

1                                   **PLANNING, CONSERVATION & PARKS COMMITTEE**

2   PAC

April 13, 2005

3   West Bend, WI

1:56 p.m.

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

7  
8   Also present: Assistant Administrator Herbert Wolf, Assistant Administrator for Planning  
9   Debora Sielski, and Deputy County Clerk Shari L. Bergum.

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

13  
14   **OTHER BUSINESS - Appointment of PCPC Members to Comprehensive Planning**  
15   **Committee and Work Groups**

16   Ms. Sielski stated that the Comprehensive Planning Work Groups and Advisory Committee  
17   will meet on the first, second, and fourth Wednesdays of alternating months, and the fourth  
18   Monday of alternating months. Appointed PCPC members are as follows:

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20           Multi-Jurisdictional Comprehensive Planning Advisory Committee – Ms. Wilke  
21           Land Use and Transportation Element Work Group – Mr. Stern  
22           Agriculture, Cultural, and Natural Resources Work Group – Ms. Krumbiegel

23  
24   **PUBLIC HEARING: CONDITIONAL USE PERMIT FOR EXCAVATING, FILLING,**  
25   **OR GRADING IN A SHORELAND/WETLAND ZONING DISTRICT - Minor's Garden**  
26   **Center Inc., SW ¼, Section 14, Town of Jackson, 1132 State Highway 60**

27   Present: Kurt Minor and Inspector-In-Charge Phil Gaudet.

28   Deputy County Clerk Bergum read the Notice of Public hearing that was published in the West  
29   Bend Daily News on Friday, April 1, 2005, and Wednesday, April 6, 2005.

30   Mr. Wolf presented the 40 acre parcel on the plat map. Permits are required for the water-  
31   bodies on the property with the DNR, Army Corp of Engineers, and Washington County. Mr.  
32   Minor presented the proposed details for the project. Approval was heard from Mr. Del  
33   Buehlke ~~Boehlke~~ Boehlke (corrected 4/20/05), adjacent property owner. The Public hearing was closed.  
34   Mr. Wolf read a correspondence from the DNR, requesting that this item be tabled until the  
35   DNR and Mr. Gaudet have had time to review regulatory issues that were present on the  
36   property at the time a DNR inspection was performed.

37  
38   Moved by Mr. Stern, seconded by Ms. Wilke to table the Conditional Use Permit for Minor's  
39   Garden Center Incorporated, as requested by the DNR. Motion carried.

40  
41   **PUBLIC HEARING: CONDITIONAL USE PERMIT FOR EXCAVATING, FILLING,**  
42   **OR GRADING IN A SHORELAND/WETLAND ZONING DISTRICT – Appellation**  
43   **Ridge LLC, SE ¼, Section 27 Town of Jackson, Cedar Creek Road – Bridge Replacing**  
44   **Existing Culvert in Subdivision**

45   Present: Bill Ohm, with MSA of Beaver Dam and Phil Gaudet.

46   Deputy County Clerk Bergum read the Notice of Public hearing that was published in the West  
47   Bend Daily News on Friday, April 1, 2005, and Wednesday, April 6, 2005.

48   Mr. Wolf presented the plat map pointing out where a proposed Clear-span bridge would  
49   replace the initial aluminum box culvert proposal. No comments were made and the Public  
50   hearing was closed. Mr. Wolf stated that correspondence was received from the DNR

1 supporting the permit with the recommendation of revising the crossing geometry providing  
 2 additional data. Staff did not have any objections.

3  
 4 Moved by Ms. Krumbiegel, seconded by Mr. Tennies to approve the bridge with the condition  
 5 that the DNR’s request of additional data is provided on a revised crossing geometry before  
 6 approval of the final plat. Motion carried.

7  
 8 **PUBLIC HEARING: CONDITIONAL USE PERMIT FOR EXCAVATING, FILLING,  
 9 OR GRADING IN A SHORELAND/WETLAND ZONING DISTRICT – David J. & Kay  
 10 E. Zuern, SW ¼, Section 26, Town of Wayne, West of 5520 County Highway D, Kohlsville  
 11 – Wildlife Pond**

12 Present: Dave Zuern and Jim Rolland.

13 Deputy County Clerk Bergum read the Notice of Public hearing that was published in the West  
 14 Bend Daily News on Friday, April 1, 2005, and Wednesday, April 6, 2005.

15 Mr. Wolf presented the plat map. The DNR has issued a permit to construct a wildlife pond on  
 16 the property. Safety concerns have been addressed adequately. The Army Corp of Engineering  
 17 has signed off on the project. Gerald Schultz was present and stated he was in favor of the  
 18 wildlife pond. The Public hearing was closed. Mr. Wolf pointed out the location and where  
 19 the spoils will be relocated and stated that the depth of the pond will be 4.5 feet.

20  
 21 Moved by Mr. Beistle, seconded by Mr. Tennies to approve the Conditional Use Permit for  
 22 excavating, filling, grading in a Shoreland/Wetland Zoning District for a wildlife pond on the  
 23 property of David J. & Kay E. Zuern. Motion carried.

24  
 25 Mr. Roskopf left the PCPC meeting at 2:28 p.m.

