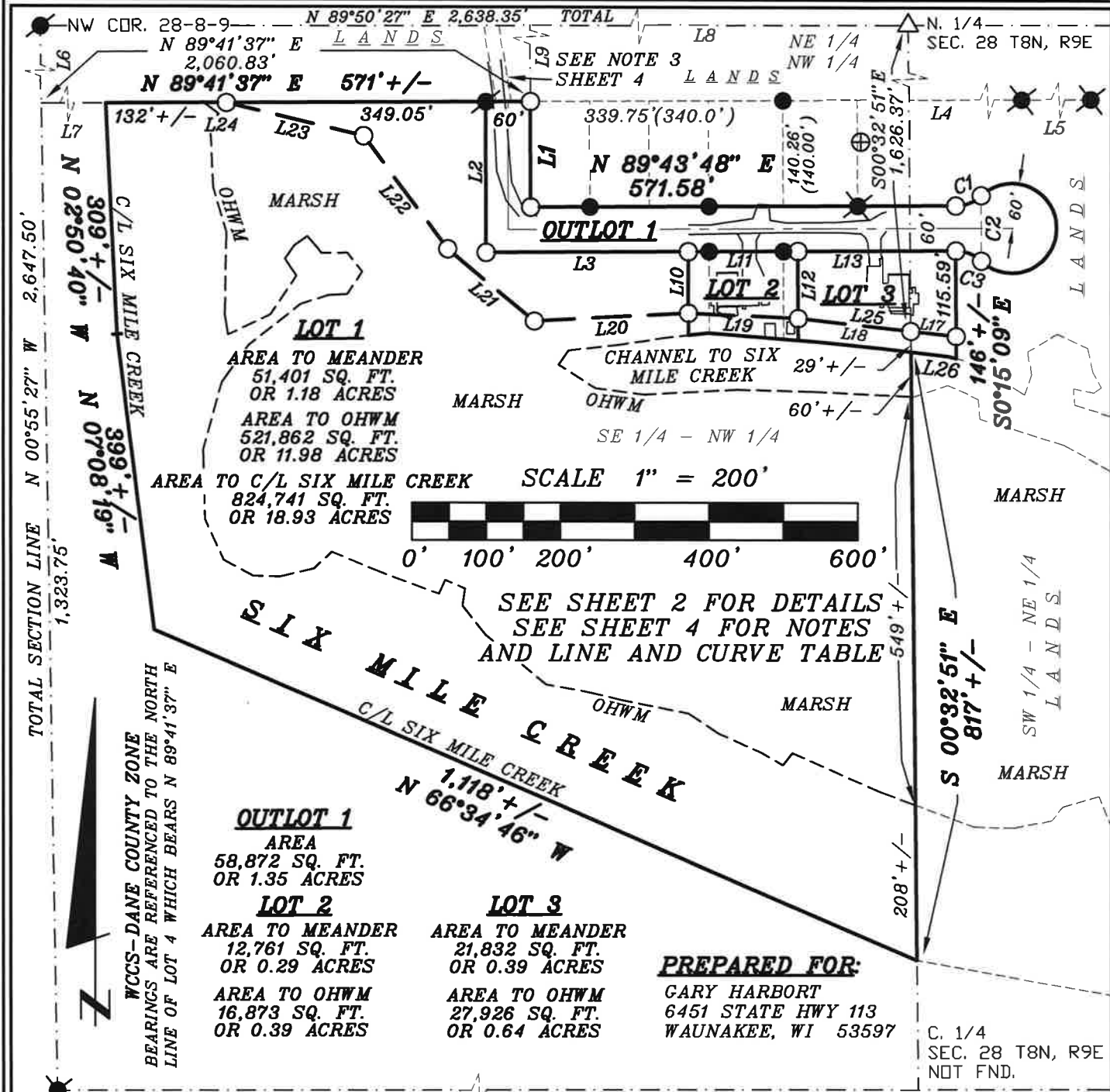


# CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

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

Located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4  
of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.



