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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  
March 13, 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 February 12, 2018**

**PUBLIC COMMENT**

**NEW BUSINESS**

- 1 Initial Consultation, Rezone and Conditional Use Permit to Allow Shed, Anderson, 6172 County Hwy I, Town of Westport**
- 2 Initial Consultation, Woodland Crest Annexation, Southeast Corner of Woodland and CTH Q**
- 3 Discussion/Recommendation, Tierney Annexation, ~130 Acres, Southwest Corner of Woodland Drive and County Hwy Q, Town of Westport**
- 4 Public Hearing and Discussion/Action on Land Division, Rezone and Detachment Request, Whiteside, 5147 Bong Road**
- 5 Public Hearing and Discussion/Action on Proposal to Divide and Rezone two Parcels, Arrington, 5683 Harbort Road, Town of Westport**
- 6 Public Hearing & Discussion/Action on Amendment to the**



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**Waunakee/Westport Joint Comprehensive Plan to Change 80 Acres,  
Northwest Corner of Schumacher Road/STH 113 to Rural Preservation, &  
Rezone to County A-1 Agriculture (Exclusive)**

**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 4/10/2018 6:00:00 PM.*

**VILLAGE OF WAUNAKEE/TOWN OF WESTPORT  
JOINT PLAN COMMISSION MEETING  
Town of Westport Community Room, 5387 Mary Lake Road  
February 12, 2018 6:00 PM**

**Meeting Minutes**

**CALL TO ORDER:** The meeting was called to order at 6:06 p.m.

**ROLL CALL:**

**Present:** Ken Sipsma, Dean Grosskopf, Eileen Bruskewitz, Brain Malich

**Absent:** Pat McGowan, Tim Black

**Also Present:** Tom Wilson, Kevin Even, Tracy Meinholz, Brian Kleinmaier, Mike Lawton, Steven Kalscheuer, Sam Ballweg, Dan O'Callahan, Jerry Tierney

**MINUTES**

**1 January 29, 2018**

Motion by Grosskopf, second Malich, to approve the minutes from the January 9, 2018 meeting as presented. Motion carried.

**PUBLIC COMMENT**

None

**NEW BUSINESS**

**1 Discussion/Recommendation on Site Plan, Endres Manufacturing Addition, 802 S. Century Avenue, Town of Westport**

Motion Bruskewitz, second Malich, to approve the Endres addition site plan as recommended by the Town Plan Commission, subject to all Waunakee Utilities concerns being satisfied. Motion carried 4-0.

**2 Discuss and Take Action on Signage for Animart, 1340 Water Wheel Drive, Village of Waunakee**

Motion by Grosskopf, second Malich, to approve the Animart signage as presented. Motion carried 4-0.

**3 Initial Consultation, Pre-Annexation Request for Approximately 130 Acres at the Corner of Woodland Drive and CTH Q, Town of Westport**

This item does not require action at this time.

**4 Initial Consultation, Kalscheuer, 5511 Easy Street, CSM & Rezone, Town of Westport**

No action necessary.

February 12, 2018

**ADJOURN**

Motion Bruskewitz, second Grosskopf, to adjourn the meeting at 6:43 p.m.

Respectfully Submitted,

Tracy Meinholz, JPC Secretary





**WAUNAKEE/WESTPORT JOINT PLAN COMMISSION SUMMARY SHEET**

**MEETING DATE:** 03/13/2018

**ITEM:** NEW BUSINESS

**TITLE:** Initial Consultation, Rezone and Conditional Use Permit to Allow Shed, Anderson, 6172 County Hwy I, Town of Westport

**ISSUE SUMMARY:** The owner would like to have an appropriate zoning classification for the property based on its size. The lot was created some time ago and has been zoned A1-Ex. We probably should have rezoned the property with the many agricultural rezones we did recently. The property is in the Waunakee ETZ. The owner would like to build an appropriately sized shed, to go along with the residence already on the site, which could require a CUP for the size he is requesting. It is just a little bigger than a neighbors, but similar in size to structures on Meffert Road and Shilling Lane that we allowed through CUP's.

**STAFF RECOMMENDATION:** Staff does not object to this revision and it makes sense for the parcel to have a proper classification and allow a little bigger shed in this rural area. We are not sure if he has talked to immediate neighbors about the shed.

**RECOMMENDED MOTION:** This is a consult only, but please make the owners aware of any issues with the proposal you see, and whether it is worth their time to pursue this idea further.

**ATTACHMENT(S):** Homeowner request and preliminary site plan.

Town of Westpoint Zoning Committee  
5387 Mary Lake Road  
Waunakee, WI 53597

February 22, 2018

Re: 6172 County Road I Property Rezoning

To Whom It May Concern:

Please take in to consideration the attached Zoning Permit Application for the rezoning of our property from A1-EX (Exclusive Agricultural District) to RH-1 (Rural Homes District). We are hoping to add a 40' x 60' shed to our property for storage purposes and through discussions with The Town of Westport we were told we will need to rezone our property in order to put in a request to build the shed. Please reference the attached site plan for the proposed location of the shed.

Feel free to contact us at 608-333-7256 with any additional questions.

Thank you,

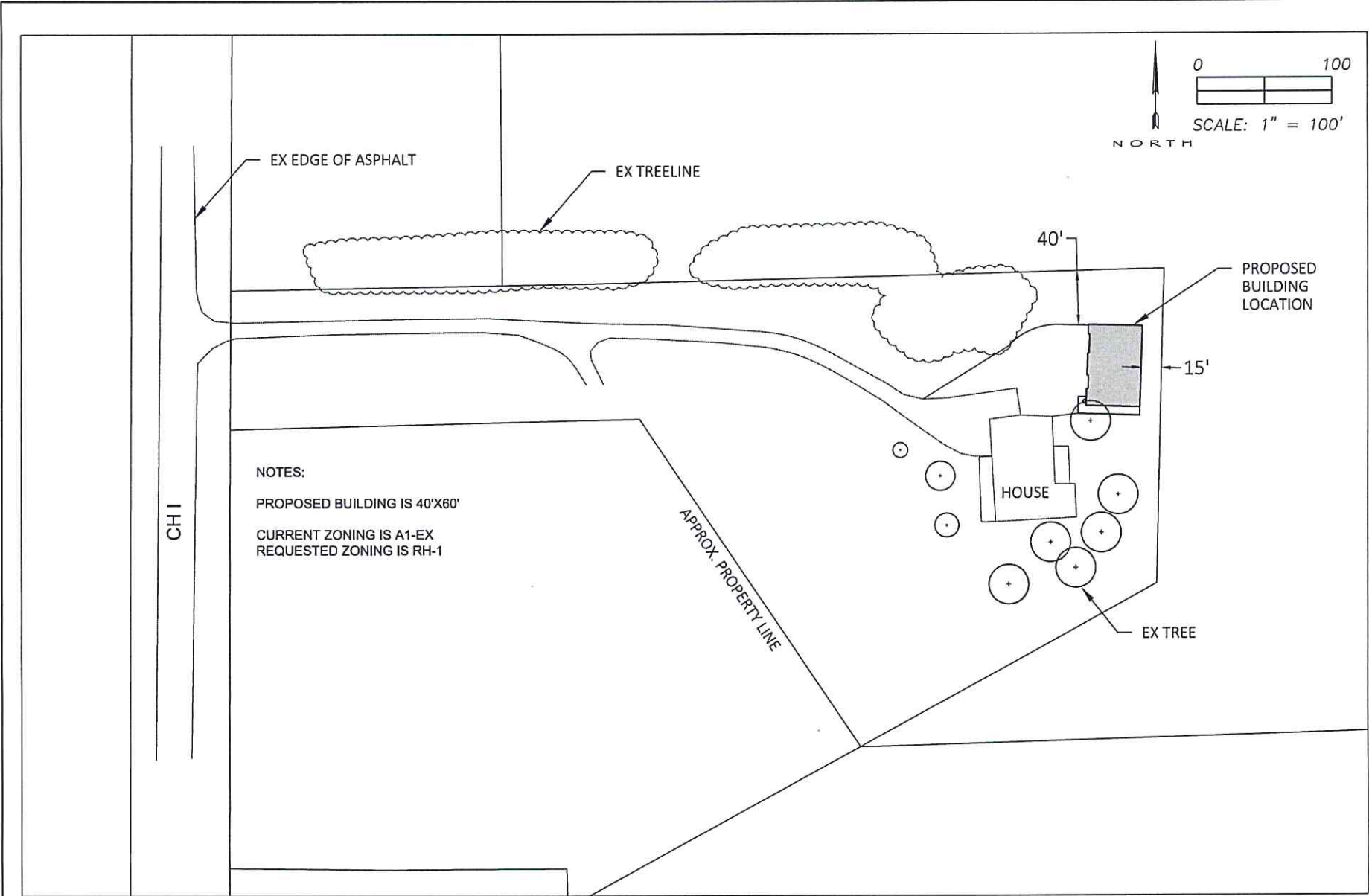
Brian and Katrina Anderson

A handwritten signature in black ink, appearing to be 'BA' followed by a long horizontal stroke.

Brian Anderson

A handwritten signature in black ink, appearing to be 'Katrina Anderson' in a cursive script.

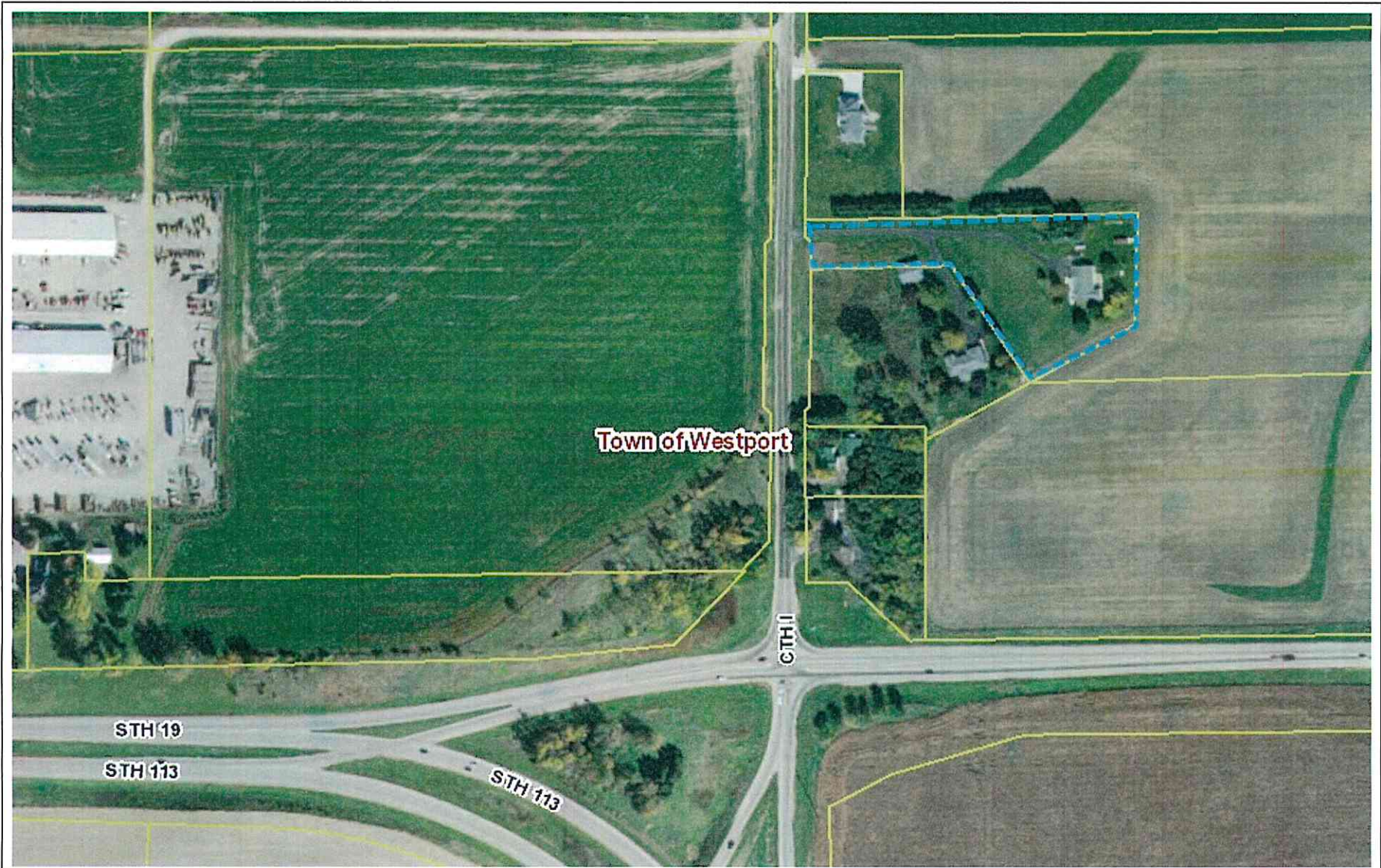
Katrina Anderson



ANDERSON ACCESSORY BUILDING  
6172 COUNTY HIGHWAY I  
TOWN OF WESTPORT  
DANE COUNTY, WI

PROPOSED SITE PLAN  
FEBRUARY 21, 2018





**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 = 393'

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

Print Date: 2/22/2018



**WAUNAKEE/WESTPORT JOINT PLAN COMMISSION SUMMARY SHEET**

**MEETING DATE:** 03/13/2018

**ITEM:** New Business

**TITLE:** Initial Consultation, Woodland Crest Annexation, Southeast Corner of Woodland and CTH Q

**ISSUE SUMMARY:** Attached is a Pre-Annexation application for the Woodland Crest development of ~30 acres at the northeast corner of Woodland and CTH Q. This area was previously proposed for development back in 2011.

**STAFF RECOMMENDATION:** This is an initial consultation to discuss the annexation petition and its effect on adjacent properties.

**RECOMMENDED MOTION:** No action.

**ATTACHMENT(S):** Pre-annexation application and review agreement.



PRE-ANNEXATION REVIEW AGREEMENT  
BETWEEN THE VILLAGE OF WAUNAKEE  
AND FORWARD DEVELOPMENT GROUP, LLC  
(Insert Full Name of Applicant)

This Agreement made and entered into this 27<sup>TH</sup> day of FEBRUARY  
2018, by the Village of Waunakee, a municipal corporation (the "Village"), and  
FORWARD DEVELOPMENT GROUP, LLC (the "Applicant"), and their  
respective successors and assigns.

WHEREAS, the Waunakee Village Board has adopted a Guideline for Reviewing Annexation and Other Development Requests (Resolution No. 01-25) which, among other things, requires that: i) proposals for annexation be reviewed and commented upon by Village technical staff and, when appropriate, outside consultants; and ii) the Applicant enter an agreement to reimburse the Village for costs incurred related to such review.

WHEREAS, Applicant is interested in annexing land to the Village and in complying with the Village's requirements for review of requests to annex land. A map and/or general description of the lands under consideration for annexation is attached as Attachment A.

WHEREAS, Applicant acknowledges and understands that the decision as to whether or not an annexation request is approved is a legislative determination to be made in the Village Board's discretion and that compliance with the Village's pre-annexation review procedures does not, in any way, necessarily entitle the Applicant to approval of the annexation.

WHEREAS, the process of reviewing annexation proposals will cause the Village to incur significant direct and indirect expenses including, but not limited to, staff time and fees and expenses incurred by the Village for outside consultant services related to the annexation review (e.g. engineers, attorneys, accountants, planners, and other professionals).

NOW, THEREFORE, for and in consideration of the premises and mutual covenants and agreements hereinafter set forth, the parties, on behalf of themselves, their heirs, successors and assigns, agree as follows in connection with the pre-annexation review:

1. **Preamble.**

The representations and recitations set forth in the foregoing paragraphs are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Paragraph.

2. **Applicant to Reimburse Village Review Costs.**

a. Applicant shall reimburse the Village for all direct and indirect costs and expenses related to the Village's review of Applicant's annexation proposal, including but not limited to, staff time and fees and expenses incurred by the Village for outside consultant services related to the annexation proposal (e.g. engineers, attorneys, accountants, planners, and other professionals) (collectively referred to as "Outside Consultants"). For purposes of this Agreement, these direct and indirect costs shall be referred to as "Review Costs."

b. Village staff time shall be charged at the rates detailed on Attachment B to this Agreement, which is incorporated herein by reference.

c. Services of outside consultants shall be charged to Applicant at the actual rates charged by consultants to the Village plus a ten percent (10%) surcharge that shall be added by the Village to all fees for Outside Consultant services in order to help offset Village administrative costs related to billing and payment.

3. **Deposit Required to Fund Reimbursement Account.**

a. To ensure that funds are readily available to the Village for reimbursement of Review Costs as provided in paragraph 2 above, Applicant shall deposit \$10,000 with the Village Clerk to be used to pay Review Costs related to Applicant's proposal. The deposit may be provided in the form of cash, a certified check, cashier's check, personal check, or some other form as approved by the Village.

b. The required deposit must be made by Applicant prior to the commencement of Village staff or Outside Consultant's review of the proposed annexation.

c. The Village shall place and maintain the deposit in a segregated, non-interest bearing account to be used solely for the



purpose of reimbursing the Village's Review Costs in accordance with paragraph 4 below.

**4. Village Withdrawals from the Reimbursement Account.**

a. After complying with the notification requirements of paragraph 4.b. below, the Village is entitled to make withdrawals from the Reimbursement Account to pay Review Costs in accordance with paragraph 2 above.

b. Not less than 10 days prior to making any withdrawal from the Reimbursement Account, the Village shall provide Applicant with an itemized invoice for Review Costs incurred, together with a written notice of the Village's intent to withdraw such funds from the Reimbursement Account.

c. Withdrawals from the Reimbursement Account may be made as often as necessary to reimburse Village Review Costs. In the event that the balance of Applicant's Reimbursement Account reaches \$1,000 or less, the Village shall have the discretion either to continue withdrawing funds from the Reimbursement Account, or to invoice Applicant directly for payment. Payments from directly invoiced bills shall be due 30 days from the date the invoice is mailed to Applicant. Applicant is responsible for payment of all Review Costs regardless of whether the amount exceeds the \$10,000 initially deposited in the Reimbursement Account.

d. Any amounts remaining in the Reimbursement Account after the Village Board has taken final action on the proposed annexation and all Review Costs have been paid, shall be promptly refunded to Applicant.

**5. Authority/Binding Effect.**

The parties agree that the undersigned signatories to this Agreement have full power and authority to act on behalf of the Village and Applicant, and that all necessary and enabling resolutions have been enacted. This Agreement shall bind the heirs, successors and assigns of the Applicant, the Village, and its Corporate Authorities, successors in office.

**6. No Entitlement to Approval.**



Nothing in this agreement binds the Village to approve Applicant's annexation proposal. Applicant acknowledges that the decision regarding annexation is a legislative determination to be made in the Village Board's discretion and that Applicant's compliance with the Village's pre-annexation review requirements does not create any claim of entitlement to approval of the annexation request.

**7. Notification of Parties.**

Any notices to be provided under this agreement may be made by delivery in person or by First Class mail as provided below:

To Village: Village of Waunakee  
Attn: Village Clerk  
500 West Main Street  
P.O. Box 100  
Waunakee, WI 53597

To Applicant:

FORWARD DEVELOPMENT GROUP  
DENNIS STEINKRAUS  
161 HORIZON DR. SUITE 101  
VERONA, WI 53593

**8. Separability.**

If any provision of the Agreement is deemed invalid, then the invalidity of said provision shall not affect the validity of any other provision hereof.

**9. Amendment, Withdrawal, or Release.**

This Agreement may be withdrawn, amended or released only by a written document duly executed by both parties.

**10. Effective Date.**

This Agreement shall be effective commencing on the date indicated in the first paragraph above.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on by individuals and officers duly authorized.

