

Town of West Bend Plan Commission Minutes
Thursday October 24, 2024 6:30 PM
Town of West Bend Town Hall

1. Order of Business.

A. Call Meeting to Order.

Chairman Holz called the meeting to order at the Town of West Bend Town Hall at 6:30 PM, accessed via Zoom and telephone.

B. Roll Call.

Present were commission members Michael Holz, Julie Ihlenfeld, Jim Tukesbrey, Mark Wagor, and Zoning Administrator Tim Schwecke in person and on zoom was Brad Kopp. Jeff Kenkel and Dave Moore were excused.

C. Approval of Minutes from September 26, 2024 meeting.

Wagor made a motion to approve the minutes. The motion was seconded by Tukesbrey and passed unanimously.

2. NEW BUSINESS

A. Signs for Cedar Community campus as follows: (1) ground sign located at intersection of Lake Drive and Cedarbay Drive; (2) wall signs for The Lofts at Cedar Lake (4620 Lake Drive); and (3) wall signs for The Willows (5577 Home Drive)

a. Discussion/action

All proposed signs are within the Cedar Community campus. Holz made a motion to approve the signs as presented, provided the property owner starts construction within 6 months of this date and continue in good faith to completion per Civitek report dated October 21, 2024. The motion was seconded by Wagor and passed unanimously.

3. OLD BUSINESS

A. Two-lot certified survey map (CSM) for property located at 5339, 5347, and 5351 Oak Lodge Road (T13_1200500); Arvonus Realty Co and Shelley Zucchi, applicant (application 2023-30)

a. Discussion/action

Mr. Zucchi thought conditions were reasonable. Chairman Holz read email received from plan commission member Jeff Kenkel on 9/19/2024 stating: I am not comfortable with the Zucchi CSM. The lot is already non-conforming with multiple dwellings, and that will remain so for Lot 2 if it is divided. The existing driveway is already a nightmare of tight twists, turns, and steep grades. There is no way an emergency vehicle could get down it, and if that were a shared easement driveway, it would be worse. And I don't want the Town to in any way approve of the equally tight, twisting, turning design we saw for a proposed new driveway on Lot 1. We should not make two problems out of one.

Holz made a motion to recommend approval to the Town Board of the proposed two-lot CSM subject to the following conditions per Civitek report dated October 21, 2024:

1. The Town engineer approves the CSM. Review comments, if any, must be satisfied to the Town engineer's satisfaction.
2. Revise the location map on Sheet 1 to show the location of the subject property (i.e., a solid fill would be appropriate).
3. The found monuments must be labeled by type and outside diameter, or included in a

table with such information per s. 236.34(1m)(c), Wis. Stats., which references s. 236.20(2)(b).

4. The legend for monuments must indicate the outside diameter, and length and weight per lineal foot for any set monuments per s. 236.20(2)(b), Wis. Stats.
5. Various structures are depicted on Sheet 1 and are labelled. A key should be included.
6. There is a building foundation and must be shown on the revised CSM.
7. Prior to releasing the final CSM for recording by the Washington County register of deeds office:
 - a. Washington County verifies in writing that the existing house on Lot 1 is served by a septic system in good operational order and that the system is located entirely on Lot 1 and complies with all applicable requirements, including setbacks.
 - b. Washington County verifies in writing that the two existing houses on Lot 2 are served by a septic system in good operational order and that the system is located entirely on Lot 2 and complies with all applicable requirements, including setbacks.
 - c. The Town verifies that an access permit can be issued for Lot 1.
 - d. The owner must verify that there is an operating water well on each of the lots to provide potable water to the residences.
 - e. The property owner must submit an application to the Town pursuant to s.325.42(A) of the zoning code and obtain approval for the designation of the primary principal structure and secondary principal structure(s) for Lot 2.
 - f. The property owner must establish an access easement over Lot 2 to provide access to the existing residence on Lot 1. In the event, the owner of lot 1 elects to build a new residence or expand the existing residence, the easement may not be used and a driveway off of Oak Lodge Road must be established subject to all applicable driveway standards in effect at that time.
8. Include the following note(s) on the face of the CSM substantially as follows:
 - Various buildings and other improvements existed on the subject property on the date of the survey which may or may not comply with the Town's zoning regulations in effect on the date the Town Board approved this certified survey map. Approval of this certified survey map does not waive any zoning requirement. Therefore, all buildings, improvements, and uses are subject to applicable zoning regulations that are in effect.
 - Lots 1 and 2 are considered "new lots" in the R-1S zoning district and are subject to the applicable zoning standards.
 - Lot 2 has two existing residences and are therefore considered nonconforming uses under the Towns' zoning regulations.
 - Any land below the ordinary high-water mark of a lake or navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the State Constitution.
 - The wetland boundary shown on this certified survey map is an approximate boundary. If a building or other structure is proposed to be constructed near the wetland, it may be

necessary for the wetland boundary to be formally delineated by a professional wetland delineator.

- Prior to occupancy of the residence on Lot 1, the owner must either construct a driveway meeting the Town's requirements in effect at that time or establish an easement over Lot 2 providing physical access to the residence.

9. The CSM must be revised to depict the location of the environmental corridor on the subject properties along with an explanatory note.

10. The surveyor's seal, signature, and date must appear on all sheets of the final CSM. The same revision date must also be noted on each sheet. The motion was seconded by Tukesbrey and passed unanimously.

B. Discussion/Action re: Update on proposed amendment of zoning regulations

Public Hearing is scheduled for the November 12, 2024 town board meeting. Zoning regulations and map are posted to the town website.

4. CORRESPONDENCES (none)

5. Report from Zoning Administrator
None.

6. Comments from the public for items not on the agenda
Next meeting is December 5, 2024.

7. Adjournment

Ihlenfeld made a motion to adjourn at 6:57 PM. The motion was seconded by Wagor and passed unanimously.

Respectfully submitted,

Julie Ihlenfeld, Plan Commission Secretary
10/25/2024