

Minutes

Town of Ledgerview Zoning & Planning Commission

April 13, 2016

Members Present: Chairperson Jane Tenor, Vice Chairperson Mark Handeland, Chet Lamers, alternate Nedd Niedermeyer, Renee Van Rossum, Taurino Garcia and Mark Chambers. Rebecca Afshar was excused.

Support Staff Present: Dustin Wolff (Town Planner) and Renae Peters (Recording Secretary)

The meeting was called to order at 6:00pm by Chairperson Jane Tenor.

Approve/ Amend Agenda: Renee Van Rossum made a motion to approve the agenda as posted. Mark Chambers seconded the motion. Motion carried.

Minutes: Mark Handeland made a motion to approve the March 16, 2016 minutes as written. Renee Van Rossum seconded the motion. Motion carried with Nedd Niedermeyer and Taurino Garcia abstaining due to absence.

Public Hearing: None

New Business:

- a. The Commission reviewed the request by Vicky Stadther of Mc Donald's for menu board signs at 1373 S. Broadway, parcel D-470-3-66-1. A site plan for parking and drive-thru improvements was reviewed by the Commission and Town Board in late 2015. At that time, the sign code did not allow a second menu board to be installed and limited the size of the sign. A code amendment allowing for a second menu board and increasing the size requirements was passed in January 2016. **Mark Handeland made a motion to recommend approval of the proposed menu boards at Mc Donald's. Nedd Niedermeyer seconded the motion. Motion carried unanimously.**
- b. The Commission reviewed the request by Sarah Peters of Jones Sign, agent for Nicolet National Bank for door, monument and directional sign changes at 3223 Main St., parcel 122-8. The sign changes are due to a rebranding of the bank to Nicolet National. The request includes a removal of the existing pylon sign to be replaced with a monument sign and landscaping. The proposed directional signs are larger than code allows, however, Nicolet National is already revising the directional signs to comply with code. **Nedd Niedermeyer made a motion to**

recommend approval of the proposed Nicolet National sign changes with the following conditions:

1. Provide a landscape plan showing landscape area dimensions and plantings in accordance with Section 79-11(A) prior to issuance of a building permit.
2. Directional signage revised to comply with Section 79-3, specifically lower the height and reduce the size to be considered directional signage.
3. No sign will be illuminated between the hours of 11:00pm and sunrise unless the premises are open for business during that time.

Mark Handeland seconded the motion. Motion carried unanimously.

- c. The Commission reviewed the request by Sarah Peters of Jones Sign, agent for Nicolet National Bank for building façade, monument and directional sign changes at 1395 s. Broadway, parcel D-470-3-66-2. This item is related to the previous regarding a rebranding of the bank to Nicolet National. The petitioner is removing all building façade signs and has the same issue as above with the size of the directional signs otherwise all signs meet code requirements. There will be an electronic message board added to the monument sign. **Renee Van Rossum made a motion to recommend approval of the proposed Nicolet National sign changes with the following conditions:**

1. Provide a landscape plan showing landscape area dimensions and plantings in accordance with Section 79-11(A) prior to issuance of a building permit.
2. Directional signage revised to comply with Section 79-3, specifically lower the height and reduce the size to be considered directional signage.
3. No sign will be illuminated between the hours of 11:00pm and sunrise unless the premises is open for business during that time.
4. Ensuring compliance with Section 79-16(A)(2) for the EMC: video display is prohibited, minimum message time of 4 seconds, minimum two seconds of blank screen between images is required, installation of an automatic dimmer to reduce evening brightness levels, certification that the light intensity has been factory preset not to exceed required levels and the EMC will be stationary between the hours of 11:00pm and 6:00am.

Taurino Garcia seconded the motion. Motion carried unanimously.

- d. The Commission reviewed the request by Ryan Radue for a rezone of parcel D-224, located on Dollar Lane at Dollar Road, from A-2 Agriculture to R-1 Residential. Rezoning the property complies with both the Comprehensive Plan and the Park Plan. Findings of fact include current land use as vacant with classification of adjoining properties as A-2, R-1 and RR, a suitability of the property for R-1 and a trend in development in the area from agriculture to residential. If approved the issue would move on to a public hearing at the Town Board level. **Mark Chambers made a motion to recommend approval of ZPC Resolution 06-2016 to rezone parcel D-244 from A-2 Agriculture to R-1 Residential. Mark Handeland seconded the motion. Motion carried unanimously.**