**VILLAGE:**

VILLAGE OF WAUNAKEE  
A Wisconsin Municipal Corporation

By: \_\_\_\_\_  
Chris Zellner  
Village President

**ATTEST:**

\_\_\_\_\_  
Julee Helt  
Village Clerk

State of Wisconsin )  
                                  ) ss.  
County of Dane        )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above-named Chris Zellner, Village President, and Julee Helt, Village Clerk, of the Village of Waunakee, Dane County Wisconsin, to me known to be the persons and officers who executed the foregoing instrument and acknowledged that they executed the same as such officers by the Village's authority.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission Expires:

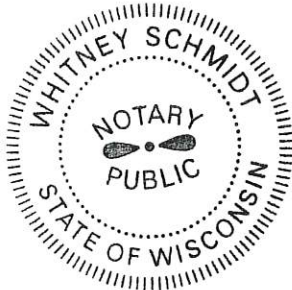
APPLICANT:

By: David M. Jenkins  
DAVID M. JENKINS, MANAGER  
FORWARD DEVELOPMENT GROUP

By: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

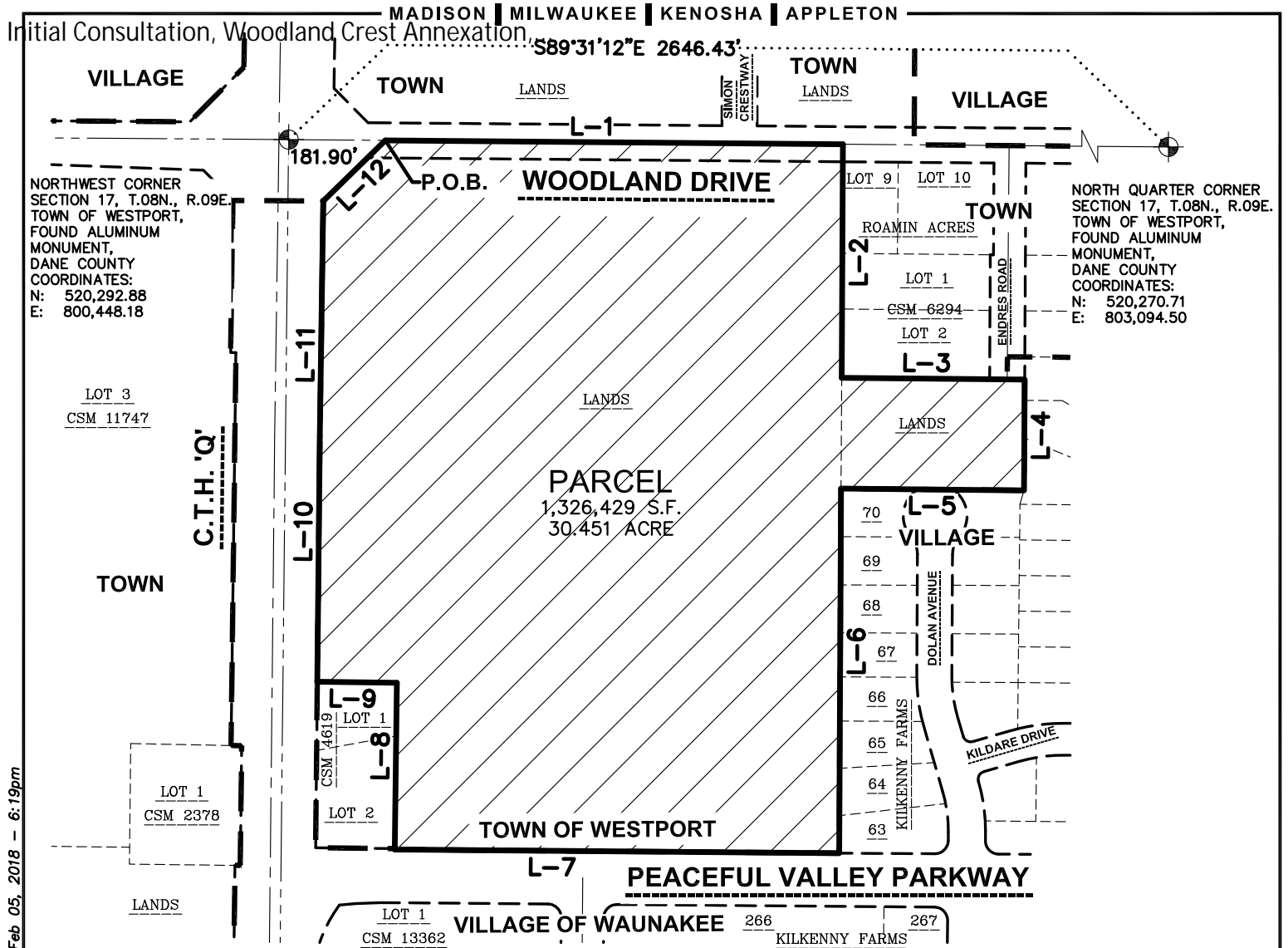
State of Wisconsin )  
                                  ) ss.  
County of Dane        )

Personally came before me this 27th day of February, 2018, the above-named ~~Chris Zellner, Village President, and Julie Helt, Village Clerk, of the Village of Waunakee, Dane County Wisconsin~~, to me known to be the DAVID M. JENKINS, MANAGER persons and officers who executed the foregoing instrument and acknowledged that they executed the same as such officers by the Village's authority. FORWARD DEVELOPMENT GROUP, LLC.



Whitney Schmidt  
Notary Public, State of Wisconsin  
My Commission Expires: 09/12/2021

The foregoing instrument was drafted by:  
Attorney Angela A. James  
Stafford Rosenbaum LLP  
P.O. Box 1784  
Madison, WI 53701-1784



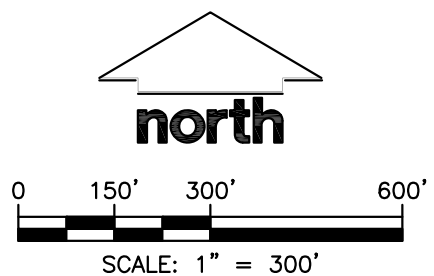
# **LEGEND**

- GOVERNMENT CORNER
- ANNEXATION BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- PROPERTY LINE
- CORPORATE BOUNDARY

# **NOTES**

- EXISTING CORPORATE BOUNDARY LINE DETERMINED FROM THE VILLAGE OF WAUNAKEE LEGAL DESCRIPTION DATED JANUARY 6, 2005, PROVIDED BY THE VILLAGE CLERK
- BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, (DANE COUNTY). THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 17-08-09, BEARS S89°31'12"E.

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S89°31'12"E	861.00'
L-2	S00°17'26"W	439.20'
L-3	S89°25'51"E	344.33'
L-4	S00°22'20"W	208.32'
L-5	N89°25'52"W	344.33'
L-6	S00°17'41"W	685.67'
L-7	N89°31'40"W	836.09'
L-8	N00°43'38"E	313.66'
L-9	N89°19'23"W	149.66'
L-10	N00°35'29"E	461.89'
L-11	N00°49'19"E	442.14'
L-12	N45°39'03"E	163.28'



File: I:\2017\178080\DWG\178080 Annexation.dwg Layout: Annexation User: tbuhr Plotted: Feb 05, 2018 - 6:19pm

<p><b>JSD Professional Services, Inc.</b>  <small>Engineers • Surveyors • Planners</small></p> <p>MADISON REGIONAL OFFICE  161 HORIZON COURT  VERONA, WISCONSIN 53593  (608)848-5060 PHONE (608)848-2255 FAX</p> <p>www.jsdinc.com</p>	<p>PROJECT:</p> <p><b>FORWARD DEVELOPMENT GROUP LLC</b></p> <p>161 HORIZON DRIVE, SUITE 101A  VERONA, WI 53593</p>	<p>SHEET TITLE:</p> <p><b>ANNEXATION MAP</b></p>	<p>JSD PROJECT NUMBER:</p> <p>17-8080</p>	<p>SHEET NUMBER:</p> <p>1</p>
			<p>DRAWN BY: JK</p> <p>CHECKED BY: TJB</p>	
			<p>DATE:</p> <p>FEB. 1, 2018</p>	



**WAUNAKEE/WESTPORT JOINT PLAN COMMISSION SUMMARY SHEET**

**MEETING DATE:** 03/13/2018

**ITEM:** NEW BUSINESS

**TITLE:** Discussion/Recommendation, Tierney Annexation, ~130 Acres, Southwest Corner of Woodland Drive and County Hwy Q, Town of Westport

**ISSUE SUMMARY:** The annexation agreement will typically address issues that are off-site of the proposed development. We will want the agreement to address the following issues:

- Any phasing limitation of the property
- Offsite Improvements including necessary sewer pumping station upgrades
- Any recapture agreements in place for downstream improvements
- Trail connection on the south side of Woodland Drive from CTH Q to Spahn Drive (School)
- Any necessary Timing of Utility looping
- Access points
- Construction logistics on existing roads

**STAFF RECOMMENDATION:** Approval

**RECOMMENDED MOTION:** Motion to recommend approval of the annexation with the condition that all off-site improvements such as mentioned above are included in an annexation agreement.

**ATTACHMENT(S):** Tierney annexation petition.

**UNANIMOUS PETITION FOR DIRECT ANNEXATION  
UNDER § 66.0217(2), WIS. STATS.**

To the Village Board of the Village of Waunakee, Dane County, Wisconsin:

1. The undersigned hereby petition for direct annexation of the territory legally described on Exhibit B attached hereto to the Village of Waunakee, Dane County, Wisconsin, whereby said territory would be detached from the Town of Westport, Dane County, Wisconsin, pursuant to § 66.0217(2), Wis. Stats.
2. Attached hereto as Exhibit A is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing Village and includes a graphic scale on the face of the map.
3. The current population of the territory proposed to be annexed is -2-.
4. This petition has been signed by the owners of all of the land within the territory proposed to be annexed, and by all of the electors residing within the territory proposed to be annexed.

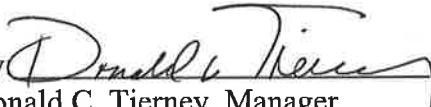
Owners of All Lands Within the Territory Proposed to be  
Annexed:

Name of Owner: DALMATIAN FARMS, LLC


Address of Owner: 3564 Egre Road, DeForest,  
Wisconsin 53532

Date of Signing: February 13, 2018

Signature:

By:   
Donald C. Tierney, Manager

Signature:

By:   
Joanne K. Tierney, Manager

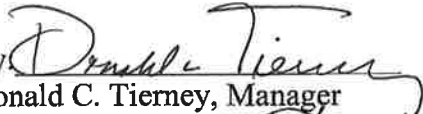
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[Signatures continued on page 2 of Petition]

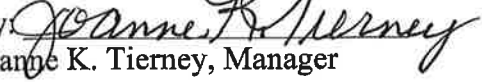
Name of Owner: LONE SILO NORTH ADDITION,  
LLC

Address of Owner: 3564 Egge Road, DeForest,  
Wisconsin 53532

Date of Signing: February 13, 2018

Signature:

By:   
Donald C. Tierney, Manager

By:   
Joanne K. Tierney, Manager

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[Signatures continued on page 3 of Petition]

Electors Residing in the Territory Proposed to be  
Annexed:

Name of Elector: Herbert J. Statz

Address of Owner: 5765 County Highway "Q",  
Waunakee, Wisconsin 53597

Date of Signing: February 13, 2018

Signature:   
Herbert J. Statz

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Name of Elector: Eileen E. Statz

Address of Owner: 5765 County Highway "Q",  
Waunakee, Wisconsin 53597

Date of Signing: February 13, 2018

Signature:   
Eileen E. Statz





## EXHIBIT B

### Description:

Part of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Section 8; part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Section 17; and part of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , part of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , part of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and part of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Section 18; including Lot 1, Certified Survey No. 2378; Lot 2, Certified Survey Map No. 14048; and Lot 3, Certified Survey Map No. 11747; all in T8N, R9E, Town of Westport, Dane County, Wisconsin, described as follows:

Beginning at the Northeast Corner of said Section 18; thence N00°36'46"E, 94.79 feet along the West line of said Southwest  $\frac{1}{4}$ ; thence S89°23'14"E, 87.53 feet to the East right of way line of County Trunk Highway Q; thence S44°11'28"E (recorded as S45°01'16"E), 77.51 feet along said East right of way line to the North right of way line of Woodland Drive; thence S04°28'41"E, 73.29 feet to the South right of way line of Woodland Drive; thence S45°46'16"W, 116.21 feet (recorded as S45°10'01"W, 116.29 feet) along said East right of way line; thence N89°32'17"W, 169.88 feet to the West right of way line of said County Trunk Highway Q; thence S00°52'19"W (recorded as S00°52'13"W), 286.00 feet along said West right of way line; thence S89°36'11"E (recorded as S89°36'17"E), 10.00 feet along said West right of way line; thence S00°41'56"W (recorded as S00°41'50"W), 739.03 feet along said West right of way line; thence S88°51'35"E (recorded as S88°51'41"E), 20.00 feet along said West right of way line; thence S00°37'53"W (recorded as S03°21'00"E), 263.01 feet; thence N89°21'46"W, 10.00 feet along said West right of way line; thence S00°38'11"W, 50.48 feet along said West right of way line to the Northeast corner of Lot 1, Certified Survey Map No. 9506; thence along the North line of said Lot 1 along a curve to the left having a radius of 25.00 feet and a chord bearing and length of N44°01'51"W 35.20 feet; thence N88°46'58"W, 174.09 feet along said North line; thence along said North line along a curve to the right having a radius of 1039.91 feet and a chord bearing and length of N86°39'06"W 77.34 feet; thence N84°31'13"W, 102.96 feet along said North line; thence N89°39'53"W, 38.12 feet along said North line; thence S00°40'25"W, 427.36 feet along the West line of said Lot 1; thence S88°46'58"E, 417.02 feet along the South line of said Lot 1; thence S00°38'52"W, 340.21 feet along said West right of way line to the North line of Lot 1, Certified Survey Map No. 14048; thence N89°37'50" W, 950.00 feet along the North line of said Lot 1; thence S00°38'52"W, 480.00 feet along the West line of said Lot 1 to the South line of said Northeast  $\frac{1}{4}$ ; thence N89°37'50"W, 1614.54 feet along said South line; thence N00°41'57"E, 1828.02 feet along the West line of said Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and the West line of said Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ; thence S89°36'11"E (recorded as S89°36'17"E), 660.00 feet along the South line of Lot 1, Certified Survey Map No. 11771; thence N00°41'57"E (recorded as N00°41'51"E), 840.00 feet along the East line of said Lot 1 and its Northerly extension; thence S89°36'11"E (recorded as S89°36'17"E), 1988.28 feet along the North line of said Northeast  $\frac{1}{4}$  to the point of beginning; Containing 5,678,776 square feet, more or less, or 130.367 acres, more or less.



March 5, 2018

Mr. Kevin Even, P.E.  
Village of Waunakee  
500 West Main Street  
P.O. Box 100  
Waunakee, WI 53597

Re: Woodland West Annexation

Dear Kevin,

A 130-acre annexation is proposed for the southwest part of the Village of Waunakee (Village). The north and east sides of the property to be annexed are bordered by Woodland Drive and CTH Q, respectively. As part of the annexation, the Village should consider certain improvements and provisions be included in the annexation agreement, that otherwise would not be necessary without the annexation. Identified below are some items for you to consider.

1. Village costs for the roadway improvements, stormwater management areas and land purchased from the applicant for stormwater management along CTH Q for the 2016 CTH Q road improvements. Normally, those that annex land for development would pay the costs of the road improvements of adjacent roadways. In this case, the Village took on the improvements to CTH Q as part of a TIF district and may wish to recover some of these costs.
2. Sanitary sewer to serve this annexed area would come from the Kilkenny Farms development, which flows to Southbridge, and ends up in the Madison Metropolitan Sewerage System (MMSD) near Mill Road. Some of the infrastructure downstream of this annexation in the Southbridge area will be approaching its capacity as land west of CTH Q is developed. The applicant, and other future development west of CTH Q, should be required to make improvements downstream of its development to ensure the capacity is available for new growth.
3. A plan for the proposed layouts of road and infrastructure, including anticipated timing, phasing, continuation of streets and utilities, regional type utility improvements (e.g. substations, water towers, water wells, pumping stations, traffic control, trails and paths, public facilities, parks etc.) should also be provided for consideration.

Sincerely,

STRAND ASSOCIATES, INC.®

A handwritten signature in black ink, appearing to read 'R. Kent Straus', is written over a horizontal line.

R. Kent Straus, P.E.

c: Tim Herlitzka, Waunakee Utilities (via e-mail)  
Todd Schmidt, Village of Waunakee (via e-mail)  
Bryan Kleinmaier, Stafford Rosenbaum (via e-mail)  
Ed Freer, SEH (via e-mail)



October 9, 2001

## PRE-ANNEXATION REVIEW APPLICATION FORM

### I. INSTRUCTIONS

Please complete the Application, attach all requested documents, diagrams, maps, figures, and additional text pages as necessary. All attachments should be numbered and reference the appropriate application section. An Application shall not be deemed complete until the Director of Public Works has determined that the Application satisfactorily addresses each of the following items.

Section I.A Applicant Information	
Name	Lone Silo North Addition, LLC + Dalmatian Farms, LLC
Address	3564 Egge Road, DeForest, WI 53532
Phone Number	608-241-0102
Email Address	jktierney@1791.com
Statement of Applicant Interest in the Territory Proposed for Annexation: Applicants are the owners of the lands proposed for annexation.	

Section I.B Engineer/Planner Information (if applicable)	
<del>Engineer</del> Planner Name	Ed Freer / Molly Gatzlaff Wagner
Address	6808 Odana Road, Suite 200, Madison, WI 53719
Phone Number	608-620-6194 / 608-535-6166
Email Address	efreer@sehinc.com / mgwagner@sehinc.com



October 9, 2001

Engineering

Planner Name	Provided through SEH Inc. + Ed Free/
Address	
Phone Number	
Email Address	

#### Section I.C. General Description of Territory

Size of Territory (Acres): 130.367 acres

Do any persons reside in the Territory? ☒ Yes ☐ No

If yes, attach a list of names and addresses of all residents of the Territory.

Please provide a general description of the Territory location.

Territory is located south of Woodland Drive and west of CTH Q, to the west of Kilkenny Farms.

#### Section I.D. Titleholder Information

Please identify all persons with an ownership interest in the Territory. List name and mailing address:

Lone Silo North Addition, LLC - 3564 Egge Road, DeForest, WI 53532

\*\* Dalmatian Farms, LLC, - 3564 Egge Road, DeForest, WI 53532

\*\* Herbert J. Statz & Eileen E. Statz hold a vendors interest as a security interest in the lands of Lone Silo North Addition, LLC - 5765 County "Q", Waunakee, WI 53597.



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Section I E. Attachments	
Please number and title each attachment appropriately	1. Scale map of the Territory showing all boundaries, the Territory's relationship to the Village and affected Towns, and all existing roads and easements in/or adjacent to the Territory. <i>See maps 1, 2, 3, 4, 5</i>
	2. Topographic map using Village GIS, if available. <i>See maps 6, 7, 8</i>
	3. Map of structures located within the Territory, coded to indicate the use of the structures and status of occupancy. *
	4. List of the names and addresses of all landowners adjacent to the Territory. <i>See attached list</i>
	5. Map or diagram of the location of parks, trails, drainage ways, and environmental corridors in or adjacent to the Territory – both those existing, and those planned by the Village and/or Town. <i>See maps 2-8</i>
	6. Map of all environmentally-sensitive areas (wetlands, shore lands, etc.). <i>See maps 2, 6, 7, 8</i>

\*The only structure is the state residence and outbuilding at 5765 CTH "G".

## II. CONTEMPLATED USES/DEVELOPMENT PLANS

Section II.A. Reason for Annexation	
Please describe why the annexation is desired:	
<p>The proposed annexation is consistent with the village adopted neighborhood plan, the FUDA plan, the village comprehensive plan and the adopted Urban Service Area amendment. The annexation is consistent with the economic development plans and goals of the village, and is a logical extension of the village boundaries.</p>	

Section II. B. Contemplated Development <sup>1</sup>	
How many lots are contemplated?	Unknown at this time.
How many structures are contemplated?	Unknown at this time.

<sup>1</sup> It is understood that the contemplated plans described here are preliminary only.



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Please describe the contemplated use(s).	uses will include single family residential, commercial retail/office, and multi-family & parks.
If residential use is anticipated, what types and how many total dwelling units are contemplated?	Residential will be primarily single family, but will include some multi-family residential. The number of units is unknown at this time.
What is the proposed temporary and final zoning for the Territory?	No zoning change is proposed at this time. It is anticipated that the final zoning will be Planned Development zoning.
Describe the contemplated timeline for development.	The applicant anticipates that development could begin in 2018 if a commercial user wants to start on CTH 119!

Section II.C. Consistency with Local Plans

Explain how the contemplated development is or is not consistent with these Local plans, and cite to specific pages in the documents.

Village of Waunakee Master Plan	The annexation is consistent with the Village master Plan. See maps 11-15.
Village of Waunakee/Town of Westport Joint Plan	The annexation is consistent with the Joint Plan, See maps 11-15.



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Village of Waunakee Parks & Open Space Plan	The annexation is consistent with the parks plan. See maps 11-15
Village of Waunakee Long Range Capital Improvement Plan	The annexation is consistent with the capital improvement plan.
Waunakee School District Long Range Plan	The annexation is consistent with school plans.
Any other locally adopted land use plan	The annexation is consistent with the Village Woodland West neighborhood plan. See maps 2-10.

