



MEETING MINUTES  
TOWN OF LEDGEVIEW  
ZONING & PLANNING COMMISSION  
Wednesday, December 15<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 Jane Tenor at 6:00 PM.

2. **Roll call.**

Present were Chairperson Jane Tenor, Renee Van Rossum, Mark Handeland, Mark Chambers, Kris Baran, Chet Lamers, and alternate Chris Culotta. Taurino Garcia was excused and alternate Janell Holstead was absent.

3. **Approve/amend agenda.**

MOTION by Kris Baran to approve the agenda was seconded by Chet Lamers. No further discussion. Motion carried in a voice vote, 7-0

4. **Act on minutes from November 10<sup>th</sup>, 2021.**

MOTION by Mark Handeland to approve the minutes was seconded by Mark Chambers. No further discussion. Motion carried in a voice vote, 7-0

5. **New Business:**

- a. **Review and make recommendation on a request by Steve Bieda, Mau & Associates, on behalf of Jesse Jossart (owner) for a proposed lot line adjustment between parcels D-214-1 and D-214-2, 2216 and 2226 Dollar Road.**

The petitioner is requesting the approval of a lot line adjustment CSM to move the lot line between Lots 1 and Lot 2 a total of 30 feet to the east. This would increase the size of Lot 1 by 11,853 SF and decrease the size of Lot 2 by 11,849 SF.

RECOMMENDATION: It is our recommendation that the ZPC recommend approval of the CSM to the Board at this time, conditioned on the following:

1. Revise the CSM to:
  - a. Change the front yard setback to 35'.
  - b. Illustrate the required 75-foot setback from the pond on Lot 1
  - c. Add the following notations to the CSM
    - i. "Lot 1 and Lot 2 shall connect to public sewer and water services within 1 year of availability."
    - ii. "Future sidewalks will be installed in the Dollar Road right-of-way."
  - d. Address technical corrections required by the Town Engineer or Brown County.
2. Town will not sign the CSM until a building permit application is submitted for construction of a residence on Lot 1.

Dustin Wolff of Mead & Hunt gave a brief overview of the proposed lot line adjustment.

Steve Bieda, Mau & Associates, noted that there is not 75' setback from the pond. DNR has confirmed that with County Planning staff. The lot is already sold but the lot line adjustment needs to be completed first before the sale is finalized.

Chet Lamers made a motion to approve the CSM subject to staff recommendations.

Approved at the \_\_\_\_\_ Zoning & Planning Commission Meeting.

Approved at the \_\_\_\_\_ Town Board Meeting.

Chet Lamers asked about why the CSM needs to wait for a building permit if they could get a building permit today albeit with the property line not moved.

Mark Chambers stated that there is history with similar situations. The Town has placed deadlines or restrictions on other properties that don't meet code requirements.

Dan Teaters, Zoning Administrator, stated that the garage on proposed Lot 1 is a nonconforming structure and the property owner is limited on what they can do with a nonconforming structure. This is a zoning violation and it should not be ignored or kicked down the road to be dealt with later.

Steve Bieda stated that based on the discussion so far it sounds like the Towns code will address the issue at some point and requiring a building to come down or for a building permit to be submitted prior to recording of the CSM seems burdensome.

Chet Lamers asked why the Town would force a property owner to tear down a building that is generating tax base.

Mark Chambers stated that the ZPC can't make assumptions about what may or may not happen with a property in the future. Yes, it could be further subdivided or rezoned but that proposal will be dealt with when it is brought forward for us to consider. We need to consider the current situation.

Dustin Wolff noted again that issues like thins had to be rectified on similar projects.

Mark Chambers stated that he is ok with approving the CSM but there needs to be some type of language on the CSM that notifies or informs the current and future property owners of the nonconformance.

Chris Culotta stated he was not in favor of placing a note on the CSM that identified the structure as a nonconforming structure since that will then be on the document forever.

Chet Lamers asked to make a motion.

Jane Tenor stated that a motion was already made but there was not a second.

Chet Lamers rescinded his original motion and made a new motion to approve the CSM subject to the stipulations stated in the associated resolution. The motion was seconded by Mark Handeland. No further discussion. Motion carried in a voice vote, 7-0.

**b. Review and make recommendation on a request by Steve Bieda, Mau & Associates, to vacate the northern most portion of Wayne Lane for the purpose of future development.**

The petitioner is requesting that the Town vacate a ~1.35-acre portion of Wayne Lane. This vacation request corresponds with the street reconfiguration proposed in the Grande Ridge Estates First Addition Final Plat, submitted for approval. The plat will be reviewed by ZPC at January 2022 meeting.

Vacation of public right-of-way is not a common occurrence within a community. The process is outlined in Wis. Stats. 66.1003 and 66.1005. Vacation of the ROW is required whenever a governmental entity—in this case the Town—removes the public interest in a road, and it is relinquished to the abutting properties.

RECOMMENDATION: Staff is supportive of the ROW vacation request because the road reconfiguration was previously approved as part of the adopted Official Map to provide for better circulation throughout the development. Timing of the ROW vacation must occur with the recording of the Grande Ridge Estates First Addition Final Plat to dedicate new public right-of-way to serve the area.

Dustin Wolff of Mead & Hunt gave a brief overview of the project.

Approved at the \_\_\_\_\_ Zoning & Planning Commission Meeting.  
Approved at the \_\_\_\_\_ Town Board Meeting.

Chris Culotta asked if this would then come off the Town's Official Map.

Dan Teaters noted that the Official Map would be amended to remove this portion of Wayne Lane.

MOTION by Chet Lamers to approve the right-of-way vacation. The motion was seconded by Mark Chambers. No further discussion. Motion carried in a voice vote, 7-0.

**6. Old Business: None.**

**7. Staff Report**

- a. Update on future agenda items.
  - i) Land Divisions
  - ii) Rezones/CUP's
  - iii) Others
- b. **Review Town Board decisions.**
  - i) 9/7 TB Meeting
    - (1) Terry's Wall St Pub BSO
    - (2) Kinley Kay BSO
    - (3) Cocoon BSO (elevation drawings)

**8. Communications by Commission members.**

None

**9. Adjourn.**

MOTION by Mark Chambers 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 6:40 PM

Respectfully submitted,

*Dan Teaters*

Dan Teaters, Zoning Administrator

Approved at the \_\_\_\_\_ Zoning & Planning Commission Meeting.

Approved at the \_\_\_\_\_ Town Board Meeting.