

The Ledgeview Town Board held a meeting on **Monday, April 4, 2016, at 6:00 p.m.** at the Municipal Building located at 3700 Dickinson Road, De Pere, WI 54115.

A. CALL TO ORDER

The meeting was called to order by Chairman Danen at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all in attendance.

C. ROLL CALL

Members present were Chairman Philip J. Danen, Supervisors Andy Schlag, Renee Van Rossum, Ken Geurts, and Cullen Peltier.

Staff present were Clerk/Administrator Sarah Burdette, Treasurer Luann Pansier, Engineer Scott Brosteau, and Planner Dustin Wolff.

D. AGENDA APPROVAL

MOTION by Geurts/Van Rossom to approve the agenda. No further discussion. Motion carried in a voice vote, 5-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. March 7, 2016 Meeting Minutes.
 - b. March 22, 2016 Meeting Minutes.
2. Routine Reports: None.
3. Committee/Commission Reports: None.
4. Operator's Licenses:
 - a. March 19, 2016 through March 31, 2016.
5. Other Committee minutes. Accept and place on file:
 - a. February 10, 2016 Zoning & Planning Meeting Minutes
6. Pay Requests: None.
7. Special Event Permit:
 - a. Outdoor evening party with musical entertainment hosted by Tim and Lori Kneeland, 1400 Fox River Drive.

All items listed under "Consent Agenda" are considered to be routine and non-controversial by the Town Board and will be approved by one motion. There will be no separate discussion. If discussion is desired by members, that item will be removed from the consent agenda and discussed separately immediately after consent agenda is approved.

MOTION by Schlag/Peltier to approve the consent agenda. No further discussion. Motion carried in a voice vote, 5-0.

PUBLIC COMMENT:

Terry McNulty, 8th District Congressional Candidate – Mr. McNulty took the opportunity to introduce himself and his forum.

Ryan Radue, 2111 Dollar Road – Mr. Radue wrote a letter to the board explaining his concerns with the excavation project taking place on Lime Kiln Road. The board acknowledged receipt of the letter and requested staff to give a status update.

Staff indicated that a grading and soil erosion permit was issued for the project by the State and Town, which allows for the moving of dirt. The property is zoned Conservancy which does allow for certain private recreational facilities through a conditional use permit. There is a process to go through for a conditional use permit which will be done in the near future. Per the tour of the site, it appears that the work being done is within the privy of the permit; nothing is being built at this time. Staff could not speak as to removal of the trees, however, if the land is not located within an Environmental Sensitive Area (ESA) as determined by Brown County, there is no permitting for tree removal.

Curt Voss, 3585 Beachmont Road – The main attraction to purchasing his home was the conservancy located behind it. Mr. Voss gave his understanding of a conservancy is. Mr. Voss admitted the conservancy was an eye sore at one time and believes the owner has good intentions; however, would like some oversight to assure the rules are being followed.

The board reassured Mr. Voss that this is a new situation, staff is working on gathering the necessary information and that the rules are applied to everyone equally.

Patty Radue, 892 Woodrow Street, Denmark – Ms. Radue questioned if specific permits were issued. There were permits issued for the berming along Lime Kiln Road.

Steve Radue, 892 Woodrow Street, Denmark – Questioned the removal of the trees.

Staff clarified some misconceptions regarding tree removal. Unless a property is located within an Environmental Sensitive Area (ESA) as determined by Brown County, there is no permitting for tree removal. It's no different than a property owner whose zone residential from removing a tree. Conservancy is a zoning district; it doesn't prohibit the ability to improve the land, it simply means there won't be any residential development of that land. Town code defines conservancy which allows for private recreational space through a conditional use permit.

PUBLIC HEARING:

1. Pursuant to Wisconsin Statute 66.0617 regarding the Park Facilities Impact Fee Amendment.

The public hearing was opened for public comment at 6:16 PM.

Nicole Van Helden, 1132 Lansdale Circle, member of the Parks Committee – The Parks Committee worked hard to come up with a fair and adequate Park Impact Fee. With the projected growth and the existing parks, this fee should be to contribute to the maintenance of the existing parks as well as the establishment of new park and recreational facilities to promote healthy lifestyles.

After three calls for comments, none were heard. The public hearing was closed at 6:18 PM.

Staff advised that the park impact fees were studied as part of the Park & Recreational Plan Update. The original impact fee was established in 2004 as part of the development for Ledgeview and Scray Hill parks. The fee was used to repay principal bonds used for the improvements. The recent impact fees study that was included in the Park & Recreation Plan Update is to assure future improvements will continue to move forward. The study looked at projected growth, and facilities development to serve the growth, which is used to calculate the proposed impact fee.