Section II.D. Attachments	
Please number and title each attachment appropriately	1. General diagram of lot configuration. See maps 2, 5
	2. General diagram of proposed roads – and connections to existing roadways. See map 2
	3. Location of proposed parks, trails, and environmental corridors – and connections to existing (or planned by the Village) parks, trails and environmental corridors. See maps 2, 5
	4. Diagram of any existing or proposed stormwater drainage improvements. ***

\*\*\* See map 2

### III. UTILITY AND GOVERNMENTAL SERVICES

Section III.A. Provisions of Services (On-Site)	
Please describe below how you propose that each of these on-site services will be provided within the Territory. Please include any special features or needs and how costs would be handled.	
Streets/Roads	Streets within the annexation area will be provided by the developer in general accord with the adopted Woodland West neighborhood plan. See map 2





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Sanitary Sewer Service	Sanitary sewer within the annexation area will be constructed by developer. Sewer will be generally consistent with the adopted neighborhood plan. See map 9.
Water	Public water lines within the annexation area will be constructed by developer. Water will be generally consistent with the adopted neighborhood plan. See map 10.
Stormwater Management	It is anticipated the stormwater service for the single family areas will be provided by developer construction of facilities for dedication to the Village. In the commercial and multi-family areas, stormwater could be on-site or ***
Parks/Recreation	Parkland will be dedicated within the development by developer. As developer has done before, developer will install improvements in the parks in exchange for impact fees. See map 2.
Other (please describe, if applicable)	*** by regional facilities provided by developer. See map 2.



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Section III.B. Provisions of Services (Off-Site)	
Explain whether any off-site improvements may be required.	
Streets/Roads	None
Sanitary Sewer	None, unless CTH "Q" crossing is needed
Water	None, unless CTH "Q" crossing is needed
Stormwater Drainage	None
Additional School Capacity	None



October 9, 2001

Trails	None
Other	

Section III C. Attachments	
Please number and title each attachment appropriately	1. Map showing location of off-site improvements **
	2. Map showing how services will be brought to the Territory, including the proposed location of hookups, or where extensions may be necessary. **

\*\* See maps 9-10.

**IV. ADDITIONAL INFORMATION**

Section IV. Additional Information, as necessary
1. Provide additional information requested by the Village during the Pre-Annexation Review Conference, or any other information you believe the Village may find helpful in reviewing your application.

**V. APPLICANT SIGNATURE**

No pre-annexation application will be considered ready for technical staff review until the PW Director determines the application is complete and issues a determination of completeness.

Signed:

Applicant Name: Long Side North Addition LLC & Dalmatian Farms, LLC  
 By: M. J. [Signature] Agent for Applicants  
 Title: Agent for Applicant



Date: 1/22/2018

October 9, 2001

**LIST OF ELECTORS WITHIN PROPOSED ANNEXATION AREA**

1. Herbert J. Statz  
5765 County "Q"  
Waunakee, Wisconsin 53597
2. Eileen E. Statz  
5765 County "Q"  
Waunakee, Wisconsin 53597

## Exhibit A

**Description:**

Part of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Section 8; Part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Section 17; and part of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , part of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , part of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and part of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Section 18; all in T8N, R9E, Town of Westport Dane County, Wisconsin, described as follows: Beginning at the Northeast Corner of said Section 18; thence thence N00°36'46"E, 94.79 feet along the West line of said Southwest  $\frac{1}{4}$ ; thence S89°23'14"E, 87.53 feet to the East right of way line of County Highway Q; thence S44°11'28"E, 77.51 feet along said East right of way line to the North right of way line of Woodland Drive; thence S04°28'41"E, 73.29 feet to the South right of way line of Woodland Drive; thence S45°46'16"W, 116.21 feet along said East right of way line; thence N89°32'17"W, 169.88 feet to the West right of way line of said County Highway Q; thence S00°52'19"W, 286.00 feet along said West right of way line; thence S89°36'11"E, 10.00 feet along said West right of way line; thence S00°41'56"W, 739.03 feet along said West right of way line; thence S88°51'35"E, 20.00 feet along said West right of way line; thence S00°37'53"W, 263.01 feet; thence N89°21'46"W, 10.90 feet along said West right of way line; thence S00°38'11"W, 50.48 feet along said West right of way line to the Northeast corner of Lot 1, Certified Survey Map No. 9506; thence along the North line of said Lot 1 along a curve to the left having a radius of 25.00 feet and a chord bearing and length of N44°01'51"W 35.20 feet; thence N88°46'58"W, 174.09 feet along said North line; thence along said North line along a curve to the right having a radius of 1039.91 feet and a chord bearing and length of N86°39'06"W 77.34 feet; thence N84°31'13"W, 102.96 feet along said North line; thence N89°39'53"W, 38.12 feet along said North line; thence S00°40'25"W, 427.36 feet along the West line of said Lot 1; thence S88°46'58"E, 417.02 feet along the South line of said Lot 1; thence S00°38'52"W, 340.21 feet along said West right of way line to the North line of Lot 1, Certified Survey Map No. 14048; thence N89°37'50" W, 950.00 feet along the North line of said Lot 1; thence S00°38'52"W, 480.00 feet along the West line of said Lot 1 to the South line of said Northeast  $\frac{1}{4}$ ; thence N89°37'50"W, 1614.54 feet along said South line; thence N00°41'57"E, 1334.01 feet along the West line of said Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ; thence N00°41'51"E, 494.01 feet along the West line of said Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ; thence S89°36'11"E, 660.00 feet along the South lines of Lots 1 and 3, Certified Survey Map No. 11747; thence N00°41'57"E, 840.00 feet along the East line of said Lot 1 and its Northerly extension; thence S89°36'11"E, 1988.28 feet along the North line of said Northeast  $\frac{1}{4}$  to the point of beginning; Containing 5,678,776 square feet, more or less, or 130.367 acres, more or less.

**DRAFT**



**BIRRENKOTT  
SURVEYING, INC.**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI. 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

Office Map No. 161103

### Legend

--- = Village of Waunakee  
Corporate Boundary

———— = Annexation Boundary

***Prepared For:***

Don Tierney  
3564 Egge Road  
DeForest, Wis. 53532  
837-0102

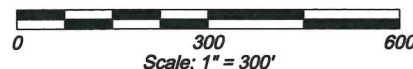
LOT 1  
CERTIFIED SURVEY  
MAP NO. 11771

S89°36'11"E 660.00'

**AREA TO BE ANNEXED**

5,678,776 S.F.  $\pm$   
(130.367 Acres  $\pm$ )

# ANNEXATION MAP



CURVE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	25.00'	39.05'	89°29'51"	N 44°01'51" W	35.20
C2	1039.91'	77.36'	4°15'44"	N 86°39'06" W	77.34

NW - NE

LOT 3  
CERTIFIED SURVEY  
MAP NO. 11747

SW - NE

SE - NE

LOT 2  
CERTIFIED SURVEY  
MAP NO. 14048

LOT 1  
CERTIFIED SURVEY  
MAP NO. 9506

LOT 1  
CERTIFIED SURVEY  
MAP NO. 13362

LOT 2  
CERTIFIED SURVEY  
MAP NO. 13362

LOT 3  
CSM NO. 13362

LOT 4  
CERTIFIED SURVEY  
MAP NO. 13362

East  $\frac{1}{4}$  Corner  
Sec. 18-8-9



## ANNEXATION MAP



January 12, 2018



P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI. 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

 = Village of Waunakee  
 Corporate Boundary  
 = Annexation Boundary

**Prepared For:**

Lone Silo North Addition, LLC  
and  
Dalmatian Farms, LLC  
3564 Egge Road  
DeForest, Wis. 53532  
837-0102

LOT 1  
CERTIFIED SURVEY  
MAP NO. 11771

(S89°36'17"E)

LOT 3  
CERTIFIED SURVEY  
MAP NO. 11747

LOT 2  
CERTIFIED SURVEY  
MAP NO. 14048

S E C T I O N | 18

**AREA TO BE ANNEXED**  
5,678,776 S.F. ±  
(130.367 Acres ±)

LOT 2  
CERTIFIED SURVEY  
MAP NO. 14048

LOT 1  
CERTIFIED SURVEY  
MAP NO. 9506

LOT 1  
CERTIFIED SURVEY MAP  
NO. 14048

LOT 1  
CERTIFIED SURVEY  
MAP NO. 13362

LOT 2  
CERTIFIED SURVEY  
MAP NO. 13362

LOT 3  
CSM NO. 13362

LOT 4  
CERTIFIED SURVEY  
MAP NO. 13362

Map 2



### Map 3.2

Proposed Neighborhood Plan

## WOODLAND WEST

Urban Service Area Amendment

#### LEGEND

Woodland West Neighborhood Plan within Existing USA

- Community Residential: 2.46 acres
- Mixed Use: 4.40 acres
- Commercial: 10.99 acres
- Parks: 2.64 acres
- Stormwater Management: 1.01 acres

Woodland West Neighborhood Plan within Proposed USA

- Community Residential: 39.91 acres
- Mixed Use: 5.62 acres
- Commercial: 3.31 acres proposed, 3.41 acres existing
- Institutional: 10.51 acres existing
- Parks: 16.80 acres
- Stormwater Management: 9.11 acres
- Wetland (Dane County GIS data): 8.61 acres

— Proposed USA Boundary  
— Existing USA Boundary

Village of Waunakee + Town of Westport  
Dane County, WI

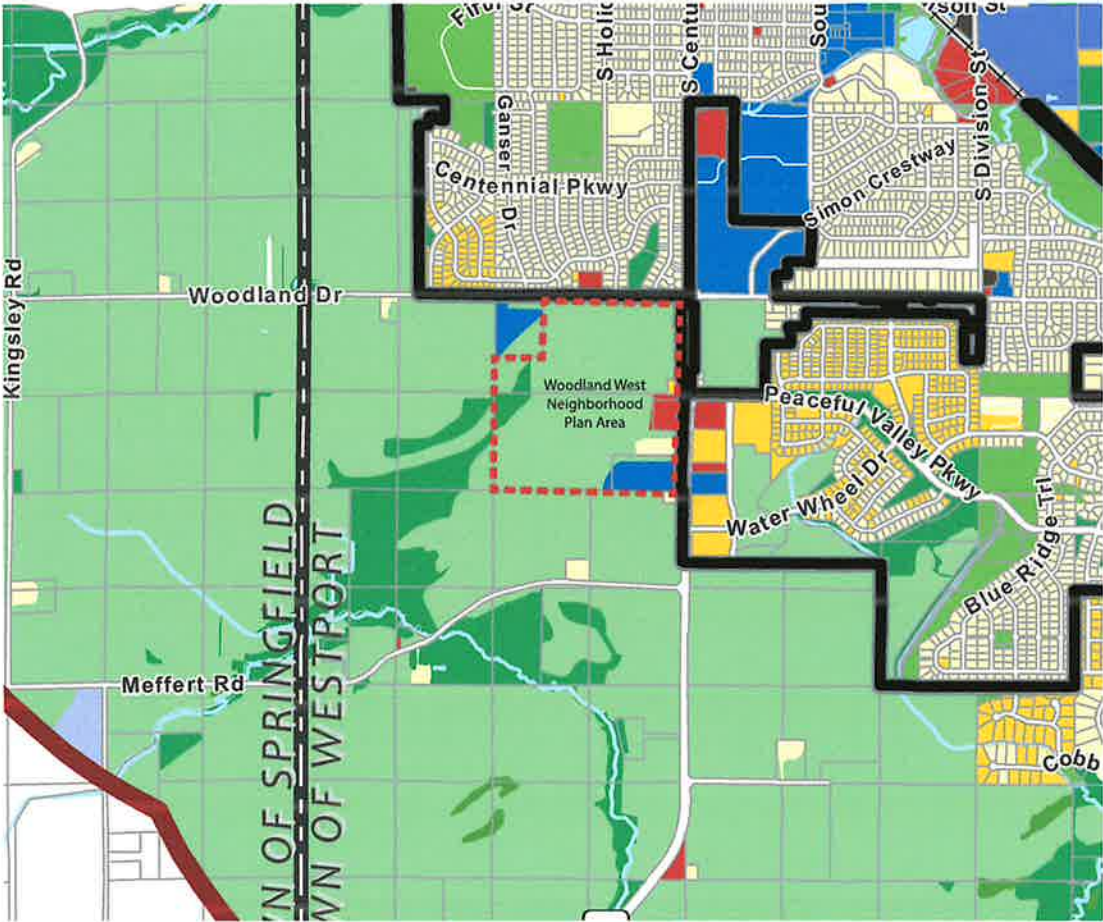
Plan Commission Meeting, 9.11.17  
August 23, 2017  
Prepared by SEH

N

0 400 feet



Map 3



Source: Village of Waunakee + Town of Westport Comprehensive Plan

DATA SOURCES:  
BASE DATA PROVIDED BY DANE COUNTY;  
AERIAL IMAGERY PROVIDED BY DANE COUNTY (2014)

**Map 3.3a**  
Waunakee/Westport  
Comprehensive Plan  
Existing Land Use  
**WOODLAND WEST**  
Urban Service Area Amendment

**LEGEND**

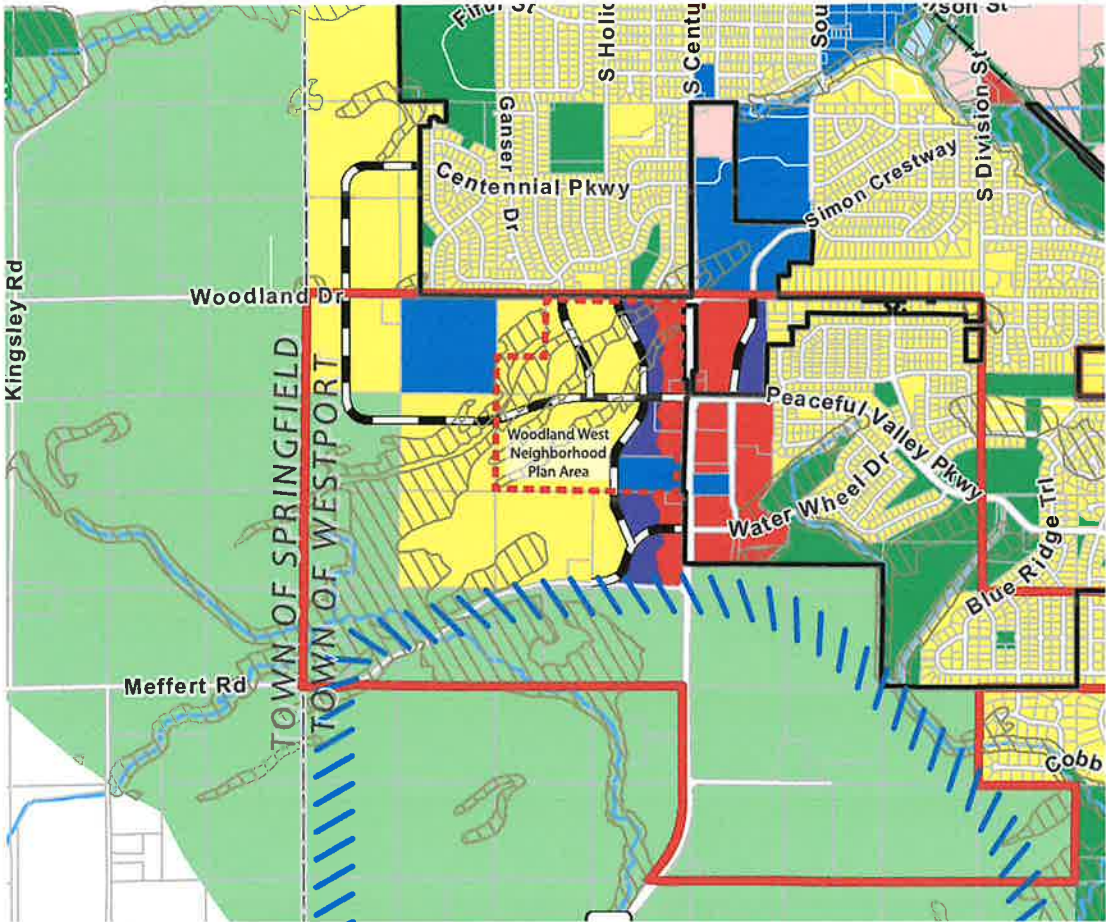
- Planning Area
- Town of Westport
- City/Village
- Town
- Railroad
- Land Use
  - Agriculture
  - Commercial
  - Communications/Utilities
  - Industrial
  - Institutional/Governmental
  - Mineral Extraction
  - Open Land/Cemetery
  - Recreation
  - Residential
  - Vacant Subdivided Land
  - Water
  - Woodlands

Village of Waunakee +  
Town of Westport  
Dane County, WI  
Plan Commission Meeting, 9.11.17  
August 23, 2017  
Prepared by SEH



**DRAFT**

Map 4



Source: Village of Waunakee + Town of Westport Comprehensive Plan

### Map 3.3b

Waunakee/Westport  
Comprehensive Plan  
Future Land Use  
**WOODLAND WEST**  
Urban Service Area Amendment

#### LEGEND

Future Land Use

- Business Park
- Central Business District
- West Business District
- Commercial
- Mixed Use
- Institutional
- Community Residential
- Rural Residential
- Park/Open Space, Environmental Corridor
- Rural Preservation
- Development Limitation

- Village of Waunakee (Aug. 2011)
- City/Village
- Town
- Joint Planning Area Boundary
- Community Separation Zone
- Railroad
- Future Road (approximate)
- North Mendota Parkway Corridor

PLEASE NOTE:  
BASE DATA PROVIDED BY DANE COUNTY  
DEVELOPMENT PLANNING DIVISION AND A COMBINATION OF DANE COUNTY  
PLANNING AND DEVELOPMENT DIVISIONS, AND A  
DRAFT FOR PUBLIC REVIEW ONLY.

