



ZONING and PLANNING COMMISSION MINUTES

Wednesday, October 11, 2023, at 6:00 p.m.

Ledgeview Community Center

3700 Dickinson Road, De Pere, WI 54115

A. CALL TO ORDER

The meeting was called to order by Chairperson J. Tenor at 6:00 p.m.

B. ROLL CALL

Members present were Chairperson Jan Tenor, Vice Chairperson Mark Handeland, Commission Members Kris Baran, Mark Chambers, Chris Culotta, Mari McAllister-Charles, Renee Van Rossum, and Alternate Member Jeffrey Thoms.

Staff present were Town Planner, Dustin Wolff and Clerk, Jennifer Broich.

C. AGENDA APPROVAL

Chairperson J. Tenor recommended approving the agenda with the correction of the next regular meeting date being November 15, 2023, as there was a typo on the original posted agenda.

Staff also mentioned the desire to take NEW BUSINESS agenda item before discussing OLD BUSINESS.

Motion by J. Tenor to approve agenda with taking care of the New Business item before Old Business and changing the date of the next ZPC meeting to November 15th, **seconded by** M. Handeland. No further discussion. Motion carried in a unanimous vote, 7-0.

D. APPROVAL OF THE MINUTES

1. September 13, 2023

Motion made by J. Tenor to approve the minutes, **seconded by** M. Handeland. No further discussion. Motion carried in a unanimous vote, 7-0.

E. NEW BUSINESS:

1. Review and make recommendation on a proposed amendment to the Eventyr Heights Planned Development District (PDD) for Unit 1 (D-2245; 1621 Garden Grace Way) to amend the side yard setback as submitted by Steven Bieda, agent, on behalf of LaRee Runnoe, owner.

Staff summarized the history of Augusta Hills and Eventyr Heights Developments. Advised the developer is looking to amend the Eventyr Heights PDD related to Unit 1 and Unit 2, specifically to remove the zero-lot line requirements and to change the side yard setbacks to eight-feet for both lots. Staff did not feel this was a substantial change, but if the Commission felt it was a substantial change, a public hearing would be needed.

Discussion continued between staff and the Commission. The Commission agreed on the following conditions as recommended by staff:

- a. The ZPC finds the proposed amendments to be minor and not a substantial change to the PDD, and a public hearing is not required for the amendment to the Eventyr Heights PDD.
- b. The side yard setbacks for Unit 1 and Unit 2 — 1621 and 1623 Grace Garden Way (D-2245 and D-2246)—are revised to 8-feet. Front and rear setbacks remain 25-feet.
- c. Record an amended condominium plat for Eventyr Heights illustrating the amended setbacks for Unit 1 and Unit 2.
- d. Driveways will continue to access Grace Garden Way, with no vehicle access to Bobby Jones Drive.
- e. Ledgeview will require compliance with emergency site access requirements WI Administrative Code SPS 314 for Unit 1 and Unit 2, specifically:
 - i. The driveway as proposed will need to be constructed to support an 80,000-pound vehicle - the concrete must be 6” thick rather than the standard 4” thickness. Building plans will need to be revised to clearly indicate this specification for the driveway.
 - ii. A signed and recorded easement document between the Owner and the Town acknowledging this access requirement.

Motion by J. Tenor to approve amendment to the Eventyr Heights Planned Development District (PDD) for Unit 1 (D-2245; 1621 Garden Grace Way) to amend the side yard setback with the above conditions. **Motion seconded by** M. Handeland. No further discussion. Motion carried unanimously, 7-0.

F. OLD BUSINESS:

1. **Review and possible consideration** on various updates Chapter 135 Zoning of the Town of Ledgeview Code of Ordinances related to (a) Exterior Lighting; (b) Greenspace Requirements; (c) Permitted Uses; (d) Temporary Uses; and (e) Noise.

(a) Exterior Lighting: Staff presented and clarified a few details pertaining to seasonal lighting, including laser projections with regards to possible issues for non-residential and commercial properties. They discussed the temperature of lights being used on residential properties as everyone is going to LED lights and how there is the need to avoid people having really bright lights as it would be hard to measure and enforce.

Staff feels the maximum number for exterior lighting to be measured be .1 vs .2 for both residential and non-residential as it complies with INS regulations.

Motion by M. Handeland to approve Exterior Lighting code changes as discussed, **seconded by** M. Chambers. No further discussion. Motion carried unanimously, 7-0.

(b) Greenspace Requirements: Staff presented language that Engineering and Public Works Director liked stating the requirements would be 43% of the lot and all exceptions that would be allowed.

Staff requested the Commission make a decision whether would include pools as impervious surfaces or not, and if it should also include the concrete and patio surrounding it.

Motion by M. Handeland to approve Greenspace Requirements code changes as discussed with including all pools as impervious surfaces, **seconded by** M. Chambers. No further discussion. Motion carried unanimously, 7-0.

(c) Permitted Uses: Staff directed the Commission to look over and add items that they would like to see added.

- (d) Temporary Uses: Currently items regarding temporary uses are mainly handled at the staff level and does not need to go to the Plan Commission. Staff presented the proposed text.

Motion by K. Baran to approve Temporary Uses code changes as presented, **seconded by** C. Culotta. No further discussion. Motion carried unanimously, 7-0.

- (e) Noise: Staff presented general guidelines that the surrounding communities have. Staff advised that there should be some general guidelines and not to include a list of exceptions and a decision needs to be made as to what is reasonable or not, which includes possibly setting hour.

Discussion and clarification was had with regards to the time frame allowed, and the number of decibels that would be allowed before becoming a nuisance. Examples include proposing the time from 7 a.m. to 8 p.m. or extending it to 9 p.m. or 10 p.m. on Fridays and Saturdays.

Staff advised that there could be a benefit to having a noise study done and went explained that 60db is a reasonable number to include in the ordinance and if anything were above that amount, the resident would need to contact the Brown County Sheriff's Department.

No action taken on noise.

G. STAFF REPORT:

1. Update on future agenda items.
2. Review Town Board decisions.
 - i. August 22, 2023
 - ii. September 05, 2023
 - iii. September 19, 2023
 - iv. October 02, 2023

H. COMMUNICATION BY COMMISSION MEMBERS

M. Handeland did not go to the last county meeting as he was ill.

I. ADJOURNMENT:

Motion made by M. Chambers to adjourn, **seconded by** K. Baran. No further discussion. Motion carried unanimously, 7-0. Meeting adjourned at 7:33 p.m.

Next Regular Meeting: Wednesday, November 15, 2023, at 6:00 p.m.

Respectfully submitted,

Jennifer L. Broich

Jennifer L. Broich, Clerk

Town of Ledgeview, Brown County, WI

Approved at the November 15, 2023, Zoning & Planning Commission Meeting.

Approved at the November 21, 2023, Town Board Meeting.