E. 1/4  
SEC. 28 T8N, R9E

(2,621.0') (EAST)  
PER REFERENCE  
FIELD BOOK 48,  
PG. 7 AND 27

## LEGEND

- = SET 3/4"x24" REBAR  
WT 1.5 LB PER LIN FT
- △ = SET SURVEY SPIKE
- = FOUND 1 1/4" PIPE
- ⊙ = FOUND 3/4" REBAR
- ⊗ = FOUND 1 1/4" REBAR

- OHWM = ORDINARY HIGH  
WATER MARK
- ⊕ = WELL
- ⊙ = SEPTIC TANK

(##) = RECORDED AS

DOCUMENT NO. \_\_\_\_\_

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 1 of 6

SURVEYORS SEAL

PRELIMINARY

17W-407



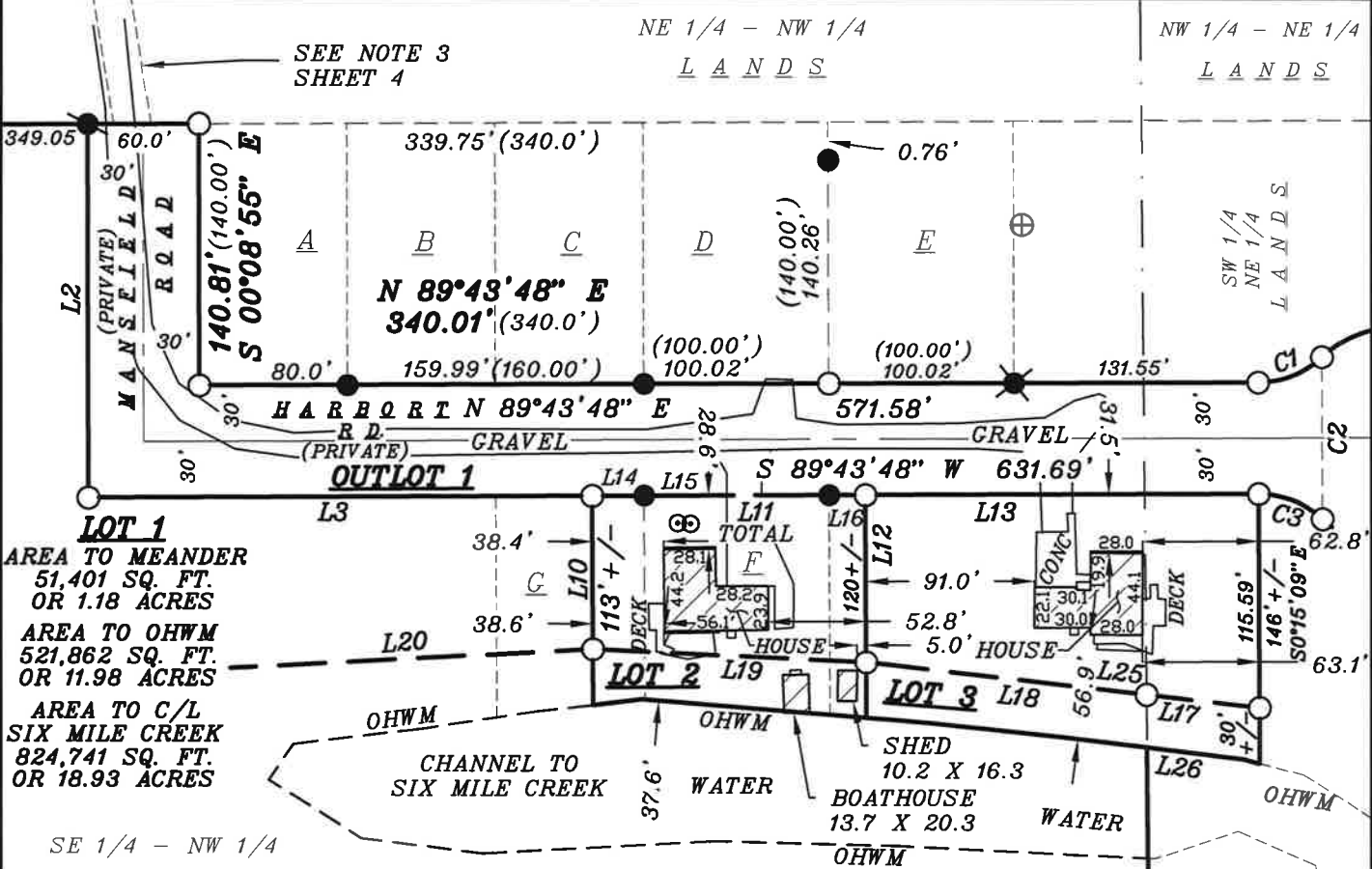


# CERTIFIED SURVEY MAP

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Located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4  
of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.



