

Minutes

Town of Ledgeview Zoning & Planning Commission

September 11, 2013

Members Present: Chairwoman Jane Tenor, Vice Chairman Mark Handeland, Mark Chambers, Chet Lamers, Renee Van Rossum, Al Case and Rebecca Afshar.

Support Staff Present: Dustin Wolff(Town Planner), Sarah Burdette(Clerk/ Administrator) and Renae Peters(Recording Secretary).

The meeting was called to order at 6:02pm by Chairwoman Jane Tenor.

Approve/ Amend Agenda: Mark Handeland made a motion to move items 7a. and 7b. before item 6 New Business and to review item 7b. before 7a. Mark Chambers seconded the motion. Motion carried. Rebecca Afshar made a motion to approve the agenda with the above changes. Jane Tenor seconded the motion. Motion carried.

Minutes: Mark Handeland made a motion to approve the August 14, 2013 minutes as written. Renee Van Rossum seconded the motion. Motion carried.

Public Hearings: None

Sarah Burdette introduced Dustin Wolff to the Commission as the new contracted planner to help with planning, zoning and economic development issues.

Old Business:

b. The Commission continued their review on the request by Steve Zeitler, agent for Mark Laack, owner, to rezone parcel D-401 from RR Rural Residential to R-1 Residential. Single-family development of the parcel is consistent with surrounding uses and suitable for the property. The parcel follows the trend of developing agricultural property into residential. Brown County will allow potential Lot 2 and 3 to share road access but Rebecca Afshar feels the location of the access is unsafe. There will be a future Town Board public hearing on this matter if recommended for approval. **Mark Handeland made a motion to recommend approval of the request to rezone parcel D-401 referencing Resolution ZPC 2013-001 (see item "a" below).** Renee Van Rossum seconded the motion. **Ayes: Case, Chambers, Handeland, Tenor, Lamers and Van Rossum. Nae: Afshar. Motion carried.**

a. The Commission continued their review of the request by Steve Zeitler, agent for Mark Laack, owner, for a Certified Survey Map to split parcel D-401 into three lots. Width, area and setback requirements are met. The Commission was concerned if there is enough buildable area on Lots 2 and 3 due to the sloping topography, wooded landscape and navigable waterways on the lots. Mr. Zeitler explained Brown County asked for the top of the slope to be identified on the CSM with a 20' setback from the top being the buildable area. The Commission asked for the buildable area to be cross-hatched. **Chet Lamers made a motion to recommend approval of the Certified Survey Map for parcel D-401 with the following conditions: 1. The buildable area on top of the slope on Lots 2 and 3 be designated with cross-hatching. 2. Restrictive Covenant #2- period should be removed after "A".** The motion references Resolution ZPC 2013-001, Recommendation of Approval of a Certified Survey Map and to Rezone from RR, Rural Residential District to R-1, Single-Family Residential District for the Laack Property Located at 3100 Heritage Road. The motion was seconded by Mark Handeland. **Ayes: Case, Chambers, Handeland, Tenor, Lamers and Van Rossum. Nae: Afshar** due to the unsafe nature of the type and speed of traffic and design of the road near the lots' access.

New Business:

- a. The Commission reviewed the request by Bushman Sign, agent for Advanced Disposal, owner, to revise signs located at 1799 CTH PP/ Broadway. The signs are being rebranded from Veolia to Advanced Disposal. Code 79-13C requires foundation signs not to exceed 8' in height. Sign S1 is proposed to be 10' 8" and will have to be reduced to meet code. A landscape plan must also be submitted. There is a private, public safety stop sign on the property, set back from the road. **Chet Lamers made a motion to recommend approval of the sign revisions with the following conditions: 1. Revise the overall height of the foundation for item S1 reducing it by 2'8". 2. Provide a landscape plan for the foundation sign. Mark Handeland seconded the motion. Motion carried.**
- b. The Commission reviewed the request by Robert Ott, agent for First Merit Bank, owner, for signs located at 1926 Dickinson Road. The signs are being rebranded from Citizen's Bank to First Merit Bank. Mr. Wolff informed the Commission that the staff's concerns about excessive ATM signage were in error because they are pre-existing signs, not new ones. **Rebecca Afshar made a motion to recommend approval of the sign request. Renee Van Rossum seconded the motion. Motion carried.**
- c. The Commission reviewed the request by Bill Thomas, owner, for a sign addition located at East River Square on Redbird Cr., parcel D-427-111. The existing sign is non-conforming per code 79-14 and no changes can be made to the sign to increase its degree of non-conformity. The addition of an electronic message board would increase the non-conformity. The property owners were notified twice of the non-conformity of the sign and the addition but did not reply back to staff. **Mark Handeland made a motion to table the review of the sign at East River Square until the October 16, 2013 meeting to allow staff to work further with the petitioner. Rebecca Afshar seconded the motion. Motion carried.**

