



**MEETING MINUTES
TOWN OF LEDGEVIEW
ZONING & PLANNING COMMISSION
Wednesday, February 12, 2020 at 6:00 p.m.
Ledgeview Community Center
3700 Dickinson Road
De Pere, WI 54115**

1. Call meeting to order.

The Meeting was called to order by Commission Chair Jane Tenor 6:00 PM.

2. Roll call.

Members present were Commission Chair Jane Tenor, Vice-Commission Chair Mark Handeland, Commissioners Mark Chambers, Chet Lamers, Kris Baran, and Renee Van Rossum. Commissioner Taurino Garcia was excused.

3. Approve/amend agenda.

Staff advised there were no changes to the agenda. MOTION by Baran/Handeland to approve the agenda as written. No further discussion. Motion carried in a voice vote, 6-0.

4. Act on minutes from January 15, 2020

MOTION by Van Rossum/Chambers to approve as written. No further discussion. Motion carried in a voice vote, 6-0.

5. Old Business: None.

6. New Business:

- a. **Review and make recommendation on the request by Chris Reinier of C. Renier Architects, Inc., agent for Belgioioso Cheese, Inc., owner, for a Building, Site, and Operations Application for a production and cooling space addition at 4200 Main Street, parcels D-328 and D-324-1.**

In 2016 the petitioner completed a 130,000 square foot building addition to the existing factory and an additional drive area to the north and east of the expansion area. A new access to CTH R was added.

In November 2019 a small, 1,450 square foot addition to the existing office area was approved by the Town. The petitioner is now proposing a 26,960 square foot addition to the manufacturing area.

The petitioner is now proposing a 26,960 square foot addition to the manufacturing area.

The proposed facility addition is consistent with the intent of the LI (Light Industrial) District and the existing facilities. The recommendation the Zoning & Planning approve the development, and recommend the same to the Town Board, with the following condition:

1. Approval of all stormwater management by the Town Engineer, and revisions to the site as recommended.

Motion Handeland/Baran to approve with the condition set forth on Storm water management. No further discussion. Motion carried in a voice vote, 6-0.

- b. **Review and make recommendation on the request by Mach IV Engineering & Surveying, LLC., agent for Drew Bain of Wisconsin Public Service Corp., owner, for a Rezone Application on parcel D-361-1, located east of Wandering Brook Estates, 2115 Dickinson Road, from Heavy Industrial to Institutional Overlay to accommodate the expansion of the electrical power substation at this location.**

Approved at the March 11, 2020 Zoning & Planning Commission Meeting.

Approved at the March 17, 2020 Town Board Meeting.

The parcel is currently zoned HI, Heavy Industrial District, and has been the site for an electric substation for years. WPS (Wisconsin Public Service) is proposing to upgrade the equipment (WPS) and add new transmission towers (ATC).

Based on an evaluation of the key “findings of fact”, the Plan Commission recommends approval this rezoning petition to the Town Board for the following reasons:

1. The proposed rezoning to the HI/IO District is consistent with the current zoning and development trends in the area.
2. The lands are suitable for continued public infrastructure and utility use as an electric substation.
3. The proposed zoning district conforms to the goals and the land use illustrated on the Future Land Use Map of the adopted Comprehensive Plan and the Utilities and Public Facilities Chapter.

Motion by Van Rossum/Handeland to approve the rezoning recommendation. No further discussion. Motion carried in a voice vote, 6-0.

- c. **Review and make recommendation on the request by Mach IV Engineering & Surveying, LLC., agent for Drew Bain of Wisconsin Public Service Corp., owner, for a Building, Site, and Operations Application on parcel D-361-1, located east of Wandering Brook Estates, 2115 Dickinson Road, to accommodate the expansion of the electrical power substation at this location.**

The parcel is currently zoned HI, Heavy Industrial District, and has been the site for an electric substation for years. WPS (Wisconsin Public Service) is proposing to upgrade the equipment (WPS) and add new transmission towers (ATC). Rezoning to HI/IO District is required.

This is replacing and expanding the Mystery Hills substation in order to accommodate future growth. WPS studies determined that expanding the substation at the current location was the best options.

There was discussion regarding the height of the fencing. The proposed fence height is 8.5 feet, but code doesn't allow it. A variance would need to be obtained. The petitioner didn't want to go thru the hassle. The proposed fence is a full metal fence.

Zoning & Planning Commission recommends approval the submitted Building Site and Operation Plan to the Town Board with the following conditions:

1. The site is rezoned to the HI/IO, Heavy Industrial with the Institution Overlay District.
2. Approval of the grading and stormwater design plan by the Town Engineer.

MOTION by Handeland/Lamers to recommend approval with the above mentioned conditions. No further discussion. Motion carried in a voice vote, 6-0.

- d. **Review and make recommendation on the request by Steve Bieda of Mau & Associates, agent for Eventyr Heights, LLP, owner, for a Final Plat First Addendum for Eventyr Height Condominium Plat located at D-2245 thru D-2261 Everson Court and Eventyr Heights Drive (former Executive Course of Ledgeview Golf Course) combining two lots to accommodate a proposed single family residence.**

In August 2018, the Zoning & Planning Commission approved the rezone of the subject property from R-R to R-1 with PDD for the development of a 17-unit condominium consisting of 13 single-family townhouse units and two “twindo” townhouse units (4 DU). This development was proposed in conjunction with Augusta Hills to the north.

