

1 **PLANNING, CONSERVATION & PARKS COMMITTEE**

2 PAC
3 West Bend, WI

March 9, 2005
1:30 p.m.

4
5 Present: Maurice Strupp, Paul J. Beistle, Mary A. Krumbiegel, Donald H. Roskopf, John W. Stern,
6 Herbert J. Tennies, and Deborah L. Wilke.

7
8 Also present: Administrator Paul Mueller, Assistant Administrator Herbert Wolf, and Secretary
9 Shari L. Bergum.

10
11 Chairperson Strupp called the Planning, Conservation & Parks Committee meeting to order and
12 read the Affidavit of Posting.

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14 **PUBLIC HEARING - CONDITIONAL USE PERMIT FOR EXCAVATING, FILLING OR**
15 **GRADING IN A SHORELAND AREA**

16 **5523 Peninsula Drive, West Bend (Private Road)**

17 **Raymond and Pat Steinbauer, Government Lot 3, Section 30, Town of West Bend –5523**
18 **Peninsula Drive, West Bend – Remove retaining wall and stairs, construction of new**
19 **retaining wall, parking area, and stairs.**

20 Present: Raymond and Pat Steinbauer, owners and Attorney William Ladwick, representing the
21 Steinbauers.

22 Mr. Wolf presented the plat map and stated that there have been several Court appearances over
23 the proposed Conditional Use Permit and current outstanding issues. Statement was heard from
24 Attorney Ladwick, giving explanation of what actions Mr. and Mrs. Steinbauer had completed and
25 were proposing. The hearing was open to the public and arguments opposing the Conditional Use
26 Permit were heard from Leanne Roth, Bruce Speiler, and Arthur Kletti, all of whom reside on
27 Peninsula Drive. Concerns were expressed in regard to the potential obstruction of the 16 ½ feet
28 of right-of-way, authorized to residents, on Peninsula Drive. In addition, there was discussion
29 pertaining to the existing retaining wall and stairs currently on the Steinbauer's property, and
30 potential water runoff from the proposed retaining wall onto adjacent property. Land Surveyor
31 Tony Gromacki was present and identified surveyed areas on Peninsula Drive. The Public hearing
32 was closed. Staff recommended removal of the retaining walls and stairs on the Steinbauer's
33 property, as directed by the Board of Adjustment in 2003. Recommendation was given that the
34 new retaining wall should have a three-foot setback from the property line. Staff also suggested
35 that Legal Counsel review the 16 1/2 feet of right-of-way.

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37 Moved by Mr. Roskopf, seconded by Mr. Stern to table the Conditional Use Permit for the
38 Raymond and Pat Steinbauer, property located at 5523 Peninsula Drive, West Bend, until the
39 Committee has had a conference with Legal Counsel. Motion carried.

40
41 **OBJECTING AUTHORITY SUBDIVISIONS – PRELIMINARY PLAT REVIEW**
42 **Bavarian Woods, SE ¼, Section 19 – Village of Germantown, 23 Lots – Germantown**
43 **Ventures, LLC, Owner**

44 Mr. Wolf presented the concerns that staff has with this project. In order to be in compliance with
45 County code, staff recommended that a detailed soil test be required prior to the final plat review.

46
47 Moved by Mr. Stern, seconded by Mr. Beistle to require detailed soil tests to be submitted to staff
48 for the Bavarian Woods subdivision, prior to the Final Plat Review.

49

1 Discussion was held on withholding a decision until after a decision on Hilltop Associates LLC,
2 SE ¼, Section 19 Village of Germantown Sanitary Variance for a Commercial Holding Tank, was
3 decided.

4
5 Moved by Mr. Tennes, seconded by Mr. Roskopf to amend the motion and withhold decision
6 until after Hilltop Associates LLC, SE ¼, Section 19 Village of Germantown Sanitary Variance
7 for a Commercial Holding Tank, has been decided. Motion carried.

8
9 **Windsong Crossing, NW ¼, Section 17, City of Hartford, 34 Lots – Construction**
10 **Management Specialists, LLC, Owner**

11 Mr. Wolf stated that staff did not have any objections and recommends the Committee approve the
12 preliminary plat.

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14 Moved by Ms. Krumbiegel, seconded by Mr. Tennes to approve the preliminary plat for
15 Windsong Crossing, NW ¼, Section 17, City of Hartford. Motion carried.

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17 **OBJECTING AUTHORITY SUBDIVISIONS – FINAL PLAT REVIEW**
18 **Creekside Addition No. 1, SW ¼, Section 18, City of West Bend, 64 Lots – MLG/West Bend**
19 **LLC, Owner**

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21 Mr. Wolf stated that the concerns of the Highway Department have been addressed. Staff
22 recommends approving the final plat.

23
24 Moved by Ms. Krumbiegel, seconded by Mr. Tennes to approve the final plat for Creekside
25 Addition No. 1, SW ¼, Section 18, City of West Bend. Motion carried.

26
27 **APPROVING AUTHORITY - FINAL PLAT REVIEW**
28 **Cedar Lake Estates, NE ¼ & SE ¼, Section 19, Town of West Bend – Phoenix Development,**
29 **Developer - Reconsideration**

30 At this time, Mr. Wolf stated that staff has no other objections. The Town of West Bend has
31 authority over stormwater issues and stated, in writing, that they do not foresee any issues in the
32 future. Staff recommends approval.