**LOT 1**  
AREA TO MEANDER  
51,401 SQ. FT.  
OR 1.18 ACRES  
AREA TO OHWM  
521,862 SQ. FT.  
OR 11.98 ACRES  
AREA TO C/L  
SIX MILE CREEK  
824,741 SQ. FT.  
OR 18.93 ACRES

**OUTLOT 1**  
AREA  
58,872 SQ. FT.  
OR 1.35 ACRES

**LOT 2**  
AREA TO MEANDER  
12,761 SQ. FT.  
OR 0.29 ACRES  
AREA TO OHWM  
16,873 SQ. FT.  
OR 0.39 ACRES

**LOT 3**  
AREA TO MEANDER  
21,832 SQ. FT.  
OR 0.39 ACRES  
AREA TO OHWM  
27,926 SQ. FT.  
OR 0.64 ACRES

## LEGEND

- = SET 3/4"x24" REBAR  
WT 1.5 LB PER LIN FT
- △ = SET SURVEY SPIKE
- = FOUND 1 1/4" PIPE
- ⊙ = FOUND 3/4" REBAR
- ⊗ = FOUND 1 1/4" REBAR
- (##) = RECORDED AS
- OHWM = ORDINARY HIGH  
WATER MARK
- ⊕ = WELL
- ⊙ = SEPTIC TANK



SCALE 1" = 100'



DOCUMENT NO. \_\_\_\_\_

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 2 of 6

SURVEYORS SEAL

PRELIMINARY

17W-407



**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 SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4  
of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.

**SURVEYOR'S CERTIFICATE**

I, Noa T. Prieve, 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 part of the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin, more particularly described as follows:

Commencing at the North 1/4 of said Section 28; thence S 89°50'27" W along the North line of the NW 1/4 of said Section 28, 499.62 feet; thence S 00°08'55" E, 1,318.19 feet to the South line of the NE 1/4 of the NW 1/4 of said Section 28 and also the point of beginning.

Thence S 00°08'55" E along the east right of way line of Mansfield Road, a private road, 140.81 feet to the north right of way line of Harbort road, a private road; thence N 89°43'48" E, along the north right of way line of Harbort Road, a private road, 571.58 feet; thence along the arc of a curve concaved northwesterly having a radius of 50 feet, a chord bearing of N 68°03'44" E and a chord distance of 36.92 feet; thence along an arc of a curve concaved westerly having a radius of 60 feet, a chord bearing of S 00°15'49" E and a chord distance of 87.27 feet; thence along an arc of a curve concaved southwesterly having a radius of 50 feet, a chord bearing of N 68°35'45" W and a chord distance of 36.93 feet; thence S 00°15'09" E, 146 feet +/- to the Ordinary High Water Mark of a channel flowing into Six Mile Creek; thence westerly along the said Ordinary High Water Mark to the East line of the SE 1/4 of the NW 1/4 of said Section 28; thence S 00°32'51" E along said East line, 817 feet +/- to the centerline of Six Mile Creek; thence along the centerline of Six Mile Creek for the next three courses, thence N 66°34'46" W, 1,118 feet +/-; thence N 07°08'19" W, 399 feet +/-; thence N 02°50'40" W, 309 feet +/- to the South line of the NE 1/4 of the NW 1/4 of said Section 28; thence N 89°41'37" E along said South line, 571 feet +/- to the east right of way line of Mansfield Road, a private road and also the point of beginning. The above described parcel contains 21.31 acres more or less.