- e. The Commission reviewed the request by Ryan Radue for a Certified Survey Map (CSM) creating three lots on Dollar Lane, parcel D-224. The three lots would be R-1 Residential with the remaining area containing a stormwater pond and neighborhood park. The Commission was concerned about the depth of the residential lots allowing for sidewalk and curb and gutter improvements. The timing of the installation would depend on the reconstruction of Dollar Lane though traffic on the roads is a concern for pedestrians without sidewalks. The CSM does comply with a previously submitted Area Development Plan and meets lot width, lot area, setback, access, and stormwater requirements. **Mark Handeland made a motion to recommend approval of ZPC Resolution 07-2016 for a CSM creating three lots on parcel D-224. Nedd Niedermeyer seconded the motion. Motion carried unanimously.**
- f. The Commission reviewed the request by Susan Buchholz of the Unified School District of De Pere for a site plan for an addition and parking improvements to Heritage Elementary located at 1250 Swan Rd., parcel 428. The addition includes a covered, double-door entryway, resurfacing and restriping the parking lot and adding landscaping to the island near Swan Rd. The site plan meets lot area, setback, access and parking requirements. Code requires more landscaping than is proposed, however, there are vision and security issues. The school district is proposing minimal landscaping. After discussion the Commission agreed to the minimal tree plantings on Swan Rd. **Taurino Garcia made a motion to recommend approval of the site plan for an addition, parking and landscaping improvements at Heritage Elementary School, 1250 Swan Rd. Mark Handeland seconded the motion. Motion carried unanimously.**
- g. The Commission reviewed the request by Rob Wolter, agent for LKR Properties, owner, for a Conditional Use Permit (CUP) for a fence and private trails on parcel D-179. The property was used as a quarry until 15 years ago when it began to be haphazardly reclaimed. The property is zoned C-1 Conservancy which allows for private trail systems, fences, and parks as conditional uses. The petitioner is requesting an 8 ft. tall berm, which is regulated the same as a fence under code 135-15, and a private trail system with lighting. The original request includes a masonry security wall on top of the berm but the petitioner wishes to amend the request to replace the wall with natural plantings. The existing driveway will be paved and gated and lighting will match the property to the north. The Commission discussed setting a precedent approving an 8ft. berm and Mr. Wolff replied that there are other examples existing in the Town. The proposed plans are in harmony with the Comprehensive Plan, though the plan does not specifically address private trails, does not have a substantial adverse effect on adjacent property and is consistent with surrounding land uses. The benefit of restoring the land from its quarry use outweighs any adverse effects. **Mark Handeland made a motion to open the meeting to public comment at 6:59pm. Chet Lamers seconded the motion. Motion carried unanimously.** *Ryan Radue, 2111 Dollar Rd., commented that Town code defines Conservancy zoning as preserving natural areas which he believes is not happening in this instance. Mr.

Radue is also very concerned about drainage in the rear of the properties on the north side of Beachmont Rd. and the view that may be blocked by the proposed berm. He claims that a private park does not match the intended use of the property, healthy trees were removed, grading was disturbed and proper permits were not taken out. *Steve Radue, 892 Woodrow, Denmark, was concerned about the view of the Beachmont Rd. residents being blocked, protecting natural areas and that the land is zoned specifically to protect natural areas. *Thomas Olejniczak of LKR Properties, 1543 Fox Ridge Ct., De Pere, stated that the Town code allows for the proposed land use and that the parcel is being improved by cleaning up the mess that existed. He said they are working with the Town's Engineer to complete drainage issues. *Tom Sylvester, 3625 Beachmont Rd., considers the berm and trail a good thing for the property except for the blockage of the view. He understands the property owner's need for security and believes the drainage issues will be fixed. *Michael McCarthy, 3481 Meadow Sound Dr., explained that he waited for the property to go up for sale and bought it when the price was fair. He said wildlife will not be affected as there are still wetlands on the property. Dead trees were removed and grading was not changed. Mr. McCarthy stated that when the fill became available, he contracted to have the fill delivered to this property and proceeded to clean up the site. He is very concerned about his personal and property safety. *Rob Wocein of Bodart Electric gave a calendar of events beginning with the first delivery of fill, to the stoppage of work, granting of permits by the DNR and the Town, to the meeting with staff informing them of the conditional use process. He said drainage issues have been taken care of with the construction of a swale. *Ryan Radue, 2111 Dollar Rd., countered the timing of permits being granted and stated that he has photo evidence of original grading levels. *Steve Radue, 892 Woodrow, Denmark, asked if the participants could work out their differences by having the berm moved further north on the property. **Renee Van Rossum made a motion to close the meeting to public comment. Taurino Garcia seconded the motion. Motion carried unanimously.** The Commission discussed the reality that adjacent property owners must cope with any issues that arise when one or the other changes their own property. The Commission pointed out that a tall, thick grove of trees would accomplish the same blockage of view as the berm and the Commission and Board would have no say at all. Conservancy zoning is in place to preserve natural areas but the property was a manmade quarry. The proposed changes are considered an improvement. If approved the issue would move on to a public hearing at the Town Board level. **Mark Handeland made a motion to recommend approval of ZPC Resolution 08-2016 for a conditional use permit for a private park with berm, trails and lighting on parcel D-179. Chet Lamers seconded the motion. Motion carried unanimously.**

Old Business:

- a. The Commission briefly reviewed the code amendment language regarding Chapter 135, A-2 Agriculture. They had a brief discussion on placement of

“stables” in the code. The Commission had a consensus vote to obtain the opinion of the farming community on the proposed amendment language.

Comprehensive Plan Implementation:

Mr. Wolff asked the Commission if they would entertain having a summary design guide brochure for commercial and multi-family developers wishing to develop in the Town. Town code would give specific requirements but the brochure would be an easy-to-read tool for the developers to get a feel for what the Town is looking for in design. The Commission agreed. They also asked if it would be a good idea to form an Architectural Review Board and Mr. Wolff suggested a member or two of the Commission join the staff review when commercial or multi-family items come up for review.

Staff Report:

March items regarding Bel Gioioso Cheese Inc. were approved by the Town Board. The accessory building setback code amendment was tabled to be reviewed at the April 19 or May 2 Town Board meeting.

There are no known future agenda items at this time.

Communications:

The Commission was reminded that the Town’s Annual meeting is being held on April 19 at 7:00pm. The Commission congratulated Renee Van Rossum on being re-elected to the Town Board. Mark Handeland gave an update on the Brown County Planning meeting which included issues regarding a bike trail on Ledgeview Rd and federal funding for CTH GV extension.

Mark Chambers made a motion to adjourn at 8:29pm. Nedd Niedermeyer seconded the motion. Motion carried.

Minutes prepared and signed on April 14, 2016 by:

Rena Peters
Recording Secretary