

**TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
December 19, 2018**

The regular Town Board meeting was called to order by Chair Rasmussen at 6:01 p.m.

The Pledge of Allegiance was recited by all those present.

The following Supervisors were present: James Marvin, Patricia Clark, Joel Rasmussen, Patricia Frohrib and Christopher Wright.

The following were also present: Administrator Ben Krumenauer, Treasurer Sue Drexler, Clerk Deborah Stark and Attorney Emily Dunham.

On a motion by Supervisors Wright/Clark, passed on a voice vote, the Board approved the minutes of the 2019 Budget Hearing dated November 21, 2018.

On a motion by Supervisors Frohrib/Marvin, passed on a voice vote, the Board approved the minutes of the Monthly Town Board Meeting dated November 21, 2018.

On a motion by Supervisors Wright/Frohrib, passed on a voice vote, the Board approved the minutes of the Special Town Board Meeting dated December 10, 2018.

On a motion by Supervisors Marvin/Wright, passed on a voice vote, the Board approved the December 2018 disbursements.

No one came forward for the Public Forum that was held for citizens that did not wish to speak on the rezoning and plat issue.

The Fire Department provided a written report.

The Economic Development Committee discussed the Winnebago County Per Capita Funding program. They will be making their recommendation to the Board at this meeting.

The Planning Commission recommends that the Town Board approve the rezoning of lots 002-0028-19-05 and 002-0030 to R-2 Suburban Residential and R-3 Two-Family Residential with the word "medium" struck from the Winnebago County Resolution and replaced with the word "low".

The Parks Committee discussed proposed park regulations and the changes that need to be made to the gravity rail in Jones Park.

The monthly financial statements were received.

The Administrator had no items to report for December.

Items 8A and 8B will be discussed simultaneously.

Lakevista Estates developers Eric Hoffman and Randy Schmeidel asked the Board to grant them a 30 day extension on the Preliminary Plat.

On a motion by Supervisors Frohrib/Wright, passed on a voice vote, the Board approved the 30 day extension the January 2019 Board meeting for the Preliminary Plat.

The developers commented that all of the projects that they have done have always gone as proposed.

Supervisor Wright commented that he wanted to see how R-2 and R-3 coexisted. He looked at a development in Appleton and was impressed how nice it looked and it was a good compliment to the area.

The developers responded that this development will be similar and as it will be at the beginning of the development, they certainly want it to look nice.

Chair Rasmussen asked about covenants in the development.

There will be covenants and all building plans will go through an Architectural Development Committee for approval.

Supervisor Frohrib commented that R-3 is considered low density within our Comprehensive Plan.

Supervisor Marvin asked if the development time frame would be similar to the development on Ryf Road.

The developers responded that they were not the original developers for the subdivision. They purchased it from the financial institution holding the mortgage. After 2 ½ years, there are 15 homes and at 75% of full capacity. They are looking at 5 to 7 years for this development.

Supervisor Wright asked about the drainage along Leonard Point Lane.

The developers responded that they are working with Martenson & Eisele on drainage plans. The Town of Algoma and Winnebago County need to review the plan. Martenson & Eisele are aware of some drainage challenges in the Town and say that they have “over built” this system.

Supervisor Clark commented that if this development is to be done over 5 to 7 years, this means that the houses will not be built all at once and there should be little or no traffic problems.

Supervisor Frohrib asked what “over built” means.

The developers responded that the drainage plan is over and above the minimum standard.

Town Attorney Dunham explained the change that needs to be made with the Winnebago County Resolution changing R-3 medium to R-3 low density.

The citizens who signed up for Public Forum on this topic were invited to come forward.

Russ Schwandt of 3292 Leonard Point Lane - Would like to know the difference between twindos, condos and duplexes. We are a rural community, not suburban. Too much traffic will come with new development. The developers are not being above board because they are not platting the whole area.

Supervisor Frohrib said that R-4 (apartments) is not a part of the Town’s Comprehensive Plan and apartments will not be built.

Dick Hanusa of 3368 Leonard Point Lane – Would like to see a compromise on the plat. Would also like a definition of low density.

Town Attorney Dunham said that Winnebago County does not distinguish between low and medium density. R-3 does not mention density, but R-2 refers to low and medium density. There is nothing about either term in Winnebago County and Town of Algoma ordinances. Density is usually figured by the number of units in an area.

Dick Hanusa of 3368 Leonard Point Lane – The town should be concerned about public safety and more housing units will cause too much congestion.

Administrator Krumenauer said that the Planning Commission and Town Board have talked about density.

Peter Donner of 3330 Leonard Point Lane – Asked about shoreland zoning.

Administrator Krumenauer said that issue will be addressed.

Jeff Lytle of 3369 Nelson Road – Caden Court is not low density and lot sizes fall below the Winnebago County minimum lot size. What other exceptions will be asked of Winnebago County? There are going to be smaller street sizes and smaller lots. Caden Court is going to be a smaller street with smaller lots. Wants the Town to stay true to the Comprehensive Plan.