**Village of Waunakee +  
Town of Westport**  
Dane County, WI  
Plan Commission Meeting, 9.11.17  
August 23, 2017  
Prepared by SEH

N

0 1000  
feet

Map 5



Map 3.5  
Proposed Development Staging

WOODLAND WEST  
Urban Service Area Amendment

LEGEND

Phase One

Phase Two

Phase Three

Village of Waunakee +  
Town of Westport  
Dane County, WI

Plan Commission Meeting, 9.11.17

August 23, 2017

Prepared by SEH

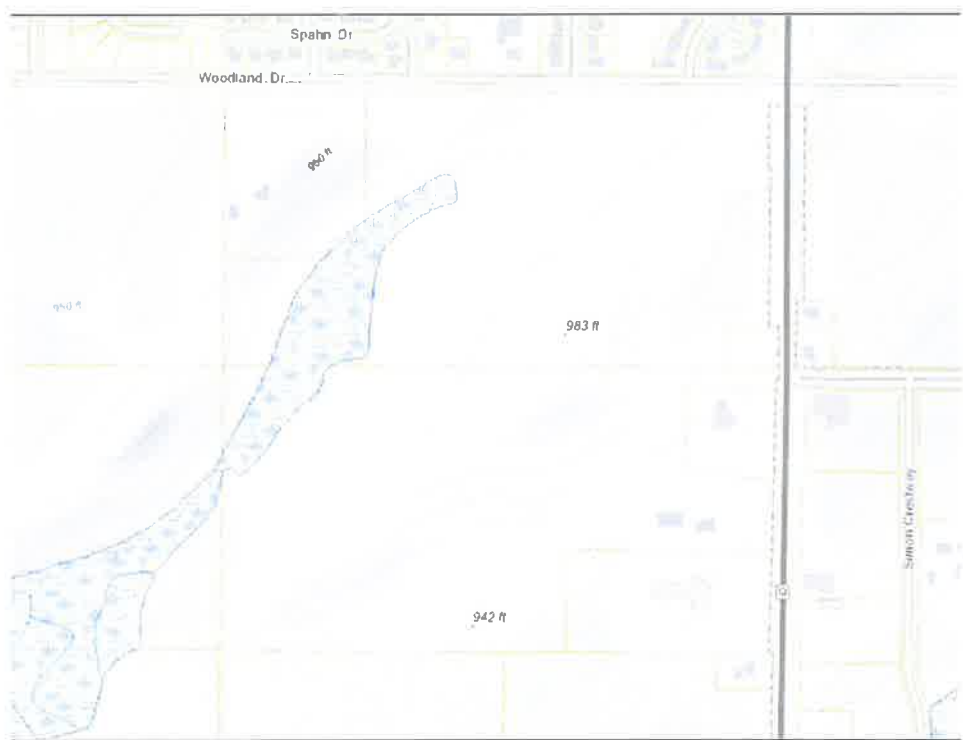
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DRAFT



Map 6



Source: Dane County Maps  
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the

Map 4.1a  
DNR Wetlands

WOODLAND WEST  
Urban Service Area Amendment

LEGEND

- DNR Wetlands
- Tax Parcels

Village of Waunakee +  
Town of Westport

Dane County, WI

Plan Commission Meeting, 9.11.17

August 23, 2017

Prepared by SEH



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Map 7



Source: Dane County Maps  
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the

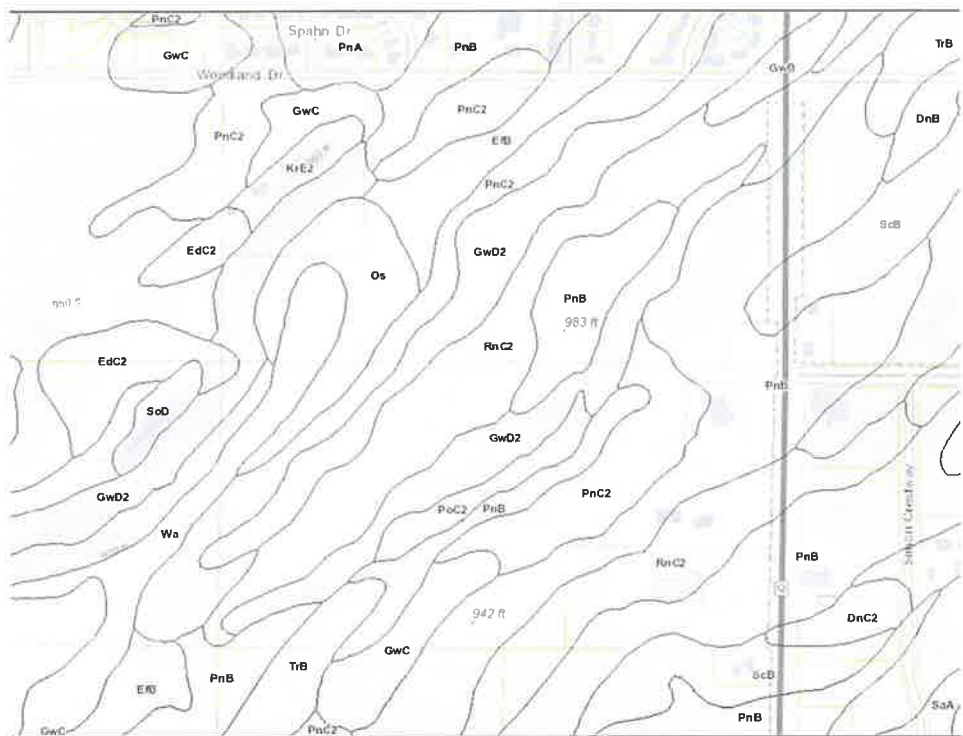
**Map 4.1b**  
Environmental Corridor

**WOODLAND WEST**  
Urban Service Area Amendment

**LEGEND**  
Environmental Corridor  
Tax Parcels

Village of Waunakee +  
Town of Westport  
Dane County, WI  
Plan Commission Meeting, 9.11.17  
August 23, 2017  
Prepared by SEH

Map 8



Source: Dane County Maps  
Sources: Esri, HERE, DeLorme, Intermap, Incormet P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBraz, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the

Map 4.1c  
Soils  
WOODLAND WEST  
Urban Service Area Amendment

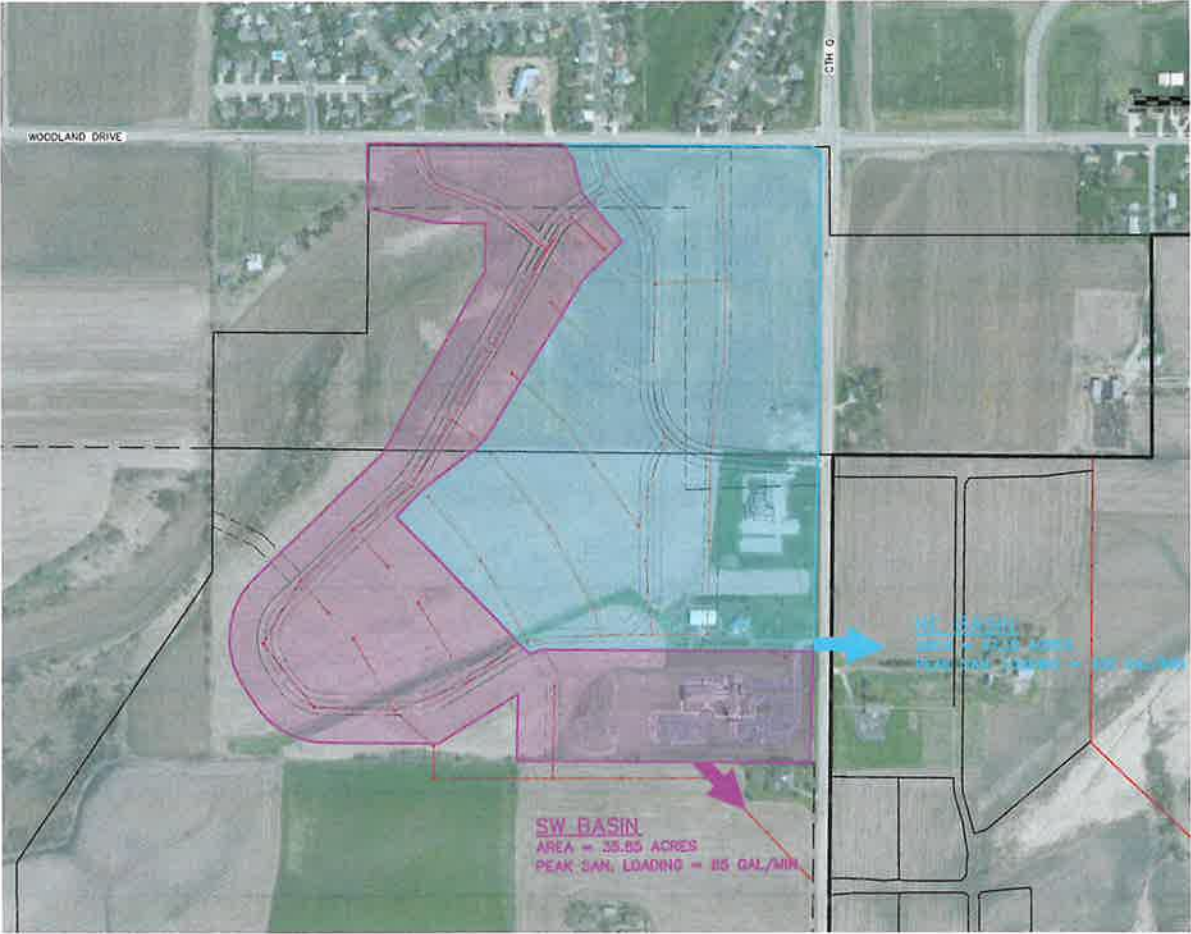
- LEGEND
- Soils
  - Tax Parcels

Village of Waunakee +  
Town of Westport  
Dane County, WI  
Plan Commission Meeting, 9.11.17  
August 23, 2017  
Prepared by SEH



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Map 9



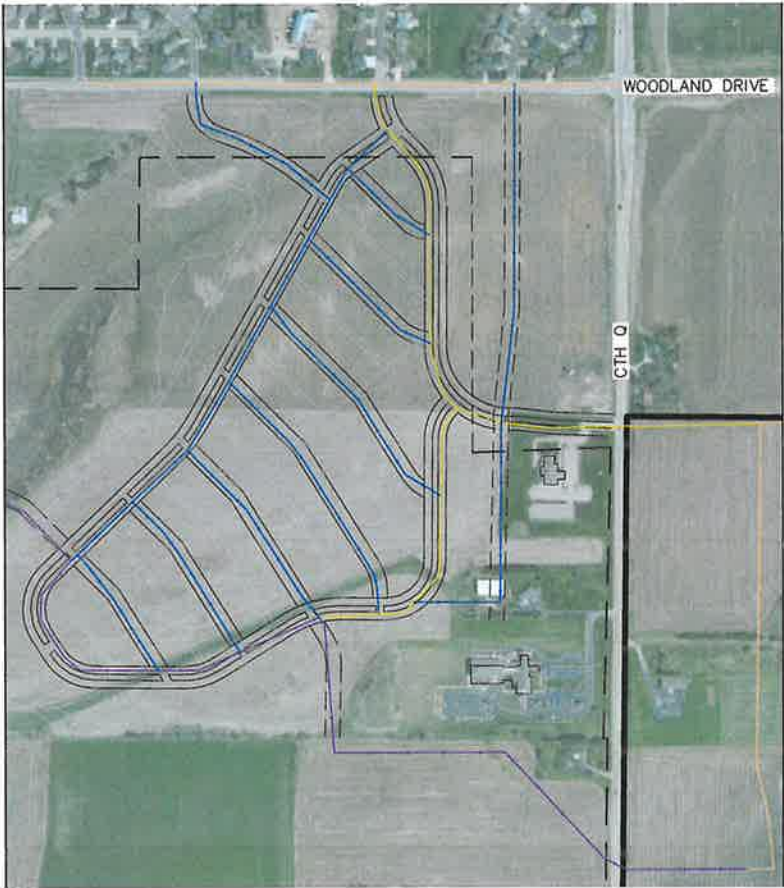
**Map 5.1**  
Proposed Sanitary Sewer Extension  
**WOODLAND WEST**  
Urban Service Area Amendment

LEGEND

Village of Waunakee +  
Town of Westport  
Dane County, WI  
Plan Commission Meeting, 9.11.17  
August 23, 2017  
Prepared by SEH

**DRAFT**

Map 10



Map 5.5

Proposed Public Water Supply / Distribution System Extension

WOODLAND WEST

Urban Service Area Amendment

LEGEND

- EXISTING WATERMAIN
- 8" WATERMAIN
- 10" WATERMAIN
- 12" WATERMAIN

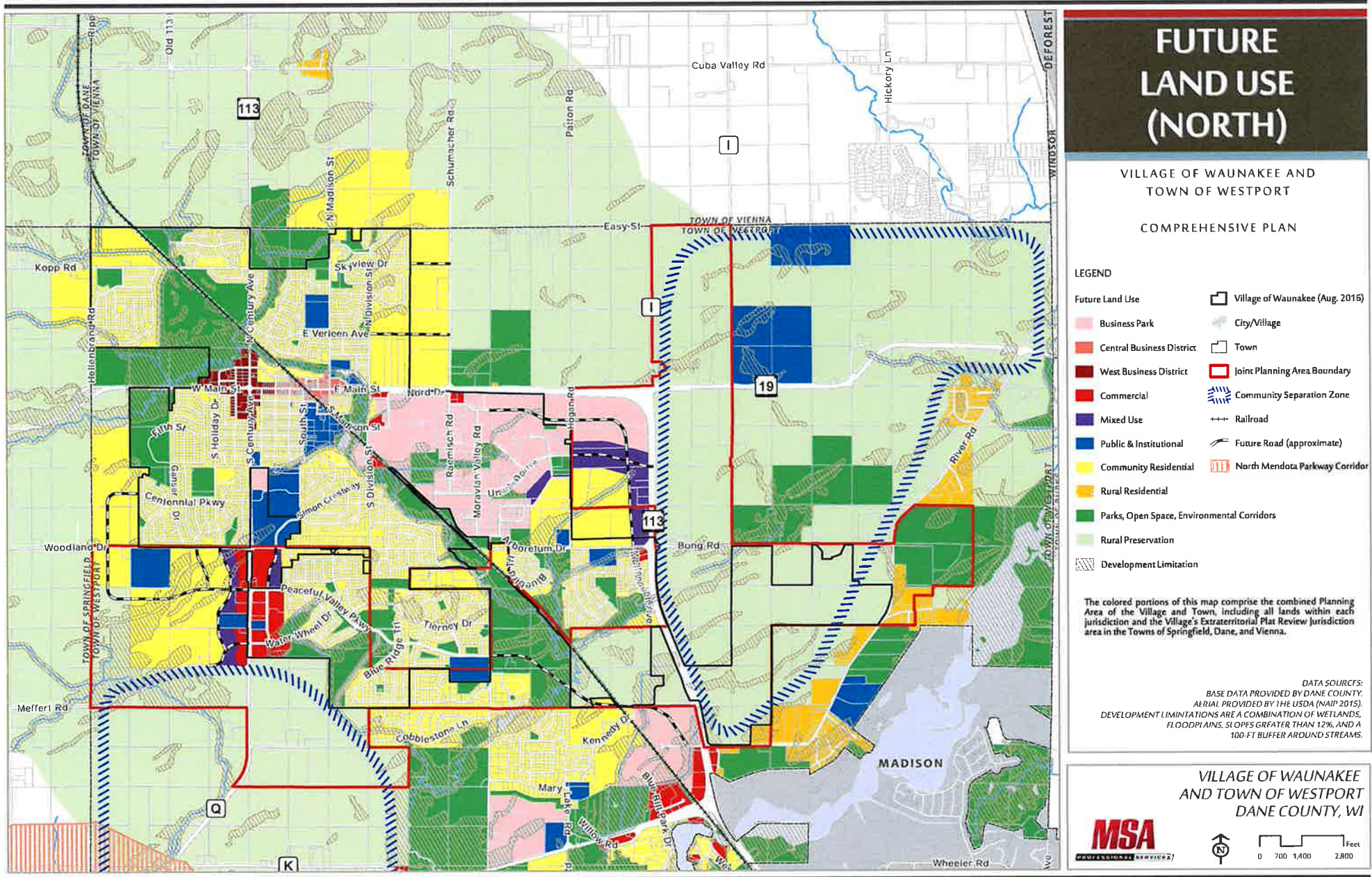
Village of Waunakee +  
Town of Westport  
Dane County, WI  
Plan Commission Meeting, 9.11.17  
August 23, 2017  
Prepared by SEH



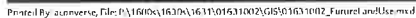
DRAFT



Map 11

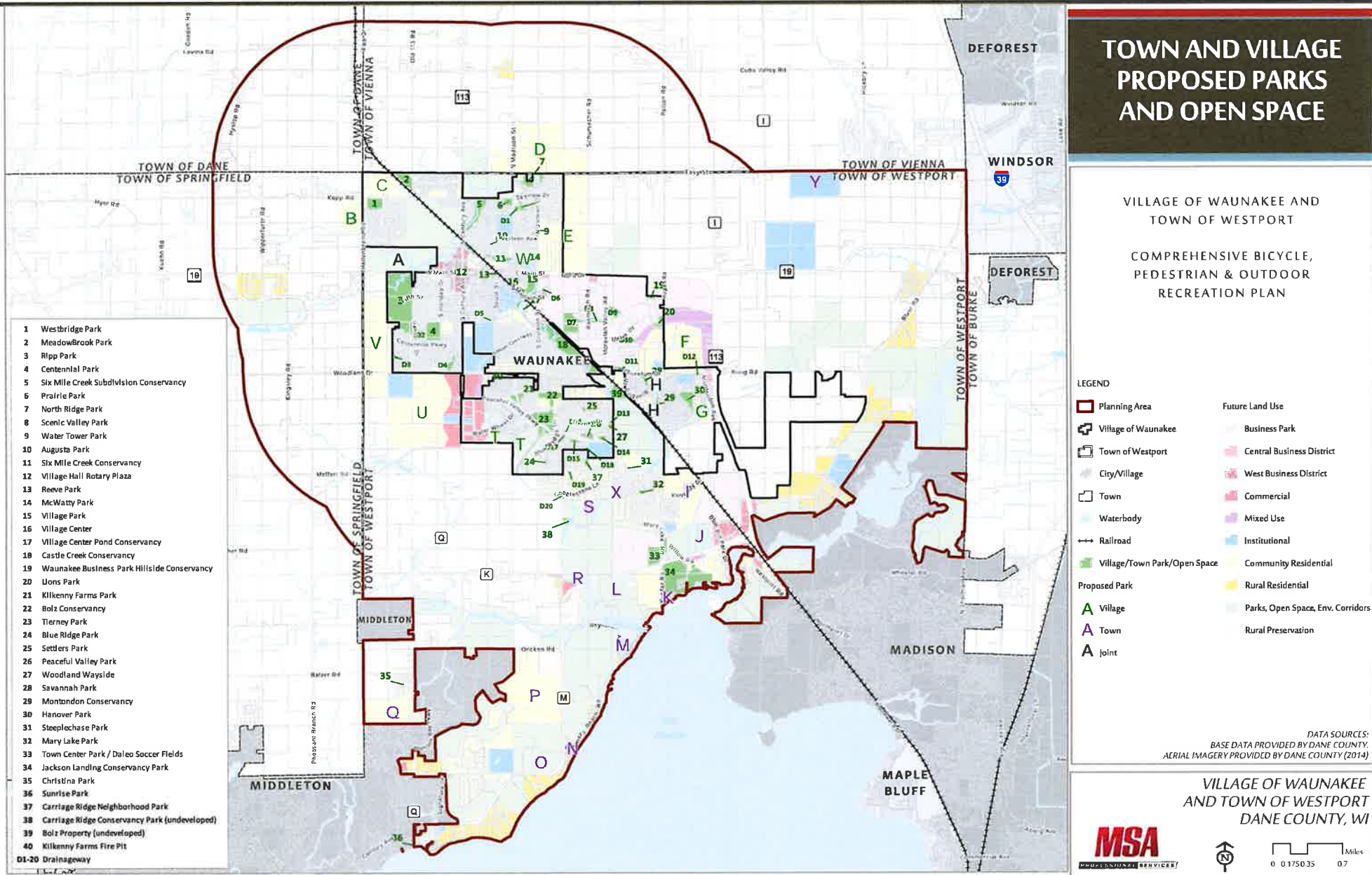








Map 13











## **WAUNAKEE/WESTPORT JOINT PLAN COMMISSION SUMMARY SHEET**

**MEETING DATE:** 03/13/2018

**ITEM:** PUBLIC HEARING

**TITLE:** Public Hearing and Discussion/Action on Land Division, Rezone and Detachment Request, Whiteside, 5147 Bong Road

**ISSUE SUMMARY:** This area is in the Village as part of our boundary agreement, and we did do a land division to create a single home. But now Peg has done some more planning with Scott and Pat Maier, a great farm family in the area, and also with Groundswell, all to protect the land and maintain its production. An Initial Consultation was held at the JPC a couple of months ago on this.

In past circumstances with this property being in the Village and in the JPA, the Town Plan Commission has deferred to the JPC in any action. Here I believe the Village would like the Town Plan Commission's input, especially since there is a proposal to bring back some parcels to Westport and add some land to the Schlingen home lot on Bong Road.

The property is in the Rural Preservation District under the comprehensive plans for the area. Since in the Village, the parcels are zoned A-1 at this time (what they were zoned to when annexed as part of the original boundary agreement). One Ag parcel is located right along Bong, and is about 25 acres zoned A-1. The other Ag parcel to the south on which a home sits is a forty acre parcel. She recently split a newer existing home off of the southern 40 and create a separate 4 acre parcel with a lengthy flag portion for a driveway on Bong, and both parcels were restricted to no further land divisions or creation of building sites.

The CSM as proposed has been going through some changes and what is being proposed is located on an 11 x 17 map in your packet that is labeled an annexation and detachment map. To sum up, here is what is being proposed:

1. Creation of Lot 1 off of Bong Road located in the northeast portion of the entire area to be used for agricultural purposes with a conservation easement to Groundswell and for trail linkage. Zoning would remain A-1 and the property would remain in the Village.
2. About an acre would be added to the south side of Schlingen property off of Bong Road for a buffer from the Ag land and for their purposes, to be detached to the Town and added to the Schlingen's parcel, which would need to be rezoned ER-5ac.
3. One created Lot 2 for the current farmstead off of River Road to split that from the rest of the Ag land, which could be zoned A-1. The Maiers would like to detach this as well since it has access to River Road.
4. Another created lot for a new home by the homestead site to be zoned ER-5Ac and to be detached, with access off River Road. This home would share an access with the current homestead off of River.
5. The remaining of almost 90 acres would remain zoned for agriculture as it is now.

**STAFF RECOMMENDATION:**

My feeling is that this is a great way to assist Peg with the ultimate planning for the Whiteside home farm, allow the protections she wants, put the land in a great young farmer who will then have a wonderful new home for his family, all the while preserving it clearly for Ag and open space with the air tight restriction purchased by Groundswell, with some trail purposes involved as well. All of these actions are perfectly consistent with our Comp Plan, make sense when it comes to jurisdictional changes without harming the protections we desired years ago, and finalize actions on property which is key to separation between Madison, Waunakee and DeForest. It also pays back a debt to the Whitesides for their cooperation is maybe even saving this entire area of Westport as open space.