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

Noa T. Prieve S-2499  
Professional Land Surveyor

**SURVEYORS SEAL**



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

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

Located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4  
of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.

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.) 20' WIDE EASEMENT PER DOCUMENT #1170866 OTHERWISE KNOWN AS MANSFIELD  
ROAD.
- 4.) THE WELL LOCATED IN THE LANDS NORTH OF HARBORT ROAD AND EAST OF  
PARCEL "E" IS USED BY RESIDENTS OF LOT 2 AND 3.
- 5.) THE SEPTIC TANK AND SEPTIC VENTS FOR LOT 3 WERE NOT FOUND DURING THE  
FIELD SURVEY.
- 6.) PER THE NW CORNER OF SECTION 28, NO TIES WERE FOUND AND WE MADE A NEW  
TIE SHEET.
- 7.) PER THE NORTH 1/4 OF SECTION 28, ONLY ONE TIE WAS FOUND AND WE MADE A  
NEW TIE SHEET.

CURVE TABLE

CURVE #	RADIUS	ARC	DELTA	CHORD
C1	50.00'	37.82'	43°20'07"	N 68°03'44" E 36.92'
C2	60.00'	279.27'	266°41'01"	S 00°15'49" E 87.27'
C3	50.00'	37.83'	43°20'54"	N 68°35'45" W 36.93'

LINE TABLE

LINE #	BEARING	DISTANCE
L1	S 00°08'55" E	140.81'
L2	S 00°08'55" E	200.77'
L3	N 89°43'48" E	272.05'
L4	N 89°41'37" E	822.72'
L5	N 89°41'37" E	657.72'
L6	N 00°55'27" W	1,323.75'
L7	N 89°41'37" E	1,550'+/-
L8	S 89°50'27" W	499.62'
L9	S 00°08'55" E	1,318.19'
L10	N 00°15'09" W	82.65'
L11	N 89°43'48" E	147.57'
L12	S 00°15'09" E	90.31'
L13	N 89°43'48" E	212.07'
L14	N 89°43'48" E	28.00'
L15	N 89°43'48" E	100.00'
L16	N 89°43'48" E	19.55'
L17	N 83°28'15" W	61.38'
L18	N 83°28'15" W	152.18'
L19	N 87°17'56" W	147.77'
L20	S 86°59'49" W	207.81'
L21	N 50°16'36" W	151.47'
L22	N 37°02'25" W	188.42'
L23	N 76°35'49" W	189.61'
L24	N 89°41'37" E	30'+/-
L25	N 83°28'15" W	213.56'
L26	N 82°04'23" W	61'+/-

SURVEYORS SEAL

PRELIMINARY



**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 SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4  
of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.

**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\_\_\_\_.

\_\_\_\_\_  
Harbort Living Trust  
Trustee-Donald V. Harbort

STATE OF WISCONSIN)  
DANE COUNTY)

\_\_\_\_\_  
Trustee-Bernadine C. Harbort

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the  
above named Donald V. and Bernadine C. Harbort 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

**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\_\_\_\_.

\_\_\_\_\_  
Larry H. Schoenher

STATE OF WISCONSIN)  
DANE COUNTY)

\_\_\_\_\_  
Kathrine K. Schoenher

Personally came before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_ the above  
named Larry H. and Kathrine K. Schoenher  
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 5 of 6

**SURVEYORS SEAL**

**PRELIMINARY**

17W-407





**CERTIFIED SURVEY MAP**

**WILLIAMSON SURVEYING AND ASSOCIATES, LLC**

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104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4  
of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.

**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

**NOTE:**

REFER TO BUILDING SITE INFORMATION CONTAINED IN THE DANE COUNTY SOIL  
SURVEY.

