



**MEETING MINUTES  
TOWN OF LEDGEVIEW  
ZONING & PLANNING COMMISSION  
Wednesday, June 16<sup>th</sup>, 2021 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 Chairperson Jane Tenor at 6:00 PM.

**2. Roll call.**

Present were Chairwoman Jane Tenor, Vice-Chairman Mark Handeland, Mark Chambers, Renee Van Rossum, Chet Lamers, and alternate Chris Culotta. Taurino Garcia, Kris Baran, and alternate Janell Holstead were excused.

**3. Approve/amend agenda.**

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

**4. Act on minutes from May 12<sup>th</sup>, 2021.**

MOTION by Mark Handeland and seconded by Mark Chambers to approve the minutes with the corrections requested by Chris Culotta and Jane Tenor. No further discussion. Motion carried in a voice vote, 6-0.

**5. New Business:**

- a. Review and make recommendation on the request by Steve Bieda of Mau & Associates, on behalf of Kenneth Matzke (owner) for a proposed land division of parcel D-173, 2579 Dollar Road, to create 2 lots.**

The petitioner is requesting the approval of a two (2) lot CSM to create a 10 acre parcel (Lot 2) from the 37.12 acre parent parcel (Lot 1). The parcel currently has frontage along both Silver Lane to the north and Dollar Road to the south. A navigable stream bisects the property and generally the farmland from the residence and outbuildings. The parent parcel is currently zoned AG-FP, Agriculture Farmland Preservation. The lands are currently used for crop farming and the buildings contain farm animals.

RECOMMENDATION: The ZPC recommend approval of the CSM to the Town Board, conditioned on the following:

1. Rezoning of Lot 2 from AG-FP, Farmland Preservation District to A-2, Agriculture District.
  2. Denote the square footages of the structures shown on the CSM.
  3. Remove the fence and storage of materials from the public ROW following dedication.
  4. The accessory buildings on Lot 2 must remain as contributing to farm operation. Any change to this use will be subject to code Section 135-11(G).
  5. Owner of Lot 2 to provide a lease agreement to use additional acreage for agricultural purposes to comply with the number of animal units allowed on Lot 2 per Section 135-11(U).
  6. Add a notation to the CSM stating, "All existing and future development on Lot 1 and Lot 2 must connect to public water and sanitary sewer within one year of availability."
  7. Any technical corrections required by the Town Engineer or Brown County prior to Town signatures.
- Dustin Wolff of Mead & Hunt (Town Planner) gave a brief overview of the project.

Dustin Wolff (Town Planner) introduced the project and reviewed the conditions that the propose CSM was to be approved subject to.

Jane Tenor noted that there was a typo in the resolution.

Approved at the July 14, 2021 Zoning & Planning Commission Meeting.

Approved at the July 20, 2021 Town Board Meeting.

Chris Culotta noted that this property was within a park service area and asked if there were any impacts to future park planning resulting from the proposed land division.

Dustin Wolff stated there would be not impacts.

MOTION by Renee Van Rossum to approve the CSM subject to the staff recommendations. The motion was seconded by Mark Handeland. No further discussion. Motion carried in a voice vote, 6-0.

**b. Review and make recommendation on the request made by Steve Bieda of Mau & Associates, on behalf of Kenneth Matzke (owner) to rezone Lot 1 of the proposed land division of parcel D-173 from AG-FP to A-2.**

The petitioner is requesting to rezone parcel D-173 from AG-FP, Farmland Preservation to A-2, Agriculture District. This rezone accompanies a 2 lot CSM. The petitioner's intent is to split the existing farm buildings which do contain animals (3 buildings and 2 silos) from the tillable lands. The property contains an existing lease agreement (which includes the farmlands immediately east on D-174-2) through 12/31/2021 which states the intended use of the property as a farm. According to the terms of the lease, it may be extended one (1) year from 12/31/2021.

RECOMMENDATION: Based on an evaluation of the key "findings of fact" addressed above, staff recommend that the Plan Commission recommend approval to the Town Board for the following reasons:

1. The proposed rezoning from AG-FP to A-2 is consistent with the current zoning and development trends in the area.
2. The lands are suitable for agricultural and limited rural residential.
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.
4. The rezone is conditioned on recording the two (2) lot Certified Survey Map.

Dustin Wolff provided a brief overview of the request to rezone Lot 2 of the previous CSM.

Mark Handeland asked what the process was to rezone land out of farmland preservation with the County.

Dan Teaters noted that the Town's review must ensure that the requirements of Chapter 91.48 of the State of Wisconsin Administrative Code are being met. The Town also coordinates any rezoning of land out of AG-FP with Brown County Land and Water Conservation, Brown County Planning, and DATCP.

Chet Lamers asked why the property was being split if it was going to be farmed and kept as is.

Dustin Wolff and Steve Bieda of Mau & Associates (agent for owner) noted that there are various reasons why a property would be split.

MOTION by Mark Handeland to approve the rezoning subject to the staff conditions was seconded by Chet Lamers. No further discussion. Motion carried in a voice vote, 6-0.

