

Town of Lawrence
Proceedings of Town Board/Utility District Meeting
Town Hall-2595 French Road, De Pere, WI 54115
Monday, April 23, 2007 – 7:00PM

Call to Order

The meeting was called to order by Chairman Perock at 7:00 PM

Roll Call

Present: Tom Perock, Town Chairman
Randy Treml, Town Supervisor
Kenneth VanDeHei, Town Supervisor
Randy Vandenack, Town Supervisor
John Klasen, Town Supervisor
Judy Benz, Town Clerk-Treasurer
Carrie Murphy-Auguston, Assistant Clerk
(See attached Sign-In Sheet)

Pledge of Allegiance said by those in attendance.

Discussion and Action on the following:

1. Approve minutes from Town Board Meeting held on April 9, 2007

A motion was made by Supervisor Vandenack to approve minutes from Town Board Meeting held on April 9, 2007. Motion seconded by Supervisor Klasen. Motion carried unanimously.

2. Open Public Hearing in reference to Impact Fees for Water System and Park & Recreational System

A motion was made by Supervisor Klasen to open the public hearing in reference to Impact Fees for Water System and Park & Recreational System. Motion seconded by Supervisor Treml. Motion carried unanimously. (See attached Public Hearing Notice and Sign-In Sheet)

Amy Vaclavick with McMahon Associated provided an overview of the public needs assessment for our Water System and Park & Recreational System. She stated there is adequate information to provide justification for any rate increases. She suggested the water impact fee to be a set fee with incremental increases based on the size of the water meter. (See attached information)

3. Close Above mentioned Public Hearing

Chairman Perock asked on two occasions for any questions or testimony. With no questions or comments made a motion was made by Supervisor VanDeHei to close the above mentioned public hearing. Motion seconded by Supervisor Vandenack. Motion carried unanimously.

4. Adopt Ordinance relating to Impact Fees

A motion was made by Supervisor Vandenack to adopt an Ordinance relating to Impact Fees. The motion included the establishment of a \$475 Water Impact fee with incremental increases based on meter size, a \$700 park impact fee for single-family, and a \$600 park impact fee for multi-family. Motion seconded by Supervisor Klasen. Motion carried unanimously. (See attached Ordinance)

5. Open Public Hearing for a request to rezone a portion of Parcel L-463 from Agricultural to B1 Business/Commercial to accommodate a sales center for model homes

A motion was made by Supervisor Vandennack to open the public hearing for a request to rezone a portion of Parcel L-463 from Agricultural to B1 Business/Commercial to accommodate a sales center for model homes. Motion seconded by Supervisor Trembl. Motion carried unanimously. (See attached Public Hearing Notice)

Jeff Irvine was present to request the rezoning of a portion of Parcel L-463 from Agricultural to B1 Business/Commercial to accommodate Design Homes Inc. Mr. Irvine gave a historical overview of Design Homes which manufactures and sells homes that are built to state code and installed on permanent basements. The site would consist of an office facility and several model homes. The office building is set on a 4' crawl space and would be hooked up to utilities. The seven proposed model displays are of an average size of 1500 Sq. ft and are set on concrete blocks and will have landscaping along with sidewalks. The model homes are generally sold after 2-3 years and new displays are brought in.

Jim VanGheem, 2901 Lawrence Drive – asked if all of the homes would have masonry front. Mr. Irvine stated just the office would be full masonry, the model homes are not a permanent fixture, therefore they would be considered inventory and not have a masonry front.

Ron Jaeger, 2846 Oak Stream Drive - asked if there are any assurances regarding the trees along the east side of the property remaining in tact.

Mr. Irvine stated the majority of the evergreen trees would remain which would be a good buffer for those residents to the east of the property. He said there are no assurances other than relying on their company's reputation.

Ron Jaeger – asked if the style of home they are trying to sell is allowable in the Town. Chairman Perock stated six (6) out of the nine (9) homes in their catalog meet the square footage requirements of the Town and would be permitted. Mr. Jaeger asked about the daily traffic estimates. Mr. Irvine indicated there would be about 3-5 cars daily, with the exception of weekends where it would be heavier.

Brad McGinley, 2898 Oak Stream Drive – stated the property will eventually be developed and spoke in favor of this particular development.

Ken Meulemans, 2566 Freedom Road – stated he has no objections to the proposal, and accepts the Town Boards decision regarding the rezoning.

Jim VanGheem – stated he would prefer the homes to be staggered versus lined up in a row, besides that suggestion he has no other objections to the proposal.

Jon Johnson, 2878 Oak Stream Drive – would there be drainage requirements. Chairman Perock stated storm water management would be required.

Suzanne Cashman, 2858 Oak Stream Drive – stated she is in favor of the proposal.

6. Close Above Mentioned Public Hearing

Chairman Perock asked on two occasions for any further questions or comments. With no further comments a motion was made by Supervisor Trembl to close the above mention public hearing. Motion seconded by Supervisor Klasen. Motion carried unanimously.