**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 Chlebowska  
Register of Deeds

**SURVEYORS SEAL**

**PRELIMINARY**

DOCUMENT NO. \_\_\_\_\_

CERTIFIED SURVEY MAP NO. \_\_\_\_\_



**MEETING DATE:** January 9, 2018

**ITEM:** NEW BUSINESS

**TITLE:** Initial Consultation, Breunig Rezone Request, 80 Acres NW of STH 113/19

**ISSUE SUMMARY:**

The Breunigs would like to see about 80 acres of their property at the northwest corner of Schumacher and STH 113/19 in the Town removed from the Community Residential designation in the Comp Plan and placed in Rural Preservation, and also change their zoning designation to County A1-Ex from A-1. The Comp Plan was changed consistent with the FUDA study recommendations in January of 2016 after several months work. The rezone to A-1 was necessary due to the recent rezonings done as part of the Farmland Preservation Tax Credit program certification. The Breunigs would now like the property to be eligible for those tax credits so have asked to have the 80 acres included in the program. Staff agrees and have been assisting the owners. The County will also have to revise its farmland preservation plan, which will probably not happen until November of 2018. This is certainly a consistent move with the Plan since the Breunigs intend on farming this parcel for many years, and development here is not imminent. It will also help out a farm family in Westport to obtain these credits, which is what we have been working toward.

A public hearing before the JPC and Village Board will be set beginning in February to accomplish this

**STAFF RECOMMENDATION:**

Staff recommends moving forward with the process.

**RECOMMENDED MOTION:**

No action necessary.



## PLAN COMMISSION APPLICATION

PROJECT ADDRESS / NAME: Breunig 80 acre rezone

APPLICANT: <u>TOWN of Westport</u>	
ADDRESS: <u>5387 Mary Lake Rd</u>	
PHONE: <u>608-849-4372</u>	EMAIL: <u>jfrey@townofwestport.org</u>

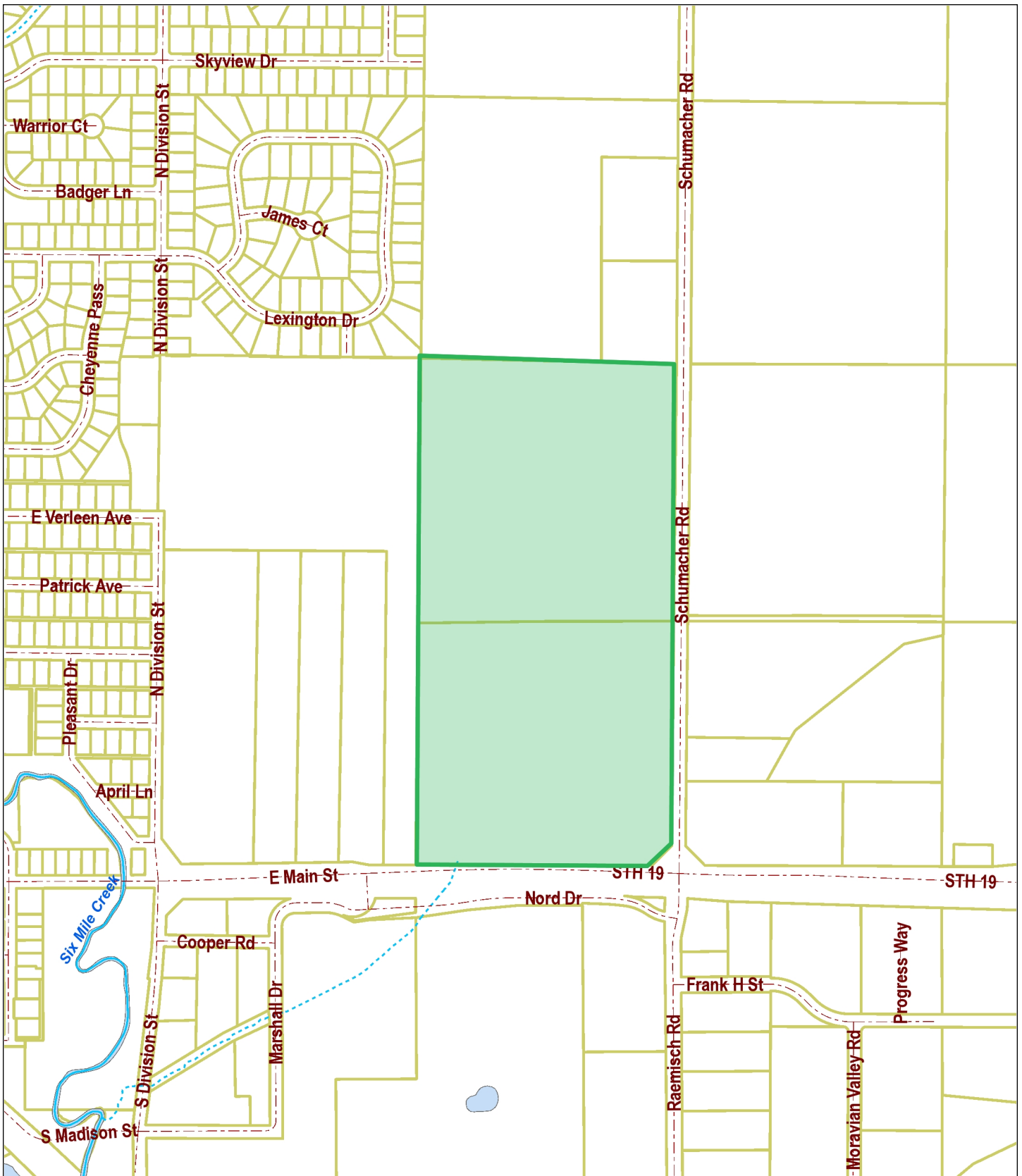
OWNER: <u>Kurt J &amp; Peggy A Hill - Breunig, Breunig Rev. Tr. &amp; Mary G Breunig Individual</u>	
ADDRESS: <u>6210 Schumacher Rd</u>	
PHONE:	EMAIL:

