



**TOWN BOARD MINUTES**  
**Tuesday, July 19, 2022 at 4:30 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 4:27 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, Alan Matzke and Sachin Shivaram.

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

**AGENDA APPROVAL**

Chairman P. Danen noted striking the ordinance approvals, and to move the Communications portion up after Public Comment as advised by staff.

**Motion by** Chairman P. Danen to approve agenda as written **seconded by** Supervisor M. Danen. No further discussion. Motion carried in a voice vote.

**CONSENT AGENDA**

1. Regular Board Meeting Minutes:
  - a. June 6, 2021 Town Board Minutes
  - b. June 21, 2022 Town Board Minutes
2. Routine Reports:
3. Committee/Commission Reports:
4. Operator's Licenses: June 19, 2022 thru July 16, 2022
5. Other Committee Minutes. Accept and place on file:
  - a. August 23, 2021 - Joint Review Board Minutes
  - b. May 12, 2022 - Personnel & Finance Minutes
  - c. May 25, 2022 – Sanitary District #2 Minutes
  - d. October 13, 2021 – Redevelopment Authority Minutes
6. Pay Requests: None.
7. Special Event & Street Closure Permits: None.

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

**PUBLIC COMMENT:**

Chairman P. Danen opened public comment at 4:29 p.m.

After three calls for comments, none were heard. Public comment was closed at 4:30p.m.

**COMMUNICATIONS:**

1. Proclamation Recognizing Park and Recreation Professional Day July 15, 2022.

2. Proclamation Recognizing Eagle Scout, Nolan Van Miller.

#### **PUBLIC HEARING:**

1. Public Hearing for approval of the on the request to rezone various town-owned parcels to match the intended use, either as C-1 Conservancy District or as I-1/I-O as Institutional Overlay District via Resolution R-2022-031.

The public hearing was opened at 4:32 p.m.

Staff explained the reasoning for the need of the rezone because over the last several years, various parcels around the Town have been rezoned as part of new subdivisions and/or development projects. Many of the new subdivisions include parcels that were dedicated to the Town for park or conservancy purposes. Most of the time, these parcels are not yet created at the time the rezoning takes place. The Town is unable to zone them as conservancy and therefore must rezone them after the subdivision plat is recorded and the parcels are created. Staff is recommending changing the zoning of certain parcels to match the intended use, either as Conservancy (C-1) District or as Institutional Overlay (I-O) District.

The public hearing was closed at 4:35 p.m.

**Motion by** Supervisor S. Shivaram to approve Resolution R-2022-031 to Rezone Various Town-Owned Parcels to Match the Intended Use. **Motion seconded by** M. Danen with no further discussion. Motion carried unanimously in a voice vote, 5-0.

#### **ZONING & PLANNING:**

1. **Discuss and act on** recommendations from the Zoning and Planning Commission on the CSM request by Brent Beck (owner), to combine parcels D-1573 and D-1574 located at 2576 and 2582 Harvest Moon Court via Resolution R-2022-033.

The petitioner is requesting the approval of a combination CSM to add the land area of parcel D-1574 to their single-family property, parcel D-1573. Both parcels are zoned R-1, Residential District. There are no zoning changes necessary.

There is a single-family home on parcel D-1573. Lot D-1754 is entirely located within a Shoreland Zone as defined by Brown County, with Environmentally Sensitive Areas on the eastern edge of the property. Development of parcel Lot 1 will need to comply with County regulations. The Shoreland Zone should be noted on the CSM.

ZPC recommend approval to Town Board with recommendations.

**Motion made by** Supervisor A. Matzke to approve the CSM to combine parcels D-1573 and D-1574 located at 2576 and 2582 Harvest Moon Court via Resolution R-2022-033 with the following conditions:

1. All setbacks must be shown on the CSM, for the R-1 District front yard setbacks are 35' from the Right-of-Way on streets without curb and gutter.
2. Illustrate the setback of the existing residence on the CSM.
3. Illustrate the Shoreland Zone designation and setbacks on Lot 1.
4. Address technical corrections required by the Town Engineer or Brown County.

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

2. **Discussion and act on** a request by Recommendation from the Zoning and Planning Commission on the Building, Site, and Operations (BSO) request by John Smits (owner), for an outdoor beer garden on parcel D-123-3 located at 3230 Main Street.

