

Town Board Meeting Minutes
Monday, January 8, 2015 at the Rockland Town Hall
Called to order by Chairman Cashman at 6:30 p.m.
Adjourned at 7:31 p.m.

The Clerk, the Treasurer, and all members of the Board were present. Also present were Bob Gerbers, David Cavil, Tom Soderlund, Dan Ariens, John & Kathy Schumacher and Holly Lewis. Clerk Charette verified that the meeting was properly noticed; the agenda was presented after the pledge of allegiance was recited.

Drawing of lots for arrangement of candidate names on ballot for Town Supervisor in Spring 2015 Election

Chairman Cashman explained that three candidates are running for the two available Town Board Supervisor positions. The order on the ballot needs to be determined. Clerk Charette wrote each of the three names were placed on a piece of paper and placed them in a plastic cup to be drawn. Lewis drew the names from the cup in the order that they would be placed on the ballot as follows:

1. Randy Hansen
2. Alan J. Lasee
3. Vicky L. Van Vonderen

Options for Cashman Road expansion

Chairman Cashman explained that the Lewis' originally purchased the 40 acres of land from John Cashman. Thereafter, in 1997, Lewis sold 10 acres of the land to the Schumachers. In 1999, the Lewis' sold approximately 13 acres of their land to Ariens. When the lots were split in 1999, neither Brown County nor the Town of Rockland reviewed the land because the parcels were more than 10 acres. Chairman Cashman explained that if Brown County would have reviewed it, the County would have raised red flags regarding the land split since the three lots do not have proper access. The three lots, R-139, R-139-1 and R-139-2 are currently zoned Estate Residential 10 acres. When the lots were split they would have fallen under the Rural Residential zoning district which required a minimum 2 acre area and 200 feet of frontage. Gerbers clarified that at that time any parcel north of Midway Road fell under the Rural Residential zoning. When the lots were re-zoned Estate Residential 10 acres, the minimum frontage became 300 feet. Cashman explained that this frontage is required not only to meet the zoning requirements but also for ingress and egress for police, fire, rescue, buses, garbage, and the general public. Cashman Drive needs to be extended into the residential area with a cul-de-sac.

Cashman explained that Ariens, who owns both parcels R-142-3 (5.933 acres) and R-139-2 (13.01 acres), could join the parcels and possibly have frontage from Highway W. Supervisor Van Vonderen explained that by doing so, Ariens would land lock the parcel to the rear. Ariens inquired whether he could split the joined parcel. Chairman Cashman explained the extraterritorial land division review that the City of De Pere has over parcels that are less than 10 acres in size.

John Schumacher explained, that in 1999, they purchased an additional 3 acres from the Lewis. They bought some land from and sold other parts of the land to the Lewis' to form the current R-139-1. Schumacher is using Dave Cavil, C & C Custom Builders, to build a single family home on the parcel. Gerbers explained that he spoke with a representative from the state who reported that if the home is unsafe because it does not have access to it, the Town has the ability to withhold the occupancy permit until the road is brought up to Town standards. The representative from the state explained that the only option is to obtain frontage and have legal access to the property.

John Schumacher spoke with Joe Daul, Fire Chief, Greenleaf Fire Department, and reported that Daul was fine with the current situation and could provide service to it. Schumacher asked whether the Town would consider turning Cashman Road over to the landowners and have them maintain it.

Lewis interjected and asked what would happen to the property in the future if they chose to sell their parcel? Lewis asked whether the opening to where the three properties join is the problem.

Cashman explained that the opening to the property is not the issue because all of the parcels do not even touch the end of Cashman Drive. Soderlund asked whether the cul-de-sac would go into the three landowners' land or be located just at the end of Cashman Drive. Chairman Cashman explained that question cannot be answered until the exact size of the cul-de-sac is decided. On a cul-de-sac, a 115' minimum frontage is required from the right-of-way.

