

TOWN BOARD MINUTES
Monday, May 2, 2022 at 6:00 p.m.
or as soon thereafter as possible
Ledgeview Community Center
3700 Dickinson Road, De Pere, WI 54115

CALL TO ORDER

The meeting was called to order by Chairman P. Danen at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all in attendance.

ROLL CALL

Present were Chairman Phil Danen, Supervisors Renee Van Rossum, Mark Danen, Sachin Shivaram and Alan Matzke.

Staff present was Administrator Sarah Burdette, Clerk Jennifer Broich, Planner Dustin Wolff (virtually), Zoning Administrator Dan Teaters, Treasurer Renae Peters, Engineer Scott Brosteau, Public Works Director Greg Potts, and Park & Recreation Director Stephanie Schlag.

AGENDA APPROVAL

Staff advised there was a change in the Consent Agenda, Item No. 5(c) in which the date of the Annual Meeting Minutes that need to be approved are actually for April 20, 2021.

Motion by Supervisor R. Van Rossum to approve amended agenda; **seconded by** Supervisor R. Van Rossum. No further discussion. Motion carried in a voice vote, 5-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. April 4, 2022 Town Board Minutes
 - b. April 19, 2022 Town Board Minutes
2. Routine Reports:
3. Committee/Commission Reports:
4. Operator's Licenses: April 17, 2022 thru April 30, 2022
5. Other Committee Minutes.
 - a. March 23, 2022 - CBCWA Committee Minutes
 - b. January 10, 2022 – SAP (Service Award Program) Minutes
 - c. ~~April 19, 2022 – Annual Meeting Minutes~~ : April 20, 2022 – Annual Meeting Minutes
6. Pay Requests: None.
7. Special Event & Street Closure Permits: None.

Motion made by Supervisor A. Matzke to approve the AMENDED Consent Agenda as written, **seconded by** Supervisor M. Danen. No further discussion. Motion carried in a voice vote, 5-0 at 6:02 p.m.

PUBLIC COMMENT:

Chairman P. Danen opened public comment at 6:02 p.m.

After three calls for comments, none were heard. Public comment was closed at 6:03 p.m.

PUBLIC HEARING:

1. Public Hearing for approval of the on the request by Steve Bieda of Mau & Associates, on behalf of Kael Coleman (owner) to rezone parcels D-2325 and D-2326 on Altmeyer Drive to remove the PDD overlay associated with the Red Hawk Landing Development.

** Item to be approved with Zoning & Planning agenda item no. 1 **

Staff presented the request to rezone the above Outlots from R-1/PDD to R-1. The Town does not allow split zoning on a property, and the Outlots would need to be rezoned to R-1 for the lot combination to occur. This is part of a request to for a combination CSM to add the land area of Outlot 5 from the Red Hawk Landing Plat to their single-family property in Belle Isle Meadows.

The Outlots were lands located in the floodplain that could not be developed as part of the Red Hawk Landing subdivision approved in 2018. With the recently approved flood study undertaken by the Town for the area, large areas of land in the Outlots were removed from the floodplain. This made land developable that was not anticipated when the Outlots were platted, which raises the concern of potential improvements on those lands.

The expectation from the Town and the developer was that each Outlot would extend the depth of each lot—not that a property owner would acquire multiple Outlots for combination—and that no structures or improvements would be built upon them.

The Town is now faced with a situation that could result in improvements (swimming pool, accessory building, playground, etc.) on land that was not intended to be built upon. Moreover, improvements could be made directly behind a neighbor’s home or back yard, and this could be the case for a series of other neighboring properties.

The ZPC was very conflicted on this issue, due to unforeseen impacts to the enjoyment of other properties. The ZPC ultimately recommended approval of the rezone to the Board with the following findings:

1. The proposed rezoning from R-1/PDD to R-1 is consistent with the current zoning and development trends in the area.
2. The lands are suitable for low-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.

At 6:10 p.m., Chairman P. Danen opened the public hearing for comments.

KAEL COLEMAN – 7800 Altmeyer:

Property owner spoke to the Town stating he would like to use this space for a more favorable manner for his kids. Mr. Coleman stated that since he owns two of the Outlots, he has been thinking of perhaps creating a safe play area for the neighborhood kids. There is a pocket park nearby that is very small for that area, and was concerned if kids wanted to go to a different park, they would have to cross CTH G to get to a park, as there isn’t anything else nearby.

Chairman P. Danen clarified to property owner stating that the Zoning and Planning committee recommended lifting the PDD only on the outlot directly behind Mr. Coleman’s property; and asked if he planned to have a playground on just that one lot.

Mr. Coleman stated if he did anything he would put in a sport court: cement slab with a basketball hoop and possibly a pickle ball net. Stated having the two outlots combined into one would allow him to position it to maximize the greenspace.

Chairman P. Danen asked if anyone in the audience was here to speak in favor of it, to which none were in favor. He then asked if anyone in the audience wanted to speak against it.

JEAN SCHUMACHER – 7780 Altmeyer:

Ms. Schumacher spoke against this proposal, as one of the main reasons for buying in this area was to have the greenspace, and watching the wild animals in their natural habitat.

Chairman P. Danen presented an anonymous letter that was submitted electronically voicing valid concerns against this plan. Chairman noted that there were several specific concerns that were brought up in the letter, and laid out very well, however without being able to know who wrote the letter, the Board does take this information into account but isn't able to give it much credence.

STEPHEN MCLEOD – 7790 Altmeyer:

Mr. Mcleod lives directly next door to and wanted to attend the meeting to see what Mr. Coleman had planned for the property if the two Outlots were zoned together. Mr. Mcleod stated he did not but his property to look at a playground and wants to keep trees and all of the greenspace intact as the Outlots are a decent size.