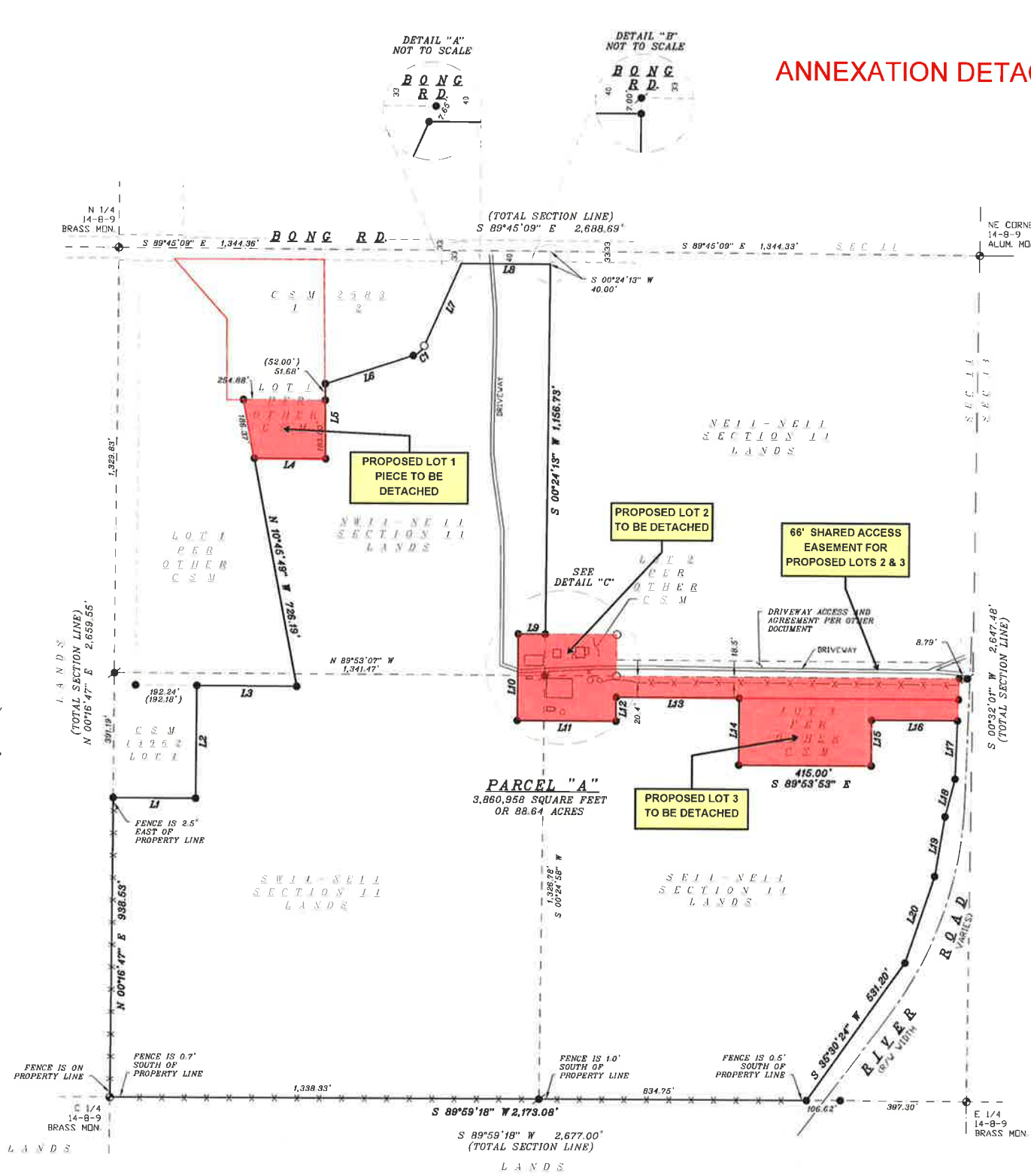
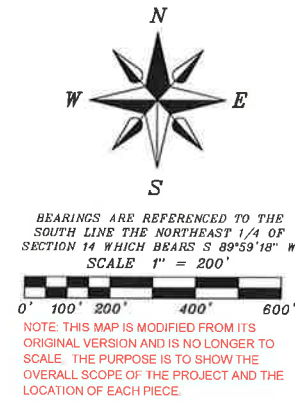
**RECOMMENDED MOTION:** Move to recommend approval of the land division, jurisdictional changes and rezones as requested and noted above, with the parcels to be deed restricted to prevent further residential splits and residential buildings as usual, and other standard Town conditions and restrictions in these circumstances (annexation, utilities, etc.).

**ATTACHMENT(S):** CSM's, Detachment and Annexation Map,



PREPARED FOR:  
PEGGY WHITESIDE  
5147 BONG RD.  
WAUNAKEE, WI 53597

ANNEXATION DETACHMENT MAP



CURVE TABLE

CURVE#	RADIUS	CHORD BEARING	CHORD LENGTH
C1	56.25'	N 47°54'45" E (45.69')	45.69'

LINE TABLE

LINE#	CHORD BEARING	DISTANCE
L1	S 89°44'01" E (S 89°48'05" E)	258.12' (258.18')
L2	N 00°16'55" E (N 00°16'41" E)	353.54' (353.59')
L3	S 89°45'26" E	309.57'
L4	S 89°48'46" E	221.99'
L5	N 00°10'00" W	234.50'
L6	N 7°52'15" E (N 7°29'06" E)	287.19' (287.70')
L7	N 2°56'08" E	282.31'
L8	S 89°45'09" E (S 89°45'05" E)	277.74' (277.60')
L9	N 89°53'53" W	84.65'
L10	S 00°24'13" W	271.35'
L11	S 89°53'53" E	309.65'
L12	N 00°24'13" E	75.35'
L13	S 89°53'53" E	384.64'
L14	S 00°06'07" W	210.00'
L15	N 00°06'07" E	144.00'
L16	S 89°53'53" E	270.22'
L17	S 02°09'12" W	182.72'
L18	S 14°37'14" W	122.31'
L19	S 09°32'02" W	180.02'
L20	S 18°37'05" W	286.51'

DESCRIPTION PARCEL "A":  
A parcel of land located in part of the Northeast 1/4 and Northwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 14, T8N, R9E, Village of Waunakee, Dane County, Wisconsin more particularly described as follows:  
Beginning at the Center 1/4 corner of said Section 14; thence N 89°16'47" E along the west line of the Northeast 1/4 of said Section 14, 598.53 feet; thence S 89°44'01" E, 258.12 feet; thence N 00°16'55" E, 353.54 feet; thence S 89°45'26" E, 309.57 feet; thence N 10°45'49" W, 726.19 feet; thence S 89°48'46" E, 221.99 feet; thence N 00°36'09" W, 234.68 feet; thence N 7°52'15" E, 287.19 feet; thence along an arc of a curve concaved northwesterly, having a radius of 56.25 feet, a long chord bearing of N 47°54'45" E, and a long chord distance of 45.69 feet; thence N 23°56'08" E, 282.31 feet to the south right of way line of Bong Road; thence S 89°45'09" E along the south right of way line of Bong Road, 277.74 feet to the east line of the Northeast 1/4 of the Northeast 1/4 of said Section 14; thence S 00°24'13" W along said Northeast 1/4 of the Northeast 1/4, 115.67 feet; N 89°53'53" W, 84.65 feet; thence S 00°24'13" W, 271.35 feet; thence S 89°53'53" E, 309.65 feet; thence N 00°24'13" E, 75.35 feet; thence S 89°53'53" E, 384.64 feet; thence S 00°06'07" W, 210.00 feet; thence S 89°53'53" E, 144.00 feet; thence N 00°06'07" E, 144.00 feet; thence S 89°53'53" E, 270.22 feet to the west right of way line of River Road; thence along the west right of way line for the next five courses, thence S 02°09'12" W, 182.72 feet; thence S 14°37'14" W, 122.31 feet; thence S 09°32'02" W, 180.02 feet; thence S 18°37'05" W, 286.51 feet to the point of beginning. The above described parcel contains 88.64 acres.

- 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, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.
  - 3) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.

- LEGEND
- = SET 3/4"x24" REBAR  
WT 15 LB PER LIN FT
  - = FOUND SECTION CORNER
  - = FOUND 3/4" REBAR
  - = FOUND 1" PIPE
  - ( \*\* ) = RECORDED AS
  - ⊕ = WELL
  - X- = FENCE

SURVEYOR'S CERTIFICATE:  
I certify that this survey is correct to the best of my knowledge and belief and is in full compliance with the provisions of Chapter 62.23 of the Wisconsin Statutes. Field work was completed on January 5, 2018.  
Williamson Surveying and Associates, LLC  
by NDA T. Priev & Chris W. Adams

Date: \_\_\_\_\_  
NDA T. Priev S-2499  
Professional Land Surveyor

SURVEYORS SEAL

**WILLIAMSON SURVEYING & ASSOCIATES, LLC**  
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597  
NDA T. PRIEV & CHRIS W. ADAMS  
PROFESSIONAL LAND SURVEYORS  
PHONE: 608-255-5705 FAX: 608-849-9768 WEB: WILLIAMSONSURVEYING.COM

**PLAT OF SURVEY**  
A PORTION OF THE NE 1/4 OF SECTION 14, T8N, R9E, VILLAGE OF WAUNAKEE, DANE COUNTY, WISCONSIN

DATE	FEBRUARY 21, 2018	REVISION DATE:		CHECK BY	N.T.P.
SCALE:	1" = 200'	DRAWING NO:	17V-471	SHEET	1 OF 1
DRAWN BY	BRAD RODSNA				





N 1/4  
14-8-9  
BRASS

B O N G

**R D.** S 89°45'09" E 2,688.69'

S E C.    1 1

NE CORNER  
14-8-9  
ALUM. MON.

<u>C.</u>	<u>S.</u>	<u>M.</u>		<u>2</u>	<u>5</u>	<u>8</u>	<u>3</u>
-----------	-----------	-----------	--	----------	----------	----------	----------

7

2

*SEE  
SHEET 2*

**LOT 1**

N W 1/4
$$\underline{N} \quad \underline{E} \quad \underline{1/4}$$

S E C.      1 4

L A N D S

N E 1/4 - N E 1/4  
S E C T I O N    1 4  
L A N D S

50' DRIVEWAY ACCESS AND  
AGREEMENT PER OTHER  
DOCUMENT

**-LOT 2**

**LOT 3**

**NOTES:**

SEE SHEET 6 FOR ALL  
NOTES & RESTRICTIONS.

S W 1/4 - N E 1/4  
S E C T I O N 1 4  
L A N D S

S E 1/4 - N E 1/4  
S E C T I O N 1 4  
L A N D S

**LEGEND**

 = FOUND SECTION CORNER

C 1/4  
14-8-9  
BRASS MON.

S 89°59'18" W      2,677.00'

L A N D S

**PREPARED FOR:**

PEGGY WHITESIDE  
5147 BONG RD  
WAUNAKEE WI 53597

E 1/4  
14-8-9  
BRASS MON.

**SURVEYORS SEAL**

**SCALE** 1" = 400'

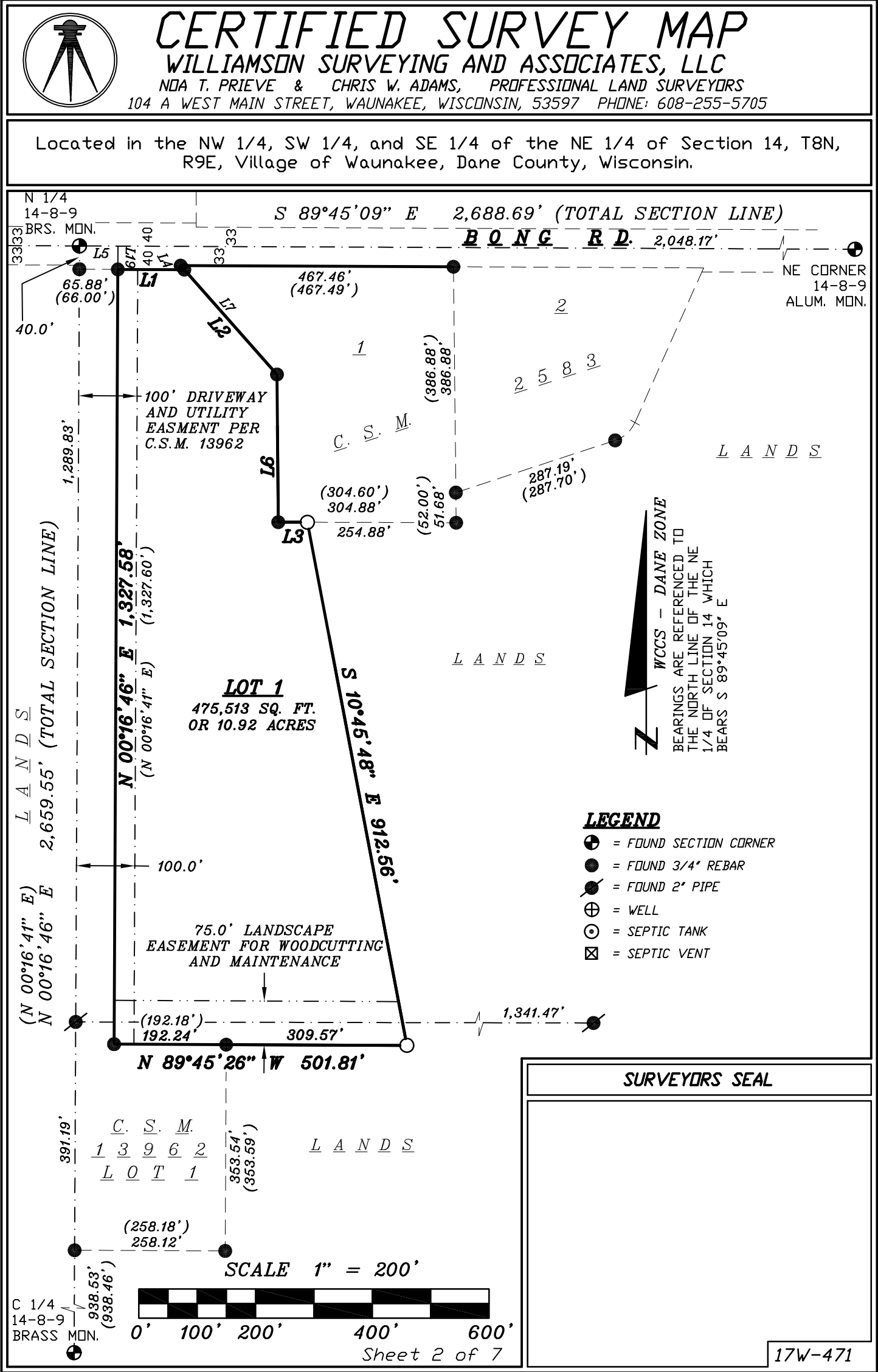


DOCUMENT NO. \_\_\_\_\_

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

Sheet 1 of 7

17W-471





# 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 NW 1/4, SW 1/4, and SE 1/4 of the NE 1/4 of Section 14, T8N, R9E, Village of Waunakee, Dane County, Wisconsin.

SCALE 1" = 200'



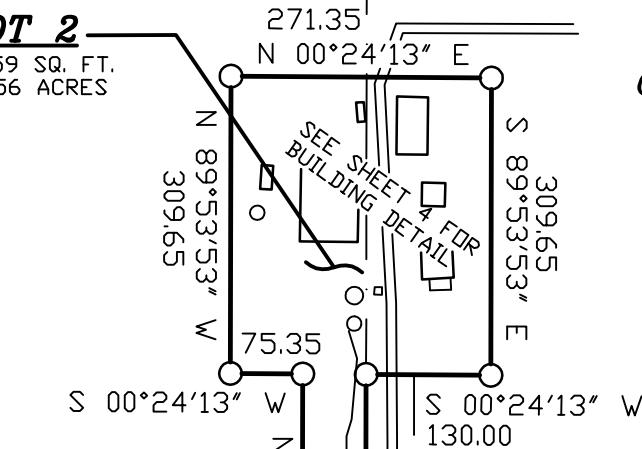
**WCCS - DANE ZONE**  
BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE NE 1/4 OF SECTION 14 WHICH BEARS S 89°45'09" E

**LEGEND**

- ⊕ = FOUND SECTION CORNER
- = FOUND 3/4" REBAR
- ⦿ = FOUND 2" PIPE

**LOT 2**

154,859 SQ. FT.  
OR 3.56 ACRES



**LOT 3**

105,066 SQ. FT.  
OR 2.41 ACRES

**LINE TABLE**

LINE#	BEARING	DISTANCE
L1	S 02°09'12" W	132.08
L2	S 02°09'12" W	66.04
L3	S 02°09'12" W	66.04

**SURVEYORS SEAL**



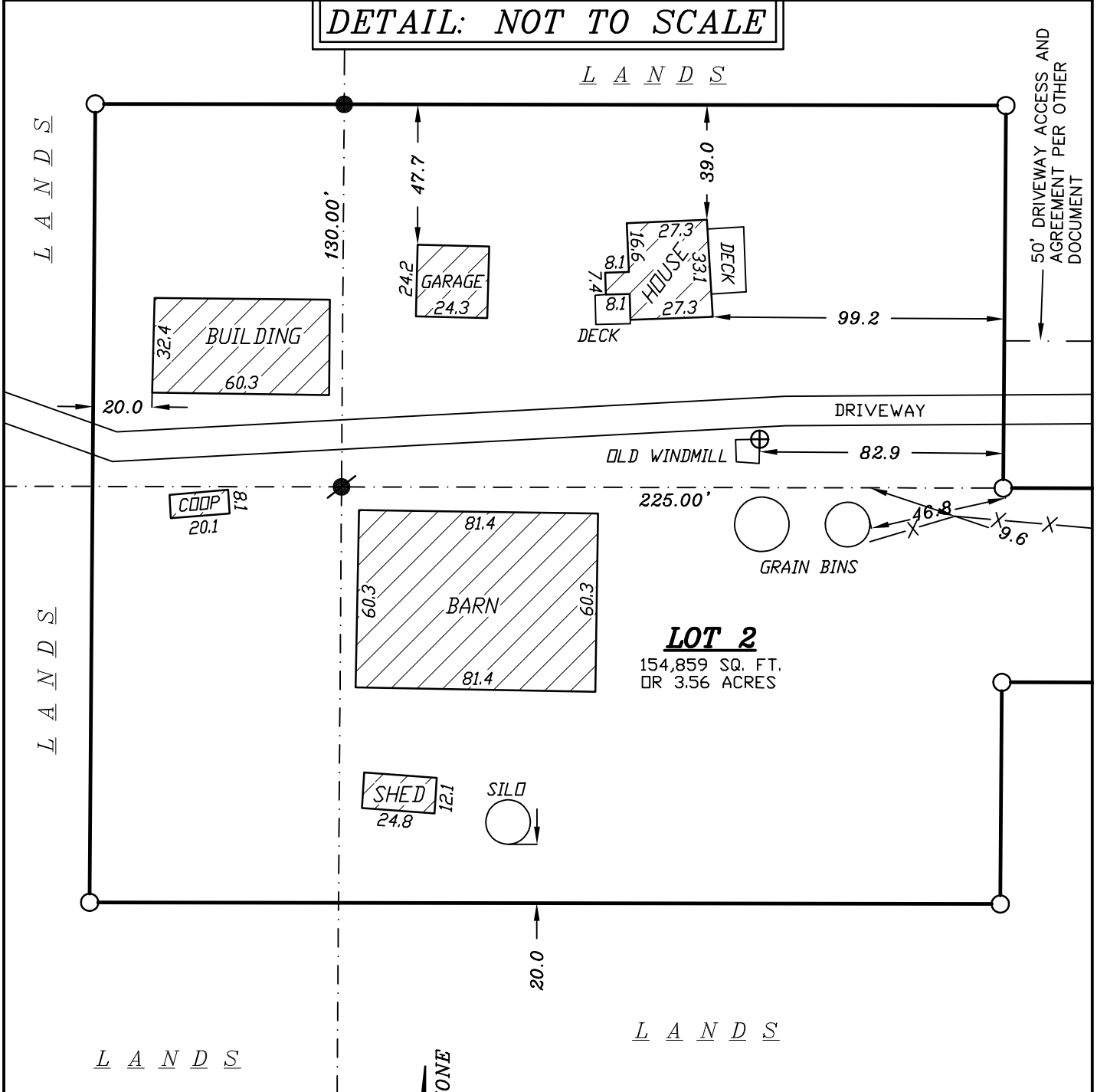
# CERTIFIED SURVEY MAP

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 NW 1/4, SW 1/4, and SE 1/4 of the NE 1/4 of Section 14, T8N, R9E, Village of Waunakee, Dane County, Wisconsin.

