

# Town of Whitewater Town Board Meeting Minutes

## Wednesday, May 13, 2015

### 7:00pm

Present: Lowell Hagen, Norman Prusener, Bob Strand, Carrie Hintz

The minutes of the April 30, 2015 special town board meeting were reviewed. Norm made a motion to accept the minutes as written. Bob noted that the Krahn Road should be changed to Krahn Estate and motion seconded by Bob with that change. The motion passed unanimously.

Clerk report – Carrie reported that we received a DNR recycling grant of \$5412.14, which is basically the same amount as 2014. Independent Inspections, Ltd. has joined with SAFEbuilt and will work under the SAFEbuilt name going forward, but our contacts will remain the same. Walworth County heroin summit to take place May 27 at Delavan-Darien High School and everyone is welcome.

Treasurer report – Carrie read the account balances. Norm made a motion to accept the Treasurer's report as presented, seconded by Bob. Motion passed unanimously.

1<sup>st</sup> Side Supervisor – Norm reported a rescue squad complaint because there are 3 houses (Sdano, Fellin, Fay) off of Parker Road and their fire numbers are grouped together but their houses aren't marked with their addresses. Town will send a letter asking them to put their address on their house in case of an emergency. Same situation off of Ridge Road with 8 houses, but old fire numbers are mounted on the houses.

2<sup>nd</sup> Side Supervisor – Bob reported that he met with Matt from Payne & Dolan to look at Woodward Road and got ideas for repairs. Stump shouldn't be removed. Worked with Steve chipping brush. Truck needs some major repairs or replacement. Flowing well garbage can that the Lions Club wants to put in was ok'd by Vincent Anderson.

Chairman – None

Sheriff's Department Incident Report – John Adams read report (see attached).

Woodward Road repair and paving – Bob met with Matt of Payne and Dolan. The road just north of the RR tracks is falling apart and alligatored with cracks. Matt thought it was a 5 on a scale of 1 to 10. In 2013 the paving report was slated at a 7 posted by a state official. Mary's farm on the east takes a milk truck every other day and the road is falling apart out of her driveway and going south to Bluff Road. Culvert is in ok shape. Recommended road work from tracks north to the corner. Matt suggested filling in potholes, taking out up to 20' north of the tracks, and then overlay. Possible wedging work. Railroad would provide a flagger, but Bob doesn't know if there's a cost. Railroad plans to redo the track there in 4-5 years and they'd just cut at wherever we ended. Property owners on that road think the sod farm is causing the road issues. Carrie to send letter to Lurvey Farms to keep loaded sod trucks off of Woodward Road. At the corner at the north end of the road they'd like the brush cut back. Bob thinks ditching E. Lakeshore Drive should be priority. Will wait and see on Woodward Road depending upon road budget availability.

Larry Jacob requests at N7405 Ridge Road – Larry presented his involved project. Property was neglected for 25 years and is uninhabitable in function and safety. He's received three letters of support from neighbors for his proposed project. He feels it will be aesthetically pleasing and improve water management. Norm said he's been out there 5 times and has spent hours reading the paperwork. Lot has many limitations, but the current proposal blocks everything off of the street, filling higher than the road. Bob said that he doesn't like the garage setup and the street yard setback. He thinks the garage should be parallel to the house. Shouldn't be a traffic issue. Deck on the back says to go for 46.94' so that it's at the average required setback. The 6" for the walk out will be minimal grade change and minimal fill gets put back to get the crawl space / basement done. Suggested raising the house up 4' for the basement.

1. construct accessory structure 1' from the road right-of-way – Larry said the property is pie shaped and he would like a 24'x 24' detached garage. Most garages on Ridge Road are very close to the road due

to small lot sizes. Would like storage and room under the garage with a walk out. Norm's concerned with the water and would have liked to see the garage in front of the house. The lot is prone to erosion and adding the garage structure where proposed will add to the water problem so that it goes back into the road. Larry said he's reducing the amount of water flow with the proposed location of the garage. When current septic goes bad, Norm believes the new septic will need to go where the garage is currently proposed. Discussed amending Larry's request. Norm made a motion to amend and ok a 0' setback on the north 35' to build a garage out from the house to the lot line, as is the case on most of Ridge Road, seconded by Bob. Motion passed unanimously.