33
34 Moved by Mr. Roskopf, seconded by Ms. Wilke to approve the final plat for Cedar Lake Estates,
35 NE ¼ & SE ¼, Section 19, Town of West Bend. Motion carried with Mr. Beistle voting no.

36
37 **CONDITIONAL USE PERMIT FOR EXCAVATING, FILLING OR GRADING IN A**
38 **SHORELAND AREA**
39 **Big Cedar Lake Sanitary District, SW ¼ Section 20, Town of West Bend – 4480 Gonring**
40 **Drive – Grade/Reshape Existing Parking Lot, Pave, Grade and Reshape Grassed Area South**
41 **of Parking Lot – Reconsideration**

42 Present: Mr. Roger Walsch & Robert Schultice

43 Mr. Wolf presented the modified plat map for the proposed grading and reshaping of an existing
44 parking lot and the grading and reshaping of the grassed area south of the parking lot. Staff has no
45 objections and recommends approval.

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47 Moved by Mr. Stern, seconded by Mr. Beistle to approve the Conditional User Permit for Big
48 Cedar Lake Sanitary District, SW ¼ Section 20, Town of West Bend. Motion carried.

STATUS REPORT

Hilltop Associates LLC, SE ¼, Section 19, W211N11810 Hilltop Circle - Village of Germantown Sanitary Variance for a Commercial Holding Tank

Present: Deputy County Attorney Chris Ohlis, James Reitzner, with Asset Development Group, Inc., Attorney Sager, with Michael Best & Friedrich, LLP, Village Attorney John Destefanis, representing the Village of Germantown, Village President Charles Hargen, Village Administrator Christopher Lear.

The following documents were presented to the Committee: Washington County 2004 Ordinance 37, a letter from Administrator Paul Mueller, addressed to James Reitzner, State of Wisconsin, Circuit Court of Washington County Decision for Plaintiff, Hilltop Associates vs. Village of Germantown, filed January 10, 1996. In addition, Village of Germantown Plan Commission meeting minutes of May 13, 1996, and Village of Germantown Board of Appeals meeting minutes of March 24, 1988, and Village of Germantown Ordinance Municipal Utilities 13.26. Statement was heard from Attorney Destefanis, to clarify the Village of Germantown’s standing on the municipal sewer and water availability for Hilltop Associates, LLC. The Village has decided that sewer availability has been provided to Brookside Meadows. Arguments to this decision were heard from Attorney Sager and Mr. Reitzner. Discussion was held between representatives of the Village and the Committee. County Deputy Attorney Ohlis stated that County approval was given on December 9, 2004, for the upgraded on-site septic system. It was the County’s understanding that the Village also supported this decision.

It was decided by the Committee to not take any action for Hilltop Associates, LLC, on the Village of Germantown Sanitary Variance for a Commercial Holding Tank.

Mr. Beistle left the meeting at 3:50 p.m.

DISCUSSION RESUMED: Objecting Authority Subdivisions – Preliminary Plat Review Bavarian Woods, SE ¼, Section 19 – Village of Germantown, 23 Lots – Germantown Ventures, LLC, Owner

Moved by Mr. Stern, seconded by Ms. Wilke to approve the preliminary plat for Bavarian Woods, SE ¼, Section 19, Village of Germantown, provided that detailed soil tests will completed and submitted to staff prior to final plat approval. In addition, notice must be given to the Village of Germantown and the Developer of the project, informing them of such soil tests. Motion carried.

DIVISION REPORTS

GIS Division – Eric Damkot

Mr. Damkot presented the updates on the GIS Internet Mapping Application, 2005 Orthophotography and Topographic Add-on Project, Land Records Modernization and Integration Plan update and Other Areas of Activity.

Real Property Lister Division – Brian Braithwaite

Mr. Braithwaite presented Real Property Listing and Legislative updates, and 2004 Real Property Lister Statistics. Real Estate totals for Washington County for 2004 was \$9,398,082,106. Total value of all property carried into Local Roll for 2004, to include personal property, was \$9,551,124,625.

1 Moved by Mr. Tennes, seconded by Ms. Krumbiegel to approve the Division reports and updates.
2 Motion carried.

3

4 **APPROVAL OF MINUTES**

5 Moved by Mr. Roskopf, seconded by Ms. Wilke to approve of the minutes of February 23, 2005.
6 Motion carried.

7

8 **OTHER BUSINESS**

9 **Consideration of Special Meeting**

10 Mr. Mueller stated that Kemper Sports Management would submit their initial report on March
11 24, 2005. Mr. Mueller requested consideration of a special meeting to be held on March 30, 2005,
12 and cancel the March 16, 2005, meeting. The Committee did not have any objections.

13

14 **Golf and Parks – Vehicle Use - Assistant Administrator and Park Supervisors**

15 Mr. Mueller stated that County Board Chairperson Kenneth Miller has requested this Committee
16 take a position on the proposed vehicle use for the Assistant Administrator for Parks and Golf and
17 the two Park Supervisors.

18

19 Moved by Ms. Wilke, seconded by Mr. Tennes to approve vehicle use for Assistant Administrator
20 for Parks and Golf and the two Park Supervisors. Motion carried.

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22 **ADJOURNMENT**

23 Moved by Mr. Roskopf, seconded by Ms. Wilke to adjourn the PCPC meeting at 4:50 p.m.
24 Motion carried.

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Shari L. Bergum, Deputy County Clerk