At this time, the developer is requesting to combine Lots 13 and 14 into a single property. Lots 15 – 17 will be renumbers to Lots 14 – 16. The condominium Association Documents, including the Covenant and Restrictions will be amended accordingly.

The recommendation is to amend the Condominium Plat as submitted.

MOTION by Handeland/Baran to recommend approval of combining the two lots. No further discussion. Motion carried in a voice vote, 6-0.

Approved at the March 11, 2020 Zoning & Planning Commission Meeting.

Approved at the March 17, 2020 Town Board Meeting.

e. **Review and make recommendation on the request by Eventyr Heights, LLP, owner, for single family home architectural review on unit 12 of Eventyr Heights Condominium Plat per plat approval documents.**

Zoning & Planning, Town Board, and neighboring residents had significant concerns regarding the impact of development on the wooded ESA (Environmental Sensitive Area) areas and the “ledge”. As the developer did not have plans or elevations for the structures to be constructed on each individual lot at the time of the PDD (Planned Development District) approval, the developer specifically requested to ability to come to the Zoning & Planning Commission for approval with each development plan

While the proposed residence does comply with a number of the PDD requirements that were outlined in the approved documents, the key issue of lot clearing and tree/landscaping replacement is lacking and must be addressed. Staff is recommending the item be tabled for the following:

1. Provide sufficient Tree Inventory documentation is provided that clearly illustrates
 - Existing trees sizes (caliper inches), species, and condition.
 - Identifies the trees and total caliper inches intended to be removed.
 - Identifies significant trees to be retained and the protection practices to be utilized during construction.
 - Proposed site landscape plan to include additional deciduous and evergreen trees for the site.
2. Provide a plat of survey illustrating the residence location on the lot should be provided for review.
3. The Commission is to discuss and provide direction on the height of the south side elevation (32.5’) as viewed from Dickinson Road.

Discussion was had between the Commission and the Developer on the home architecture and tree scape. A tree inventory should be supplied to the Building Inspector and the Planner to assure that the trees fit in to the topography of land and doesn’t affect the views.

MOTION by Van Rossum/Baran to approve the single family home architectural design conditioned upon a tree inventory submitted to the building inspector for approval. No further discussion. Motion carried in a voice vote, 6-0.

f. **Review and make recommendation on the request by Eventyr Heights, LLP, owner, for single family home architectural review on unit 13 of Eventyr Heights Condominium Plat per plat approval documents.**

Zoning & Planning, Town Board, and neighboring residents had significant concerns regarding the impact of development on the wooded ESA (Environmental Sensitive Area) areas and the “ledge”. As the developer did not have plans or elevations for the structures to be constructed on each individual lot at the time of the PDD (Planned Development District) approval, the developer specifically requested to ability to come to the Zoning & Planning Commission for approval with each development plan.

While the proposed residence does comply with a number of the PDD requirements that were outlined in the approved documents, the key issue of lot clearing and tree/landscaping replacement is lacking and must be addressed. It is staff’s recommendation that the item be tabled for the following:

1. Provide sufficient Tree Inventory documentation is provided that clearly illustrates
 - Existing trees sizes (caliper inches), species, and condition.
 - Identifies the trees and total caliper inches intended to be removed.
 - Identifies significant trees to be retained and the protection practices to be utilized during construction.
 - Proposed site landscape plan to include additional deciduous and evergreen trees for the site.
2. The proposed residence exceeds the maximum height of 24-feet from the front (east) allowed in the PDD.
3. Provide north and south elevations for review.
4. The Commission to discuss and provide direction on the height of the west side elevation (35’) as viewed from Dickinson Road.

Discussion was had between the Commission and the Developer on the home architecture and tree scape. A tree inventory should be supplied to the Building Inspector and the Planner to assure that the trees fit in to the topography of land and doesn't affect the views should be fine.

MOTION by Handeland/Van Rossum to approve the single family home architectural design conditioned upon a tree inventory submitted to the building inspector for approval. No further discussion. Motion carried in a voice vote, 6-0.

g. Review and make recommendation on the request by Eventyr Heights, LLP, owner, for a Language Amendment to Resolution #ZPC 12-2018 for Eventyr Height Condominium Plat located at D-2245 thru D-2261 Everson Court and Eventyr Heights Drive (former Executive Course of Ledgeview Golf Course).

In August 2018, the Zoning & Planning Commission approved the rezone of the subject property from R-R to R-1 with PDD for the development of a 17-unit condominium consisting of 13 single-family townhouse units and two "twindo" townhouse units (4 DU). This development was proposed in conjunction with Augusta Hills to the north.

Zoning & Planning, Town Board, and neighboring residents had significant concerns regarding the impact of development on the wooded ESA (Environmental Sensitive Area) areas and the "ledge". As the developer did not have plans or elevations for the structures to be constructed on each individual lot at the time of the PDD (Planned Development District) approval, the developer specifically requested the ability to come to the Zoning & Planning Commission for approval with each development plan.

