

The Ledgeview Town Board held a meeting on **Monday, October 1, 2018 at 6:00 p.m.** at the Community Center 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 Danen, Supervisors Renee Van Rossum, Ken Geurts, Cullen Peltier, and Supervisor Mark Danen.

Staff present were Administrator Sarah Burdette, Engineer Scott Brosteau, Planner Dustin Wolff, Treasurer Renae Peters, and Clerk Charlotte Nagel.

D. AGENDA APPROVAL

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

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. September 18, 2018 Town Board Meeting
2. Routine Reports: None
3. Committee/Commission Reports: None
4. Operator's Licenses: September 17, 2018 – September 28, 2018
5. Other Committee Minutes:
 - a. April 11, 2018 Zoning & Planning Commission Meeting
 - b. June 25, 2018 Beautification Sub-Committee Meeting
 - c. July 23, 2018 Beautification Sub-Committee Meeting
 - d. August 21, 2018 Redevelopment Authority Meeting
 - e. August 29, 2018 Central Brown County Water Authority Meeting
6. Pay Requests:
 - a. Pay Request #3 for Zelten and Dollar Park, Contract B-2018, for \$63,838.18
 - b. Pay Request #3 for Hawthorne Heights & OSS, Contract C-2018 for \$41,157.93
7. Special Event & Street Closure Permits: None.

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 Van Rossum/M. Danen to approve the Consent Agenda as written. No further discussion. Motion carried in a voice vote, 5-0.

PUBLIC COMMENT: None.

Approved at the November 5, 2018 Town Board Meeting.

PUBLIC HEARING: The Board will hear comments and may take action on any of the following items:

- 1. The recommendation from Zoning & Planning Commission on the request by Steve Bieda of Mau & Associates, agent for Steve Bieda of Mau & Associates, agent for property owner Creative Elements Builders, LLC. for a Zoning Request Application on parcels D-197 and D-198-2 located on Dickinson Road from R-R, Rural Residential to R-1/PDD, Residential with Planned Development District overlay, to accommodate a condominium plat known as Augusta Hills.**

The petitioner is requesting to rezone parcels D-197, D-198, and D-198-2 from R-R, Rural Residential to R-1/Planned Development District Overlay (PDD) to develop 36 single-family residential condominium units and 8 zero lot-line units, totaling 44 units. The lands total 22.1 acres (2.0 du/ac). The ZPC and Board recently approved a similar single-family condominium development on the Evenson property to the south.

The R-1 Single-Family PDD will allow for the residential types currently proposed, a Comprehensive Plan amendment to Single-Family Residential will be necessary to accommodate the proposed development. Bulk requirements for the development are required to be listed on the preliminary and final development plans.

Access will be provided by private roadways connected both Scray Hill Road and Dickinson Road. Access will be provided to Eventyr to the south through the Executive Course. A crossing on Dickinson Road for golf carts is also proposed. Public utilities will serve the development. A CSM is needed to adjust the property line and to add easements for cross-access, public pedestrian access, and form the utilities. Additional dedication of Scray Hill and Dickinson Roads will be required with the CSM to be submitted. The Condo Association documents should outline maintenance responsibilities and related costs for the roadways and trails.

The ZPC recommended to the Town Board to approve the rezone with the following to be required prior to final PDD approval:

1. Comprehensive Plan amendment to Single-Family Residential as a condition of the rezoning.
2. A CSM must be provided that includes the Eventyr development to the south.
 - a. Cross-access and pedestrian access easements.
3. Approval of the final condominium plat by the ZPC and Board.
4. Show all lot line adjustments, easements, and dedications on the final plat.
5. Provide final grading plan.
6. Provide a landscape plan.
 - a. All new trees planted must be 2.5" caliper.
 - b. Significant trees to be protected and the barrier fence used to protect them needs to be show.
7. Provide a final utility plan with easements for public facilities shown, including location of sanitary and storm sewer lines, water mains, fire hydrants and lighting.
8. Revise the condominium documents as recommended in this staff report to include the following and provide to staff for review and file prior to final approval.
 - a. Require that units—either individual or in groups—be required to receive Zoning and Planning Commission approval before a building permit is issued.
 - b. Include all applicable references to Code regulations for the R-1 and PDD districts related to bulk requirements.