**c. Review and make recommendation on the request by Steve Bieda of Mau & Associates, on behalf of William and Erin Enright (owners) for a proposed combination of parcel D-720, D-721, 3512 and 3524 Euro Lane, to create 1 lot.**

The petitioner is requesting approval to combine two parcels (D-720 & D-721) for an addition to the existing residence. The lots measure 1.05 acres and 1.27 acres respectively. The properties are zoned R-1 Residence District.

RECOMMENDATION: The proposed CSM complies with the requirements of Chapter 96: Subdivision, and it is my opinion that the ZPC recommend approval of the CSM to the Town Board, conditioned upon the following:

1. Address any technical corrections required by the Town Engineer or Brown County.

Dustin Wolff gave an overview of the proposed combination CSM. He noted that Town staff wanted to add a second item to the recommendations. The second item is to remove or cap the lateral on the vacant lot.

Approved at the July 14, 2021 Zoning & Planning Commission Meeting.

Approved at the July 20, 2021 Town Board Meeting.

Chet Lames asked if the second lateral could be used for a future accessory building in the future.

Dustin Wolff stated that it couldn't be used. All future service would need to connect to the house.

Chris Culotta noted that this property was in a park service area and asked if there were any negative impacts to park planning if the properties are combined.

Dustin Wolff stated that there were no negative impacts.

MOTION by Chet Lamers to approve the CSM subject to staff recommends. The motion was seconded by Mark Chambers. No further discussion. Motion carried in a voice vote, 6-0.

**d. Review and make recommendation on the request made by Suann Dombrowicki (owner) on a Conditional Use Permit on parcel D-37-1-2 located at 2263 Greenleaf Road for a dog kennel.**

The petitioner is requesting a conditional use for a kennel to keep up to twenty-five (25) permanent dogs on the property, and five (5) temporary dogs for breeding. The property is 2.34 acres in size and contains a residence with attached ~2,500 SF garage.

RECOMMENDATION: Town staff find that the request for a residential Kennel complies with the "findings of fact" for approval. It is recommended that the Zoning and Planning Committee approve this conditional use permit request, with the following conditions:

1. No more than twenty-five (25) permanent dogs and five (5) temporary dogs shall be permitted on the property. No more than five (5) permanent dogs shall be a breed other than Cavalier King Charles Spaniels.
2. Kennel must be licensed annually by the Department of Agriculture Trade and Consumer Protection. A copy of the license and related inspections shall be provided to the Town annually.
3. Following notice to the owner, the Town shall be permitted on the property to conduct periodic inspections of the property to ensure safe and sanitary conditions and compliance with the conditional use requirements.
4. Future building additions and alterations to the site shall be required to reviewed and approved by the Zoning & Planning Commission to ensure compliance with the residential kennel conditional use permit.

Dustin Wolff provided a summary of the CUP request. Of special note, there are steps to operate a kennel and the applicant is licensed by the state and it following the steps through the Town. CUP requests like this are unique and must be reviewed in context to their surroundings. Upon review, staff has identified this location as a good fit for the proposed size of the residential kennel.

Jane Tenor asked why this was not a commercial kennel if they are planning to sell puppies.

Dustin Wolff noted that there will be no boarding at this kennel and that is the difference.

Chris Culotta asked if surrounding properties were notified.

Dustin Wolff stated that the surrounding properties will be notified for the public hearing that will be held at the next Town Board meeting.

Chris Culotta asked what the process would be if there was a nuisance problem.

Dan Teaters and Dustin Wolff noted that the Town would follow up on any complaints in accordance with the Town's code of ordinance. If there are numerous complaints it may result in revocation of the CUP.

MOTION by Mark Handeland to approve the CUP subject to the staff recommendations. Motion was seconded by Mark Chambers. No further discussion. Motion carried in a voice vote, 6-0.

Approved at the July 14, 2021 Zoning & Planning Commission Meeting.

Approved at the July 20, 2021 Town Board Meeting.

**e. Review and make recommendation on an amendment to chapter 135 – Article XIII of the Town of Ledgerview Code of Ordinance.**

Dan Teaters gave a brief overview of the intent of the change to the ordinance. The Town has been in discussions with neighboring communities about the future of yard waste materials. The Town is taking the initial step to enable a Town owned property to operate a yard waste disposal site as a permitted accessory use.

MOTION by Mark Handeland to approve the ordinance amendment. The motion was seconded by Mark Chambers. No further discussion. Motion carried in a voice vote, 6-0.

**6. Old Business: None.**

**7. Staff Report**

**a. Update on future agenda items.**

- 2 CSM projects that will also require rezoning's
- A conditional use permit for a quarry
- TID #1 addition

**b. Review Town Board decisions.**

**8. Communications by Commission members.**

None

**9. Adjourn.**

MOTION by Renee Van Rossum to adjourn the meeting. The motion was seconded by Chet Lamers. No further discussion. Motion carried in a voice vote, 7-0. Meeting adjourned at 6:41 PM

Respectfully submitted,

*Dan Teaters*

Dan Teaters, Zoning Administrator