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## PLANNING COMMISSION

Minutes from Thursday, March 9, 2017

Chairman Coenen called the meeting to order at 7:00 p.m. Clerk Charette verified that the meeting was properly noticed. All members, except Vicky Van Vonderen and Mike Wier were present. Bob Gerbers, Dennis Cashman, Julie Koenig, Patrick & Becky Verheyden, John & Michelle Kahl, and Aaron Schroeder were present. Clerk Charette verified that the meeting was properly noticed. Chairman Coenen read the agenda.

### MINUTES FROM JANUARY 12, 2017, MEETING

Clerk Charette provided members with a copy of the minutes from the January 12, 2017, meeting.

M/M by Glen Schwalbach to approve the minutes from the January 12, 2017, meeting as presented; seconded by Terry Vertz. Motion carried.

### **REZONING APPLICATION FROM JOHN & MICHELLE KAHL, OWNERS, PARCEL R-68-2, 3546 STH 57, DE PERE, WISCONSIN, TO AMEND THE ZONING OF PARCEL R-68-2, 2.02 ACRES IN SIZE, FROM COMMUNITY BUSINESS (B-2) DISTRICT TO ESTATE RESIDENTIAL 2-ACRE (ER-2) DISTRICT**

John and Michelle Kahl, Applicants, submitted a rezone application to the Planning Commission to request an amendment to the Rockland Zoning Map. Applicants are requesting that the Parcel R-68-2, which is owned by them and which is 2.02 acres in size, be rezoned to Estate Residential 2-Acre (ER-2) District. Currently, the parcel is zoned Community Business (B-2) District. Prior owners of the property had intended to use the residence as an office. Applicants purchased the home on the parcel in August 2016. The home is used for residential purposes only and applicants desire to raise chickens on the property.

In accordance with Sec. 18-10.10, RCO, the Planning Commission made the following findings and recommendations:

- 1) Parcel R-68-2 is surrounded by properties zoned and used as residential. The parcel meets the use and dimensional regulations of the Estate Residential (ER-2) District and is consistent and compatible with neighboring properties that are currently zoned in that district.
- 2) The property is being used as residential and raising chickens in the ER-2 District is allowed.
- 3) The trend of development in the area is already established as primarily residential. The former owners of the property had intended to use the home for commercial purposes. The applicants are using the property as their private home.
- 5) The home is served by a private well and sewer system. No future public facilities are planned.

- 6) The parcel is already developed as residential and will not cause unreasonable air or water pollution.
- 7) The amendment request conforms to the uses of the proposed district and to like uses in surrounding areas; is consistent with development that has taken place in neighboring areas; and it fosters a more rational pattern of relationship with surrounding properties.

M/M by Terry Vertz to recommend that the Town Board approve the request from Applicants, John & Michelle Kahl, to amend the Rockland Zoning Map to rezone Parcel R-68-2, from Community Business (B-2) District to Estate Residential 2-Acre (ER-2) District; seconded by Glen Schwalbach. Roll Call Vote: Coenen-Aye; Vertz-Aye; Schwalbach-Aye; Anderson-Aye; Samuels-Aye. Motion carried.

**CERTIFIED SURVEY MAP, DATED MARCH 2017, RECEIVED FROM UP DOWN DILLY DALLY, LLC, OWNERS, PARCEL R-247, CTH ZZ, DE PERE, WISCONSIN TO CREATE LOT 1, 26.16 ACRES IN SIZE; LOT 2, 3.68 ACRES IN SIZE; LOT 3, 3.68 ACRES IN SIZE; AND LOT 4, 3.68 ACRES IN SIZE**

Up Down Dilly Dally, LLC, Applicant, appeared before the Planning Commission. Aaron Schroeder, of CQM, Incorporated, surveyed Parcel R-247, CTH ZZ, De Pere, Wisconsin, for the applicant and appeared in person as well. Applicant is requesting that Parcel R-247, currently 39.156 acres, be divided into four parcels. It is currently zoned Agricultural Non-Participating Working Lands Initiative (NPWLI). Applicants are dividing the parcel to sell proposed lots 2-4. Lot 1 is used for agricultural purposes and will continue to be farmed.

Planning Commission members reviewed the Certified Survey Map which was prepared in accordance with the requirements set forth in Sec. 19-01.12, RCO. The Commission reviewed the CSM for compliance with environmentally sensitive area requirements; proper right of ways; setback and frontage requirements; septic location; and also ensured that each proposed lot met the requirements of the applicable zoning districts. Per Aaron Schroeder, there are no drainage easements; no restrictive covenants; no dedication of streets or other public areas; and the proposed CSM reflects the new right of way plan established by Brown County.