The public hearing was opened by Chairman Danen at 6:07 PM.

Steve Bieda of Mau & Associates address The Board. The developer wanted to increase the square footage of the homes, so there's a difference between what was proposed and what is up for approval at this time.

Christopher Feldberg, 1389 Kyper Lane – Is concerned with the additional traffic on the intersection of Scray Hill Road/Bower Creek/Dickinson Road.

Lynn Mesnke, 1946 Copper Top Way, Bellevue – Echoed Mr. Feldberg’s comments in that she is concerned with the additional traffic on the intersection as well.

After three calls for comments, none was heard. The public hearing was closed by Chairman Danen at 6:12 PM.

Board discussion: This is a private development with no public roads or access to streets within the development. There is going to access on Scray Hill Road with a crosswalk in Dickinson for residents to go to/from the golf course. The action is for a rezone only at this point.

MOTION by M. Danen/Peltier to approve the rezone request on parcels D-197 and D-198-2 located on Dickinson Road from R-R, Rural Residential to R-1/PDD, Residential with Planned Development District overlay, to accommodate a condominium plat known as Augusta Hills with the conditions set forth by Zoning & Planning. Motion carried in a voice vote, 4-0-1 with P. Danen abstaining. Note that Chairman Danen recused himself from discussion and action on this item except for opening and closing the public hearing due to a conflict of interest.

2. The recommendation from Zoning & Planning Commission on the request by Steve Bieda of Mau & Associates, agent for BASGIG Investors, LLC, owner, for a rezone of parcel D-425-2 located on Bower Creek Road from A-2, Agriculture, to R-1, Residential to accommodate an approximate 80 single-family unit plat known as Red Hawk Landing.

The petitioner is requesting to rezone parcel D-425-2 from A-2, Agricultural District to R-1, Residential District for future subdivision. This rezone accompanies a preliminary plat for 80+ single-family units on the 58 acres.

The property is suitable for residential uses, especially with the proximity of public utilities in the area and the suitability of the land for additional development. This part of Town, specifically within the existing sewer service area, has seen recent conversion of land from agricultural to higher uses, specifically single-family residential development. The Belle Isle subdivision adjoins this parcel to the west and the various “Crossing” subdivisions are to the east. These subdivisions also included the conversion of agricultural land to residential development.

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

1. The proposed rezoning to R-1 is consistent with development trends in the area including the conversion of agricultural land to residential land within the sewer service area.
2. The lands are suitable for low- to medium-density single-family residential development.
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.

The public hearing was opened by Chairman Danen at 6:21 PM.

Christopher Feldberg, 1389 Kyper Lane – Is concerned with the additional traffic on the intersection of Scray Hill Road/Bower Creek/Dickinson Road.

Staff explained there is going to be some coordination with the development of Augusta Hills, the golf course, and other development in the area to make necessary road improvements. With that said,

Dickinson Road is County Trunk Hwy. G and jurisdiction for road improvement are with Brown County. Therefore, the Town has input for the improvements, but does not have the final say on the improvements to the intersection. The same is true to the intersection of Dickinson Road and Angels Path Way. The long term goal is to have a traffic assess to Monore Road (Cty. Trunk GV) through Belle Isle Meadows via Brayden Lane which will alleviate some traffic concerns on Dicksinson Road. The extension of Brayden Lane is scheduled for construction in 2019.

Matt Shuma, 7750 Altmeyer Drive – Is concerned with disturbing the wetlands to the west of Belle Isel Meadows and what that looks like for storm water drainage.

Staff explained plans for storm water detention basins located further up the escarpment are in the process of being evaluated and created. There's a fill project that is currently in the works at this time to raise the grade on the Denis Property to make the property developable.

Dennis Belter, 1439 Bingham Road – Is concerned with the wetland regulations and how close to a wetland someone could build. There was also discussion on why the proposed plat map wasn't included with the notice to rezone.