Lewis asked what the requirements would be if Cashman Road became a private road. Cashman stated that he would need to check this with the Town's attorney. Cashman did not think this proposal would work because Schumacher's property would still be landlocked. He further explained that if the cul-de-sac is constructed, each property could have its own access and the cost of the cul-de-sac would need to be paid by the landowners. It would need to be constructed and paved. Cashman Road from Highway W to its current end is the responsibility of the Town to upgrade.

Schumacher asked what if they the landowners do not care about the expansion. Supervisor Van Vonderen stated that when the roads are improved they need to be built to Town standards. Schumacher asked why there was no cul-de-sac in place when he bought his property. Cashman explained that it was one parcel at that time owned by the Lewis' and was not required to be reviewed by the Town.

Chairman Cashman stated that in 2006, an ordinance was adopted by the Town requiring that any 40 acre parcel requesting to be split be reviewed by the Town. Schumacher asked why his parcel is not grandfathered in. Cashman explained that the Town has had town zoning ordinances and frontage requirements in effect since 1971. Gerbers clarified that the split of a 40 acre parcel becomes a problem when the landowner requests a building permit because the property must have access.

Gerbers stated that Soderlund gave up one-half of his property and Marx gave up one-half of his property for Cashman Road. If Cashman Road is vacated by the Town, the property returns to the ownership of those landowners and then Schumacher, Lewis and Ariens would have no access at all. Soderlund prefers that it be kept a Town Road.

Ariens asked if there would be enough frontage if a cul-de-sac is brought in. Cashman stated that 115' of frontage is required on a cul-de-sac and a surveyor would be the appropriate person to answer that question. Supervisor Van Vonderen stated that if a cul-de-sac is brought in, the frontage requirement is 115' versus the 300'.

Lewis asked where the cul-de-sac would be located. Gerbers stated that an engineer would need to draw it up

Lewis asked whether the cul-de-sac is the only option. Cashman confirmed. Cashman stated that Mau & Associates could draft a drawing noting where the cul-de-sac should be located at the end of Cashman Drive.

Cavil asked what the minimum and maximum radius of a cul-de-sac was. Cashman stated that the radius would need to be 50' radius pavement width or 100' circle. Circumference of the 100 foot circle is 314 feet. Cavil asked whether the cul-de-sac would need to be a bit larger to meet the individual 345 feet frontage requirement. Cashman indicated it depends on the shape of the cul-de-sac.

Cavil asked what other improvements would be required in the cul-de-sac? Cashman stated that the culvert will need to be upgraded most likely by the Town. When the road is put in, the drawings, excavation, gravel and blacktop will need to be paid by the landowners. Landowners would need to work with WPS to put in power or gas.

Schumacher asked if three driveways would be required. Cashman and Gerbers confirmed that the landowners could work together to provide easements to each other to use one driveway off of the cul-de-sac.

Schumacher asked if the landowners could choose the company to build the cul-de-sac.

Cashman stated that it would need to be put out to bid. Cavil asked if the Town would oversee and coordinate the project. Cashman stated it could be done.

Cashman explained that the land for the cul-de-sac will need to be deeded to the Town. The Town will then maintain the cul-de-sac after it is constructed and completed.

The cul-de-sac will need to be designed and then brought back to the Town Board for approval. Thereafter, engineering work can be done for the roadwork. Supervisor Van Vonderen recommended that the Board consider setting a deadline to have the preliminary design brought back as a demonstration of good faith that the project will move forward by the landowners.

Soderlund asked whether the culvert at Highway W would be replaced. Cashman stated the Town would look at that.

Cavil asked whether the Town would prefer to have its engineer draw up the plans for the cul-de-sac. Cashman stated that he would prefer to see the different options from the landowners from their engineer.

It was then decided that Cavil will have Mau & Associates draw up potential designs of the cul-de-sac and have them approved by the landowners. A meeting will then take place to review the designs.

Public Comment

None

Adjournment

M/M by Chairman Cashman to adjourn the meeting at 7:31 p.m.; seconded by Supervisor Van Vonderen. Motion carried by voice vote.

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

Jann B. Charette,
Town Clerk

Minutes approved as written / with corrections (**strike one**) by the Town Board on Monday, January 19, 2015.

Dennis J. Cashman
Town Chairman