

The Ledgeview Town Board held a meeting on **Monday, June 3, 2019 at 6:00 PM** in the Community Room located at Ledgeview Community Center, 3700 Dickinson Road, De Pere, WI 54115.

CALL TO ORDER

The meeting was called to order by Chairman Phil Danen at 6:00 PM.

ROLL CALL

Members present were Chairman Phil Danen, Supervisors Renee Van Rossum, Cullen Peltier, Mark Danen, and Al Cheslock.

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

AGENDA APPROVAL

Staff advised there were no changes to the agenda.

MOTION by Van Rossum/Peltier 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. May 21, 2019 Town Board Meeting.
2. Routine Reports: None
3. Committee/Commission Reports: None
4. Operator's Licenses: May 21 – May 31, 2019
5. Other Committee Minutes: None.
6. Pay Requests:
 - a. Change order #1 for Contract B-2019, Oak Ridge Circle Reconstruction for increase of \$21,852.75
 - b. Pay request #6 for Contract G-2018, Crossing 2nd Addition for \$38,102.50 to Jossart Brothers
 - c. Pay request #1 for Contract B-2019, Oak Ridge Circle Reconstruction for \$114,426.48
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 Peltier/Van Rossum to approve the Consent Agenda as written. No further discussion. Motion carried in a voice vote, 5-0.

PUBLIC COMMENT: After three calls, none were heard.

PUBLIC HEARING: The Town Board will hear comments on and may take action on the following:

1. **Recommendation from Zoning & Planning on the request for biennial Conditional Use Permit from David Peters, applicant and owner of the property located at 3751 Creamery Road, Unit No. 4, Parcel D-368-6, for a used motor vehicle wholesale dealership in the Neighborhood Center District (NCD).**

For a number of years, the petitioner has been afforded the opportunity to display and sell automobiles on the site. Biennial review and approval is required for the site and operations. The last approval was in June 2019. The petitioner is requesting re-approval of the Conditional Use Permit for auto sales on the property. There have been no issues with this conditional use permit.

The Zoning and Planning Committee recommends approval this biennial conditional use permit request and continue to require the same conditions noted below:

Approved at the June 18, 2019 Town Board Meeting.

1. Provide a general site plan that clearly identifies a designated display area location for auto sales, parking for staff, and parking for customers.
2. The display area location must be on an asphalt or concrete surface.
3. The display area must face Creamery Road only.
4. Outdoor display of vehicles area shall not exceed 5 vehicles at any one time.
5. No outdoor storage of materials or parts is allowed.
6. The subject conditional use is valid for property owned by "Hendricks Joe Jr Leasing Co" and leased by "Peters Service" only. Any sale of the property, or change of use, voids the conditional use permit.
7. Conditional Use Permit expires on June 30, 2021 and must be renewed by the Town of Ledgeview at such time.
8. Site must meet all other town, county, and state regulations.

At 6:02 PM, Chairman P. Danen opened the public hearing for comments.

After three calls for additional public comments, none were heard. Chairman P. Danen closed the public hearing at 6:03 PM.

MOTION by Van Rossum/P. Danen to approve the biennial Conditional Use Permit for David Peters with the conditions recommended by Zoning & Planning. No further discussion. Motion carried in a voice vote, 5-0.

2. Recommendation from Zoning & Planning on the request for biennial Conditional Use Permit from John Mommaerts, applicant and owner of the property located at 1275 Rockland Road, Parcels D-72 and D-78-1, for a used motor vehicle wholesale dealership in the Light Industrial District (LI).

For a number of years, the petitioner has been afforded the opportunity to sell automobiles wholesale on the site. Biennial review and approval is required for the site and operations. The last approval was in June 2017 and was to be renewed in 2019. The petitioner is requesting re-approval of the Conditional Use Permit for auto wholesale on the property.

The Zoning and Planning Committee recommends approval of this biennial conditional use permit request and continue to require the following conditions:

1. Provide a general site plan that clearly identifies a designated display area location for auto wholesale.
2. Approved for a maximum of two parking stalls on site for this use.
3. Conditional Use Permit expires on June 30, 2021 and must be renewed by the Town of Ledgeview at such time.
4. Site must meet all other town, county, and state regulations.

At 6:04 PM, Chairman P. Danen opened the public hearing for comments.

After three calls for additional public comments, none were heard. Chairman P. Danen closed the public hearing at 6:05 PM.

MOTION by Cheslock/Peltier to approve the biennial Conditional Use Permit for John Mommaerts with the conditions recommended by Zoning & Planning. No further discussion. Motion carried in a voice vote, 5-0.

3. Recommendation from Zoning & Planning on the request for biennial Conditional Use Permit from WEL Real Estate LLP, applicant and owner of the property located at 1625 South Broadway, Parcel D-54, for a used motor vehicle wholesale dealership in the Light Industrial District (LI).

For a number of years, the petitioner has been afforded the opportunity to locate three (3) semi-trailers at their south access to Broadway to make various parts and components available for wholesale. Biennial review and approval is required for the site and operations. The last approval was in June 2017. The petitioner is requesting re-approval of the Conditional Use Permit for auto sales on the property.

The Zoning and Planning Commission recommends approval of this biennial conditional use permit request and continue to require the following conditions:

1. Site must meet all other town, county, and state regulations.
2. No parking is allowed on the grass area.
3. Only motorized, self-propelled vehicles are allowed.
4. No machine parts, containers, vehicle parts, etc. will be allowed in this area.
5. Vehicles must be displayed in an organized manner.
6. Install landscaping at the base of the monument sign by June 30, 2019. (NOTE: The applicant was in attendance of the meeting and advised that the landscaping was recently completed)
7. Conditional Use Permit expires on June 30, 2021 and must be renewed by the Town of Ledgeview at such time.