26  
 27 **PUBLIC HEARING: CASTLE DEVELOPMENT LLC II, NE ¼, SECTION 17, TOWN  
 28 OF WEST BEND**

- 29 ➤ **To amend the Shoreland/Wetland Floodplain Zoning District Map of**
- 30 **Washington County so that the map designation of a Non-Shoreland Zoning**
- 31 **District on the property owned by Castle Development LLC II be amended to a**
- 32 **Shoreland Zoning District.**
- 33 ➤ **Conditional Use Permit for Excavating, Filling, Grading in a**
- 34 **Shoreland/Wetland Zoning District – Castle Development LLC II, part of the**
- 35 **NE ¼, Section 17, Town of West Bend, County Highway 33 & Riesch Road,**
- 36 **West Bend – Construct a roadway in excess of 15,000 square feet for a**
- 37 **Conditional Use Permit for Excavation, Filling, or Grading**

38 Present: Chad Graff, with Graff Construction.

39 Deputy County Clerk Bergum read the Notice of Public hearing that was published in the West  
 40 Bend Daily News on Friday, April 1, 2005, and Wednesday, April 6, 2005.

41 Mr. Wolf presented the plat map, stating that the large pond located on the southeast section of  
 42 the property is navigable and will require a thousand-foot arch. The smaller pond located on  
 43 outlot 27, will require some grading. A large segment of the roadway is in the shoreland area,  
 44 which requires review. Another independent development is projected on the adjacent  
 45 property, which will provide the second point of entry for this development. Dr. Ralph Olson  
 46 and Mrs. Ralph Olson were present to voice their concerns about the endangered Blanding  
 47 turtle. It was stated that no ponds will be filled and Mr. Graff pointed out the Non-development  
 48 zones. The Public hearing was closed. Mr. Wolf stated that staff had no concerns with the  
 49 project.

1 Moved by Mr. Tennes, seconded by Ms. Wilke to approve the Conditional Use Permit for  
 2 excavating, filling, grading in a Shoreland/Wetland Zoning District for Castle Development  
 3 LLC II, and allow the construction of a roadway in excess of 15,000 square feet. Motion  
 4 carried.

5  
 6 **PUBLIC HEARING: CONDITIONAL USE PERMIT FOR EXCAVATING, FILLING,  
 7 OR GRADING IN A SHORELAND ZONING DISTRICT – Marek J. & Bogumila  
 8 Gawalek, SW ¼, Section 35, Town of Polk, 3632 Pioneer Road, Polk – New Residence and  
 9 Driveway**

10 Present: Joseph Heinen.

11 Deputy County Clerk Bergum read the Notice of Public hearing that was published in the West  
 12 Bend Daily News on Friday, April 1, 2005, and Wednesday, April 6, 2005. Mr. Heinen  
 13 presented the proposed project on the plat map. There were no comments made and the Public  
 14 hearing was closed. Staff did not have any concerns with this project however recommended  
 15 that fill not be allowed to be put in any wetland areas.

16  
 17 Moved by Mr. Tennes, seconded by Ms. Krumbiegel to approve the Conditional Use Permit  
 18 for excavation, filling, grading in a Shoreland Zoning District for the construction of a new  
 19 residence and driveway for the Gawaleks, with the condition that no fill is to be put in the  
 20 wetland areas. Motion carried.

21  
 22 **PUBLIC HEARING: CONDITIONAL USE PERMIT FOR EXCAVATING, FILLING,  
 23 OR GRADING IN A SHORELAND ZONING DISTRICT – Washington County  
 24 Planning and Parks Department, NW ¼, Section 27, Town of Farmington, 8025 Orchard  
 25 Valley Road, West Bend – Construct Roadway, Parking Areas, Beach, Fishing Pier,  
 26 Carry-In Boat Launch, Play Area, Restroom, and Wet Detention Ponds**

27 Deputy County Clerk Bergum read the Notice of Public hearing that was published in the West  
 28 Bend Daily News on Friday, April 1, 2005, and Wednesday, April 6, 2005.

29 Present: Washington County Landscape Designer Cindy Leinss

30 Ms. Leinss presented a PowerPoint presentation illustrating the plat map of Leonard J. Yahr  
 31 County Park. It was stated that when all the permits have been issued, construction would  
 32 begin on the restrooms. Of the eleven existing buildings on the property, nine will be  
 33 demolished with the completion of this project. A wet detention pond will be constructed to  
 34 detain the water and control the runoff, preserving the existing water runoff patterns. An upper  
 35 parking lot will be graded and gravel put down; if funding permits, it will be paved. The beach  
 36 will be widened and lengthened and a playground constructed. Concerns were heard, and  
 37 photographs presented from Michael Monte, in regard to water runoff from what is now the  
 38 apple orchard. The Public hearing was closed.

39  
 40 Moved by Ms. Krumbiegel, seconded by Ms. Wilke to approve the Conditional Use Permit for  
 41 excavating, filling, or grading in a Shoreland Zoning District for the construction of a roadway,  
 42 parking areas, beach, fishing pier, carry-in boat launch, play area, restroom, and wet detention  
 43 ponds, and the County Engineer will work with Michael Monte in regard to the existing water  
 44 runoff situation. Motion carried.

