

The Ledgeview Zoning & Planning Commission held a meeting on **Wednesday, July 15, 2016, at 6:00 p.m.** at the Municipal Building located at 3700 Dickinson Road, De Pere, WI 54115.

**1. CALL TO ORDER**

The meeting was called to order by Chairwoman Tenor at 6:00 PM.

**2. ROLL CALL**

Members present were Chairwoman Jane Tenor, Vice-Chairman Mark Handeland, Chet Lamers, Renee Van Rossum, Taurino Garcia, Mark Chambers, and Nedd Niedermeyer arrived at 6:03 PM.

Staff present were Planner Dustin Wolff and Deputy Clerk Charlotte Nelson.

**3. APPROVE/AMEND AGENDA**

MOTION by Van Rossum, seconded by Lamers to approve the agenda. No further discussion. Motion carried in a voice vote, 6-0.

**4. ACT ON MINUTES FROM JUNE 15, 2016**

Motion by Handeland, seconded by Garcia to approve the minutes as presented. No further discussion. Motion carried in a voice vote, 4-0-2. Lamers and Van Rossum abstained for lack of attendance.

**5. PUBLIC HEARINGS: None**

**6. NEW BUSINES:**

**a. Review and make recommendation on the request by Larry Nifong, applicant, for Patricia Kozloski, owner, for a security fence on parcel D-209-8, 1749 Hawthorne Heights.**

Additional photos were disseminated by the applicant to show that the fence would not be seen from the roadway. The applicant was in attendance of the meeting. The property owner is requesting the installation of a four-foot fence in the yard between the residence and Hawthorne Heights Drive. The orientation of the house on the lot is essentially the front of the house functions as the back and the back of the house functions as the front as it overlooks the ledge. The lot is heavily wooded and the fence would run along the interior of the woods, making it nonvisible from the roadway or from adjacent properties.

The zoning code is written in a fashion that only allows three-foot fences in the front yard. Since the property owner is requesting a four-foot fence, it is classified as a security fence, thus giving the review process to the Zoning & Planning Commission with final approval to Town Board. The Town Board may disapprove security fences if the materials or design are inconsistent with the character of the surrounding areas.

The proposed security fence consists of a 3-rail fence panel with 4-inch spaced vertical pickets, constructed of aluminum. It is staff's opinion that should the fence be located closer to the right-of-way that landscaping should be done along the fence line. Staff recommends approval of the fence due to the fact that it complies with the zoning code and the design and material of the fence is consistent with the character of the surrounding area.

There was discussion that should, in the future, the woods be cut down in, is there language to be added to the motion to assure the aesthetics of the neighborhood is protected. Staff advised the zoning code states fences can't be located closer than 35 feet to the right of way.

MOTION by Handeland, seconded by Van Rossum to recommend approval of the security fence as presented with the language that it can't be located any closer than 35 feet to Hawthorne Heights right of way. No further discussion. Motion carried in a voice vote, 7-0.

**b. Review building elevation and site plan concepts for multi-family residential units located on parcel D-124, Glenmore Road, requested by J5B Development, LLC.**

Developers and designers of J5B were present at the meeting. The purpose of bring this item forward to was to gain some feedback from the Commission as to direction they're heading with the project. Conceptual design plans were reviewed with positive feedback from the Commission. The Commission was concerned with the slope of the access point. Suggestion of elongating the driveway allowing for safe vehicle maneuvering particularly in the winter was given. There was talk of perhaps another building being able to be located on the parcel with the elongating of the driveway suggestion. As far as aesthetics, the Commission was pleased with the direction of the project was heading. No action taken on this item; the developers will return when more progress is made on the project.

**c. Review and make recommendation on lands and maps for inclusion in the Brown County Farmland Preservation Plan.**

Brown County is in the process of updating the Farmland Preservation Program. Brown County had a five-year approval from the Department of Agriculture, Trade, and Consumer Protection (DATCAP) versus a ten year approval. Because of the five year approval, the County is updating their plan.

New to the plan, is the removal of the penalty to get out of farmland preservation. With that said, there is incentive for farmer's to get back into the farmland preservation zoning. The process for getting into farmland zoning is such the county wants the municipalities to identify property that should be in the program so the County can include it in their map. Once included in the Brown County's map, it is up the municipalities to rezone the property as Farmland Preservation using the standard rezoning process. If a property owner does not want to be included in the Farmland Preservation Program they have the opportunity to be excluded during the rezoning process. Once rezoned to Farmland Preservation, Brown County would include them in the program.

There was discussion on staff performing a use/value assessment using the AG-2 Zoning Map and the Future Land Use Map to determine what parcels should be included in the program. Staff would bring this assessment back to the Commission at their next meeting. MOTION by Tenor, seconded by Niedermeyer to table until next meeting. No further discussion. Motion carried in a voice vote, 7-0.

**d. Review and make recommendation on ordinance amendment to the Town of Ledgeview Zoning Code, Article XXV-Telecommunications Antennas and Towers, Mobile Tower Siting Regulations.**

There have been some state law changes regarding telecommunications antennas and towers, and mobile tower siting regulations. The town's attorney took the existing code and compared it to the new regulations and suggested some changes be made. The new changes really limit the municipality's ability to deny the cell towers from coming in and the location in which the cellular company wants them located. There will be future challenges to this law, however, in the meantime, these changes are attorney recommended. MOTION by Handeland, seconded by Van Rossum to recommend approval. No further discussion. Motion carried in a voice vote, 7-0.

**e. Review and discuss on ordinance amendment to the Town of Ledgeview Zoning Code, Chapter 135, related to the regulation of earthen berms. No action required.**

The intent of this item is for an introduction to the possibility permitting earthen berms. Staff shared examples of some existing ordinances throughout the state. The commission liked what they saw and would like staff to bring this item back with ordinances suggestions.

**7. Old Business:** None.

**8. Comprehensive Plan Issues/ Implementation**

**a. Review and discuss multi-family residential design requirements. No action required.**

There haven't been additions made to the material since the last meeting. However, wanted to give the Commission an opportunity add any input, if any. Input was that staff was to continue to work on the document and bring it back to the next meeting.

**9. Staff Report.**

**a. Review Town Board decisions.**

- Approved the Transportation Impact Fee.
- Approved the ordinance to amend the Fence Code and the Swimming Pools, Hot Tubs, and Spas.
- Tabled the Jossart Fence approval until approval of the ordinance amendment.
- Approved the Heritage Heights Developer's Agreement.
- Approved the gateway signs. The signs are positioned in such a way that existing lights will illuminate the signs.

**b. Update on future agenda items.**

To date, there's a Certified Survey map for the Gosson property for the next agenda.

**10. Communications by Commission members.**

Handeland reported that the Brown County Zoning Meeting was canceled, therefore, no update was available.

**11. Adjourn.**

MOTION by Tenor, seconded by Chambers to adjourn. No further discussion. Motion carried in a voice vote, 7-0. Meeting adjourned at 7:45 PM.

Respectfully submitted,

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