**DETAIL: NOT TO SCALE**



## LEGEND

- = FOUND SECTION CORNER
- = FOUND 3/4" REBAR
- = FOUND 2" PIPE

**WCCS - DANE ZONE**  
BEARINGS ARE REFERENCED  
TO THE NORTH LINE OF THE  
NE 1/4 OF SECTION 14 WHICH  
BEARS S 89°45'09" E

**SURVEYORS SEAL**



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 NW 1/4, SW 1/4, and SE 1/4 of the NE 1/4 of Section 14, T8N, R9E, Village of Waunakee, 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 located in the NW, SW, NE and SE 1/4 of the NE 1/4 of Section 14, T8N, R9E, Village of Waunakee, Dane County, Wisconsin, more particularly described as follows:

LOT 1

Commencing at the North 1/4 corner of said Section 14; thence S 89°45'09" E along the North line of the North 1/4 of Section 14, 65.88 feet; thence S 00°16'46" E, 40.00 feet the south right of way line of Bong Road and the point of beginning.

Thence S 89°45'09" E along the said south right of way, 113.93 feet; thence S 41°29'43" E, 239.65 feet; thence S 00°29'54" E, 253.05 feet; thence S 89°48'48" E, 50.00 feet; thence S 10°45'48" E, 912.56 feet; thence N 89°45'26" W, 501.81 feet; thence N 00°16'46" E, 1,327.58 feet to the said south right of way and also the point of beginning. Lot 1 contains 10.92 acres.

LOT 2 & 3

Commencing at the Northeast corner of said Section 14; thence S 00°32'01" W along the east line of the Northeast 1/4 of said Section 14, 1,323.33 feet; thence N 89°53'53" W, 42.08 feet to the west right of way line of River Road and the point of beginning.

Thence along the west right of way line of River Road S 02°09'12" W, 132.08 feet; thence N 89°53'53" W, 270.27 feet; thence S 00°06'07" W, 144.00 feet; thence N 89°53'53" W, 415.00 feet; thence N 00°06'07" E, 210.00 feet; thence N 89°53'53" W, 384.64 feet; thence S 00°24'13" W, 75.35 feet; thence N 89°53'53" W, 309.65 feet; thence N 00°24'13" E, 271.35 feet; thence S 89°53'53" E, 309.65 feet; thence S 00°24'13" W, 130.00 feet to the north line of the Southeast 1/4 of the Northeast 1/4 of said Section 14; thence S 89°53'53" E along said north line, 1074.29 feet to the point of beginning. This description contains 5.97 acres.

The total area of the above described parcels is 16.88 acres.

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

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

Located in the NW 1/4, SW 1/4, and SE 1/4 of the NE 1/4 of Section 14, T8N, R9E, Village of Waunakee, 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.) VERIFIED TIES WERE IN FOR THE NORTH ¼, NORTHEAST, EAST ¼ AND CENTER OF SECTION 14, T8N, R9E.
- 4.) 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.
- 5.) BOTH LOTS ARE LIMITED TO NO FURTHER LAND DIVISIONS OR CREATION OF BUILDING SITES AND NO ANNEXATION WITHOUT TOWN CONSENT.

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\_\_\_\_.

STATE OF WISCONSIN)  
DANE COUNTY)

\_\_\_\_\_  
Peggy S. Whiteside

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the  
above named Peggy S. Whiteside 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

SURVEYORS SEAL





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 NW 1/4, SW 1/4, and SE 1/4 of the NE 1/4 of Section 14, T8N, R9E, Village of Waunakee, Dane County, Wisconsin.

TOWN BOARD RESOLUTION

Resolved that this certified survey map in the Town of Westport and the Village of Waunakee is hereby acknowledged and approved by the Town of Westport on this \_\_\_\_day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Thomas G. Wilson  
Town Clerk

VILLAGE OF WAUNAKEE APPROVAL

Resolved that this certified survey map in the Town of Westport and Village of Waunakee is hereby acknowledged and approved by the Village of Waunakee on this \_\_\_\_day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Julee Helt  
Village Clerk

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

SURVEYORS SEAL

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

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

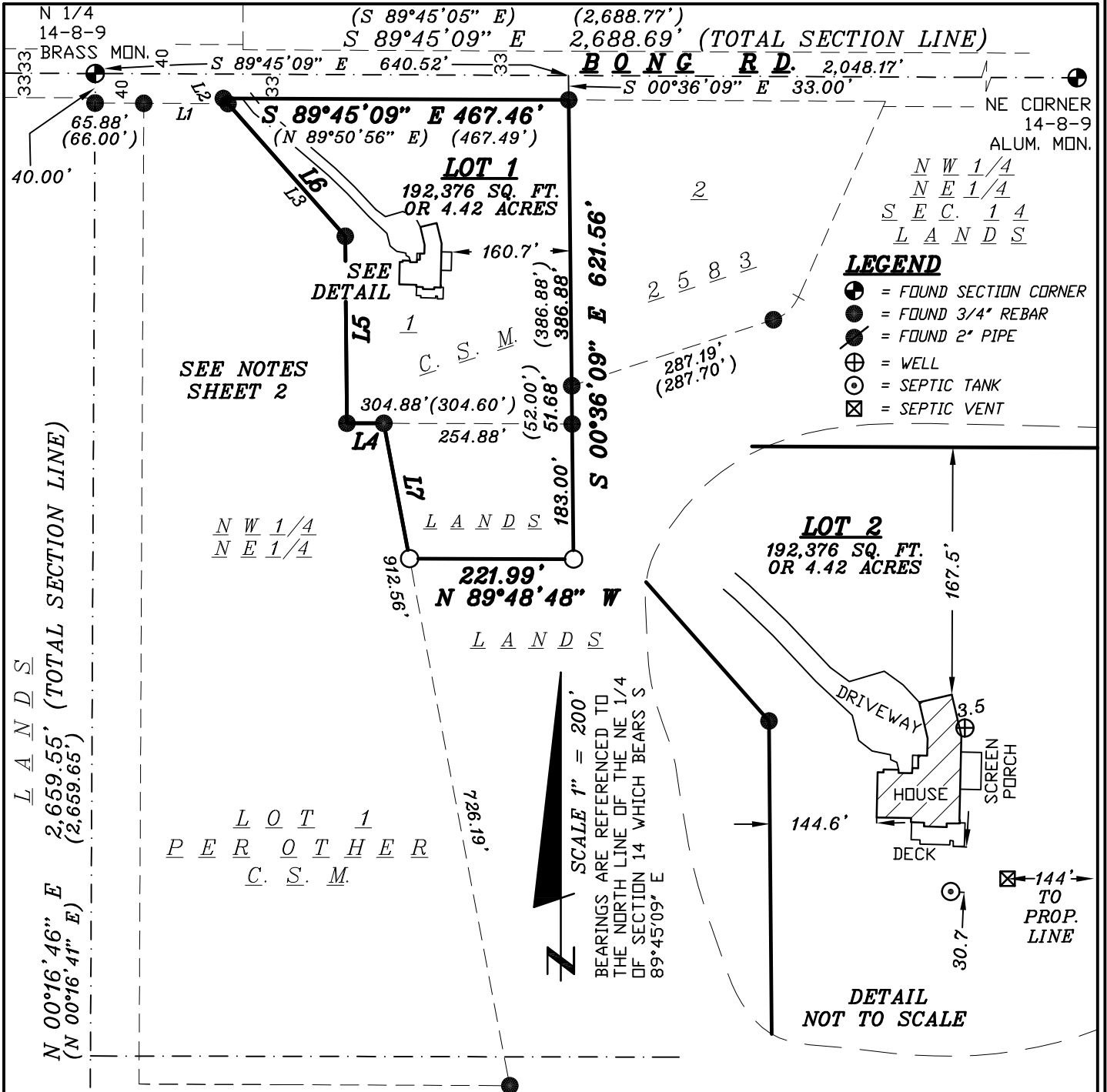


*CERTIFIED SURVEY MAP*

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 NW 1/4 of the NE 1/4 of Section 14, T8N, R9E, Town of Westport,  
Dane County, Wisconsin. Including all of Lot 1, C.S.M. 2583



**LINE TABLE**

LINE#	BEARING	DISTANCE
L1	S 89°45'09" E	113.93'
L2	N 41°29'43" W	(9.37') 9.38'
L3	S 41°29'43" E	239.65'
L4	N 89°48'48" W	50.00'
L5	N 00°29'54" W	(253.00') 253.05'
L6	N 41°29'43" W	(248.79') 249.03'
L7	N 10°45'48" W	186.37'

SCALE 1" = 200'



Sheet 1 of 4

**SURVEYORS SEAL**

17W-471



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 NW 1/4 of the NE 1/4 of Section 14, T8N, R9E, Town of Westport,  
Dane County, Wisconsin. Including all of Lot 1, C.S.M. 2583

**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 located in the NW 1/4 of the NE 1/4 of Section 14, T8N, R9E, Village of Waunakee, Dane County, Wisconsin. Including all of Lot 1, C.S.M. 2583, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 14; thence S 89°45'09" E along the north line of the North 1/4 of Section 14, 640.52 feet; thence S 00°36'09" E, 33.00 feet to the south right of way line of Bong Road and also the point of beginning.

Thence continuing S 00°36'09" E, 621.56 feet; thence N 89°48'48" W, 221.99 feet; thence N 10°45'48" W, 186.37 feet; thence N 89°48'48" W, 50.00 feet; thence N 00°29'54" W, 253.05 feet; thence N 41°29'43" W, 249.03 feet to the south right of way line of Bong Road; thence S 89°45'09" E along said south right of way line, 467.46 feet to the point of beginning. The above described parcel contains 4.42 acres.

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

Date\_\_\_\_\_

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

**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, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.
- 3.) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.

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 NW 1/4 of the NE 1/4 of Section 14, T8N, R9E, Town of Westport,  
Dane County, Wisconsin. Including all of Lot 1, C.S.M. 2583

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\_\_\_\_.

STATE OF WISCONSIN)  
DANE COUNTY)

\_\_\_\_\_  
Nancy Benish Schlinggen

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the  
above named Nancy Benish Schlinggen to me known to be  
the person who executed the foregoing  
instrument and acknowledge the same.

\_\_\_\_\_County, Wisconsin.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

\_\_\_\_\_  
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\_\_\_\_.

STATE OF WISCONSIN)  
DANE COUNTY)

\_\_\_\_\_  
Peggy S. Whiteside

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the  
above named Peggy S. Whiteside 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

SURVEYORS SEAL



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 NW 1/4 of the NE 1/4 of Section 14, T8N, R9E, Town of Westport,  
Dane County, Wisconsin. Including all of Lot 1, C.S.M. 2583

TOWN BOARD RESOLUTION

Resolved that this certified survey map in the Town of Westport and the  
Village of Waunakee is hereby acknowledged and approved by the Town of  
Westport on this \_\_\_\_day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Thomas G. Wilson  
Town Clerk

VILLAGE OF WAUNAKEE APPROVAL

Resolved that this certified survey map in the Town of Westport and  
Village of Waunakee is hereby acknowledged and approved by the Village  
of Waunakee on this \_\_\_\_day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Julee Helt  
Village Clerk

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

SURVEYORS SEAL

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

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



WILLIAMSON SURVEYING & ASSOCIATES, LLC

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597.

NDA T. PRIEVE & CHRIS W. ADAMS

PROFESSIONAL LAND SURVEYORS

PHONE: 608-255-5705 FAX: 608-849-9760 WEB: WILLIAMSONSURVEYING.COM

DETACHMENT MAP

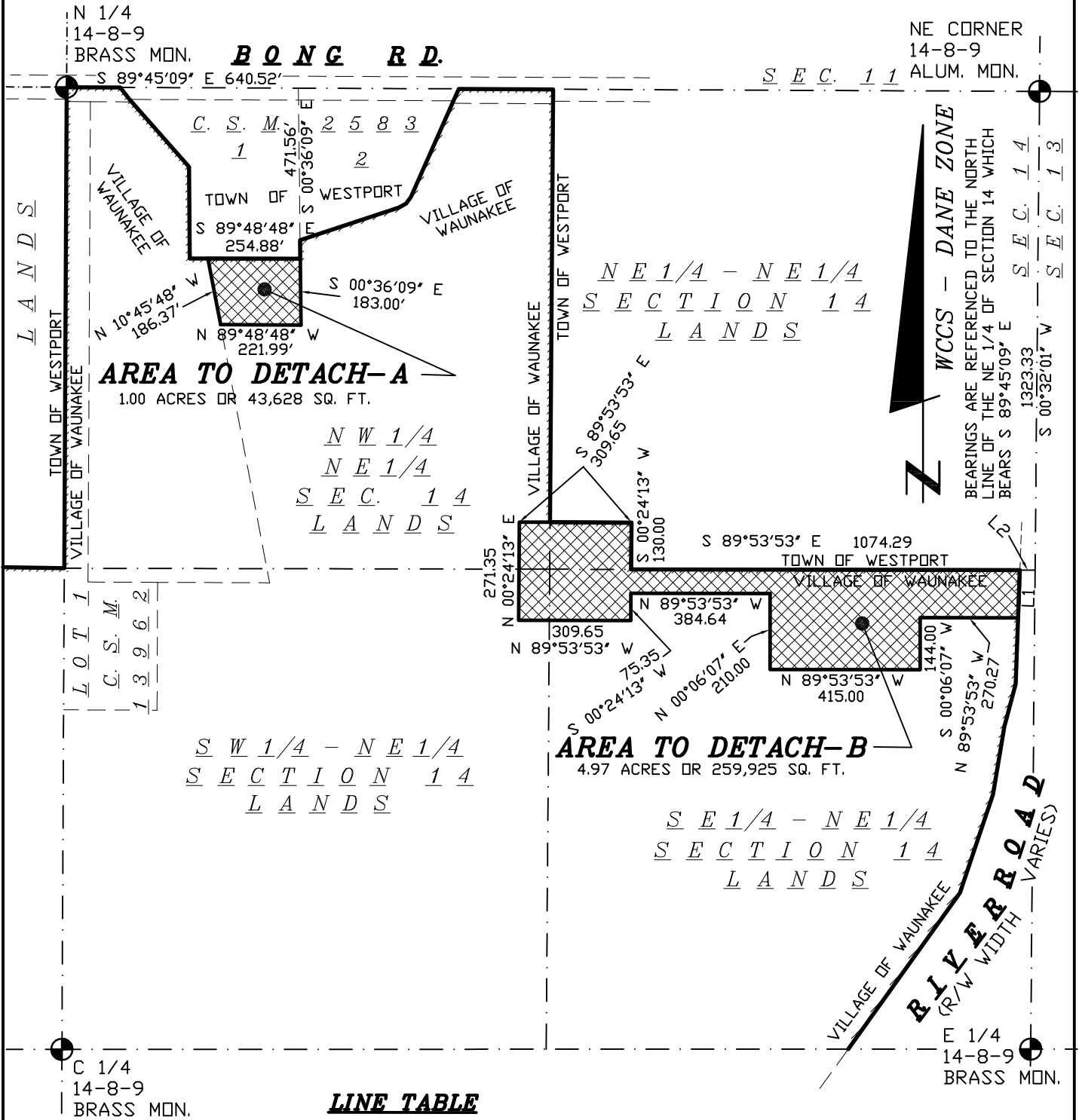
SCALE 1" = 400'



0' 200' 400' 800' 1200'

LEGEND

⊕ = FOUND SECTION CORNER



LINE TABLE

LINE#	BEARING	DISTANCE
L1	S 02°09'12" W	132.08
L2	N 89°53'53" W	42.08

JOB NO: 17W-471





**WILLIAMSON SURVEYING & ASSOCIATES, LLC**

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597.

NOA T. PRIEVE & CHRIS W. ADAMS

PROFESSIONAL LAND SURVEYORS

PHONE: 608-255-5705 FAX: 608-849-9760 WEB: WILLIAMSONSURVEYING.COM

**AREA TO BE DETACHED-A DESCRIPTION**

A parcel of land being located in the NW ¼ of the NE ¼ of Section 14, T8N, R9E, Village of Waunakee, Dane County, Wisconsin more particularly described as follows:

Commencing at the North ¼ corner of said Section 14; thence S 89°45'09" E along the North line of said Section 14, 640.52 feet; thence S 00°36'09" E, 471.56 feet to the southeast corner of Lot 1, Certified Survey Map No. 2583 and the point of beginning.

Thence continue S 00°36'09" E, 183.00 feet; thence N 89°48'48" W, 221.99 feet; thence N 10°45'48" W, 186.37 feet to the southwest corner of said Lot 1; thence S 89°48'48" E, 254.88 feet to the point of beginning. This description contains 1.00 acres or 43628 sq. ft. and is intended to be attached to said Lot 1 per a separately recorded Certified Survey Map.

**AREA TO BE DETACHED-B DESCRIPTION**

A parcel of land being located in the NW, NE, SW & SE ¼ of the NE ¼ of Section 14, T8N, R9E, Village of Waunakee, Dane County, Wisconsin more particularly described as follows:

Commencing at the Northeast corner of said Section 14; thence S 00°32'01" W along the east line of the Northeast ¼ of said Section 14, 1,323.33 feet; thence N 89°53'53" W, 42.08 feet to the west right of way line of River Road and the point of beginning.

Thence along the west right of way line of River Road S 02°09'12" W, 132.08 feet; thence N 89°53'53" W, 270.27 feet; thence S 00°06'07" W, 144.00 feet; thence N 89°53'53" W, 415.00 feet; thence N 00°06'07" E, 210.00 feet; thence N 89°53'53" W, 384.64 feet; thence S 00°24'13" W, 75.35 feet; thence N 89°53'53" W, 309.65 feet; thence N 00°24'13" E, 271.35 feet; thence S 89°53'53" E, 309.65 feet; thence S 00°24'13" W, 130.00 feet to the north line of the Southeast ¼ of the Northeast ¼ of said Section 14; thence S 89°53'53" E along said north line, 1074.29 feet to the point of beginning. This description contains 5.97 acres or 259,925 sq. ft.

The total area of land being detached from the Village of Waunakee is 6.97 acres or 303,553 sq. ft.



**WAUNAKEE/WESTPORT JOINT PLAN COMMISSION SUMMARY SHEET**

**MEETING DATE:** 03/13/2018

**ITEM:** PUBLIC HEARING

**TITLE:** Public Hearing and Discussion/Action on Proposal to Divide and Rezone two Parcels, Arrington, 5683 Harbort Road, Town of Westport

**ISSUE SUMMARY:** This is a revised CSM from what you saw previously, and since on just one map now much easier to decipher. This is still a request to create two new single family home parcels but only 3 total lots with the large residential lot to contain the private shared driveway, all on the former Harbort property, about 27 total acres total, by the buyer Mr. Arrington and family. Please note that the Natural Heritage Land Trust/Groundswell is still working with the DNR and the family on a purchase of the larger lot along the border of the current Governor Nelson State Park as located east of Six Mile Creek.

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. The two large parcels will be zoned Village A-1 and the smaller parcel would be rezoned SR-4.

Essentially what is being asked here is for two more homes off 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 next to the home just to the west of the Harbort home which the owner thinks is able to support a home (and right across the road from the majority of homeowners on Harbort Road) for a new home site but part of a bigger parcel. The Harbort homestead lot 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 12 acre site), and then about 12 acres left over to sell to the State through the NHLT, or for a home lot.

**STAFF RECOMMENDATION:** To me this is a close one, but here is what I would propose:

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, furthering the goals of the Comp Plan in protecting Open Space properties, no utility access and septic issues, and

neighborhood concerns over access, protecting open spaces, and increased density in a set neighborhood, move to recommend approval of the land division and rezoning as proposed here to create the one lot for the current Harbort home at Lot 2, allow the home site on Lot 3, subject to the conditions and restrictions above, but not allow a home site on Lot 1 (but zone A-1 to provide for potential other uses and separate sale). [Alternatively for this Lot 1, 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 new home lots as proposed.]