45  
 46 **CONDITIONAL USE PERMIT FOR EXCAVATING, FILLING, OR GRADING IN A  
 47 SHORELAND ZONING DISTRICT – RECONSIDERATION - Raymond & Pat  
 48 Steinbauer, Government Lot 3 Section 30, Town of West Bend, 5523 Peninsula Drive,  
 49 West Bend – Remove Retaining Wall and Stairs and Construction of New Retaining Wall,  
 50 Parking Area and Stairs**

1 Mr. Wolf stated that this has been brought before the Committee in the past on numerous  
 2 occasions. Deputy Attorney Chris Ohlis had met with the Committee to present her  
 3 interpretation of the Warrantee Deed for Ms. Roth, adjacent landowner opposing the project,  
 4 and answered questions that the Committee had. Staff does not have any concerns with the  
 5 design or proposed plans although, they would like to see adequate plantings in front of the  
 6 retaining wall and screening and squalls where required.

7  
 8 Moved by Ms. Krumbiegel, seconded by Mr. Tennes to approve the Conditional Use Permit  
 9 for excavation, filling, grading in a Shoreland Zoning District for the construction of a new  
 10 retaining wall, parking area and stairs. Removal of the existing stairs, removal of a portion of  
 11 the existing retaining wall, as directed by the Board of Adjustment, and put in place all required  
 12 screenings and squalls, at staff’s discretion. These projects must be completed by September 1,  
 13 2005, as directed by a Judge’s discretion. Motion carried.

14  
 15 **PRELIMINARY PLAT REVIEW: APPROVING AUTHORITY – Woodcrest Ridge**  
 16 **Estates, NW ¼, Section 17, Town of West Bend, Castle Development LLC II– Owner**

17 Mr. Wolf presented the plat map explaining that the secondary point of entrance to the  
 18 development will be in conjunction with another proposed independent commercial  
 19 development adjacent to the property. Soil tests have been completed on the site. The large  
 20 pond located on the southeast section of the property is navigable and will require a thousand-  
 21 foot arch. The smaller pond located on outlot 27, will require some grading. Recommendations  
 22 from the State for benchmarks and clarification of the renumbering of lots 26, 27, and 28 need  
 23 to be made before approval of the final plat. A letter was read from Highway Department  
 24 Project Technician Nick Becker stating that no structures or vegetation, to exceed 30 inches,  
 25 obstructing the vision triangle.

26  
 27 Moved by Mr. Beistle, seconded by Mr. Tennes to approve the preliminary plat for Woodcrest  
 28 Ridge Estates with the condition that benchmarks are in place and clarification of the  
 29 renumbering of lots 26, 27, and 28 be completed as recommended by the State. There is to be  
 30 no structures or vegetation, to exceed 30 inches, obstructing the vision triangle. Motion  
 31 carried.

32  
 33 Mr. Beistle left the meeting at 3:43 p.m.

34  
 35 **PRELIMINARY PLAT REVIEW: OBJECTION AUTHORITY SUBDIVISION –**  
 36 **Country Belle Manor, SW ¼, Section 19, Village of Germantown, 16 Lots, 2 Outlots –**  
 37 **Country Belle Manor, LLC – Owner, C/O Emmer Real Estate Group**

38 Present: Gary Schneider, with Kapur and Associates.

39 Mr. Wolf presented the preliminary plat map for the proposed development. The Village of  
 40 Germantown has approved the on-site systems. The development will have two small cul-de-  
 41 sacs and two outlots set aside for stormwater. Berms will be completed along the sides of Amy  
 42 Belle Road and Highway 175. Staff does not see any objections to the proposal,  
 43 recommending that benchmarks be in place before approval of the final plat.

44  
 45 Moved by Mr. Tennes, seconded by Ms. Wilke to approve the preliminary plat for Country  
 46 Belle Manor with the condition that benchmarks are in place before approval of the final plat.

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 48 **APPROVAL OF MINUTES**

49 Moved by Mr. Tennes, seconded by Mr. Stern to approve the PCPC minutes of March 30,  
 50 2005. Motion carried.

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**OTHER BUSINESS - Consideration of Change Order for Phenco Inc. for Work Being Done at Henschke Hillside Lake Access**

Due to the delays incurred with this project from negotiations and debates with the Town of West Bend, Ms. Sielski presented the requested change orders, indicating the increase in material and labor costs from 2004 to 2005. The increase will total \$29,274.58. If this change is approved, construction will begin on April 18, 2005. Negotiations on labor have been attempted with no resolve. Ms. Sielski will be submitting a letter to Phenco Incorporated, stating that the County will only accept future credits and no other debits.

Moved by Ms. Wilke, seconded by Mr. Tennes to approve the Change Order for Phenco Incorporated totaling \$29,274.58, with the County only accepting further credits, and no additional debits. Motion carried.

**ADJOURNMENT**

Moved by Mr. Tennes, seconded by Mr. Stern to adjourn the PCPC meeting at 4:08 p.m. Motion carried.

Shari L. Bergum, Deputy County Clerk