

Town of Lawrence
Planning and Zoning Board Meeting Minutes
Wednesday, September 9, 2020
Meeting Time 6:00 PM
Lawrence Town Hall
2400 Shady Ct
De Pere, WI 54115

This meeting can be accessed virtually or by phone via Zoom.

ACCESS INSTRUCTIONS

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Roll Call: Tonya Wagner called the meeting to order at 6:00pm.

Chair: Tonya Wagner, Present	Mike Van Dehei, Present
Secretary: Larry Boldt, Present	Dr. Lanny Tibaldo, Present
Travis Runke, Present	Skip Lee, Present
Brian Peterson, Present	Staff: Scott Beining, Patrick Wetzel, and Tara Czachor, Present

Discussion and Action on the following:

Update from Scott Beining: The Scannell/Georgia Pacific project is not on the agenda, and no action will be taken

1. Approve Minutes from August 24, 2020 meeting.

Skip Lee made a motion to approve the minutes from August 24, 2020 meeting. Mike Van Dehei seconded the motion. Motion carried unanimously.

2. Consideration of a Conditional Use Permit for a fence at 2224 Creeksedge Circle, L-1945, for Leonard Britz.

Scott Beining explained that the Town's ordinance calls for a 30 ft. set back on a corner lot, and Leonard Britz would like to go with a 14' setback instead, due to the shape of the road, the traffic lights coming into his home, and fact that the lot is wooded. If approved, there would be a public hearing set. Skip Lee questioned impact for the vision on the corner, and it was explained that the corner where traffic would turn would not be fenced, the fence would be in the back yard. Mike Van Dehei made a motion to recommend approval of the Conditional Use Permit for 2224 Creeksedge Circle, L-1945. Travis Runke seconded the motion. Motion carried unanimously.

3. Consideration of Site Review for Commercial Building at 2140 Little Rapids Rd by Bayland Buildings

Dave O'Brien presented for Bayland Buildings. The building would be about 42,000 sq ft on a 7.1 acre lot. There would be a potential for a 33sq ft. addition down the line. McMahon is looking at the stormwater plan for that area. Patrick Wetzel gave some background regarding projects from the Town owned land. Zoning would be light industrial for this project. A storm pond would be near the power lines. Tonya Wagner mentioned the storm ponds cannot be underneath the powerlines. The business would put together hydraulics inside the building. There would be concealed fastener steel for the front and side facing where American Drive would be. Masonry wainscot would be on the front and side as well. Landscape plan would need to be approved, as well as a lighting plan. Dr. Lanny Tibaldo mentioned making sure the fire department had access to the driveway for fire protection. The building would be sprinklered. Skip Lee made a motion to approve the site review pending lighting plan, storm water plan, and landscaping plan. Mike Van Dehei seconded the motion. Motion carried 6-1 with Larry Boldt opposing.

4. Consideration of Vacation of existing 17' wide right-of-way on Parcel L-457-1 (Town Hall property) as part of Lawrence Parkway develop plat.

Patrick Wetzel gave some history on the 17 ft. right of way, and why it would need to be vacated. There would be a public hearing regarding the vacation of the right of way. Tonya Wagner mentioned that the 17' wouldn't be enough for a road anyway. Travis Runke made a motion to approve the vacation of existing 17' right-of-way on parcel L-457-1 as part of the Lawrence Parkway development plat. Brian Peterson seconded the motion. Motion carried unanimously.

5. Administrative Staff Report

Scott Beining gave an update that the Farmland Preservation recertification would be coming back on the agenda in the next meeting or two, as well as Hemlock Creek 5th Addition.

6. Public comments upon matters not on the Agenda.

Matt Sullivan, 2714 Williams Grant Dr, questioned what the criteria was for decision making regarding the Scannell/Georgia Pacific project. Patrick Wetzel mentioned the Town's ordinance, section 300-203 and had a discussion on the criteria, including:

"Where the purpose and effect of the proposed amendment is to change the zoning classification of particular property, the Town Planning and Zoning Board shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

(a) Existing uses or property within the general area of the property in question.

