

TOWN OF SCOTT, BROWN COUNTY, WISCONSIN

MINUTES OF PUBLIC HEARING

TO CREATE AN ORDINANCE IN REGARD TO
SIDEWALK AND DRIVEWAY CONSTRUCTION

December 16, 2008

1. Call To Order

A Public Hearing was called to order at 6:20 P.M. on December 16, 2008 in the Town Hall by Chairman Mike Van Lanen. Present were Chairman Van Lanen, Supervisors Cyril Van Laanen, Kenneth Jacobs, Jeffrey Zlatohlavek, Tom DePas, Clerk/Treasurer John Roth, Planner Dave Cerny.

2 Affidavit of Posting.

An Affidavit stating that the notice of the hearing had been published in the Green Bay Press Gazette and posted as required in the Town was presented by the Clerk.

Motion **CY VAN LAANEN/KEN JACOBS** to approve the affidavit of posting. Vote: Aye-5, No-0. Carried.

3. Purpose of the Hearing

The purpose of the hearing is to obtain input from interested persons concerning the creation of a Driveway Ordinance.

The following is a summary of the Ordinance:

The purpose of the hearing is to obtain input from interested persons concerning the creation of a Driveway Ordinance for the purpose of protecting the health, safety, comfort, general welfare, and to ensure the value and enjoyment of private property of the residents of the Town, the Town of Scott shall consider the creation of a driveway ordinance.

Any driveway or approach is to be constructed for solely for the purpose of securing access to a property and not for the purpose of parking or servicing vehicles, or for advertising, storage or merchandising of goods on the town road right-of-way.

The following standards shall apply to all driveways and private vehicular access points to public roads constructed with curb and gutter; 1) All curb cuts must be inspected prior to pouring of concrete. 2) No driveway shall exceed the following widths at the curbline: Single Drive-17 feet, Double Drive-30 feet, Duplex-40 feet. 3) The measured opening of the driveway at right-of-way line or if sidewalk is to be placed use the sidewalk line plus a 3 foot flair (maximum) on each end of the driveway at the gutter line. 4) Concrete is the only acceptable material to form any portion of a curb section

The surface of the driveway connecting with rural type town road sections shall slope down and away from the town road shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing onto the town road. The driveway shall not obstruct or impair drainage in town road side ditches or road side areas. Driveway culverts shall be adequate for surface water drainage along the town road and in no case less than the equivalent of 18 inch diameter pipe in new or like new condition by 26 feet in length minimum. Diameter to be determined by Town representative or hydraulic study if deemed necessary by the Town representative. The length of the pipe shall be determined by owner according to the

specified details for rural driveways. Pipe material shall be either corrugated metal or concrete.

Driveway side slopes shall be of earth material only. No concrete, stone or bituminous side slopes shall be constructed. End walls are required. The slope of the walls shall not be steeper than a 4:1 slope and the elevation of the walls shall not protrude above the grade of the driveway.

Rural driveways may be gravel, asphalt or concrete. If concrete is used in the Town right-of-way and the Town needs to remove the concrete for any reason it shall be replaced with asphalt. With the permission of the Town, the property owner may have concrete put back in by the Town contractor if the Owner pays the difference between the concrete and asphalt.

Driveway culverts that exceed 100 feet in length may need intermediate manholes adequate for cleanout purposes. Specifications on manholes to be approved by the Town of Scott.

Chairman Van Lanen read the public hearing notice.

Cerny explained the ordinance. There would be an application and a permit applied for and an inspection done concerning a new driveway or a revised driveway. Someone would need to issue the permit and do the inspection. Who will do the inspection? The building inspector could do the inspection for a new home new driveway. With the Storm Water Management requirements, no one should be installing any driveway without a permit and inspection. Cerny also shared the comments from Engineer Scott Brosteau. Brosteau had some corrections and suggestions.

There needs to be a disclaimer concerning the portion of the driveway that is in the right-of-way, both new and pre-existing. The property owner is responsible and liable for improper driveways/culverts in the ditch.

Roth made the suggestion that a certified building inspector be stationed in the Town office a portion of a day to deal with questions and to deal with driveway permits and building permits and possibly sanitary district permits.

The Town already charges \$300.00 for a right-of-way use permit.

No one was present from the audience to open the floor to public comment.

5. Adjourn

Motion to adjourn by **CY LAN LAANEN**, second by **KEN JACOBS**. Vote: Aye-5, No-0. Carried.
Adjourned at 6: P.M.

John J.Roth, Clerk