2. construct a retaining wall in the road right-of way – Larry said the boulder wall will cover much of the block from the garage and provide the proper water shed management. Norm said this would be an encroachment agreement and the town doesn't want people building in the town right-of-way. Norm made a motion to deny, seconded by Bob. Motion passed unanimously.
3. construct a deck on the house 3' from the side lot line and 46.3' from the ordinary high water mark – Larry would like the deck off of the garage (not house) to look aesthetically pleasing. No intrinsic value. Larry would like to fill in rectangles on deck corners which is 7" closer to the water. This would allow access to the existing deck that is beyond the roofline. Bob made a motion to deny, seconded by Norm. Motion passed unanimously.
4. grade changes at house – Norm doesn't see the benefit and he thinks the house could be raised to make a basement with a 3' egress coming up out of that area. Bob made a motion to deny, seconded by Norm. Motion passed unanimously.
5. Replacement deck and landing in the shoreyard will be 0' from the ordinary high water mark and 0' from the sideyard – Larry said the current structures are decayed and currently encroach 18" on the neighbor's property. Board indicated that since there wasn't a permit from before 1975, they don't think the county will allow this. Bob said statutes say he can repair but not replace the decking. Bob made a motion to deny, seconded by Norm. Motion passed unanimously.
6. Retaining walls in the shoreyard – Larry would like to rehabilitate the shoreline because the existing walls are decayed. Board agrees that the shoreline retaining walls need to be repaired and control erosion. Norm made a motion to approve, seconded by Bob. Motion passed unanimously.
7. Grade changes at the shore – Larry would like to install a GeoWeb retaining wall at the water. Shoreline can't be repaired by simply grading. Bob said he'd like to see if the GeoWeb works and keep it natural. Bob made a motion to deny, seconded by Norm. Motion passed unanimously.

Millis Road Bridge guardrail replacement – Bob reported that we received a bid from Century Fence of \$1895 for 2 steel beam highway guardrail panels and 5 treated wood posts with blocks. Walworth County sent an estimate of less than half of Century Fence. Bob made a motion to have Walworth County do the work, seconded by Norm. Motion passed unanimously.

Animal control budget resolution for Lakeland Animal Shelter – At the annual meeting in April, the board voted to contribute \$2,500 from the new buildings and maintenance money market account to the Lakeland Animal Shelter. Since this money wasn't in the 2015 annual town budget, the board must pass a resolution to adjust the 2015 annual budget. Norm made a motion to sign the resolution authorizing \$2,500 to come out of the new building and maintenance fund, seconded by Bob. Motion passed unanimously.

Road striping mileage – At a previous board meeting, the board voted to spend up to \$5,000 on road striping. Walworth County charges \$350-\$375 per hour labor and averages 7.5 miles per hour per stripe (3 stripes needed if center and side lines). Paint costs about \$7.50 per gallon and they use about 17.5 gallons per mile. The roads most in need of striping are Kettle Moraine (3.7 miles), Willis Ray (2.2 miles), Clover Valley (3.9 miles), Townline (2.8 miles), Bluff (2.0 miles), and Engel. However, the budget won't cover center and side striping all of these roads. Bob made a motion to center stripe all 6 roads and side stripe Willis Ray and Townline, seconded by Norm. Motion passed unanimously. The town will mark the center lines.