Rev. Tr.

PROJECT DESCRIPTION: Rezone 80 acres NW of STH 113/19 Schumacher Rd  
Intersection from A1 to Cty A1-EX and revise  
Comp. Plan

OWNER/APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

FEES: (CHECK ALL THAT APPLY)		ESCROW DEPOSIT:
• SITE PLAN	<input type="checkbox"/> \$320	An escrow deposit is required in accordance with the Development Application Agreement.
• REZONE	<input type="checkbox"/> \$345	
• CONDITIONAL USE PERMIT	<input type="checkbox"/> \$350	
• CERTIFIED SURVEY MAP	<input type="checkbox"/> \$100 + \$25 per lot	
• PRELIMINARY PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• FINAL PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• GDP/SIP APPROVAL	<input type="checkbox"/> \$475	
TOTAL: _____		ESCROW FEE PAID: _____ DATE: _____ FEE WAIVED BY: _____



Breunig Lands



DISCLAIMER: The Village of Waunakee 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.

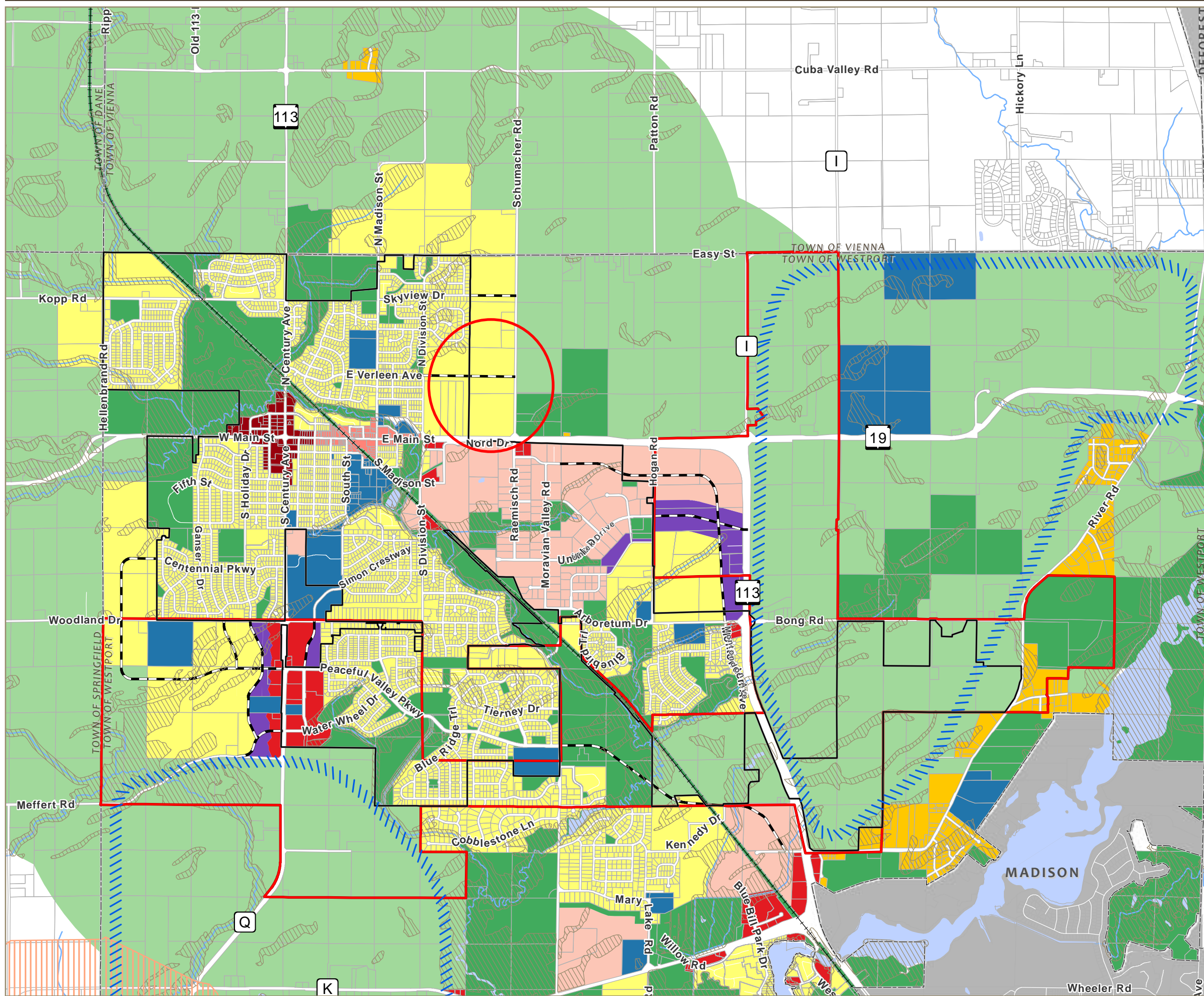
SCALE: 1" = 941'

VILLAGE OF  
WAUNAKEE

500 W. Main St  
Waunakee, WI 53597  
(608) 850-8500

Print Date: 1/2/2018





# FUTURE LAND USE (NORTH)

## VILLAGE OF WAUNAKEE AND TOWN OF WESTPORT COMPREHENSIVE PLAN

### LEGEND

- |  |                                 |
|--|---------------------------------|
| Future Land Use                            | Village of Waunakee (Aug. 2016) |
| Business Park                              | City/Village                    |
| Central Business District                  | Town                            |
| West Business District                     | Joint Planning Area Boundary    |
| Commercial                                 | Community Separation Zone       |
| Mixed Use                                  | Railroad                        |
| Public & Institutional                     | Future Road (approximate)       |
| Community Residential                      | North Mendota Parkway Corridor  |
| Rural Residential                          |                                 |
| Parks, Open Space, Environmental Corridors |                                 |
| Rural Preservation                         |                                 |
| Development Limitation                     |                                 |

The colored portions of this map comprise the combined Planning Area of the Village and Town, including all lands within each jurisdiction and the Village's Extraterritorial Plat Review Jurisdiction area in the Towns of Springfield, Dane, and Vienna.

DATA SOURCES:  
BASE DATA PROVIDED BY DANE COUNTY.  
AERIAL PROVIDED BY THE USDA (NAIP 2015).  
DEVELOPMENT LIMITATIONS ARE A COMBINATION OF WETLANDS,  
FLOODPLAINS, SLOPES GREATER THAN 12%, AND A  
100-FT BUFFER AROUND STREAMS.

VILLAGE OF WAUNAKEE  
AND TOWN OF WESTPORT  
DANE COUNTY, WI