There are two different options included in the plan; fee in lieu of parkland dedication and fee for development of the parkland. The town is focused strictly on neighborhood parks and community parks. The fee in lieu of parkland dedication is based on about 50 acres of growth to serve the projected growth, and cost per acre of raw land at \$18,000, which calculated out at \$931/dwelling unit. The development fee looked at standard park equipment, which ended up to be \$392/dwelling unit. Both fees are tied to the building permit. If there is dedicated park land within the proposed subdivision, only the development fee (\$392) would be tied to the building permit. If dedicated parkland is not included within the proposed subdivision, then both the fee in lieu of parkland (\$931) and the development fee (\$392) would apply at the time the building permit is issued. Therefore, on a typical 30-year mortgage, it would cost the homeowner about \$7.00/month.

Discussion ensued regarding options available for the developer and the town as well. The impact fee assures that the town is providing adequate facilities in a practical manner. Impact fee determination will be reviewed on a case-by-case basis at time of the plat review.

MOTION by Peltier/Geurts to approve the proposed Park Impact Fee. No further discussion. Motion carried in a voice vote, 5-0.

2. **On the request by the Zoning & Planning Commission on ordinance 2016-008 to amend Chapter 135 Zoning, Section 8-Definitions and Section 11-Building and Use Restrictions regarding Accessory Building.** The public hearing was opened for public comment at 6:32 PM.

John Fiddelke, 3800 Dickinson Road – Commented on the 100 square foot tool shed, which is typically a 10' x 10' shed on top of wood timbers which is difficult to have a 4:8 pitch on the roof. Commented on the three foot set back, which is too close in proximity to the neighbors, and would be difficult to access with a riding lawnmower. Mr. Fiddleke suggested leaving in the language that requires accessory buildings to be placed behind the front of the home or farther back. Mr. Fiddelke referenced the Lime Kiln Road incident as an example as to the reason why.

After three calls for comments, none were heard. The public hearing was closed at 6:35 PM.

There was an issue with electronic board packets in which the board didn't receive the information on the proposed ordinance. Therefore, **MOTION** by Danen/Peltier to table this amendment. No further discussion. Motion carried in a voice vote, 5-0.

3. **On the request by Mark Schleiwiler of Bel Gioioso Cheese for a rezone from A-2 Agriculture to L-1 Light Industrial for parcel D-328 and D-324-1 located on Main Street to accommodate an addition to the existing Bel Gioioso building at 4200 Main Street, parcel D-328.** The public hearing was opened for public comment at 6:36 PM.

Jim Lindsley, 4025 Main Street – Mr. Lindsley requested to see a layout of the building plans, to which Mr. Schleiwiler, agent for the owner, explained and demonstrated. Mr. Lindsley was concerned with the lights from the loading docks which would directly affect him. There was also concern the location of a third driveway. Mr. Lindsley doesn't feel there was any public input done as to the road concerns when County Trunk Highway R was being reconstructed. It was explained to Mr. Lindsley that jurisdiction falls to Brown County for county trunk highway, and that the town's hands are tied on road issues. The town can and will certainly join in resident's efforts to have dialogue with the county regarding logistics concerns, but the town doesn't have jurisdiction.

Chad Rozmarynoski, 3660 Maple Court – Is interested in getting the speed reduced in this area due to school bus safety concerns. The town would join in resident's efforts to have dialogue with the county regarding logistics concerns, but the town doesn't have jurisdiction.

Staff indicated that the Bel Gioioso is very good to work with regarding some of the lighting and landscaping issues heard. If there are issues with either of those items, please let staff know and they can be addressed during the building permit process. Copies of plans are available at the Town Office for public review when the application is submitted. Bel Gioioso is diligently working to do their civic duty and be good neighbors.

After three calls for comment, none was heard. The public hearing was closed at 6:54 PM.

MOTION by Schlag/Van Rossom to approve the rezone. No further discussion. Motion carried in a voice vote, 5-0.

ZONING AND PLANNING COMMISSION ITEMS:

1. Recommendation from Zoning & Planning on the request from Mark Schleitwiler of Bel Gioioso Cheese for a Certified Survey Map (CSM) for parcels D-324-1 to D-328, located on Main St.

The CSM is a consolidation of the lots in order to combine the house lot to the overall parcel. Recommendation from Zoning & Planning Commission recommends approval with two conditions:

- Provide a 12-foot public utility easement along entire CTH R frontage;
- Any technical corrections required by the Town Engineer or Brown County.

MOTION by Danen/Peltier to approve the CSM with the conditions set forth by the Zoning & Planning Commission.

2. Recommendation from Zoning & Planning on the request from Mark Schleitwiler of Bel Gioioso Cheese for a site plan for an addition to the existing building at 4200 Main St., parcel D-328.

The Zoning & Planning Commission recommends approval with the following conditions to be provided prior to building permit issuance:

- Provide a revised landscape plan that illustrates additional plantings atop the berm and the required minimum planting sizes;
- Highlight the specific lamps selected for wall pack lighting and ensure the fixtures will be down-cast and shielded;
- Comply with the Town Engineer review for site drainage, grading, and erosion control plan.

There was discussion on options the town could take to assure the lighting and landscaping concerns of the residents were complied with, yet not delay the building permit. Since the landscaping is the final phase of the project, it was recommended to tie the landscape plan to the occupancy permit.

