

The Ledgeview Town Board held a public hearing on **Tuesday, December 11, 2018 at 3:00 p.m.** in the Community Room located at Ledgeview Community Center, 3700 Dickinson Road, De Pere, WI 54115.

**CALL TO ORDER**

The public hearing was called to order by Chairman Danen at 3:00 p.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited by all in attendance.

**ROLL CALL**

Members present were Chairman Danen, Supervisors Renee Van Rossum, Ken Geurts, and Cullen Peltier. Supervisor Mark Danen unsuccessfully tried to appear via video meeting.

Note that Attorney Vanessa Wishart from Stafford Rosenbaum attended via phone on behalf of the Town of Ledgeview.

Staff present were Administrator Sarah Burdette, Planner Dustin Wolff, and Clerk Charlotte Nagel.

MOTION by P. Danen/Peltier to reorder to the agenda by switching the open session with the closed session.

**PUBLIC HEARING:**

1. **The purpose of the public hearing is to hear comments on the request by the Town of Ledgeview for 11 parcels to be rezoned to Rural Residential. Parcels included in the rezoning process are:**

**D-168-1 D-168 D-169 D-185 D-188 D-188-1 D-188-2 D-214  
D-220 D-249 D-254**

Staff explained the Town is requesting to rezone eleven (11) properties from AG-FP, Agriculture Farmland Preservation, and A-2, Agriculture to R-R, Rural Residential, and proceeded to walk through the prepared memo outlining the findings of fact attached to the record copy of the meeting minutes. Zoning & Planning unanimously recommended approval of the rezone based on the following findings:

1. The proposed rezoning of the parcels to the R-R, Rural Residential District is consistent with the current development trends and zoning conversions in the area.
2. The area is more suitable for low-density, single-family residential development functioning as a transition from the urbanizing areas of the Town to the areas intended for agricultural preservation and based on community-wide benefit and enhancement of orderly growth.
3. The proposed Rural Residential zoning district conforms to the goals and objectives of the adopted Comprehensive Plan to “(e)nsure the compatibility of adjoining land uses for both existing and future development.”
4. An amendment to Map: 4 Future Land Use to the Rural Residential should be considered.

At 3:11 PM, Chairman P. Danen opened the public hearing up for public comments.

Jason Pansier, 3888 Dickinson Road – Owns Ledgeview Farms, LLC. Mr. Pansier accused The Board of only looking out for the growth of the Town and not the growth of the farm creating a biased opinion. Mr. Pansier feels the rezone is a direct personal attack on him and his family to prevent the farm from expanding. Therefore, he is going to sue the Town and each member of both the Town Board and the

Zoning & Planning Commission if they vote in favor of the rezone. Ms. Pansier read pieces of a statement dated December 11, 2018 which is attached to the record copy of the minutes.

Jeff Pansier, 2025 Heritage Heights – States that the rezone is an attempt to deprive the property owner of the liberty to use his property the way he wants to. Mr. Pansier believes the rezone is an attempt to destroy a business located in the heart of Ledgeview. There is farmland to the east and south of the parcels in question, so the current farms fits into neighborhood. Farmland preservation zoning means nothing.

Linda Borley, 2350 Dollar Road – Ms. Borley read a statement speaking to the character of the Pansier Family. This statement is attached to the record copy of the minutes.

Dennis Lotto, 4176 Elmview Road – Mr. Lotto read aloud the definition of Farmland Preservation according posted on the Town's website. He fears that going forward that Farmland Preservation is not secure. Liquid manure pits are not new to farming; they've been around for a long time. Farmland Preservation was meant to preserve farmland, not take it away.

Steve Corrigan, 4602 Dickinson Road – Doesn't agree with the rezone because the farm has been there for fifty years and doesn't want the board to set a precedent. Mr. Corrigan believe this item needs to be referred back to Zoning & Planning for more action.

Joan Pansier, 3860 Dickinson Road – Believes the rezone would create a hardship for the family and takes away the right to family. Being the dairy state, The Board should support the famers and protect the farmland. There is zero run-off from the farm soil and the farm needs a parlor for future needs. The rezone would also take away the tax credit afforded to the farmers under farmland preservation zoning. Ms. Pansier read from a written statement dated December 11, 2018 which is attached to the record copy of the minutes.