**RECOMMENDED MOTION:**

**ATTACHMENT(S):** CSM, Well agreement, neighbor emails

## Cover Letter

- The aim of this Application is to request dividing and rezoning two parcels on Harbort Rd into three parcels with two buildable sites, both approximately 19-acres each.
- Differences between the initial and now the revised CSM and land division plans
  - The former CSM aimed to adjust several lots lines and create some outlots in addition to splitting the two parcels into three, ending with two new buildable sites. This was to be accomplished with two separate CSM's.
  - Due to a number of items brought up and identified at the two planning meetings and open community meetings we have changed, simplified and adjusted several items.
  - The revision allows us to do only one CSM. It identifies only three parcels, being created out of the original two and it adjusts only a couple lot lines.
  - Biggest difference here is moving a buildable parcel from across of Lot 2 to being further west as part of the 19-acre parcel.
- Benefits to revised proposal and new CSM
  - The private road becomes part of Lot 3 and no longer an outlot.
  - The buildable lot moving to the 19-acre parcel allows the best opportunity to not need to be on a holding tank, which was the only option in the old site. Added benefit if a public party like the Land Trust or DNR buys the lot then there would be one less house addition.
- Additionally after discussion with the community and Town the owners on Harbort Road will work to create a Private Road Maintenance Agreement which will put in writing the verbal agreement that ensure the care of this private road.

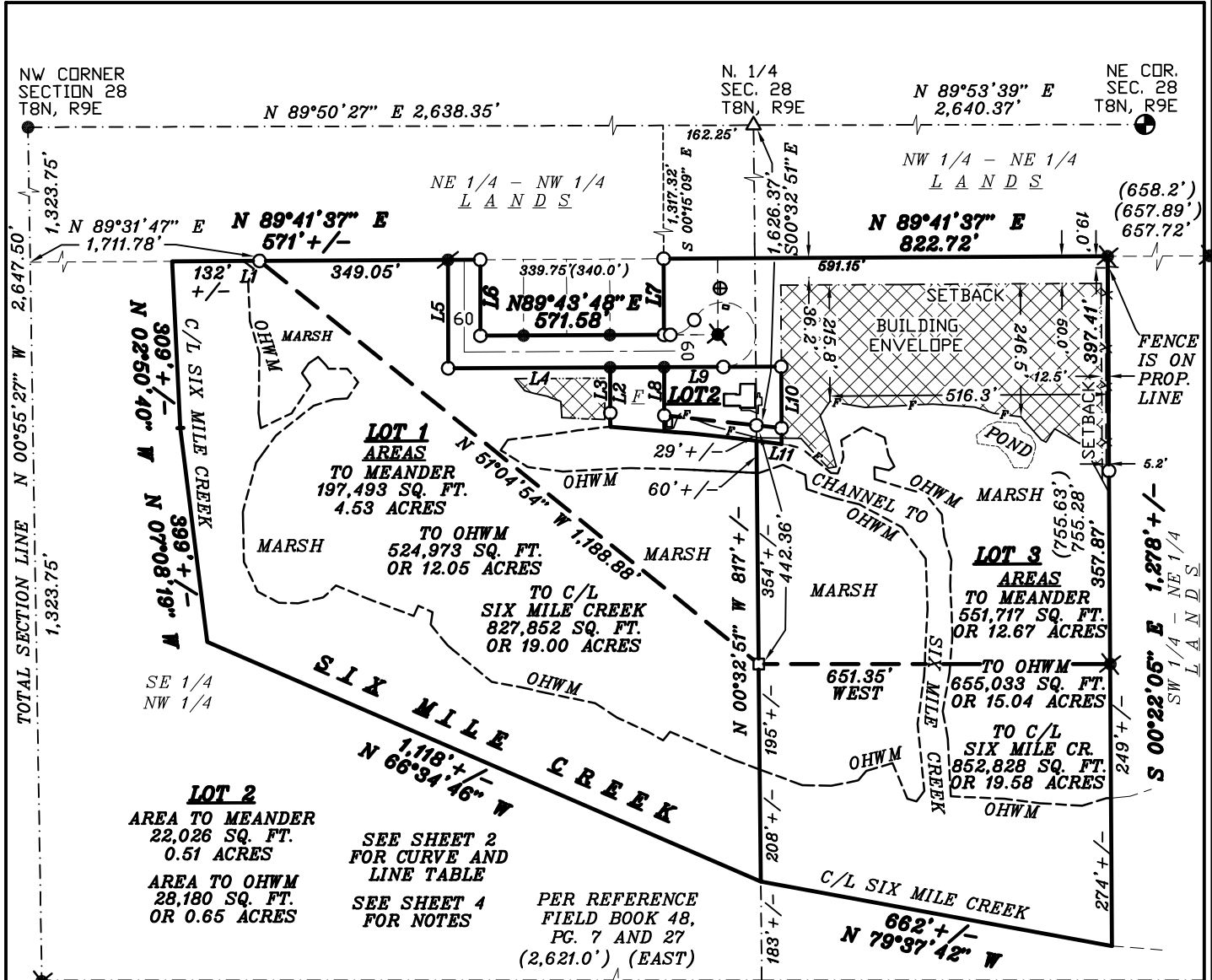


# CERTIFIED SURVEY MAP

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.

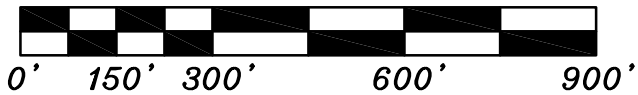


E. 1/4  
SEC. 28  
T8N, R9E

## LEGEND

- = SET 3/4"x24" REBAR  
WT 1.5 LB PER LIN FT
- △ = SET SURVEY SPIKE
- = SET METAL T-POST IN SWAMP
- ⊙ = FOUND BRASS CAP MONUMENT
- = FOUND 1 1/4" PIPE
- ⊗ = FOUND 3/4" REBAR
- ⊗ = FOUND 1 1/4" REBAR
- ( ## ) = RECORDED AS
- OHWM = ORDINARY HIGH WATER MARK
- ⊕ = WELL
- F— = 100 YEAR FLOOD LINE

SCALE 1" = 300'



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

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

Sheet 1 of 4

C. 1/4  
SEC. 28  
T8N, R9E  
NOT FND.

## PREPARED FOR:

CITADEL INVESTMENTS LLC  
JEREMY ARRINGTON  
3568 FLAGSTONE CIR.  
MIDDLETON, WI 53562

SURVEYORS SEAL

PRELIMINARY

17W-407

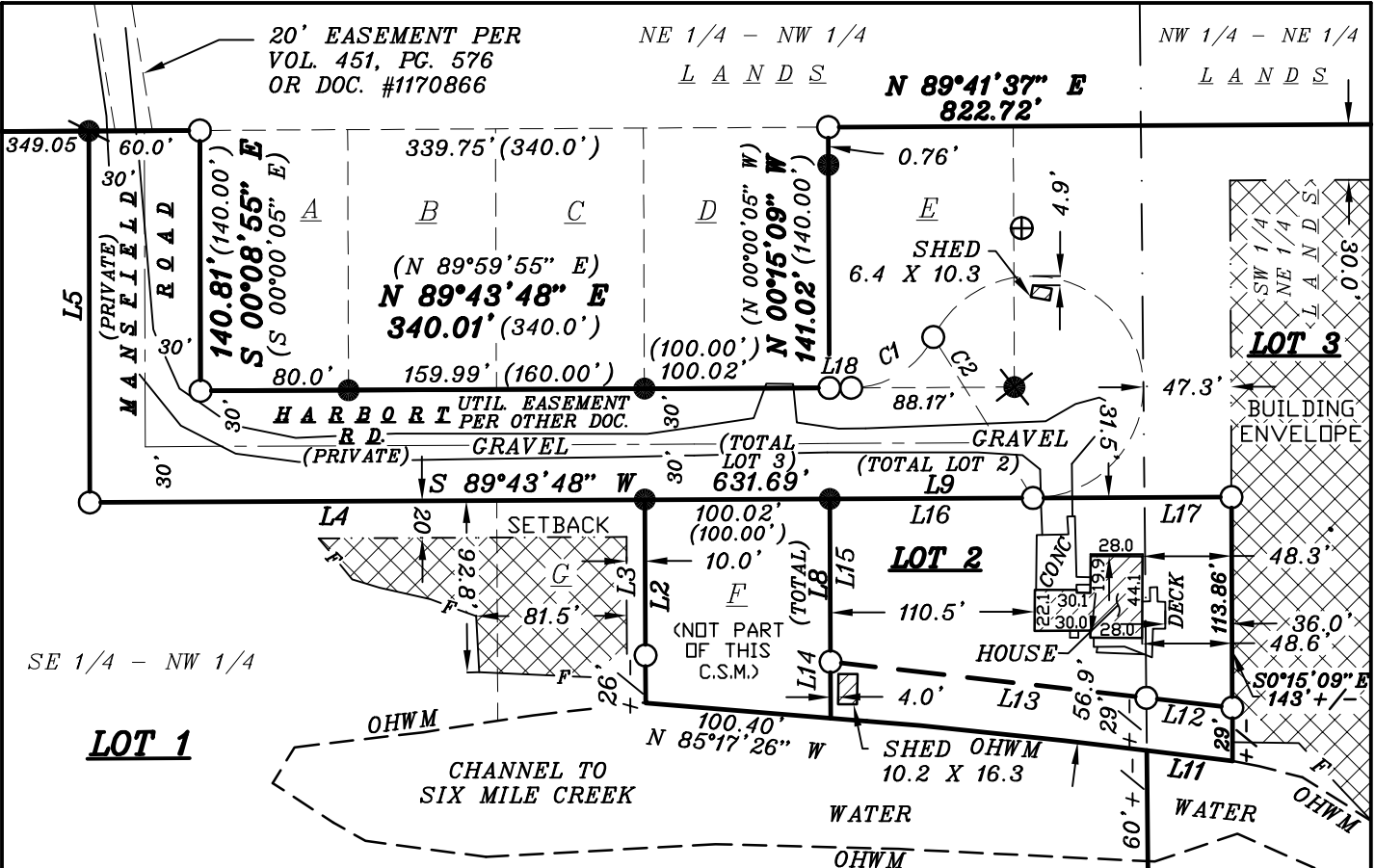


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Located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 28, T8N, R9E, Town of Westport, Dane County, Wisconsin.



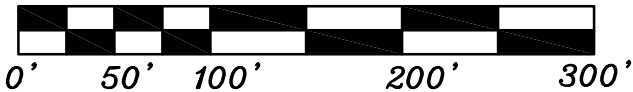
### LINE TABLE

LINE #	BEARING	DISTANCE
L1	N 89°41'37" E	30' +/-
L2	S 00°15'09" E	110' +/-
L3	S 00°15'09" E	84.10'
L4	N 89°43'48" E	300.05'
L5	S 00°08'55" E	200.77'
L6	S 00°08'55" E	140.81'
L7	N 00°15'09" W	141.02'
L8	N 00°15'09" W	118.60'
L9	N 89°43'48" E	217.15'
L10	S 00°15'09" E	143' +/-
L11	N 83°08'12" W	46.69'
L12	N 83°28'15" W	46.81'
L13	N 83°54'25" W	171.72'
L14	N 00°15'09" W	29' +/-
L15	N 00°15'09" W	89.29'
L16	N 89°43'48" E	109.82'
L17	N 89°43'48" E	107.32'
L18	N 89°43'48" E	11.78'

### LEGEND

- = SET 3/4"x24" REBAR  
WT 1.5 LB PER LIN FT
- = FOUND 1 1/4" PIPE
- ⊗ = FOUND 3/4" REBAR
- ⊗ = FOUND 1 1/4" REBAR
- ( ## ) = RECORDED AS
- OHWM = ORDINARY HIGH WATER MARK
- F- = 100 YEAR FLOOD LINE
- ⊕ = WELL

SCALE 1" = 100'



SW 1/4 - NE 1/4  
LANDS

SURVEYORS SEAL

PRELIMINARY

### CURVE TABLE

CURVE #	RADIUS	ARC	DELTA	CHORD
C1	50.00'	54.95'	62°57'51"	S 58°14'52" W 52.22'
C2	60.00'	254.43'	242°57'51"	N 31°45'08" W 102.34'

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

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





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 66°34'46" W along said centerline, 1,118 feet +/-; thence N 07°08'19" W along said centerline, 399 feet +/-; thence N 02°50'40" W along said centerline, 309 feet +/- to the North line of SE 1/4 of the NW 1/4 of said Section 28; thence N 89°41'37" E, 571 feet +/- to the West right of way line of Mansfield Road, a private road; thence S 00°08'55" E along said West right of way line, 140.81 feet to the North right of way line of Harbort Road, a private road; thence N 89°43'48" E along said North right of way line, 340.01 feet; thence N 00°15'09" W, 141.02 feet to the point of beginning.

EXCEPT THE FOLLOWING DESCRIBED PARCEL AS PER WARRANTY DEED DOC. #4491739

Beginning at the Northwest corner of Lot 2; thence S 00°15'09" E, 89 feet +/- to the ordinary high water mark of the north side of a channel of water flowing into Six Mile Creek; thence N 85°17'26" W along said ordinary high water mark, 100.40 feet; thence N 00°15'09" W, 110 feet +/- to the south right of way line of Harbort Road, a private road; thence N 89°43'48" E along said south right of way line, 100.02 feet to the point of beginning.

The above described parcel minus the exception contains 39.23 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

Sheet 3 of 4

**SURVEYORS SEAL**

**PRELIMINARY**

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.

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\_\_\_\_.

Citadel Investments LLC  
Jeremy Arrington

STATE OF WISCONSIN)  
DANE COUNTY)

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.
- 5.) A SHARED WATER WELL AGREEMENT EXISTS  
PERTAINING TO PARCEL F, LOT 2, AND LOT 3.

Kristi Chlekowski  
Register of Deeds

SURVEYORS SEAL

PRELIMINARY

**From:** [Tom Wilson](#)  
**To:** [Tracy Meinholz](#); [Kevin Even](#)  
**Cc:** [Jessica Frey](#)  
**Subject:** FW: New home on harbort rd  
**Date:** Wednesday, January 24, 2018 8:44:24 AM

---

FYI...

**From:** M D [mailto:mousaaldashash@gmail.com]  
**Sent:** Tuesday, January 23, 2018 2:23 PM  
**To:** Tom Wilson  
**Subject:** New home on harbort rd

Hi

My name is Mousa Aldashash and I live at [5688 Harbort Road](#). I am writing to express my opposition to the construction of single family homes on Harbort Road in the Town of Westport.

I have multiple reasons for opposing this construction:

We have a small neighborhood on Harbort Road. The road in the neighborhood is privately maintained and cannot accommodate traffic for two additional homes. Additionally, the traffic created by two additional families will create an extra traffic burden to such a small neighborhood.

The proposed construction on one vacant lot on Harbort Road is being planned over the top of the neighborhood's existing well and is planned to utilize a holding tank.

However by constructing additional homes I believe it will forever change the nature of neighborhood. I have spoken to all my neighbors on Harbort Rd and we are all unanimous in our opposition to a new home construction. We are willing to send you a signed letter of opposition if you would like this.

Please let me know if you have any questions or comments.

Thanks  
Mousa Aldashash

**From:** [Tom Wilson](#)  
**To:** [Tracy Meinholz](#); [Kevin Even](#)  
**Cc:** [Jessica Frey](#)  
**Subject:** FW: New home on harbort rd  
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**However by constructing additional homes I believe it will forever change the nature of neighborhood. I have spoken to all my neighbors on Harbort Rd and we are all unanimous in our opposition to a new home construction. We are willing to send you a signed letter of opposition if you would like this.**

**Please let me know if you have any questions or comments.**

**Thanks**  
**Mousa Aldashash**

**From:** [Robert Anderson](#)  
**To:** [Tom Wilson](#)  
**Cc:** [Jessica Frey](#); [Tracy Meinholz](#)  
**Subject:** FW: Response to Road maintenance agreement for Harbort/Mansfield road area  
**Date:** Monday, March 05, 2018 8:06:43 AM

---

fyi

Robert Anderson, WCPC CMC  
Utility, Finance, I.S. Manager, Deputy Clerk/Treasurer  
Town of Westport  
5387 Mary Lake Rd  
Waunakee, WI 53597  
608-849-4372

*All e-mail sent to the Town of Westport is subject to the Wisconsin open records law*

IF THIS MESSAGE IS TO THE ENTIRE MEMBERSHIP OF A GOVERNMENTAL BODY, you are advised that this email should be treated as a one-way communication and that responses "to all" should be avoided because those responses could create a "walking quorum" of the body in violation of the open meetings law (Office of the Wisconsin Attorney General Letter of 3/19/2010)

---

**From:** ALINDA J NELSON [mailto:[alinda.nelson@wisc.edu](mailto:alinda.nelson@wisc.edu)]  
**Sent:** Thursday, March 01, 2018 10:01 PM  
**To:** Tom Wilson; [Jac9450@gmail.com](mailto:Jac9450@gmail.com); [joep@aesindustrial.com](mailto:joep@aesindustrial.com); [byebyebirdies1@yahoo.com](mailto:byebyebirdies1@yahoo.com); [manering@tds.net](mailto:manering@tds.net); [eileen53597@charter.net](mailto:eileen53597@charter.net); [cyndi.a.kennedy@gmail.com](mailto:cyndi.a.kennedy@gmail.com); [deana.grosskopf@gmail.com](mailto:deana.grosskopf@gmail.com); Robert Anderson  
**Cc:** [jeremy@wihbn.com](mailto:jeremy@wihbn.com)  
**Subject:** Response to Road maintenance agreement for Harbort/Mansfield road area

### Response to Road maintenance agreement for Harbort/Mansfield road area

This agreement is unacceptable as presented. It should **not** include **parking restrictions, reconstruction or improvement** of road. Should read "Cost sharing of gravel road maintenance among parcel or home owners on Harbort and Mansfield roads to include grading the gravel road, occasional truckloads of gravel and snow plowing."

10. Road Commission Agent Checking Account okay with \$120/per yr. per household unless more needed due to unforeseen circumstances. Agent cannot be owner of the road because there are 2 owners. Could volunteer or be selected but **not as the owner**.

13. Effective term okay (14-19 too much, not necessary) (Unless some legal terminology about enforcement is necessary.) Binding clause apparently doesn't always apply--see the 2 easements and right of way docs attached that require Harbort heirs, assigns, etc. to keep road in good repair. This was done only sporadically after Don Harbort died. We were told there was no well/road agreement any more. Some of us had an expensive new well drilled. Now a new road maintenance agreement is necessary for all.

Much of this document is too wordy. Cost sharing **6, 7, 8, 9** -skip. No. 7 which includes "amount suitable for reconstruction" should be deleted. It should not mention that "agent"

shall initiate maintenance activities to maintain standards in a vague manner that could involve asphalt. It should not include undertaking road improvements or reconstruction. This is swampland and even the gravel road heaves at times, blacktop would be much more difficult to repair and could become impassable. Skip **part of 3, most of 4.**

**NEIGHBORS HELPING NEIGHBORS.** What is the problem with a parcel owner fixing a hole in the road or using a chain saw to cut down a tree that fell on the easement area? (or cutting it back further than MG&E did when they removed a fallen tree and left a big branch sticking out too far?) This neighborhood has cooperated on such things in the past. No big charges have been made though small amounts were paid for plowing and grading a time or 2 when no one was contracted to do so. Emergencies are handled by MG&E if electrical lines are affected. If other things occur, neighbors fix locally before hiring someone outside unless necessary.

This document should not confuse easement and right-of-way instruments of the past which were **perpetual** and are included in our property deeds. These should not be replaced. The road from M is a 20 ft. easement now from Munz and the road in front of the houses is a 60 ft. right-of-way now from Harbort Trust/Arrington. **Skip 1, 2** (The description on p. 1 is for only the easement portion I believe) If needed, there should be 2 paragraphs describing the 2 roads.

**Eliminate 5.** Parking should not be mentioned since it has nothing to do with road maintenance. There is a 60 ft. right-of-way where the houses are and room to park. The easement has 20 ft. and logically no one would park there. See attached docs where there is a clause stating **the right to pass and repass along a private roadway and to use for all other lawful purposes a private road and right-of-way (60) feet in width.** This could include parking and storing machinery, trailers, vehicles or other property on the roadway.

The Town of Westport does not conduct reviews or repairs of this private road so shouldn't be listed as doing this. So, eliminate **11, 12, 21**

**20.** Replaces previous road maintenance agreements may be okay if many changes above done. Should **not** replace easement and right-of-way docs.

**22.** Does the town clerk want this?

From: Alinda and Robert Nelson 850-9476 [alinda.nelson@wisc.edu](mailto:alinda.nelson@wisc.edu)  
5266 Mansfield Rd.