Chairman P. Danen asked for a third and final time if anyone wanted to speak for or against this rezone, to which no one did. Public hearing was closed at xxxxxxxxxx and item is taken back to the Board level.

Supervisor S. Shivaram asked staff if there were any concerns about the flooding should more impervious surface be added in that area.

Staff explained there was a berm placed behind the creek that keeps the water east of the Outlots. Staff explained there shouldn't be much change should a concrete slab or sport court be added.

Supervisor S. Shivaram addressed Mr. Mcleod asking to clarify on his concern, and that if a sport court were to be built, if that is something he was envisioning. Mr. Mcleod stated it depended on how large it would be and where exactly it would be going, as well as how much of it would be in the lot behind his house as well as how much of the greenery would be cut down.

Chairman P. Danen clarified that if anything were to be done, it would be done on the lot directly behind Mr. Coleman, and not on the adjacent Outlot. Also voiced concerns about the precedence in policy in changing the zoning of the Outlots with the idea that they would NOT be buildable lots as they were originally ESA, with the premise that nothing would be built behind on it.

The recent flood study results changed the use of this area. If the PDD were to be lifted, it would be like a spot-zoning approval, which doesn't work well. Pointed out that if the rezone occurred, and the two Outlots were to be combined as R-1, there is a larger chance that Mr. Coleman could end up building almost anything on that lot, if this were to go through. Neighbors could subsequently come to the Town Board asking for the PDD to be lifted off their lot because precedence would have been set and a decision would need to be made on a case-by-case basis.

Supervisor M. Danen proposed an alternative, specifically regarding Mr. McLeod's property, stating that perhaps it would be allowable if Mr. Coleman work with the neighbors and get unanimous written support from all of the neighbors.

Chairman P. Danen stated if this were a case where all of the neighbors were in support of this, most likely there wouldn't be any issues in approving this.

Continued discussion was had at the Board level.

Motion by Supervisor S. Shivaram to approve the rezone of parcels D-2325 and D-2326 on Altmeyer Drive to remove the PDD overlay associated with the Red Hawk Landing Development with recommendations.
There was no motion to second.

Motion by Chairman P. Danen to **deny** the rezone of parcels D-2325 and D-2326 on Altmeyer Drive to remove the PDD overlay associated with the Red Hawk Landing Development. **Motion seconded by** Supervisor A. Matzke to deny. No further discussion. Motion to deny carried in a voice vote, 4-1.
[Ayes: P. Danen, A. Matzke, M. Danen & R. Van Rossum; Nays: S. Shivaram]

ZONING & PLANNING:

1. **Discuss and act on** recommendation from the Zoning and Planning Commission on the request by Steve Bieda of Mau & Associates, on behalf of Kael Coleman (owner) for a proposed combination Certified Survey Map for ONLY parcels D-1886, D-2325 located at 7800 Altmeyer Drive. [parcel D-2326 will remain a separate parcel]
CSM cannot be approved, as it does not meet the requirements within the Town’s Zoning Code.

Motion made by Supervisor M. Danen made a motion to table the combination Certified Survey Map (CSM) pending further approval of property owner’s (Mr. Coleman) garnering support of neighbors. **Motion seconded by** Supervisor S. Shivaram. No further discussion. Motion carried in a voice vote, 5-0.

OLD BUSINESS: None.

NEW BUSINESS:

1. **Request** for approval of Designating the Month of May as “No-Mow-May” by approving Resolution R-2022-027.

Staff presented information pertaining to the “No-Mow-May” campaign. Approving said resolution would suspend the current ordinance and allow residents the opportunity to participate in “No-Mow-May” should they so choose. Information would be presented to the residents via social media, the internet and newsletters.

Motion made by Supervisor S. Shivaram to approve the Resolution R-2022-027 Designating the Month of May as “No-Mow-May” WITH Registration Requirements. **Motion seconded by** Supervisor A. Matzke. No further discussion. Motion carried a voice vote, 5-0.

2. **Review Discussion, review and feedback on the Urbanization Policy.**

Staff presented a loose draft of a policy to the Town Board that would give staff some guidelines as to when a project would need to be urbanized instead of doing the urbanization after the project is complete or just for smaller sections of the road. The purpose of this policy is for the Town of Ledgeview to have guidelines and standard practice as to when and how to urbanize a roadway, especially when working in the early stages with developers.

COMMUNICATIONS:

1. Proclamation acknowledging Municipal Clerks Appreciation Week.

ORDINANCES:

REPORTS:

Administrator:

- Future dates for Strategic Planning with all staff/board members along with the consultant.

Planner: None

Zoning Administrator:

- Several ongoing projects.
- Received a picture with approx. 20ft. of water in the quarry.

Treasurer:

- Rescheduled Sanitary District Committee to May 25, 2022 due to lack of quorum for June.

Clerk: None

Engineer: None

Public Works Director:

- Received several requests for ATV, UTV use on Town roads, looking for guidance if that is something the Board would like to entertain.

Park & Recreation Director:

- Story walk board were put out at Ledgeview Park.

Fire Department: None

Board Comments: None

APPROVAL OF THE VOUCHERS:

Motion made by Supervisor R. Van Rossum to approve the vouchers. **Motion seconded by** Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 5-0.

CLOSED SESSION: None.

ADJOURNMENT:

Motion made by Chairman P. Danen to adjourn, **seconded by** R. Van Rossum. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 7:01 p.m.

Respectfully submitted,
Jennifer L. Broich
Clerk

Approved at the May 17, 2022 Town Board Meeting.