Glen Pansier, 2294 Dollar Road – Gave a zoning history of the parcels in question. Neighbors support the farm and rezoning would be encroaching on their property rights. Thinks the ordinance is dumb, and the morals of the Town Board are low.

After a third and final call for public comment, no additional comments were heard. The public hearing was closed at 3:33 PM.

**2. The purpose of the public hearing is to hear comments on the request by the Town of Ledgeview for amendments to Chapter 135 Zoning Code.**

Staff explained the ordinance amendments were a stemmed the results of the ruling by the Livestock Siting Board regarding a denial of a conditional use permit for a livestock siting facility.

It should be noted that hardcopies of Chapter 135 outlining the amendments in red were available for the public at the entrance table as well as available on the Town's website. Copies of the staff memo was also made available to the public.

At 3:35 PM, the public hearing was opened by Chairman P. Danen.

Dennis Lotto, 4176 Elmview Road – Was confused as to how the animal units were determined. Mr. Lotto questioned the intent of the livestock siting setback of 400 feet from a property line.

Jeff Pansier, 2025 Heritage Heights – Asked where the scientific evidence was on the importance of ground water. Stated the manure pit has been in that location for four years and is regulated by the DNR and EPA and The Town should let them do their job.

Atty. Wishart interjected that the presentation by Dr. Maureen Muldoon and Dr. Mark Borchardt, Ph. D. are referenced in the amendment with the presentations available on the Town's website for public view.

Joan Pansier, 3860 Dickinson Road – States the amendments to Chapter 135 are substantial changes to Farmland Preservation which would create a hardship for the farm, and does not support the changes. Ms. Pansier read from a written statement dated December 11, 2018 which is attached to the record copy of the minutes.

Jason Pansier, 3888 Dickinson Road – There are livestock siting rules in place and that The Town should follow rules.

After a third and final call for comments, no additional comments were heard. The public hearing was closed at 3:46 PM by Chairman P. Danen.

**CLOSED SESSION:**

- 1. The Town Board may convene into closed session pursuant to WI State Statute §19.85 (1)(g) for conferring with legal counsel regarding potential litigation.**

MOTION by P. Danen/Geurts for the Board to convene into closed session pursuant to WI State Statute §19.85 (1)(g) for conferring with legal counsel regarding potential litigation. No further discussion. Roll call vote: Peltier – Aye, Van Rossum – Aye, P. Danen – Aye, Geurts – Aye. MOTION carried in a roll call vote, 4-0.

It should be noted that both Atty. Vanessa Wishart and Supervisor Mark Danen participated via phone in the closed session.

At 3:47 PM, the Town Board convened into closed session.

MOTION by Geurts/Peltier to reconvene into open session. No further discussion. Motion carried in a voice vote, 5-0. At 4:27 PM, the Town Board reconvened into open session.

- 2. The Board may then reconvene into open session to take action on items discussed in closed session.**

The Board acknowledged the receipt of the following letters for the record:

- Hush Blackwell Letter dated December 5, 2018
- Denmark State Bank Letter dated December 11, 2018
- Richard Huxford Letter dated December 11, 2018
- Dairy Business Association Letter dated December 11, 2018
- John Fiddelke Letter dated December 11, 2018

Note that both Atty. Wishart and Supervisor M. Danen did not rejoin the meeting after the closed session.

**OPEN SESSION:**

- 1. Discussion and potential action on the request by the Town of Ledgeview for 11 parcels to be rezoned to Rural Residential.**

MOTION by Peltier/Geurts to table the matter. No further discussion. Motion carried in a voice vote, 4-0.

**2. Discussion and potential action on the request by the Town of Ledgeview to make certain amendments to Chapter 135 Zoning Code.**

MOTION by Geurts/Van Rossum to table the matter. No further discussion. Motion carried in a voice vote, 4-0.

**ADJOURNMENT:**

**MOTION** by Danen/Geurts to adjourn. No further discussion. Motion carried in a voice vote, 4-0. Meeting adjourned at 4:30 p.m.

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