Alinda Nelson  
5266 Mansfield Rd.  
Waunakee, WI 53597  
(608) 850-9476  
[alinda.nelson@wisc.edu](mailto:alinda.nelson@wisc.edu)



**From:** [Robert Anderson](#)  
**To:** [Tom Wilson](#)  
**Cc:** [Jessica Frey](#); [Tracy Meinholz](#)  
**Subject:** FW: Response to rezoning request from Arrington/Citadel  
**Date:** Monday, March 05, 2018 8:06:55 AM

---

fyi

Robert Anderson, WCPC CMC  
Utility, Finance, I.S. Manager, Deputy Clerk/Treasurer  
Town of Westport  
5387 Mary Lake Rd  
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*All e-mail sent to the Town of Westport is subject to the Wisconsin open records law*

IF THIS MESSAGE IS TO THE ENTIRE MEMBERSHIP OF A GOVERNMENTAL BODY, you are advised that this email should be treated as a one-way communication and that responses "to all" should be avoided because those responses could create a "walking quorum" of the body in violation of the open meetings law (Office of the Wisconsin Attorney General Letter of 3/19/2010)

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**From:** ALINDA J NELSON [mailto:[alinda.nelson@wisc.edu](mailto:alinda.nelson@wisc.edu)]  
**Sent:** Thursday, March 01, 2018 9:52 PM  
**To:** Tom Wilson; [Jac9450@gmail.com](mailto:Jac9450@gmail.com); [joep@aesindustrial.com](mailto:joep@aesindustrial.com); [byebyebirdies1@yahoo.com](mailto:byebyebirdies1@yahoo.com); [manering@tds.net](mailto:manering@tds.net); [eileen53597@charter.net](mailto:eileen53597@charter.net); [cyndi.a.kennedy@gmail.com](mailto:cyndi.a.kennedy@gmail.com); [deana.grosskopf@gmail.com](mailto:deana.grosskopf@gmail.com); Robert Anderson  
**Subject:** Response to rezoning request from Arrington/Citadel

### Response to rezoning request from Arrington/Citadel

If Schoenhers are required to have a holding tank, how would a home west of them be able to have a septic system installed? This area is often wet way up toward the road during high water from rains or when Lake Mendota levels are kept high. And, how did previous 11 acre "swamp" become a 19 acre parcel? How did 29 acres become 38 acres? Previous was 17 acres plus 12+ acres (1 ½ for 2 homes and 11 swamp) Where did the **extra 9 acres** come from?

Outlot part of Lot 3 good change.

Road Maintenance Agreement not acceptable or correct as presented – needs simplification and removal of many items not specific to a road agreement. I have sent a separate document with comments on road **maintenance**. (to exclude reconstruction and improvements)

Alinda and Robert Nelson  
5266 Mansfield Rd., Waunakee, WI 53597

850-9476 [alinda.nelson@wisc.edu](mailto:alinda.nelson@wisc.edu)

Alinda Nelson  
5266 Mansfield Rd.  
Waunakee, WI 53597  
(608) 850-9476  
[alinda.nelson@wisc.edu](mailto:alinda.nelson@wisc.edu)



**WAUNAKEE/WESTPORT JOINT PLAN COMMISSION SUMMARY SHEET**

**MEETING DATE:** 03/13/2018

**ITEM:** PUBLIC HEARING

**TITLE:** Public Hearing & Discussion/Action on Amendment to the Waunakee/Westport Joint Comprehensive Plan to Change 80 Acres, Northwest Corner of Schumacher Road/STH 113 to Rural Preservation, & Rezone to County A-1 Agriculture (Exclusive)

**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 from Village A-1 to County A1-Ex. The Comp Plan was changed consistent with the FUDA study recommendations in January of 2016 after several months of 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 RECOMMENDATION:** 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 2018. This is certainly consistent with the Plan since the Breunigs intend on farming this parcel for many years, and development here is not imminent.

**RECOMMENDED MOTION:** Move to recommend approval of the rezoning and Comp Plan revision as proposed.

**ATTACHMENT(S):** Location map, public hearing notice, Comp Plan exhibit, draft agreement from Village Attorney



Village of Waunakee and Town of Westport  
**NOTICE OF PUBLIC HEARING**  
Joint Plan Commission (JPC)

NOTICE IS HEREBY GIVEN that the Joint Plan Commission of the Village of Waunakee and the Town of Westport will hold a public hearing on Tuesday, March 13, 2018 at 6:00 p.m. at the Kennedy Administration Building, Community Meeting Room, 5387 Mary Lake Road, Town of Westport, Wisconsin, for the purpose of receiving comments on:

- 1) A proposal to divide and rezone two parcels Arrington, 5683 Harbort Road, Town of Westport, into three parcels with two buildable lots
- 2) A request for certified survey map and rezone, Whiteside, 5147 Bong Road, Village of Waunakee
- 3) A request to amend the Waunakee and Westport Joint Comprehensive Plan to change 80 acres located at the northwest corner of the Schumacher Road/STH 113 intersection to Rural Preservation, and to rezone that parcel to County A-1 Agriculture (Exclusive)

Documents will be available for review at the Waunakee Village Hall, Westport Town Hall, and on Village of Waunakee and Town of Westport websites. Questions or comments about these items may be directed to Town Attorney/Administrator/Clerk-Treasurer Tom Wilson or Village Engineering Office Manager Tracy Meinholz. Copies may be obtained once the copying fee is paid.

Any interested person or his/her agent will be heard at this Public Hearing.

Dated this 15<sup>th</sup> day of February, 2018.

**JULEE HELT**  
Village Clerk

**TOM WILSON**  
Town Clerk

Published: The Waunakee Tribune, February 22 & March 1, 2018.

**AGREEMENT**

**BREUNIG PROPERTY**

This Agreement (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2018, by and among the Village of Waunakee (the “Village”), the Town of Westport (the “Town”), Dane County (the “County”), and the following owners of the Property (defined in Recital A): Kurt J. Breunig; Peggy A. Hill-Breunig; \_\_\_\_\_, as trustee of the Breunig Revocable Trust; and \_\_\_\_\_, as trustee of the Mary G. Breunig Individual Revocable Trust (collectively, the “Owners”).

**RECITALS**

- A. The Owners own approximately 80 acres of land at the northwest corner of Schumacher Road and State Highway 113 / 19 in the Town of Westport, which land is described in Exhibit A attached hereto and incorporated herein (the “Property”). The Owners currently use the Property for agricultural purposes.
- B. The Property is currently zoned A-1 Agricultural and is designated as Community Residential in the 2017 Waunakee/Westport Joint Comprehensive Plan. The designation of the Property as Community Residential in the 2017 Waunakee/Westport Joint Comprehensive Plan was consistent with Future Urban Development Area (FUDA) study recommendations in January 2016 after several months of work by the Town, the Village, and their consultants.
- C. The Owners want the Property to be eligible for the Farmland Preservation Tax Credit program (the “Program”). For the Property to be eligible for the Program, the Property must be:
1. Rezoned from A-1 to the County A-1 Agriculture District (Exclusive);
  2. Designated as Rural Preservation in the 2017 Waunakee/Westport Joint Comprehensive Plan; and
  3. Designated in the Dane County Certified Farmland Preservation Plan as \_\_\_\_\_.
- D. The parties to this Agreement are willing to support the steps identified in Recital C to allow the Property to be eligible for the Program, pursuant to the terms and conditions of this Agreement.
- E. The parties have determined that this Agreement is in the public interest.

THIS SPACE RESERVED FOR RECORDING DATA

RETURN TO:  
Village Clerk  
Village of Waunakee  
500 W. Main Street  
Waunakee, WI 53597

P.I.N.

## AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The representations and recitations set forth in Recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this paragraph, subject to all of the terms and conditions in the balance of this Agreement.
2. The parties all agree to take reasonable steps to make the Property eligible for the Program.
3. In the Village's sole discretion, it may decide in the future that it is necessary to amend the 2017 Waunakee/Westport Joint Comprehensive Plan, or any successor comprehensive plan, to change the designation of the Property to Community Residential, or the corresponding designation in any successor comprehensive plan. If the Village decides that this change in designation is necessary, the Town and the County agree to support the amendment to the comprehensive plan, the County agrees that the amendment will be substantially consistent with the Dane County Certified Farmland Preservation Plan, and the Owners agree to not oppose the amendment to the comprehensive plan.
4. In the Village's sole discretion, it may decide in the future that it is necessary to amend the zoning classification of the Property to be consistent with the comprehensive plan amendment identified in Section 3. If the Village decides that this rezoning of the Property is necessary, the Town and the County agree to support the rezoning of the Property consistent with the comprehensive plan amendment, Dane County agrees that the rezoning of the Property will be substantially consistent with the Dane County Certified Farmland Preservation Plan, and the Owners agree to not oppose the rezoning of the Property.
5. All parties agree and acknowledge that there are two purposes for this Agreement:
  - a. To allow reasonable steps to be taken to make the Property eligible for the Program.
  - b. Assuming the Property becomes eligible for the Program because the necessary steps are satisfied, to allow the Village, in its sole discretion, to redesignate the Property as Community Residential under the 2017 Waunakee/Westport Joint Comprehensive Plan, or any successor comprehensive plan, thereby allowing the Property to be rezoned consistent with the comprehensive plan.
6. The terms and provisions hereof shall be binding upon the undersigned, their heirs, successors, and assigns, and shall be recorded in the office of the Register of Deeds for Dane County, Wisconsin to be construed as covenant running with the land.
7. This Agreement may be amended or terminated in writing by the mutual agreement of the parties or their respective successors, assigns or heirs.
8. The parties signing below have full power and authority to execute this Agreement, and all necessary resolutions, if any, have been approved.



Public Hearing & Discussion/Action on Amendment to...

9. Nothing in this Agreement shall be deemed to create any right or privilege in any person or entity not a party to this Agreement.
10. If any part, term or provision of this Agreement is held to be illegal or otherwise unenforceable by a court of competent jurisdiction, such illegality or unenforceability shall not affect the validity of any other part, term or provision of this Agreement, and the rights of the parties will be construed as if the part, term or provision was never part of the Agreement.
11. This written agreement, and written amendments, shall constitute the entire agreement between the parties on the subject hereof.
12. This Agreement shall be governed by, and enforced in accordance with, the laws of the State of Wisconsin. Any claim arising under this Agreement shall be brought in Dane County Circuit Court, Dane County, Wisconsin.
13. This Agreement shall be construed without regard to the identity of the party who drafted the various provisions of this Agreement. Moreover, each and every provision of this Agreement shall be construed as though all parties to this Agreement participated equally in the drafting of this Agreement. As a result of the foregoing, any rule of construction that a document is to be construed against the drafting party shall not be applicable to this Agreement.
14. This Agreement may be executed in one or more counterparts and upon execution and delivery by each of the parties hereto shall constitute one and the same enforceable agreement.

[Signature pages follow]

IN WITNESS THEREOF, the parties below have hereunder set their hands and seals this \_\_\_\_ day of \_\_\_\_\_, 2018.

**OWNERS**

\_\_\_\_\_  
Kurt J. Breunig, Individually

\_\_\_\_\_  
Peggy A. Hill-Breunig, Individually

Breunig Revocable Trust

By \_\_\_\_\_  
\_\_\_\_\_, Trustee

Mary G. Breunig Individual Revocable Trust

By \_\_\_\_\_  
\_\_\_\_\_, Trustee

STATE OF WISCONSIN

COUNTY OF DANE

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Kurt J. Breunig, Peggy A. Hill-Breunig, \_\_\_\_\_ as Trustee of the Breunig Revocable Trust, and \_\_\_\_\_ as Trustee of the Mary G. Breunig Individual Revocable Trust, to me known to be the persons who executed the foregoing instrument and acknowledged the same on behalf of themselves and on behalf of the Breunig Revocable Trust and the Mary G. Breunig Individual Revocable Trust.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

**TOWN OF WESTPORT**

By: \_\_\_\_\_  
Dean Grosskopf, Town Chair

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

STATE OF WISCONSIN

COUNTY OF DANE

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Dean Grosskopf, Town Chair, and Thomas G. Wilson, Town Attorney/Administrator/Clerk/Treasurer, of the Town of Westport, known to me to be the persons and officers who executed the foregoing instrument and acknowledged that they executed the same as such officers by the Town's authority.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

**VILLAGE OF WAUNAKEE**

By: \_\_\_\_\_  
Chris Zellner, Village President

Attest: \_\_\_\_\_  
Julee Helt, Village Clerk

STATE OF WISCONSIN

COUNTY OF DANE

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Chris Zellner, Village of Waunakee Village President, and Julee Helt, Village of Waunakee Village Clerk, known to me to be the persons and officers who executed the foregoing instrument and acknowledged that they executed the same as such officers by the Village’s authority.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

**DANE COUNTY**

By: \_\_\_\_\_  
\_\_\_\_\_

Attest: \_\_\_\_\_  
\_\_\_\_\_

STATE OF WISCONSIN

COUNTY OF DANE

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2018, the above-named \_\_\_\_\_, known to me to be the persons and officers who executed the foregoing instrument and acknowledged that they executed the same as such officers by the County’s authority.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

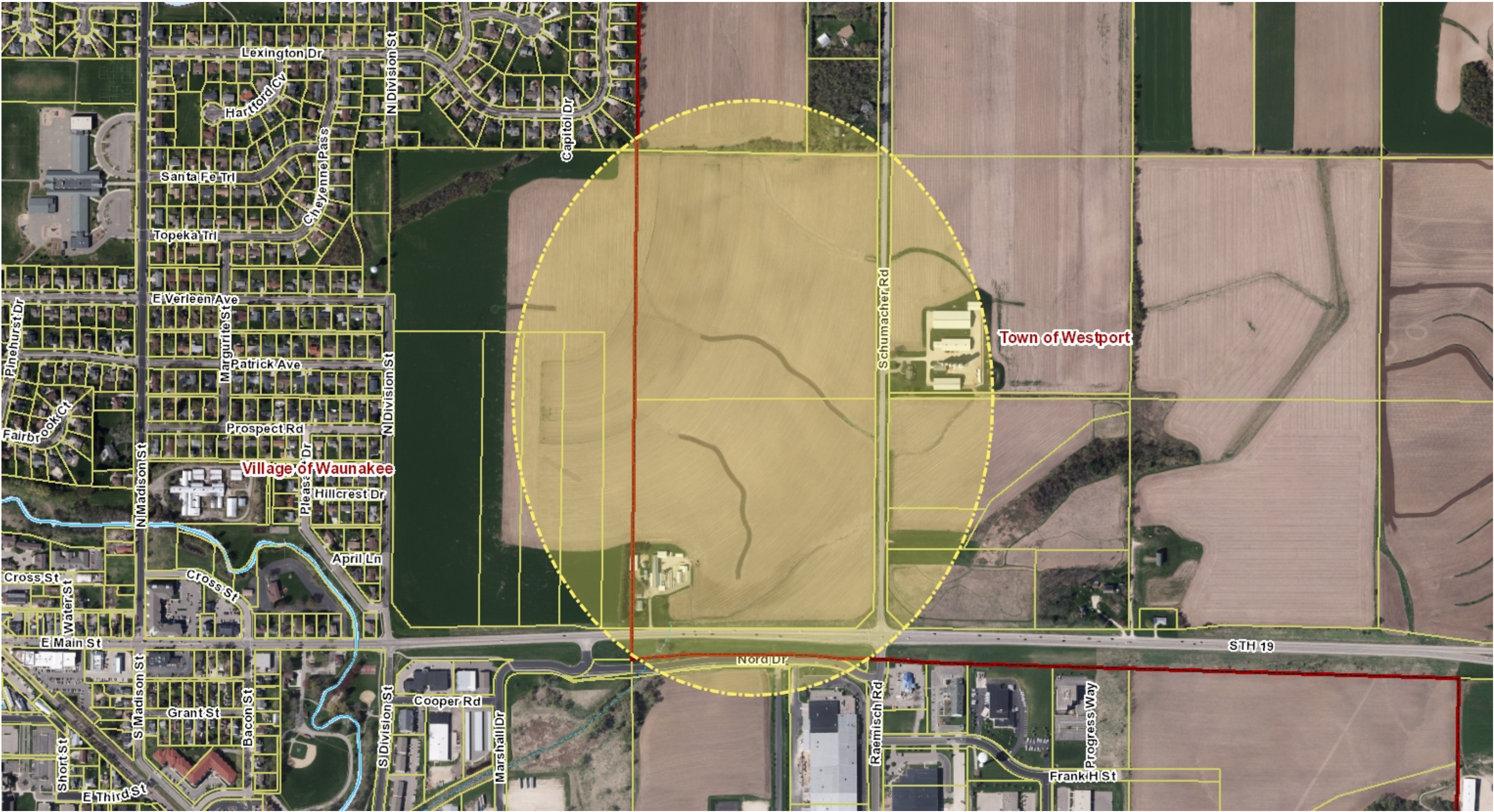
Attachment:   Exhibit A – Legal Description of the Property

This instrument drafted by:

Bryan Kleinmaier  
Stafford Rosenbaum LLP  
222 West Washington Ave., Suite 900  
P.O. Box 1784  
Madison, WI 53701-1784  
608.256.0226

**EXHIBIT A**  
**LEGAL DESCRIPTION OF PROPERTY**





Breunig Rezone ~80 acres.

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.

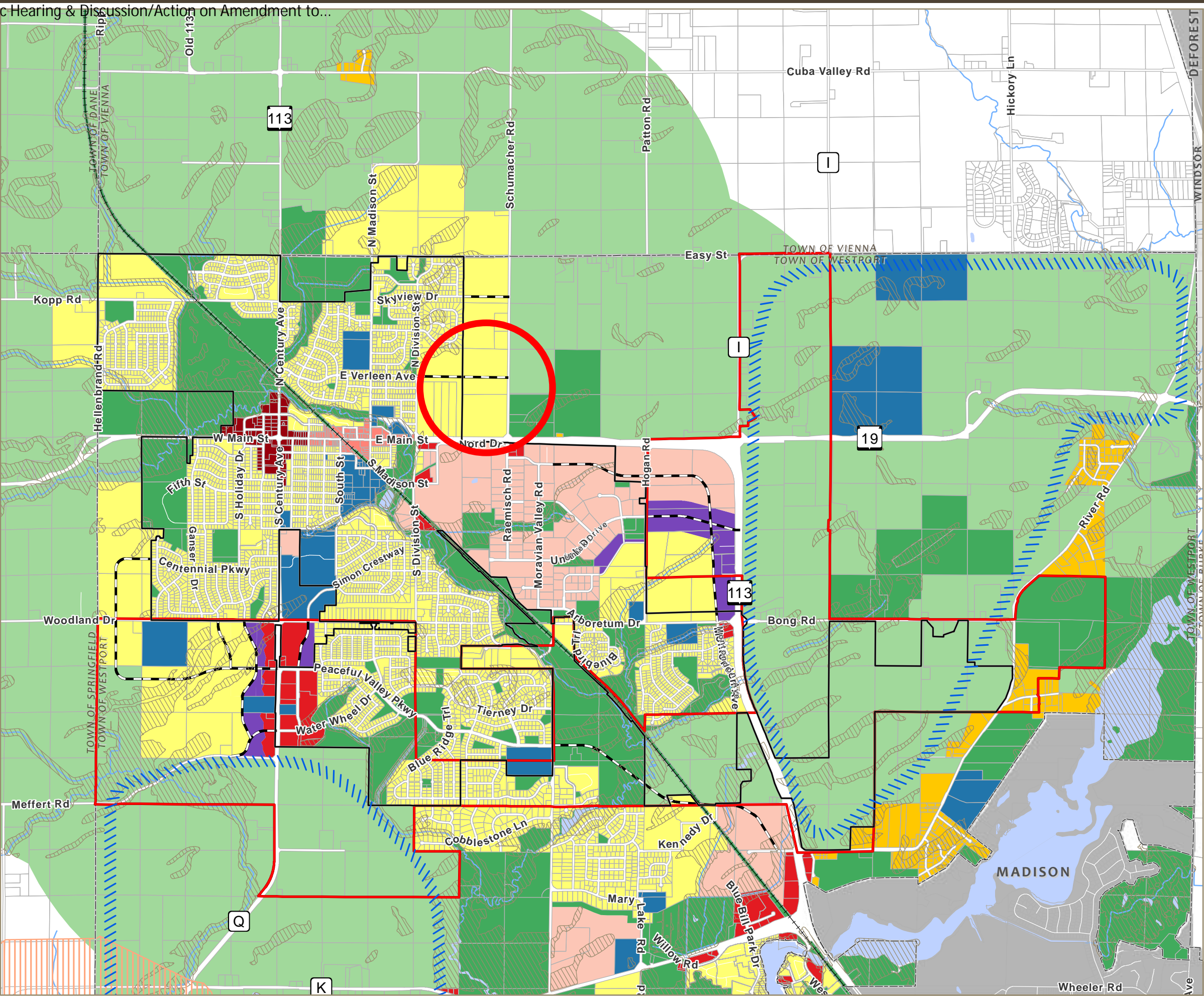


SCALE: 1 = 694'

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

Print Date: 3/9/2018





# 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