Petitioner is requesting approval for an outdoor patio area to allow dining and alcohol service. The proposed area will be on the north side of the building in the parking lot. The expanded patio will impact five (5) existing parking stalls. There are ample parking spaces available on the site to compensate for the loss of the stalls.

ZPC recommend approval to Town Board with recommendations.

**Motion made by** Supervisor M. Danen to approve the Building, Site, and Operations (BSO) for an outdoor beer garden on parcel D-123-3 located at 3230 Main Street with the following conditions set forth by Zoning and Planning Commission:

1. Revised site plan illustrating:
  - a. A 4-foot open fence to be noted on the plan with a fence image / cut sheet.
  - b. Details of the fence structure and / or footing.

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

3. **Discussion and act on** Recommendation from the Zoning and Planning Commission on a Security Fence request by Bob Hoffman (owner) to allow for a six foot fence adjacent to a public right-of-way on 1104 Lansdale Circle, parcel D-1167.

The property owner is requesting to install a six (6) - foot tall fence in the side street yard along Prescott Place. The application is proposing to install forty (40) - feet of six (6) - foot-high fence made from white vinyl/PVC in the “dogwood” style. The fence is proposed to be located about twenty (20) - feet in front of the house, in the side yard parallel to Prescott Place, approximately eight (8) - feet off the property line. It will be located about twenty (20) - feet in front of the house. The fence is intended to provide privacy for the rear yard and to mitigate noise / views from Prescott Place.

The ZPC recommended the Town Board approve the fencing as submitted with the condition that a minimum of six (6) shrubs be planted along the east side of the fence.

**Motion made by** Supervisor A. Matzke to approve the Security Fence to Allow for a Six Foot Fence adjacent to a public right-of-way on 1104 Lansdale Circle, parcel D-1167 with the condition that a minimum of six (6) shrubs be planted along the east side of the fence. **Motion seconded by** Supervisor S. Shivaram with no further discussion. Motion carried in a voice vote, 5-0.

4. **Discussion and act on** Recommendation from the Zoning and Planning Commission to Rescind a Conditional Use Permit (CSM) that allowed for automobile sales at 3751 Creamery Road on Parcel D-368-6 via Resolution R-2022-040.

For years, the petitioner has been afforded the opportunity to display and sell automobiles on the site. Biennial review and approval was required for the site and operations. The last approval was in June 2019. The property owner is requesting the site’s Conditional Use Permit for auto sales be rescinded as the use is no longer in operation.

The ZPC recommend the recommended rescinding of the conditional use permit to the Town Board.

**Motion made by** Supervisor M. Danen to Rescinding the Conditional Use Permit (CSM) that allowed automobile sales at 3751 Creamery Road, on Parcel D-368-6 via Resolution R-2022-040. **Motion seconded by** Supervisor S. Shivaram with no further discussion. Motion carried in a voice vote, 5-0.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

1. **Discussion** regarding an Assessment Policy for Urbanizations and Resurfacing Town Roads.

Staff presented the need to create a code or at minimum a standard with how the Town handles assessments. The amount of special assessments levied to each property has varied and ultimately has had no or little direction to it other than reviewing and applying what has been “done in the past”. This leaves Ledgeview in a vulnerable state to be able to be fair and equal to our residents. This also leaves staff unable to give residents an exact and consistent answer when discussing special assessments and makes it more difficult to properly budget for a 5-year capital improvement plan (CIP) without knowing if assessments are going to be imposed and at what dollar amount. Ledgeview’s special

assessment amounts have not increased with the inflation of construction cost leaving Ledgeview to bond additional money to cover the increasing cost.

Another concern is the maintenance and replacement of the 68 miles of roadway infrastructure in Ledgeview. We currently have roadway's that are at their full life expectancy that need to be resurfaced. At a 30-year life expectancy of pavement, Ledgeview should be resurfacing 10,000 linear feet (LF) of roadway each year to stay ahead. This can be extended to a certain point with maintenance but the longer the roadway goes untreated the higher the replacement cost.

Our current state funded general transportation aids are \$493,000. This amount will not cover the cost of maintenance and the resurfacing of the recommended 10,000 LF (estimated \$700,000). There will also be an increased cost of maintenance now that we are going from 20-foot wide rural roadways to 37-foot wide urban roadways.