Staff answered that building could take place 75 feet from a creek, 35 feet from a wetland. The proposed plat wasn't included in the rezone notice because it's not required to be by law. The plat would be up for approval under a different agenda item, not particularly the rezone.

Pam Bussone, 7790 Altmeyer – Was under the understanding that the land behind her was not developable land and designated as an outlot to remain in its natural state.

Cindy Ochsner, 1435 Bingham Drive – Is concerned with the wetlands, mostly because they are designated as Environmentally Sensitive Area (ESA) by Brown County. At one point there was a bike path supposed to be going through Belle Isle. What's the status with the bike path?

The bike path will be located on Brayden Lane and will following Braydon Lane to Monroe Road.

Brandon Rhode, 3545 Bower Creek Road – Mr. Rhode states that he's not against development but doesn't believe this parcel is being developed correctly. He'd rather see larger lot sizes in the development to accommodate the rural feel he moved into. Mr. Rhode also echoed the concerns of the others with increased traffic on the intersection of Bower Creek/Dickinson Roads, the preservation of the wetland, and the potential to devalue the existing properties.

Calvin ?????, 3535 Bower Creek Road – Is concerned with drainage to the west.

Staff responded that the drainage will be alleviated through urbanization to curb, gutter, and sewer. The 75-foot setback will remain as required by DNR. Through the urbanization of Bower Creek, Scray Hill Road, and the intersection with Dickinson Road, should make traveling, via vehicle, pedestrian, or bicycle, safer. Traffic can also be routed directly to Monroe Road (Cty. Trunk GV) via Brayden Lane, taking traffic off Dickinson Road. These projects should all happen simultaneously.

Joe Torrez, 3647 Bower Creek Road – Questioned if there would be any modifications to the preplat. He is also concerned with the increased traffic on Bower Creek, stating it's difficult to back out of his driveway now with out hitting another vehicle.

Staff answered once the preplat is approved, there are only minor changes from the preplat tot the final plat.

Steve Bieda of Mau & Associates assured the residents who abut the development that they would be contacted by the developer to see if they would be interested in purchasing the wetland behind their properties. It was discussed at the Zoning & Planning level, and the developer is starting to make those contacts.

After three calls for additional comments, none were heard. The public hearing was closed at 7:12 PM

Board discussion: There was an assumption that development wasn't going to happen; development is going to happen, and it will be nice. There's a fine line in growth taking place and preserving the wetland. This project is an example of all parties doing their due diligence by working together to promote growth as well as preserve the natural amenities Ledgeview has to offer.

MOTION by Geurts/Van Rossum to approve the recommendation of the Zoning & Planning Commission for a rezone of parcel D-425-2 located on Bower Creek Road from A-2, Agriculture, to R-1, Residential to accommodate an approximate 80 single-family unit plat known as Red Hawk Landing. with conditions. No further discussion. Motion carried in a voice vote, 4-0-1, with P. Danen abstaining for conflict of interest.

Note that Chairman Danen recused himself from discussion and action on this item except for opening and closing the public hearing due to a conflict of interest.

ZONING & PLANNING:

1. Recommendation from Zoning & Planning on the request by Steve Bieda of Mau & Associates, agent, for BASGIG Investors, LLC, owner, for Red Hawk Landing Preliminary Subdivision Plat located on parcel D-425-2, Bower Creek Road.

The petitioner is requesting to rezone parcel D-425-2 from A-2, Agricultural District to R-1, Residential District for future subdivision.

The petitioner is requesting the review of an 83-lot subdivision with numerous outlots on a 58-acre parcel located along Bower Creek Road immediately west of the Belle Isle subdivision. This preliminary plat is accompanied by a rezone request (A-2 to R-1) for single-family residential development. Revisions to this plat are expected based on staff recommendations in this memo, discussion with the petitioner, and an ongoing flood study.

