

10. Potential public walking trail and storage of commercial equipment on private property zoned R1 residential (Parcel L-264-3-1 consisting of 4.5 acres)

Bill Schmooch, 1780 Cady Lane (Owner of Parcel L-264-3-1) – stated he constructed a walking trail on his property.

Chairman Klasen asked Mr. Schmooch if the trail would only be used for his own personal use, yes or no.

Mr. Schmooch stated he is not going to deter people from being on his personal property.

Chairman Klasen asked Mr. Schmooch a second time if the trail would only be used for his own personal use, yes or no?

Mr. Schmooch stated he isn't going to say people can or can't walk on the trail. If the neighbors are opposed to people walking on the trail they have the option to put a fence up.

Supervisor VanDeHei asked if people dining at Sgambati's restaurant have the option to drink outside on the patio. Mr. Schmooch answered yes.

Supervisor Vandenack stated the trail could invite trouble to the area.

Supervisor VanDeHei asked if it would be possible to extend the adjacent property zoned B-1 Business Commercial to include parcel L-264-3-1 currently in question.

Supervisor Treml asked Mr. Schmooch why commercial equipment is being stored on this residential parcel.

Mr. Schmooch stated the equipment is hidden by the surrounding trees.

Motion was made by Supervisor Treml to open the floor for public comments. Seconded by Supervisor Vandenack. Motion carried.

Sam Colucci, 2001 Morning Dew Lane – spoke in opposition of the trail. He reiterated Supervisor Vandenack's comments in reference to inviting trouble to the area, including vandalism, litter, etc. He is concerned for the safety of his children playing in their backyard and the close proximity to the trail.

Jennifer Newman, 2009 Morning Dew Lane – stated it is not a legitimate use for the parcel of land, the parcel is providing an additional benefit to the adjacent property zoned B1 Business Commercial.

Jacob Short, 1562 Quarry Park Drive – stated the trail is not in violation of any Town ordinance.

Jill Runke, 2017 Morning Dew Lane – stated the construction equipment has been stored on Mr. Schmooch's residential property all winter. Equipment has been unloaded from work trucks on Mr. Schmooch's residential property during late night hours, creating noise issues. She stated the trail is connected to the concrete patio at Sgambati's Pizza, arguing it is not for personal use.

Sam Colucci, 2001 Morning Dew Lane- stated customers at the fitness were told the walking trail will be available for them to walk on. The fitness center's location on the adjacent property invites business usage to residential property.

Mr. Schmooch stated many trails throughout Brown County provide access through residential areas and are open to the public including businesses.

Supervisor Vandenack stated the trail could be monitored to determine whether it is being used for business purposes versus personal use.

Supervisor Mary Jo Kussow stated the storage of commercial equipment on a residentially zoned property is against Town ordinances and must be immediately addressed. She stated the Town's Zoning Ordinance does not list trails as a "permitted use" or "conditional use" in R1 Residential. The interpretation of whether that alone means the trail is not allowed remains in question.

A motion was made by Supervisor Trembl to close the floor and return to regular session. Seconded by Supervisor VanDeHei. Motion carried.

Supervisor VanDeHei stated the Town has requested the inclusion of easements in residentially developed areas for future trails.

Chairman Klasen stated they are "public easements" and are recorded on the plat map.

Chairman Klasen stated he has no objection to the trail being used for Mr. Schmoock's own private use. He is not in favor of any Business/Commercial use. He stated he would have the Town's attorney provide clarification in reference to the ordinances.

Chairman Klasen stated the removal of the commercial equipment must be done within 30 days.

A motion was made by Supervisor Mary Jo Kussow to proceed with ordering Mr. Schmoock to remove the commercial equipment from his residential lot (L-264-3-1) within 30 days. Supervisor Trembl amended the motion to include the Town's attorney review the issue with the walking trail. Seconded by Supervisor Vandenack. Motion carried.

11. Business signs on Parcel L-265 located at 1700 Sand Acres Drive

Supervisor Vandenack stated on parcel L-265 there are four (4) signs in violation of the Town's sign ordinance. The business sign for Eclipse requires a permit, the remaining three signs are not allowed according to the ordinance. A motion was made by Supervisor Trembl to table this item to allow for further review. Seconded by Supervisor Mary Jo Kussow. Motion carried.

12. Condition of Little Rapids Road from Mid Valley Drive west to Williams Grant Dr

The Board received and reviewed written correspondence from residents in reference to Little Rapids Road from Mid Valley Drive west to Williams Grant Drive. Supervisor Trembl asked Supervisor VanDeHei what the Town has planned for this road.

Supervisor VanDeHei stated the road repairs are estimated at approximately \$400,000. He said he met with Al Lamers to discuss acquisition of right-of-way. Currently McMahon is in the process of writing up the description for the right-of-way acquisition. Supervisor VanDeHei stated the resident's letters don't produce money and won't relieve the burden of having Williams Grant reconstructed at the same time. He will be meeting with Brown County and afterwards will have a better idea of the timeframe for the reconstruction of Williams Grant Drive.

Supervisor Vandenack asked if the Town could do some wedging on the road.

Supervisor VanDeHei stated it would be too costly to do the wedging however the road could be ground up and remain a gravel road.

Supervisor Trembl asked Supervisor VanDeHei to put together a time schedule following his meeting with Brown County.

Supervisor VanDeHei stated there won't be a time schedule until the work being done by McMahon is complete. He said the broken pieces of the road should be picked up by hand and the potholes patched. He offered to have the work hired out or have a town employee perform the work.