Scott McDonald of 3218 Leonard Point Lane – What is the plan for Highway 21 development? Need to maintain an R-2 level of density. One inch of rain coming off a 1,000 square foot building creates 6,300 gallons of runoff.

Mark Thompson of 3375 Sheppard Drive – Has a problem with delaying the preliminary plat and with R-2 and R-3. No precedent has been set for two-family dwellings and the Town is setting it now. No hardships are created if everything is all R-2.

Jeff Salchert of 3939 Leonard Point Road – The Town is not the City of Oshkosh and the developer is trying to turn it into their vision and not the Town's vision. Minimum lot sizes need to be consistent. Using statistics from a developer friend with bunch of numbers dumped together is not credible. Does not agree with the traffic study. The supervisors are elected to do the will of the people and there is one chance to do it right. Deny R-3 and make sure minimum lot sizes are followed.

The developers said that the Timberline Drive development is made up of 2 unit condos and is still under construction. That area has a higher density than their proposal. Their statistics were presented by an expert and no one has offered any verifiable statistics. They offered to help improve traffic safety along Leonard Point Lane and were voted down unanimously. They offered to assist in cleaning up the drainage problems on Leonard Point Lane and were told that they were voted down unanimously. Mr Schmiedel also stated that he has properties on Leonard Point Lane and wanted to know how a vote could be unanimous if he didn't agree with the vote.

No other citizens came forward and the Public Forum on this issue was closed.

Chair Rasmussen indicated he would vote in favor of the rezoning because it fits in with §236 Platting Lands and Recording and Vacating Plats and based on fact the rezoning meets all the requirements.

Supervisor Clark commented that when this started in May, the highest concern was the multi-family 3 story apartment buildings. This was removed from the development and plans were laid out for stormwater. The Town's sanitary district sees no problems, the school district has long range plans but neither of these should not weigh into the Town's decision because it is their jurisdiction, not the Towns. The DOT traffic study has shown that Leonard Point Road is not near capacity. If development had never taken place, most of the homes in the area would not exist and the area would still be woods and fields. Now the main point of contention is R-3 zoning which is 2 family residential. This already exists on Timberline and there have been no problems with the neighboring single family homes. Also, there has been no decrease in property values or resale of properties in the area. Now, the Leonard Point Lane Association has made us aware that they are not happy with our procedures and we have had to hire legal counsel to answer their allegations and everyone is the Town is paying for this. This Town has close to 7,000 people living here and they cannot be overlooked. There is no reason why the rezoning should not approved.

Supervisor Marvin indicated he would vote in favor of the rezoning. The Department of Transportation did traffic counts in 2004, 2010 and 2014. Since 2004 the average daily count increased 17%. With this new development, there will be approximately 212 additional cars when the area is totally developed and this would be only a 4.5 to 5% increase.

Chair Rasmussen indicated the Board has been aware of the Leonard Point Road situation for years. Any changes that could be made in the intersection at Highway 21 is in the hands of the Department of Transportation. The only other ways to make a change would be for the Town to pay for the project, the Town to totally redo Leonard Point Road and the State would probably fix 21 if they experienced a high accident rate at that intersection.

Supervisor Frohrib has considered what has been said by the citizens. The Town Board is committed to working within the parameters of the Comprehensive Plan, Town Ordinances and County zoning. This area will all be low density residential. The Town's Attorney has indicated that R-3 can be low density. We already have R-2 next to R-3 and there have been no negative effects.

Supervisor Wright indicated that he was against any apartments in the area. Initially, he was skeptical with the R-3 until he looked at other developments. The mix of R-2 and R-3 isn't going to significantly change car counts.

Supervisor Marvin said that the school district is most likely 10 years behind in considering its western boundaries.

Chair Rasmussen commented that duplexes meet a growing need. The owner can occupy one side and rent out the other, making it an affordable option. Also, you could have your elderly parents live in the other side. Checked out the duplexes in Town and no one had anything negative to say.

Supervisor Clark indicated that she is the Chair of the Planning Commission and is very aware of the plethora of derogatory comments that has been made on social media.

On a motion by Supervisors Wright/Clark, carried on a 5 – 0 roll call vote, the Board approved the rezoning of lots 002-0028-19-05 and 002-0030 to R-2 Suburban Residential Low Density and R-3 Two-Family Residential with the word "medium" struck from the Winnebago County Resolution and replaced with the word "low".

On a motion by Supervisors Frohrib/Wright, passed on a voice vote, the Board approved the allocation of the IDB funds as follows: \$2,500 to Oshkosh Chamber of Commerce and \$5,500 to GoEDC.

On a motion by Supervisors Clark/Wright, passed on a voice vote, the Board approved the contribution of \$304.19 per qualified Fire Fighter and First Responder to the VFF-EMT Service Award Program.

On a motion by Supervisor Marvin/Wright, passed on a voice vote, the Board adjourned at 7:47 p.m.

Respectfully submitted,
Deborah L Stark, WCMC
Clerk