MOTION by Danen/Geurts to approve the Site Plan with the contingency that a revised landscape plan be submitted and approved by the Town Board prior to the issuance of the Occupancy Permit, but the building permit be issued with the other conditions set forth by the Zoning & Planning Commission. No further discussion. Motion carried in a voice vote, 5-0.

COMMUNICATIONS:

1. Letter received from Ryan Radue regarding excavation project on Lime Kiln Road. See Public Comment for more information.

OLD BUSINESS: None.

Approved at the April 19, 2016 Town Board Meeting.

NEW BUSINESS:

1. **Review and discussion on Developer's Agreement regarding Heritage Heights subdivision, Keith Garot of Landmark Real Estate developer, located on parcel D-395, near Heritage and Cottonwood.**

This item was for information only at this time. The Developer's Agreement will be an action item on the May's Personnel & Finance Committee agenda for recommendation to the board. The financial information requested is nothing more than the town's standard practice. This agreement allows for phases 1 and 2 to be developed with the one access, with re-evaluation for the remaining phases. Also added was the property taxes are required to be paid in full by December 31 and the empty lots a manicured until developed. The developer has seen a draft of this agreement and is receptive to it. No action taken.

2. **Resolution in Support of Southern Metropolitan Area Environmental Impact Statement (EIS) Detailed Study Alternative.**

Municipalities were requested to provide a resolution that will forward to the state and federal government indicating which option is preferred. A brief discussion ensued. The board recommends alternate 2, a new Fox River bridge, connecting arterial street system between Rockland Road and Red Maple/Southbridge Roads, and a new full-access interchange at Interstate 41.

MOTION by Geurts/Van Rossum to support alternative 2 in the resolution as stated. No further discussion. Motion carried in a voice vote, 5-0.

3. **Review/take action on possible solutions/estimated costs for pedestrian crossing at GV and Kaftan/Berkley.**

It was explained that this item was brought forward because with the improvements to CTH GV, made it more difficult to cross at Berkley and Kaftan than it was prior to the improvements. Pedestrians are literally trying to cross six lanes of traffic to get to the walking path. The town would like to look at available options to make this intersection more pedestrian friendly to promote safe connectivity to the park. Discussion ensued regarding different possibilities from signage to lights to adding an additional round about. It was reiterated that this intersection does fall in the jurisdiction of Brown County, therefore, it would have to be cooperative effort to improve this intersection. The consensus of the board was to have staff work with Brown County.

4. **Review and discussion on a new public works facility.**

There needs to be some sort of overall plan that ties the immediate and future needs together, and there needs to be public education as to the needs. There was discussion on the how to get this issue to a referendum. Additional data is required in order to get some numbers together for a referendum. The Annual Town Meeting is an avenue to get resident feedback as to the feel of this issue as a simple discussion item. The discussion should start at the annual meeting and the details will become clearer as the process evolves.

ORDINANCES:

1. **Third & Final Reading**

- a. **2016-005 to Amend Chapter 71, Park and Recreation Facilities, Activities, Programs and Personnel Regulations allowing leashed domesticated dogs in parks and on recreational trails.**

Recommendation from the Park & Recreation Committee to allow for domesticated dogs in parks and on trails as long as they are on a leash that does not exceed 8 feet in length. Discussion ensued regarding the enforceability of the leash requirement. The board decided to remove the leash requirement at the second reading. Discussion ensued regarding allowing dogs to run freely on athletic fields and the subsequent problems that could arise. There was a recommended language change to not allow dogs to freely roam on fenced athletic fields and/or playground areas, and clarification of animal control.

Changes were made for the third reading. The board did not receive the changes in time for review. **MOTION** by Danen/Schlag to table. No further discussion. Motion carried in a voice vote, 5-0.

REPORTS:

Clerk/Administrator:

- LedgeFest is looking at having the event at Scray Hill Park this year. Currently, the group is working on getting their prior contacts in place to see if they are interested in sponsor the festival this year.
- Park Committee is meeting Thursday.
- Personnel & Finance Committee is meeting Wednesday.
- Strategic Planning Meeting is Thursday.
- Recruitment process has begun for Deputy Treasurer and Public Works and run through the end of April.
- Reminder of the Volunteer Event Thursday, April 14th from 5-7 PM.

Treasurer:

- Working on the Annual Meeting Financial Report. The signature page need to be signed.

Public Works:

- Working on the annual road review. There were unexpected situations that occurred over winter.

Fire Department:

- Booyah & Bake Sale Sunday, May 1st.

Board Comments: None.

APPROVAL OF THE VOUCHERS:

MOTION by Schlag/Geurts to approve the vouchers. No further discussion. Motion carried in a voice vote, 5-0.

ADJOURNMENT:

MOTION by Danen/Schlag to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 7:23 p.m.

Charlotte K. Nelson, Deputy Clerk
Town of Ledgeview, Brown County, WI