Supervisor Mary Jo Kussow agreed the road is in bad shape.

The item will be a future agenda item. No action taken.

- 13. Approve Agreement with Sgambati in reference to payment of Reserved “Class B” liquor license**
A motion was made by Supervisor VanDeHei to approve the agreement with Ray Sgambati from Sgambati’s Pizza in reference to payment of Reserved “Class B” liquor license. Seconded by Supervisor Mary Jo Kussow. Motion carried. *(See Attached Agreement)*
- 14. Approve Bartender License Applications**
A motion was made by Supervisor Vandenack to approve the bartender/operator license applications. Seconded by Supervisor Trembl. Motion carried. *(See Attached list of Applicants)*
- 15. Authorize Deputy Clerk and Utility Clerk to attend training session/Grand Chute Town Hall**
Motion was made by Supervisor Trembl to approve and authorize the Deputy Clerk and Utility Clerk to attend a training session held at the Grand Chute Town Hall. Seconded by Supervisor VanDeHei. Motion carried.
- 16. Quarterly Revenue and Expense with Annual Budget Report**
Review only- no action taken.
- 17. Quarterly Building Permit Report**
Review only- no action taken.
- 18. Approve monthly fee of \$0.015 for each parcel (2057) for continued service of the “Property Look Up” feature on Associated Appraisals Website**
Motion was made by Supervisor Vandenack to table this item to obtain a starting date for the payment of the continued service of the “Property Look Up” feature offered by the Town’s Assessor, Associated Appraisals. Seconded by Supervisor Mary Jo Kussow. Motion carried.
- 19. Action on Closed Session if Necessary**
No action necessary.
- 20. Payment of due invoices and wages**
Motion was made by Supervisor Trembl to approve payment of due invoices and wages. Motion seconded by Supervisor VanDeHei. Motion carried.
- 21. Future Agenda Items**
 - Potential public walking trail on Parcel L-264-3-1 zoned R1 Residential
 - Business signs on Parcel L-265 located at 1700 Sand Acres Drive
 - Condition of Little Rapids Road from Mid Valley Drive west to Williams Grant Dr
 - Approve monthly fee for continued service of the “Property Look Up” feature on Associated Appraisals Website
- 22. Public Comments**
Motion made by Supervisor Trembl to suspend the rules and open the floor for public comments. Seconded by Supervisor Vandenack. Motion carried.

Jill Runke, 2017 Morning Dew Lane – asked what the plans are for Sgambati’s Pizza.

Ray Sgambati, 1982 Minten Way - replied he is looking to expand the restaurant.

Larry Boldt, 2029 Little Rapids Road – stated the Town has allowed Business Commercial usage in Residential areas, like in the case of Echota Gardens. Chairman Klasen responded it was allowed under a Conditional Use.

Mr. Boldt stated Echota Gardens recently installed a sign without approval. He further expressed concerns regarding issues with multiple Business Commercial properties throughout the town which are in violation of Town Zoning Ordinances and wanted to know who follows up and polices these issues.

Chairman Klasen stated the Building Inspector should be enforcing the Zoning Ordinances.

Melinda Colucci, 2001 Morning Dew Lane - asked how to get an ordinance in place in reference to walking trails and inquired if such an ordinance was adopted would the current trail in question be “grandfathered”?

Supervisor Vandenack stated the Town would have to draft an ordinance, but it would be difficult to enforce new rules upon an existing property.

Supervisor VanDeHei stated the trail that provides access to Quarry Park from Shadow Ridge Subdivision offers some of the same concerns and issues currently voiced by the neighbors adjacent to Mr. Schmoock’s property.

Scott Newman, 2009 Morning Dew Lane - stated the Quarry Park trail provides access to a public area donated to the Town for Town’s benefit. It is entirely different than the trail through Mr. Schmoock’s personal property offering a benefit to his adjacent business.

Travis Runke, 2017 Morning Dew Lane – stated a public road going to a public park with a public easement for a public trail is not the same. The Town is responsible the trail and park, rules and regulations have been established such as hours of use, litter control, maintenance, etc. The trail on Mr. Schmoock’s property is not garnished under any law and is not monitored by anyone.

Sam Colucci, 2001 Morning Dew Lane – stated the comparison between the trails is not the same.

Greg Little, Town of Lawrence Utility Manager - stated if a walking trail is not listed in the Town’s Zoning Ordinances as a permitted use it is not allowed.

Bob Meulemans, 1194 Spring Lake Drive – referred to the minutes from the Town Board Meeting held on January 25, 2010 questioning the status of the Ashwaubenon Boarder Agreement.

Chairman Klasen stated the Village of Ashwaubenon and Town of Lawrence will be holding public hearings in the next two weeks in reference to the border agreement.

Kurt Minten, Town of Lawrence Fire Chief - stated the Fire Department would proceed with the identified location for the flags and memorial.

Jill Runke, 2017 Morning Dew Lane - Requested the board consider lowering the speed limit on Quarry Park Drive. The request will be added as a future agenda item.

Motion made by Supervisor Tremel to return to regular session. Seconded by Supervisor Vandenack. Motion carried.

23. Adjourn

Motion to adjourn made by Supervisor VanDeHei. Seconded by Supervisor Vandenack. Motion carried. The meeting adjourned at 8:25 p.m.

Respectfully submitted,
Carrie Murphy-Auguston