

Town of Lawrence
Proceedings of Planning and Zoning/Site Review Board Meeting
Wednesday, August 10, 2005
Meeting Time 7:00PM – Town Hall 2595 French Road

Call to Order

The meeting was called to order by John Klasen at 7:00PM.

Roll Call

Present: John Klasen, President
 Mary Jo Kussow, Secretary
 Brian Peterson, Member
 Dale Warpinski, Member
 John Krawczyk, Member
 Judy Benz, Advisory
Excused: Skip Lee, Member
 Ron Blohowiak, Member
 Bob Gerbers, Advisory

1. **Approval of Minutes from Meeting Held July 13, 2005**
A motion was made by Brian Peterson to approve the minutes from the meeting held on July 13, 2005. Seconded by Dale Warpinski. Motion carried.

2. **Diesel Specialist Site Plan**
Brian Tomcheck was present to propose a site plan for his business, Diesel Specialist to be located on Mid Valley Drive. Mr. Tomcheck has obtained the storm water management approval from McMahon Associates in 2004. Bob Gerbers was not present but asked through Judy Benz if an easement would be necessary for the storm water in the center of the lot if it was his intent to split the lot. Mr. Tomcheck stated he would return to the Board with his sign plan. A motion was made by John Krawczyk to approve the site plan for Diesel Specialist. Seconded by Mary Jo Kussow. Motion carried. (See plan attached)

3. **Rezoning of Parcel L-424 from Agricultural to B1 Business to accommodate Diesel Specialist Site Plan**
A motion was made by Dale Warpinski to recommend approval and move to a public hearing to rezone Parcel L-424. Motion seconded by Brian Peterson. Motion carried unanimously.

4. **Request to relocate Mini-Warehouse Project from south of Kocken Excavating to Grant Street**
Removed from the agenda per Marty Kocken.

5. **Final Plat for Patriot Place 1st Addition**
Steve Bieda from Mau & Associates was present to propose the final plat for Patriot Place 1st Addition. Mr. Bieda stated the two lots were originally on a Certified Survey Map previously approved. Bieda stated that because the developer has created more than five lots this year, it is necessary to provide the division on a plat map. A motion was made by John Krawczyk to approve the final plat for Patriot Place 1st Addition. Seconded by Dale Warpinski. Motion carried unanimously. (See map attached.)

6. **Final Plat for Carpenter's Crossing**
Steve Bieda was present to propose the final plat for Carpenter's Crossing. Judy Benz asked if any restrictive covenants are being recorded for the plat. Bieda said he did not have a copy of the

covenants but would send them over. Bieda stated that McMahon Associates did the storm water management plan and the corner elevations should be on that map. Benz asked why lots 11 (eleven) and lot 36 (thirty-six) did not show 100' frontage. Bieda stated the 100' measurement is met at the setback as are those on the cul de sacs. A motion was made by Mary Jo Kussow to recommend approval of the final plat for Carpenter's Crossing. Seconded by John Krawczyk. Motion carried unanimously.

7. **Preliminary Plat of Patriot Place 2nd Addition**

Steve Bieda from Mau & Associates was present to propose a preliminary plat of Patriot Place 2nd Addition. Bieda stated the storm water management will be engineered and determination will be made as to where the discharge is for Outlot 1. Bieda indicated that lots 80-91 are designated on the map as duplex lots because those lots are being considered for duplex or condominiums under a Planned Development Zoning. A motion was made by John Krawczyk to approve the preliminary plat as proposed with the understanding lots 80-91 are not to be construed as approved for duplexes. Motion seconded by Dale Warpinski. Motion carried.

8. **Site Plan for Quarry Park Apartments/Toonen**

Steve Bieda from Mau & Associates was present to propose a site plan for 132 unit apartment complex; the site is planned for 9.4 units per acre on the 14 acre parcel. The storm water for the site will be managed through the Spring Lake pond in Shadow Ridge Subdivision. The lake ponds on the site are for esthetical purposes and not for storm water management. The complex will consist of thirteen (13) buildings which will include six 10-units, four 12-units and three 8-units. The eight and twelve unit buildings are the same building. Dave Toonen stated they would like to construct the buildings with one-half brick and the remainder with a cedar impression siding. Toonen said if the town would like all brick, they could do that too because there is not a cost factor involved between the exteriors. Toonen also stated his company has approximately 1500 units and has not sold any of them to date.

A motion was made by John Krawczyk to suspend the rules and open the floor for comment. Seconded by Dale Warpinski. Motion carried.

Kevin Gannon from Northeast Asphalt Inc. stated he thinks the Toonen Company is a class act and constructs very nice apartment complexes. Mr. Gannon stated that Northeast Asphalt is permitted to be there and by definition, the quarry is active to 35 feet from their property line which would be approximately 70 (seventy) feet from an apartment building. Mr. Gannon stated some precautions need to be put into place now because we are not going away.

John Bartoszek from Northeast Asphalt, Inc. stated that when we blast, you will definitely know we are there. There is potential that damage may occur from blasting. Mr. Bartoszek stated they blast approximately one month a year but that could change in the future. It could be every day as years go by and the quarry becomes more active.

Dave Toonen stated that prior to closing on the property, he requested and received an opinion from the Town Attorney that the Ordinance required the Quarry to maintain a 250' distance from a residence. Mr. Toonen stated he would not have bought the property had he known he had to construct his buildings 250' from the quarry.

A motion was made by Dale Warpinski to return to regular session. Seconded by John Krawczyk. Motion carried.

Mary Jo Kussow stated she has no problem with the plan but certainly the underlying issue of setbacks is a concern.

A motion was made by Mary Jo Kussow to recommend approval of the site plan. Motion seconded by Brian Peterson. Discussion. Mary Jo Kussow stated it is this board's position to make recommendations on the site plan but awareness to the concerns expressed by Northeast Asphalt, Inc. must be dealt with but not here. Motion carried. John Klasen and John Krawczyk voted against the motion.

9. **Proposal for PD Lots 8-19 for Ron Sinclair/Rick Dettman**
Rick Dettman from Bay Area Homes was present to propose two single family homes on lots 8-19 of the Planned Development District of the Sinclair Development rather than two-unit condominiums or duplexes. Dettman was looking to divide the 100' front footage lots to two 50' frontage lots for the development. The Board stated the Town is not looking to have small lots with frontage of less than 100'. Mr. Dettman stated he was only looking for a direction as to what would be acceptable. No action.
10. **Consideration to reduction in lot size in estate residential zoning district and/or non-sewered river lots**
The Board was not interested in considering a reduction to lot sizes in estate residential zoned districts. It was stated that there are a large number of people that are interested in the larger lots.
11. **Discussion on Residential balancing of Multi-family versus single family**
Judy Benz informed the Board of the moratorium placed on multi-family units by the Town Board until the comprehensive plan is completed. Benz explained a residential balancing will be included in the Comprehensive Plan.
12. **Distribution of Draft Version of Smart Growth 2025 (Comprehensive Plan)**
The Smart Growth "Draft" Plan was distributed to the board. Mr. Klasen asked the Board to read the plan and prepare for a future meeting in reference to approving the plan.
13. **Designate special meeting for the purpose of review and approval of Smart Growth Plan**
September 27, 2005 was set for a special meeting to review and approve the Smart Growth (Comprehensive Plan).
14. **Public Comments**
None
15. **Adjourn**
A motion was made by Dale Warpinski and seconded by John Krawczyk to adjourn the meeting. The meeting adjourned at 9:00PM.

Respectfully Submitted by
Judy Benz for Mary Jo Kussow