At 6.04 PM, Chairman P. Danen opened the public hearing for comments.

After three calls for additional public comments, none were heard. Chairman P. Danen closed the public hearing at 6:05 PM.

MOTION by Cheslock/Van Rossum to approve the Conditional Use Permit for WEL Companies with the conditions set forth by Zoning & Planning. No further discussion. Motion carried in a voice vote, 5-0.

4. Recommendation from Zoning & Planning on the request by Steve Bieda of Mau & Associates, agent for Keith Garot of BASGIG Investors LLC, for a Rezone Application on parcel D-425-2 located on Bower Creek Road from R-1 Residential to R-1/PDD and R-2/PDD Planned Development District to accommodate a new subdivision plat called Red Hawk Landing.

In September and October 2018, the Town (Zoning & Planning Commission and Board) reviewed and approved the rezoning of this property from A-2, Agricultural District to R-1, Residential District for future subdivision. The rezone accompanied a preliminary plat for 80-plus single-family units.

Since that time the Town has completed a flood study for the area. The study impacted the buildable area of the property and the preliminary plat needed to be modified. To accommodate the proposed plat, the flexibility available through the Planned Development District is needed. Additionally, the petitioner is requesting to include five (5) two-family lots in the development. The petitioner is requesting to rezone the lands from R-1, Residential District to R-1/PDD and R-2/PDD.

There was discussion on the traffic impact to Bower Creek Road. Staff is mindful of the traffic impact and is looking at urbanization of the road in the future with some coordination with the Village of Bellevue. Discussion ensued regarding the duplex lots which are the corner lots; lot 1, 74, 45, and 46. Outlot 1 will be a stormwater management pond, unknown if it will be wet or dry at this time. With regard to the flood study, the goal was to keep flood lands and wetlands out of private property so owners wouldn't be tempted to build on them. Bike/ped sidewalks are included in this subdivision. Zoning & Planning unanimously recommends approval.

At 6.12 PM, Chairman P. Danen opened the public hearing for comments.

Joe Torrez, 3647 Bower Creek Rd – Was wondering with the narrower lots sizes, was the setback going to be changed.

Staff answered that the normal 30-foot setback would still be required regardless of the width of the lot.

Robyn Schumacher, 7780 Altmeyer Drive – Inquired on tree removal, and if some outlots would be offered back to adjacent property owners.

Staff answered that the creek is the dividing line. Trees to west of the creek will remain, those to the east will be removed. Outlots 4 and 5 will be offered back to the adjacent property owner. All other outlots will be owned by the Town.

Matt Shuma, 7750 Altmeyer Drive – Asked about stormwater management and if the design was going to take into consideration the current flooding situation.

Staff replied that there are going to be Town owned retention ponds and that the channel is going to be dug out to allow for more downstream flow. Staff is aware of the flooding occurring in neighboring Belle Isle Subdivision and the Red Hawk Landing design should help alleviate some of that flooding.

After three calls for additional public comments, none were heard. Chairman P. Danen closed the public hearing at 6:18 PM.

MOTION by Peltier/Van Rossum to approve the rezone for Red Hawk Landing. No further discussion. Motion carried in a vote, 4-0-1 with P. Danen abstaining.

ZONING & PLANNING:

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

This item was previously reviewed and approved by the Zoning & Planning and Town Board in September and October 2018. The plat was for 80+ lots at this time.

Since that time the Town has completed a flood study for the area. The study impacted the buildable area of the property and the preliminary plat needed to be modified with a reduced number of lots. Additionally, the petitioner is requesting to include five (5) two-family lots in the development.

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

1. Revisions to the plat per the mark-up provided by the Staff to the Developer.
2. A notation be added to the plat that sidewalks are required throughout.
3. Add a notation indicating that future sidewalks or recreational facilities will be installed in the public right-of-way along Bower Creek Road.
4. Add a conservation easement to protect the southern Environmentally Sensitive Areas.
5. Preliminary Plat approval is contingent on flood study approval/findings

MOTION by Van Rossum/Cheslock to approve Red Hawk Landing Preliminary Plat with the conditions set forth by Zoning & Planning. No further discussion. Motion carried in a voice vote, 4-0-1 with P. Danen abstaining.

OLD BUSINESS: None.

NEW BUSINESS: None.

COMMUNICATIONS: None.

Approved at the June 18, 2019 Town Board Meeting.

ORDINANCES: None.

REPORTS:

Administrator:

- Green Bay Chamber is asking for letters of support for the Southern Bridge Project. The Board gave permission for a letter on behalf of Town of Ledgeview to be sent to legislators.

Clerk:

- Gave an update on the Dollar Hill Equestrian Center's Rodeo Event.
- Records were received by DATCP in the case of Ledgeview Farms vs Town of Ledgeview.
- Volunteer Appreciation Event overview.

Treasurer:

- Status update on the Town of Glenmore Fire Agreement was given. The Board gave staff direction on next steps.

Engineer:

- Gave an update on the Scray Hill Road Project.

Public Works:

- Installing Ledgeview Loop Bike Routes signage.
- Road shouldering continues.
- Trellis Drive Apartments, water situation was explained.

Fire Chief/Treasurer:

- Discussion on Town of Glenmore Fire Call Contract as it relates to non-emergency/non-structure fire responses with the Town of Ledgeview Fire Department.

Board Comments: None.

APPROVAL OF THE VOUCHERS:

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

ADJOURNMENT:

MOTION by P. Danen/Peltier to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 6:32 p.m.

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