The Zoning & Planning Commission recommended approval of the preliminary plat to the Town Board, conditioned upon the following:

1. A notation be added to the plat that access to lots 5, 29-30, 78 and 83 from Bower Creek Road is prohibited.
2. Revise access to Outlot 9 to be between Lots 22 and 23.
3. Combine lots 45 – 47 into two lots.
4. Remove the stormwater pond/Outlot 10.
5. Combine Outlots 1 and 8 into one outlot; combine Outlots 2-4 and Outlots 5-7.
6. A notation be added to the plat that sidewalks are required throughout.
7. Add a notation indicating that future sidewalks or recreational facilities will be installed in the public ROW along Bower Creek Road.
8. Add a conservation easement to protect the southern ESA.
9. Preliminary Plat approval is contingent on flood study approval/findings.

MOTION by Van Rossum/M. Danen to approve the Zoning & Planning Commission's recommendation to preliminary plat with the conditions. No further discussion. Motion carried in a voice vote, 4-0-1 with P. Danen abstaining.

Note: Danen recused himself from discussion and action on this item for conflict of interest reasons.

NEW BUSINESS:

1. Review the updates Wisconsin Statewide Debt Collection Agreement.

This is a five-year agreement, if entered into, and allows the State of WI to collect Town of Ledgeview debt until it's either collected or deemed uncollectable. There is no cost to the Town to have the State collect the debt.

MOTION by Peltier/Geurts to approve the updates to the Wisconsin Statewide Debt Collection Agreement. No further discussion. Motion carried in a voice vote, 5-0.

2. Consideration to fund Parks & Recreation Coordinator/Director Position in 2019 Town Annual Budget.

Per the 2016 Community Survey and the 2018 Strategic Plan Update the need for a Parks & Recreation Coordinator/Director is becoming more apparent with several neighborhood parks being developed this year. This item is to determine if the Board would like to bring on this position with the 2019 Annual Budget. The Park & Recreation Committee recommends funding for this position.

The consensus of The Board was to include the position in the 2019 budget as a line item.

3. Consideration of lease options for Ledgeview Golf Course.

On July 10, 2018, the Special Meeting of Electors overwhelming voted to approve the purchase of Ledgeview Golf Course contingent upon leasing the business to a third party. Lease options are part of that discussion. This item was asked to be tabled at this time for further research.

MOTION by Peltier/Geurts to table. No further discussion. Motion carried in a voice vote, 4-0-1 with Danen abstaining.

Note: Danen recused himself from discussion and action on this item for conflict of interest reasons.

4. Memorandum of Understanding between Ledgeview Property Investments, LLC and Town of Ledgeview.

Requested by the property owner, a Memorandum of Understanding regarding Tax Increment Financing District #1 Filling Project with Ledgeview Property Investments. The Filling Project contract was awarded to Advance Construction on August 6, 2018.

MOTION by Van Rossum/Geurts to approve the Memorandum of Understanding. No further discussion. Motion carried in a voice vote, 5-0.

5. Discuss and approve Stormwater Development Planning.

Stormwater development planning is a tool to understand the long-term operations and maintenance measures for existing and future stormwater facilities. With the new development taking place, it would be a useful to have on hand.

MOTION by P. Danen/Geurts to authorize staff to develop a stormwater development plan. No further discussion. Motion carried in a voice vote, 5-0.

OLD BUSINESS: None.

COMMUNICATIONS: None.

ORDINANCES: None.

REPORTS:

Administrator:

- Finishing the punchlist for the new building
- 2019 Budget

Clerk:

- Preparing for the Open House October 23rd
- Preparing for the November 6th General Election
- Final touches on the fall newsletter

Engineer:

- Status update on Trinity Ridge and Crossing Second Addition.

Planner:

- Tax Increment Financing #1, Amendment 1 will have a public hearing at Zoning & Planning with action to be taken by Town Board at the next meeting
- Tax Increment Financing #2 will follow in October

Treasurer:

- Working on 2019 Budget.
- Sanitary Budget to be finalized on October 17th.

Public Works:

- Update on the two new parks, Zelten Family Park and Dollar Road Park

APPROVAL OF THE VOUCHERS:

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

ADJOURNMENT:

MOTION by Danen/Geurts to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 8:28PM.

Charlotte K. Nagel, Clerk
Town of Ledgeview, Brown County, WI

Approved at the November 5, 2018 Town Board Meeting.