

Public Hearing Minutes
Monday, March 7, 2016 at the Rockland Town Hall
Called to order by Chairman Cashman at 6:30 p.m.
Adjourned at 7:05 p.m.

The Clerk, Treasurer, Chairman Cashman and Supervisor Lasee were present together with Pat & Becky Verheyden, Kurt and Mary Ann Kohlmann, Suzanne Wilson and Attorney John D'Angelo. Supervisor Van Vonderen was excused. Clerk Charette verified that the meeting was properly noticed and published. Chairman Cashman read the agenda and opened the record at 6:35 p.m.

A request from Kurt Kohlmann, Owner, and Suzanne Wilson, Agent, to rezone proposed Parcel "A" of Plat of Survey, part of Parcel R-82-2, 3901 Old Military Road, De Pere, Wisconsin, and part of Parcel R-82, Midway Road, De Pere, Wisconsin, from Estate Residential 2-Acre (ER-2) Zoning to Estate Residential 10-Acre (ER-10) Zoning.

A revised Plat of Survey was provided by Precision Land Surveying, LLC. on behalf of the Kohlmanns. The revised Plat of Survey includes a proposed drainage easement that covers 15 feet east of the navigable stream and all of the property west of stream to the lot line. The revised Plat of Survey also includes a 75 foot setback protecting the Environmentally Sensitive Area. The drainage easement will be recorded when construction is commenced. Bob Gerbers noted that both parcels "A" and "B" are over 10 acres in size and meet the frontage requirements for the ER-10 Zoning District.

A request from Kurt Kohlmann, Owner, and Suzanne Wilson, Agent, to rezone proposed Parcel "B" of Plat of Survey, part of Parcel R-82, Midway Road, De Pere, Wisconsin and part of Parcel R-82-2, 3901 Old Military Road, De Pere, Wisconsin, from Agricultural Non-Participating Working Lands Initiative (NPWLI) Zoning to Estate Residential 10-Acre (ER-10) Zoning.

Bob Gerbers noted that Parcel "B" is over 10 acres in size and will be used to build a new single family home on it. Suzanne Wilson, daughter of the Kohlmanns, will be building a home on this parcel in late spring.

Recommendation from Planning Commission/Zoning Administrator

On January 12, 2016, the Planning Commission approved the Plat of Survey and recommended the rezoning of both Parcel R-82 and R-82-2 subject to the condition of having drainage easement noted on the Plat of Survey. Draft minutes from the January 12, 2016, Planning Commission are attached hereto by reference.

Proposed rezoning classification changes to:

PARCEL ID	Current Zoning	Proposed Zoning	Owner	Mailing Address
R-129-1	ER-2	NPWLI	Mike Wier	2484 Old Martin Rd., De Pere, WI 54115
R-14-1	ER-2	ER-5	Ervin & Margaret Hutjens	2507 Old Martin Road, De Pere, WI 54115
R-2	ER-5	RR-1	Patricia Ley	522 N. Washington St., De Pere, WI 54115
R-2-1	ER-5	RR-1	Leah Hoks	2476 CTH ZZ, De Pere, WI 54115
R-2-3	ER-5	RR-1	Leslie Prausa	18 Augustine Lane, Crossville, TN 38558
R-274-1	ER-5	NPWLI	John Tetzlaff	c/o: Mark Tetzlaff, W668 Riverview Ct., Kaukauna, WI 54130-9667
R-3-1	ER-5	RR-1	Paul Parker/Jessie Huebner	2467 CTH ZZ, De Pere, WI 54115

R-418-1	ER-5	ER-2	Paul & Virginia Falck	6034 Morrison Rd., De Pere, WI 54115
R-425-1	ER-5	ER-2	Ruth Zeamer	2969 School Rd., De Pere, WI 54115
R-430-D-3	RR-1	ER-2	Bob & Betty Gerbers	2625 Bildings Rd., De Pere, WI 54115
R-470-6	ER-2	ER-5	Betty Lou Lewis	3700 Marilyn Ley Dr., De Pere, WI 54115
R-73-2	ER-2	ER-5	Ken & Virginia Trudell	3544 Solitude Rd., De Pere, WI 54115
R-74	ER-2	ER-5	Patrick Verheyden	3642 Old Military Rd., De Pere, WI 54115
R-75	ER-2	ER-5	Thomas Vangemert	3711 Marilyn Ley Dr., De Pere, WI 54115
R-77	ER-2	ER-5	Betty Lou Lewis	3700 Marilyn Ley Dr., De Pere, WI 54115
R-80	ER-2	ER-5	Sally & Mark Follett	W6240 Communication Ct. #1, Appleton, WI 54914

Chairman Cashman read each parcel and the recommended rezoning classifications. Chairman Cashman stated that the Board received a letter dated March 1, 2016, from Attorney Bartels. Bartels represents the Folletts, owners of parcel R-80. In the letter, Attorney Bartels stated that his clients would like to have their Parcel R-80, remain zoned at Estate Residential 2-Acre (ER-2). Bartel's letter is incorporated herein by reference.

Recommendation from Planning Commission/Zoning Administrator

Bob Gerbers explained that in 2013, the whole Town was rezoned. During that rezoning, some parcels were accidentally missed. Gerbers indicated that he has been receiving many requests from residents who are requesting to build accessory buildings on their parcels. If the current zoning classification remained as is the smaller parcels, zoned ER-5 for example, would be allowed to build accessory buildings on their parcels that could not support such a building. Gerbers explained that the zoning classification of a parcel affects the setback, frontage, accessory uses, animals, etc. Therefore, it is important that these parcels be rezoned to bring them into compliance with the Code of Ordinances.

Gerbers stated that he did speak with Attorney Bartels regarding the Follett property, Parcel R-80. They prefer that the 9.66 acre parcel stays zoned at Estate Residential 2 Acre (ER-2)

PUBLIC INPUT

Patrick and Becky Verheyden, owner of Parcel R-74, 3642 Old Military Road, asked whether the rezoning of their parcel to ER-5 would restrict them from dividing the parcel in the future. The Board explained the Extraterritorial Land Division Review Ordinance that the City of De Pere has on parcels that attempt to split into less than 10 acres in size. The Verheydens stated that they would like Parcel R-74 changed to Estate Residential 5-Acre (ER-5). The Verheydens also stated that R-77 and R-470-6, which belongs to Becky's mother, can be rezoned as well.

Mary Ann Kohlmann, owner of Parcels R-82 and R-82-2, asked how the rezoning will affect having animals on their property. Chairman Cashman stated that it would help the Kohlmanns.

CLOSED THE RECORD

M/M by Chairman Cashman to close the record at 7:05 p.m.; seconded by supervisor Lasee. Motion passed unanimously by voice vote.

ADJOURNMENT

M/M by Chairman Cashman to adjourn the public hearing at 7:05 p.m.; seconded by Supervisor Lasee.
Motion carried unanimously by voice vote. Hearing adjourned at 7:05 p.m.

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

Jann Charette
Town Clerk

Minutes approved as written / with corrections (**strike one**) by the Town Board on Monday, March 21, 2016.

Dennis J. Cashman
Town Chairman