(b) Zoning classification of property within the general area of the property in question.

(c) Suitability of the property in question for the uses permitted under the existing zoning classification.

(d) Trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification

There was discussion regarding the comp plan being a guide, and that the current zoning for the property is Agricultural.

Scott Beining mentioned the town staff were presented with an application that then must go through the process. Katie Schneekloth, 3067 Pepperidge Dr in Hobart, questioned what the definition was regarding “public interest”. Patrick Wetzel mentioned that there has been a challenge regarding the Town’s ordinances and a timeline for the application process. The Town’s Comp plan will be updated in the next year. Scott Beining mentioned there is no system to check boxes regarding whether or not a project is in the public’s interest. There are multiple factors that go into deciding if a project is in the public interest of the Town. There are still grey areas in decision making and the Planning and Zoning Board and Town Board need to take into consideration factors for all of the public, not just one area of Town. Tonya Wagner mentioned that the Planning and Zoning board is made up of different people who all have different backgrounds and experience. Skip Lee mentioned the comp plan being a guide and it’s not a black and white plan. Tonya Wagner stated that when developing land, future recommendations need to be looked at as well as what makes sense for the public interest. Patrick Wetzel mentioned that the public interest looks differently depending on where one lives in town based on the location of a project. Someone on the north end of town may have a different perspective being on water than someone who is not on municipal water.

John Olles, 2667 Foxwood Ct., asked if there was an environmental study done for the project regarding pollution, trucks, noise. Per Patrick Wetzel, the Town has not received a submitted report of an environmental study.

Stacy Mueller, 2855 Freedom Rd., questioned if the project must stick to the plan that was submitted. Scott Beining stated that during the site review, the project must follow the design that was approved. Patrick Wetzel mentioned that the rezoning is different than the site review. Patrick also mentioned how the planning and zoning board cannot negotiate zoning.

Chris LeFever, 2878 Gentle Hills Ct questioned if there was an extension to the process and what the administrative aspect of the project was. Patrick said that there has been a challenge regarding location of meetings with Covid-19, public hearings, and a change of plans from the developer. The Planning and Zoning board would vote on the rezoning aspect, which would then go to the Town Board to set a public hearing. After the public hearing, the full Town Board would vote on the rezoning request. Chris thanked Patrick for working for the town and wanted to make sure the town knew that the neighbors do want growth and do support the growth of the town. Chris thanked the boards for all of the work they are doing in this process.

Kim Sullivan, 2714 Williams Grant Dr., questioned who would make the case for the project and present it to the boards? Tonya Wagner mentioned usually the process would be for the developer to present the project to the Planning and Zoning board first in order to develop a property. Patrick mentioned usually projects are discussed for quite some time before they would start and before rezoning would take place. Scannell would need to make the case for why this project is in the public interest of the Town. Tonya Wagner mentioned that during the site review process, there are rules and ordinances that need to be followed, and projects need to be designed based on those items.

Judy Hooyman, 2539 Whispering Oak Dr., stated that the board should look at the P&G industrial building off of East Mason in Green Bay and look at the area around it. She stated she really appreciates the question and answer session and thanked the board and staff.

Andrew Schmidt, 2874 Nostalgic Ct., asked about the 60 day timeframe. He thanked the board and understands this situation is stressful and is confident the boards will make the right decision. Patrick Wetzel said that the Town's Attorney has been involved in this process to make sure it is followed correctly for the town, the landowner, and town citizens. Patrick stated we are past the 60 days and that Scannell needs to submit additional information. The schedule is based on the plan that was submitted. Tonya Wagner stated that there are typically months of work put into a project with multiple changes. Per Scott, the site plan would end up being contingent on the rezoning of the land.

7. Adjourn.

Dr. Lanny Tibaldo made a motion to adjourn the meeting at 7:35pm. Brian Peterson seconded the motion. Motion carried unanimously.

Scott Beining, Zoning Administrator
Planning and Zoning Board