- d. The Commission reviewed the request by Tom and Tina Kaminski, owners, for a conditional use permit for a man-made body of water located at 3661 Caboose Ln. Mr. Wolff stated that the man-made body of water will have no adverse effect on the neighboring properties and, per the WI-DNR, will not harm the environment. Man-made bodies of water are not included in the Ledgeview Comprehensive Plan but are allowed in all zoning districts with a conditional use permit. ZPC Resolution 2013-002 will be filed on the property which will be useful for future planning due to the longevity of the body of water. There will be a future Town Board public hearing on this matter if recommended for approval. **Renee Van Rossum made a motion recommending approval of the Conditional Use Permit referencing ZPC Resolution 2013-002, Approval of a Conditional Use Permit for Thomas Kaminski for a Man-made Body of Water on the Property Located at 3661 Caboose Lane. Chet Lamers seconded the motion. Motion carried.**
- e. The Commission was informed that Cellcom asked for their request for a conditional use permit for their property at 2171 Dickinson Road be tabled. Mark Chambers requested that staff look into the condition of slats being required for a proposed chain link fence for wind load calculations. **Al Case made a motion to table the conditional use permit for the property at 2171 Dickinson Road until the October meeting. Mark Chambers seconded the motion. Motion carried.**
- f. The Commission reviewed the request by Mau & Associates, agent for Belle Isle Meadows, LLC, owner, to rezone parcels D-427-2, D-427-3 and D-427-4 from RR Rural Residential to R-1 Residential. The property is currently used for agricultural purposes but single-family use coincides with the Ledgeview Comprehensive Plan. Current road access follows Bingham Drive to Chase Ave. to CTH G or Chase Ave. to Angels Path to CTH G. There will be a future Town Board public hearing on this matter if recommended for approval. **Rebecca Afshar made a motion referencing ZPC Resolution 2013-003, Recommendation of Approval to Rezone Parcels D-427-2, D-427-3 and D-427-4 from RR, Rural Residential to R-1, Residential. Renee Van Rossum seconded the motion. Motion carried.**
- g. The Commission reviewed the request by Mau & Associates, agent for Belle Isle Meadows, LLC, owner, for a preliminary plat review of the Belle Isle Meadows subdivision. The plat allows for 49 single-family lots on parcels D-427-3 and D-427-4 with parcel D-427-2 as Outlot 1 containing wetlands and a future stormwater pond. Per the plat, Outlot 1 will be dedicated to the Town of Ledgeview in the future. The lots meet width, area and setback requirements. Current access consists of Altmeyer Drive to Bingham Drive to Chase Avenue to CTH G. Mr. Wolff explained that Lot 20, located in the northeast corner of the plat will have a 75' setback due to an environmentally sensitive area(ESA) caused by a creek and wetlands. The developer, Town Board and Park Committee will discuss possibly making this lot access to a future park. Construction access would be through the Dickinson Heights subdivision. Fire Chief Guns approved access and Mr. Wolff assured the Commission the roads could handle the heavy truck traffic. Mark Chambers commented that if the plat should be approved, cars from both Belle Isle Meadows and Dickinson Heights subdivisions would be using the Chase