M/M by Terry Vertz to recommend that the Town Board approve the proposed CSM for Parcel R-247, dated March 2017, and submitted by Applicants, Up Down Dilly Dally with the following conditions; 1) that Lots 2-4 be rezoned to Estate Residential 2-Acre (ER-2) District; and 2) that the proposed CSM meet all other county, state, and federal regulations; seconded by Justin Samuels. Roll Call: Coenen-Aye; Vertz-Aye; Schwalbach-Aye; Anderson-Aye; Samuels-Aye. Motion carried

**REZONING APPLICATION FROM UP DOWN DILLY DALLY, OWNER, PARCEL R-247, CTH ZZ, DE PERE, WISCONSIN TO AMEND THE ZONING OF LOTS 2-4 OF PROPOSED CSM FROM AGRICULTURAL NON-PARTICIPATING WORKING LANDS INITIATIVE (NPWLI) TO ESTATE RESIDENTIAL 2-ACRE (ER-2)**

Up Down Dilly Dally, Applicant, submitted a rezone application to the Planning Commission to request an amendment to the Rockland Zoning Map. Applicants are requesting that Lots 2-4 of the CSM of Parcel R-247, which is 39.156 acres in size, be amended from Agricultural Non-Participating Working Lands Initiative (NPWLI) District to Estate Residential 2-Acre (ER-2).

In accordance with Sec. 18-10.10, RCO, the Commission made the following findings and recommendations:

- 1) Proposed lots 2, 3, and 4 of the CSM are surrounded by properties to the north, west and southwest that are used as residential. Proposed lots 2, 3 and 4 meet the use and dimensional regulations of the Estate Residential (ER-2) District and are consistent and compatible with neighboring properties that are currently used as residential in the general area.
- 2) Rezoning proposed lot 2, 3, and 4 from NPWLI to Estate Residential 2-acre (ER-2) District Properties would be consistent with the zoning classification of properties located to the north, west and southwest that are zoned residential
- 3) All lots have suitable and permitted uses under the zoning classification.
- 4) The current trend of development southeast of the parcel is to develop for residential purposes. It also meets the future land use of this area designated in the Town's comprehensive plan.
- 5) All lots in the Town are served by a private well and sewer system. There are adequate public roads established for these lots. No public facilities will be utilized in the future.
- 5) Lots 2, 3, and 4 are suitable for development and will be sold as residential properties. It is consistent with the Town's plan and will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.
- 7) The proposed amendment request conforms to the uses of the proposed district and to like uses in surrounding areas and it is in the best interest of the public to freely transfer land without restrictions.

M/M by Terry Vertz to recommend that the Town Board approve the request from Applicant, Up Down Dilly Dally, to amend the Rockland Zoning Map to rezone Lots 2,3, and 4 of proposed CSM of Parcel R-247, dated March 2017, from Agricultural Non-Participating Working Lands Initiative (NPWLI) to Estate Residential 2-Acre (ER-2) District; seconded by Lee Anderson.  
Roll Call Vote: Coenen-Aye; Vertz-Aye; Schwalbach-Aye; Anderson-Aye; Samuels-Aye.  
Motion carried.

## **PUBLIC INPUT**

Glen Schwalbach reported that professional bikers were biking four-wide on CTH ZZ.

Lee Anderson recommended that the Town consider widening the road at the corner of Old Martin by Scray's Cheese to allow cars to pass the truck parking on Old Martin Road.

## **ANNOUNCEMENTS AND DISTRIBUTION, IF ANY**

Clerk Charette reported that the Certified Survey Maps from Edelbeck and Lasee were approved by the De Pere City Council and next will be considered by Brown County.

## **SET MEETING DATES**

The Planning Commission set future meeting dates for the first Thursday of each month. Clerk Charette will contact Northeast Asphalt regarding conducting a site review of the quarry at 6:15 p.m. on May 4, 2017 prior to the regular meeting.

## **ADJOURNMENT**

M/M Lee Anderson by to adjourn the meeting at 8:08 p.m.; seconded by Glen Schwalbach.  
Motion carried.

All minutes have been taken truthfully and honestly and to the best of my knowledge and ability.

Jann Charette, Secretary

Minutes approved as written/with corrections (**strike one**) by the Rockland Planning Commission on May 4, 2017.

Bob Coenen, Planning Commission Chairman