7. **Approve zoning change on approximately 5.5 acres of parcel L-463 from Agricultural to B1 Business/Commercial to accommodate a sales center for model homes**

A motion was made by Supervisor Klasen to approve the zoning change on approximately 5.5 acres of Parcel L463 from Agricultural to Business/Commercial. Motion seconded by Supervisor Trembl. Discussion: Supervisor Vandenaek mentioned the masonry requirement for development along the highway corridor. Questions were raised in reference to the model homes being inventory or permanent fixtures. Motion carried. Supervisor VanDeHei voted in opposition to the rezoning.

8. **Request to rezone Lot 207 in Shadow Ridge 2nd Addition Subdivision from PD to R1 for single family home**

A motion was made by Supervisor Klasen to move the request to rezone Lot 207 in Shadow Ridge 2nd Addition from a PD to R1 Single Family to a public hearing. Motion seconded by Supervisor VanDeHei. Motion carried unanimously.

9. **Condominium Proposal for Lots 197-206 (zoned PD) in Shadow Ridge 2nd Addition Subdivision**

Jeff Marlow from Lexington Homes is proposing single family condominiums on lots 197-206 in Shadow Ridge 2nd Addition Subdivision. The lots were previously zoned Planned Development for the purpose of constructing 10 two-family condominiums. Mr. Marlow stated the market is calling for single family condos versus two family condos, therefore, he is proposing 20 single family homes. Each unit would be approximately 1300-1400 square feet and fall in the price range of about \$130,000-\$140,000. Marlow said the exterior can be of what ever material the board requires but he would like to mix up the exteriors and not have them all look the same. Marlow stated the 10 lots would be consolidated into one lot and managed under a condominium association declaration whereby the land would be common area maintained by the association. Marlow stated that he is just beginning to build single family homes on the opposite side of the street.

Supervisor VanDeHei stated Unit #20 appears to be squeezed in on the plan. Supervisor Klasen stated Planning and Zoning preferred the staggered look. They were unsure of how to handle future requests for single unit condominiums not meeting the lot frontage requirements of the Town, if special approval was given for this project. Chairman Perock stated this is in direct conflict with the boards approach and standards regarding zoning lot frontage. He suggested Mr. Marlow request the rezoning of the parcel back to its original (R1) Single family residential zoning and return to the 100' lot frontage. A motion was made by Supervisor VanDeHei to approve the condominium proposal for Lots 197-206. Motion seconded by Supervisor Klasen. Discussion: Supervisor VanDeHei stated it is presently zoned as a Planned Development (PD). He is not opposed to the new proposal for single family condominiums however he is not in favor of setting a precedent. He is suggesting Mr. Marlow to eliminate unit #20 from the plan to increase the side yards and add additional space between units. Mr. Marlow agreed to this request. A motion was made by Supervisor Klasen to suspend the rules and open the floor for public comments. Motion seconded by Supervisor Vandenaek. Motion carried unanimously.

Bob Meuelmans – stated the apartments can be viewed no matter if it is 2-family or single-family and should not be the argument for changing the plan.

A motion was made by Supervisor VanDeHei to return to regular session. Motion seconded by Supervisor Trembl. Motion carried unanimously.

Supervisor VanDeHei amended his motion to included the elimination of Unit #20 to allow for an additional 10' side yard and an additional 1-2' between units. It also included the units to

follow the same masonry requirements and covenants of the subdivision. Motion seconded by Supervisor Klasen 3 nays- Chairman Perock, Supervisors Tremml and Vandennack. 2 ayes- Supervisors VanDeHei and Klasen. . Motion denied.

10. Final Site Plan for Toonen Apartment Project on Scheuring Road

Steve Bieda with Mau & Associates provided an overview of the final site plan for Toonen Apartment Project on Scheuring Road. A motion was made by Supervisor Klasen to approve the final plat for Toonen Apartments. The motion is contingent approval by the Town Engineers for storm water management as well as completion of the developer's agreement. Motion seconded by Supervisor Vandennack. Discussion: Chairman Perock stated the lighting and building material needs to be the same as the Quarry Park Apartments. Motion carried unanimously. (See attached Site Plan)

11. Preliminary Plat for Fox River Meadows 2nd Addition

A motion was made by Supervisor VanDeHei to approve the preliminary plat for Fox River Meadow's 2nd Addition. Motion seconded by Supervisor Klasen. Motion carried unanimously.

A motion was made by Supervisor Vandennack to suspend the rules and open the floor for public comments. Motion seconded by Supervisor Klasen. Motion carried unanimously.

Larry Boldt, 2029 Little Rapids Road - expressed concerns over the future road pattern in relation to his property.

A motion was made by Supervisor Tremml to return to regular session. Motion seconded by Supervisor Klasen. Motion carried unanimously.

12. Final Plat for Fox River Meadows 2nd Addition

A motion was made by Supervisor VanDeHei to approve the final plat for Fox River Meadow's 2nd Addition contingent on engineering and developers agreement to be finalized. Motion seconded by Supervisor Klasen. Motion carried unanimously. (See Final Plat attached)

13. Area Development Plan for property east of French Rd, north of Larry La, south of French Ct/Nazer Trac, LLC

Steve Bieda presented an Area Development Plan (ADP) for the property east of French Road North of Larry Lane, south of French Court/NazerTrac, LLC. Steve stated the only adjacent property owner is the Wis. Department of Transportation (WI DOT). He mentioned they are currently awaiting a letter from the WI DOT stating they are in favor of the project. A motion was made by Supervisor Klasen to approve the ADP contingent on the receipt of the letter from the WI DOT confirming they are in favor of the project. Motion seconded by Supervisor Tremml. Motion carried unanimously.