JNT amended conditional use boat storage request at W7893 Hwy 12 – Jeff Widner found out that he's storing boats outside of his approved area. Property is zoned for it, but needs amended conditional use. The future plans show three additional buildings and he's currently grading. He's going to build one building before fall and another next year. Jeff would prefer to have as much inside storage as possible because it's cheaper than shrink wrapping and deters theft. Intent is to keep outside storage in between buildings. Conditional use permit says boat storage and goods directly associated with so piers and boat lifts are ok. Lift and pier storage is between the buildings. This year there weren't any boats along the outside of the

property or over along the north side of the property as shown in the aerial photo. Will install an 8' high chain link fence with slats/panels within the next year that will basically go around the entire area. Fence is a separate permit. Within 2 years all storage will be between the buildings. Norm said that other communities are trying to keep from having boats outside. Lowell would like all storage within the slatted fenced area to keep it decent looking. Bob made a motion to approve the conditional use with the caveats that the boat storage will be between the buildings which will be built within 2 years and the slatted/panelled fence will be installed around the perimeter, seconded by Lowell. Motion passed unanimously.

D&J Gifts conditional use boat storage request at W8744 Parker Road – Mr. Klumb would like to store boats only (no lifts or piers). Lauderdale will only be renting two of the three buildings in the future. Board commented that drivers can see the boats when coming from the west on Highway 12. Mr. Klumb feels the design of the land and the height of the hill makes it more aesthetically pleasing from Highway 12, especially if boats are placed further back. Mr. Klumb would not install fencing due to the cost. Suggested all white shrink wrap instead of blue. Resident said that the property is zoned A4, which doesn't allow for any outside boat storage, only agricultural. Should be zoned B4. Bob made a motion to approve the conditional use request as long as boats are stored behind a line west of the south edge of the existing building so no boats are stored behind Highway 12 and the south edge of the building, seconded by Norm. Motion passed unanimously. Bob will drive a stake in the ground for the imaginary line and Dennis will take a photo to bring to the county.

Other town business – Norm is wondering if he should get the two plastic 15" x 40' length culverts ordered and delivered from Menards. They are about \$8 per foot and \$15-\$18 for couplings. Town would install. Need to hire someone to dig and we could bring in the stone, tractor to put in gravel, install, and clean up. Need these installed before asphalt road work begins in early July. Board agreed to order culverts.

Bob discussed E. Lakeshore Drive drainage issue with Art and Cindy Schmitz, Andy Wojdula, and Jim Harman. Nancy Haser was sent a letter on April 23 giving 60 days to remove the retaining wall. A 15" culvert has been reduced to a 4" culvert. Bob found the south end of the culvert but thinks the north end of a culvert is under Chad Malicki's driveway and would have to be opened up once located. Art thinks opening this culvert will cause issues on his and neighbor's property when the water is dumped across the road onto the septic tank drain fields. Water sits on three lots on the lake until it soaks into the ground. Gravel and sand also end up on their lots. Art suggested a standpoint at the 4" culvert that the town wants to open. Neighbor's already sloped onto Art's property and would like to create a swail on the lot line to divert the water with his building plan. Art thinks ditching would solve all of the neighbors' issues. Lowell said that last year we wanted to ditch to Cruse Lane but couldn't get anyone to do it for our budget. Art thinks if it was ditched by Chad and Jim's driveways for 135' then most of the water would run to open culverts down to Cruse Lane. There are a few culverts that could be opened up if it was moderately ditched. Jim Harmon said that the state statute requires the town keep the culverts open and there are several that are blocked. If we ditch, then Jim Harmon would put in a culvert under his driveway. Need to shoot the grade so Jim knows where to put the culvert. Ditching should start east of Jim's house and go west to Cruse Lane. Art recommended calling Digger's Hotline before ditching and that gas and electric lines are supposed to be 30" below grade.

Bob Strand said that Bob Harris has been out brush cutting, but the cutter is down with a computer glitch. Norm would prefer if entire roads were completed before moving to the next road. Bob Strand told Bob Harris that anything that's hanging over the road needs to be cut back. Lowell asked if Steve is capable of using the equipment in the mornings while Bob does other work in the morning. Then in the afternoon Bob could cut brush.

Public input – Jim Harman asked if patching has been done on Island Road west of Highway 89. Norm said it's been patched.

The board paid bills.

Norm made a motion to adjourn at 9:38pm, seconded by Bob. The motion passed unanimously.

*Respectfully submitted by Carrie Hintz, Clerk/Treasurer*