At this time, the developer is requesting remove the restriction to come before the Zoning & Planning Commission for approval of development of individual lots.

Staff continues to recommend review and approve development proposals by Zoning & Planning to protect the interests of the Town and its residents.

Discussion was had that although The Commission likes what they are seeing, the time is not right to release this requirement. There may be a time in the future when the restriction can be lifted, but not at this time. The Commission did recognize there could be time constraints for approval and committed to accommodating the developer with special meetings, if necessary, to keep the development moving forward.

MOTION by Baran/Handeland to keep the restriction of Zoning & Planning Review and to make accommodations with the developer for special meetings if requested. No further discussion. Motion carried in a voice vote, 6-0.

h. Review and make recommendation on the request by Steve Bieda of Mau & Associates, agent for Mystery Ridge, LLC, Marty Brice owner, for a Preliminary Plat Application on parcel D-189, Dallas Lane, for an 18 lot subdivision known as Mystery Ridge.

In September 2019, review of a 19 lot and 2 outlot preliminary plat on approximately 14.6 acres was approved by the Zoning & Planning Commission and subsequently the Town Board. The parcel was also rezoned from R-R Rural Residential to R-1 Residential. The conditions of the approval were the following:

1. Complete wetland delineation and flood study for the development.
2. Revise Plat to remove ESA (Environmental Sensitive Area) areas areas from Lots 5 – 10 and add them to Outlot 2.
3. Add the following notations to the Plat:
 - a. Future sidewalks and/or recreation trail will be installed along Dallas Lane, Mystery Ridge, and Dollar Road in the public ROW (Right of Way).
 - b. Driveway access is prohibited 75-foot from the intersection for Lots 1, 5, 13 – 15, and 17. This prohibition will also be illustrated directly onto these lots.
4. Illustrate the required parcel setbacks on the plat. 5. Revise Dollar Lane name to Dollar Road. 6. Any technical corrections required by the Town Engineer and Brown County.

Approved at the March 11, 2020 Zoning & Planning Commission Meeting.
Approved at the March 17, 2020 Town Board Meeting.

A new developer has acquired the lands and has proposed minor changes to the layout.

The proposed preliminary plat complies with the requirements of Chapter 96: Subdivision, and that The Commission recommend approval of the preliminary plat to the Town Board, conditioned upon the following:

1. Complete a flood study for the development, and revised plat as required.
2. Revise Plat to remove ESA from Lots 12 – 17 and creating Outlot 1.
3. Revise the lot lines between Lots 6 – 7 and Lots 10 – 11 to be uniform with adjacent parcels.
4. Add the following notations to the Plat:
 - a. Future sidewalks and/or recreation trail will be installed along Dallas Lane and Dollar Road in the public ROW.
 - b. Driveway access is prohibited 75-foot from the intersection for Lot 6. This prohibition will also be illustrated directly onto the lot.
5. Illustrate the required parcel setbacks on the plat.
6. Revise Dollar Lane name to Dollar Road.
7. Any technical corrections required by the Town Engineer and Brown County.

There was much discussion on the buildable area of the land due to the ESA (Environmentally Sensitive Area). Town Code requires that the ESAs be platted into a separate outlot. Lots 12-17 will need to end at the wetlands feature or water's edge. The developer wanted The Commission to consider different options, like an easement, in order to sell so the water feature as part of the adjacent parcels for a better land value. The Commission was not interested in deviating from Town Code.

MOTION by Baran/Handeland to recommend approval of the preliminary plat as designated in the staff memo. No further discussion. Motion carried in a voice vote, 6-0.

7. Staff Report.

a. Update on future agenda items.

Ledgeview Road condo plat should come back in the near future.

b. Review Town Board decisions.

- Approved the proposed amendment to Zoning Code Section 135-11(G) related to accessory structures on properties zoned A-2, Agricultural, where the properties are not engaged in farming operations.
- Approved the revised Official Zoning Map.
- Approved Resolution 2020-01 Authorizing the Transfer of Land (Outlot) Pursuant to Restrictive Covenant #5 in the County Plat of Spring Hills of the Town of Ledgeview, 1st Addition to lot 27 of Spring Hills of Town of Ledgeview 1st Addition.
- Approved Resolution to Reaffirm Support of 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.

8. Communications by Commission members.

Brown County Meeting talked about having a good disaster plan in place and encourage the Towns come up with a plan to deal with debris and ice dams. Trying to keep water and debris away from buildings.

Commission member talked a bit about the security fencing code. The Commission would be willing to extend the height of security fencing if it made sense for the circumstances. Staff will research the issue.

9. Adjourn.

MOTION by Chambers/Van Rossum to adjourn. No further discussion. Motion carried in a voice vote, 6-0. Meeting adjourned at 7:52 pm.

Charlotte Nagel

Charlotte Nagel, Clerk, Town of Ledgeview

Approved at the March 11, 2020 Zoning & Planning Commission Meeting.

Approved at the March 17, 2020 Town Board Meeting.