14. Adopt Final Resolution on Special Assessment Procedure for the Installation of Water and Sewer Mains on the Williams Grant/Clem Lane Project

A motion was made by Supervisor VanDeHei to adopt a final resolution on Special Assessment procedures for the installation of Water and Sewer Mains on the Williams Grant/Clem Lane Project. Motion seconded by Supervisor Vandennack. Motion carried unanimously. (See attached Resolution No. 0423 Series 2007)

15. Draft Ordinance in reference to street lighting

A motion was made by Supervisor Vandennack to table to allow for further review. Motion seconded by Supervisor VanDeHei. Motion carried unanimously. Item tabled.

- 16. Authorize Payroll to be paid out to hourly employees bi-weekly rather than semi-monthly**
A motion was made by Supervisor Vandenack to approve payroll to be paid bi-weekly to hourly employees versus bi-monthly. Motion seconded by Supervisor TremL. Motion carried unanimously.
- 17. Moratorium on wind turbines/wind energy facilities**
A motion was made by Supervisor Vandenack to approve a moratorium on wind turbines/wind energy facilities for a period of one (1) year or until an ordinance is in place. Motion seconded by Supervisor VanDeHei. Motion carried unanimously.
A motion was made by Supervisor Vandenack to suspend the rules and open the floor for public comments. Motion seconded by Supervisor TremL. Motion carried unanimously.
- Ron Jaeger – asked if the ordinance would just pertain to wind turbines? Chairman Perock stated it would include wind turbines and wind energy facilities.
- A motion was made by Supervisor VanDeHei to return to regular session. Motion seconded by Supervisor TremL. Motion carried unanimously.
- 18. Draft Version of Ordinance related to Wind Energy Facilities**
Review only. No action taken.
- 19. Authorize Land Purchase of 8.430 acres for future Municipal Use**
Chairman Perock mentioned consideration by the Town to purchase 8.430 acres located east of the Town Hall for future Municipal use. The acreage does not include any gas or electrical easements. The asking price of \$35,000 per acre was negotiated to \$32,000 per acre. A motion was made by Supervisor Vandenack to authorize land purchase of 8.430 acres for future Municipal use. Motion seconded by Supervisor VanDeHei. Motion carried unanimously.
- 20. Placement of Sexual Offenders Update**
Supervisor VanDeHei stated there is a lot of controversy over this subject. The action taken by the City of Green Bay has resulted in several Brown County municipalities trying to find a regional approach to this issue.
- 21. Municipal Issues Committee Update/Randy Vandenack**
Supervisor Vandenack provided an update on the Municipal Issues committee.
- 22. Water Control Panel/Greg Little**
Utility Manager, Greg Little, mentioned the need to purchase a water control panel. He is recommending the purchase of a panel that would meet the future needs of the Water/Sewer utility. A motion was made by Supervisor VanDeHei to approve the purchase of the water control panel recommended by Utility Manager, Greg Little. Motion seconded by Supervisor Vandenack. Motion carried unanimously.
- 23. Water/Sewer Utility Update/Greg Little**
Utility Manager, Greg Little, stated a pre-construction meeting was held in reference to the Lost Dauphin Sewer/Water project.
- 24. Central Brown County Water Authority Update/Randy TremL**
No update.
- 25. Fire Department Update/Fire Chief Kurt Minten**
No update.

26. Payment of due invoices and wages

A motion was made by Supervisor Trembl to approve payment of due invoices and wages. Motion seconded by Supervisor VanDeHei. Motion carried unanimously.

27. Future Agenda Items

Ordinance on Wind Turbines/Wind Energy Facilities
Ordinance for Street Lighting

28. Public Comments

A motion was made by Supervisor Klasen to suspend the rules and open the floor for public comments. Motion seconded by Supervisor Vandenack. Motion carried unanimously.

Larry Boldt, Little Rapids Road – spoke in opposition of the pipes being stored above the fence line at National Waterworks.

Chairman Perock stated he has received complaints in reference to the appearance of Mr. Boldt's front yard. He stated he would check into Mr. Boldt's complaint, but suggested Mr. Boldt clean up his yard as well.

Ron Jaeger – asked if there would be street lighting by the new elementary school. He asked who would be responsible for a change in speed by the entrance of the school. Chairman Perock stated it is a county road therefore it would be up to the County to make any decisions regarding street lights or speed limit changes.

A motion was made by Supervisor VanDeHei to return to regular session. Motion seconded by Supervisor Vandenack. Motion carried unanimously.

29. Adjourn

A motion was made by Supervisor VanDeHei to adjourn the meeting. Motion seconded by Supervisor Vandenack. Motion carried unanimously. The meeting adjourned at 9:40 PM

Respectfully submitted,
Carrie Murphy-Auguston