Avenue/ CTH G access point. He was concerned about the number of cars using one access point and asked if a second access, possibly to CTH GV, was feasible. Mr. Wolff informed the Commission that a second access point to/from the west or east was not viable as the land is private property with multiple owners. Through the developer's agreement, the Town has the right to monitor and prohibit construction dirt and traffic issues. The Town can require the developer to set money aside for road maintenance and repairs. Chet Lamers pointed out that every person's home had at some point disrupted the properties around it was in favor of new development. He asked Mr. Wolff if there were alternative options to acquire the funds necessary to purchase right-of-way for a second access or if the plat infrastructure could be constructed in phases. Ms. Burdette informed the Commission that it is not Town policy to construct roads before development and wetlands halt immediate construction. If the infrastructure was constructed in phases, there would be added cost to the developer and construction in the winter would be preferred due to the low depth of sewer lines. Mark Chambers replied that he was more worried about access after construction occurred and if there was any recommendation they could make to accelerate a second access point to CTH GV. Mr. Wolff said possible solutions could be impact fees, condemnation or bonding but all of these options required information or studies and it would effectively put the plat on hold. Pat Kaster, property owner and developer, stated they had no control over the wishes of the adjacent property owners. **Mark Handeland made a motion to open the meeting to public comment at 7:20pm. Chet Lamers seconded the motion. Motion carried.** Kay Handrick, 1406 Bingham Drive, stated she was not opposed to the Belle Isle Meadows development but that she had a few safety issues to inform the Commission about. These issues included:

1. Consistency of lot size with Dickinson Heights. The Belle Isle Meadows lots seem smaller.
2. Amount of cars and other traffic through the neighborhood.
3. The amount of traffic and how it will negatively affect the safety of the children in the Dickinson Heights subdivision.

Ms. Handrick said she thought the access to CTH GV would be constructed before any further development to the north took place.

Kelly Dvorak, 1404 Angels Path, asked if the developer knows who the homebuilders would be. Ms. Burdette answered that the developers themselves were builders noting that Keith Garot was one of them.

Dennis Belter, 1439 Bingham Drive, echoes the thoughts of Ms. Handrick and Ms. Dvorak and wanted to point out that 4 school buses travel in front of his home already. He stated that Bingham Drive has been repaired once already and wants the new development to help with any future road repairs in Dickinson Heights.

Renee Van Rossum made a motion to close the meeting for public comment at 7:30pm. Chet Lamers seconded the motion. Motion carried. Developer Pat Kaster noted that they, the developers, would have the right of plan approval to ensure good quality homes will be built within the subdivision. Chet Lamers

mentioned "cookie cutter" homes wouldn't be aesthetically pleasing but the developer said lot owners would have their own choice of builder. The Commission asked why Lot 20 was created because in doing so, Lots 14-19' road frontage shrunk from 100' to 90'. Mr. Wolff replied that adding Lot 20 made Lots 14-19 more consistent with the other lots in the plat and facilitated the potential park access on Lot 20 better. The Commission asked if the De Pere School District was aware of the additional students a plat of this size might bring. Ms. Burdette answered that while the school district is not aware of this particular plat yet, they are aware of the general development plan of the area and are prepared for potential additional students. The Commission was worried that they would be setting a precedent for one-access developments in the future should they approve this plat for Belle Isle Meadows. The Commission asked if a study could be done to monitor how many vehicles and of what type Bingham Drive and Chase Avenue could handle and at what point, number of cars-wise, they can't handle the traffic load. **Rebecca Afshar made a motion to table the review of the preliminary plat for Belle Isle Meadows subdivision until a traffic study could be done for existing and future vehicle traffic on Bingham Drive and Chase Avenue. Al Case seconded the motion. Ayes: Case, Chambers, Tenor, Lamers, Afshar and Van Rossum. Nae: Handeland. Motion carried.**

- h. The Commission reviewed the memo from Sarah Burdette on the consultant to conduct the Ledgeview Comprehensive Plan revision. The first choice vendor was Community Planning, Inc. with Mead & Hunt, Inc. as the second choice. Community Planning had a number of charges for "extra" services but Renee Van Rossum said they were for services the Town didn't need. Community Planning's rates were lower than Mead & Hunt's. The Town Board will make the final decision on which contract to award at the September 17, 2013 meeting. **Mark Chambers made a motion to recommend contracting with Community Planning Inc. for the Ledgeview Comprehensive Plan revision. Chet Lamers seconded the motion. Motion carried.**

Old Business:

c. Joan Pansier, 3870 Dickinson Road, was present to listen to the Commission continue to discuss the model Agricultural- Farmland Preservation (AG-FP) ordinance text, however, due to the lateness of the hour, Jane Tenor made a motion to table the review to continue at the October meeting. **Mark Handeland seconded the motion. Motion carried.**

Zoning Administrator Report: None

Communications: None

Renee Van Rossum made a motion to adjourn at 8:40pm. Rebecca Afshar seconded the motion. Motion carried.