This year Ledgeview will be resurfacing Lone Oak Road in its entirety and Ledgeview Road from Lone Oak to the East River. The cost for Ledgeview's portion of this project is \$525,000 and this is 6,759 LF of roadway. We must also consider the \$115,000 to chip seal rural roads and the estimated \$70,000 per year to keep up with the needed crack filling services.

Currently we use our General Levy and General Transportation Aids, but would prefer to be on a regular schedule in order to keep the surface at its 30-year mark and to be able to stay ahead of everything. We cannot keep the roadway infrastructure on the backburner any longer.

Staff was hoping to set up a percentage and is looking for recommendations. Possibly utilizing a transportation fee in combination with an assessment policy, but that all cannot be put on the developer.

Supervisor S. Shivaram agreed that a higher percentage makes sense as the road usage in the Town is mainly used by everyone as a way to get from point A to point B, versus other communities.

Supervisor A. Matzke applauds the Town for having a plan and agrees this is the right track to be on.

## **2. Discussion on All-Terrain Vehicle (ATV) / Utility-Task Vehicle (UTV) Usage.**

Staff has received multiple requests from residents to allow All-Terrain Vehicle (ATV) and Utility Terrain Vehicle (UTV) usage on Town owned and maintained roadways. This has increased in demand as neighboring communities such as Glenmore and Eaton have created ordinances that allow ATV usage on certain roadways during certain hours of the day.

A town, village or city may enact an ordinance under state statutes that allows ATV usage on any highway with a speed limit of 35 mph or less. The Town also has the authority to allow usage on any Town owned and maintained roadways. Within the Town of Ledgeview's boundaries, we house County Roads MM, V, G, GV and X, all which have a speed limit greater than 35 mph.

Staff contacted the Brown County Highway Commissioner to see if ATV usage on these highways would be something that could be considered. Brown County responded that all the mentioned highways contained hills, curves and traffic counts that they would not recommend ATV usage on any sections within the Town. They did mention that if a trail system were created that they would allow for ATV usage in the ditch right of way along any highway. Without allowing the use of county roadways this limits the majority of Ledgeview's residents to leave their respective subdivisions. The Town can allow usage on certain roadways. Each roadway would have to be signed for ATV use per WDNR regulations which also allows for law enforcement to easily recognize what is and isn't an ATV route.

Chairman P. Danen stated this may make more sense once Dollar Road has more connectivity. In the meantime, asked Staff to reach out to the Village of Bellevue to ask them if they had any interest in a trail or path for ATV usage.

## ORDINANCES:

1. ~~First Reading~~
  - a. ~~O 2022-016 Adoption of Official Town Map.~~

## REPORTS:

### Administrator:

- Written report as submitted.
- Contacted by De Pere with regards to crossing guards and amending the agreement. As of July 1<sup>st</sup> our agreements automatically renew. Looking for guidance from the Board as to how to go forward and need to let them know by September 1<sup>st</sup>.
- Attended a few meetings from Greater Green Bay Chamber Advance.
- Attorney on Ledgeview Farms – no movement on the Appeals Court.

### Planner:

- Dedicated System submitted a plan.

### Zoning Administrator:

- Went through the list of upcoming projects.

### Treasurer:

- Written report as submitted.
- Went to the Master's Academy and watched All The Queens Horses about municipal fraud which was very informative.

### Clerk:

- Written report as submitted.
- Advised Cocoon reached out and wanted to start with their paperwork with regards to alcohol licensing.

### Engineer: None.

### Public Works Director:

- Written report as submitted.
- Lone Oak and Ledgeview starting.

### Park & Recreation Director:

- Written report as submitted.
- Gave a fantastic quote for Park & Recreation Month: “Parks and Recreation are at the center of so many experiences and memories. Our local parks and recreation centers are often our first experiences in nature or introduction to our favorite hobby or physical activity”

### Fire Department: None.

### Board Comments: None.

## APPROVAL OF THE VOUCHERS:

**Motion made by** Supervisor A. Matzke to approve the vouchers. **Motion seconded by** Supervisor M. Danen. 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** Supervisor R. Van Rossum. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 5:26 p.m.

Respectfully submitted,  
Jennifer L. Broich  
Clerk

Approved at the August 1, 2022 Town Board Meeting.