

**Approved 2/21/2018**  
**TOWN BOARD MEETING**  
**WEDNESDAY, JANUARY 24, 2018**  
**6:00 p.m.**  
**FREEDOM TOWN HALL**  
**W2004 COUNTY RD S**

**CALL TO ORDER, ROLL CALL, PLEDGE**

Meeting called to order at 6:00 p.m. by Chairman Steve Lowney. Members present: Chairman Lowney, Supv. Tim Maass, Supv. David Rickert, Supv. Kevin Schuh and Supv. Robert Schuh. Also present: Eng. Steve Brueggeman, Clerk Treasurer Barb Seegers, Atty Steve Frassetto, Deputy Clerk/Treasurer Colleen Laha and Adm. Asst. Michelle Evers. Pledge recited.

**VERIFICATION OF POSTING**

Meeting posted this 23<sup>rd</sup> day of January 2018 at 4:00 p.m. on the 2 boards at the Town Hall and on the Town Website by the Clerk's office.

AGENDA AMENDED AND REPOSTED AT 4:45 P.M. ON January 23, 2018.

**ADOPT AGENDA**

***Motion by Supv. Robert Schuh with second by Supv. Kevin Schuh to approve agenda as posted.***  
***5 Yes 0 No MC***

**CONSIDERATION OF MINUTES OF 12-20-2017 & 01-17-2018**

***Motion by Supv. Maass with Second by Supv. Rickert to approve minutes of the 12/20/17 and 01/17/18 meetings with clarification on Swinkles original site plan approved in 2015.***  
***5 Yes 0 No MC***

**OPEN FLOOR SESSION**

**Fireman Steve Garvey** reported to Board on a pole fire that happened on 1/10 at 9 a.m. and they did not receive any assistance from Police Dept. Chairman Lowney said he would talk to the Police Chief to see if anyone was on duty at that time.

**Supervisor Maass** questioned what was happening on complaints on Ed's Lane. Engineer noted that there was a meeting setup with the County on 1/29 to discuss options.

**CONSIDERATION OF WE ENERGIES PROPOSAL FOR STREET LIGHT RELOCATION – SCHOOL DISTRICT COST SHARING**

***Motion by Supv. Robert Schuh with second by Supervisor Kevin Schuh to move the street light on County E near the school entrance closer to the crosswalk area for safety reasons with the school district agreeing to a 50% cost sharing agreement. 5 Yes 0 No MC***

**PLAN COMMISSION REFERRALS**

**a. C&M Properties Revised Site Plan**

**Motion by Supv. Maass with second by Supv. Rickert to approve the revised site plan for C&M Properties Condominiums as recommended by the Plan Commission with conditions as stated in Engineer's 1/15/18 report. 5 Yes 0 No MC (see attached)**

**CONSIDERATION OF VOUCHERS AND DIRECT DEPOSITS**

***Motion by Supv. Maass with second by Supv. Robert Schuh to approve Vouchers #29110 to 29176, Direct Deposits 8480 to 8587, TID #1 vouchers 106 and 107 and, TID #2 Vouchers 107 and 108. 5 Yes 0 No MC***

**CONSIDERATION OF OPERATOR'S LICENSE APPLICATIONS**

***Motion by Supv. Maass with second by Supv. Kevin Schuh to approve Operators' License for Katie Nechodom, Darbi Klund and Brooke Peterson. 5 Yes 0 No MC***

**CONSIDERATION OF RESIDENT REQUEST TO EXTEND PARK HOURS TO 12:00 A.M. ON 8/25**

***Motion by Supv. Maass with second by Supv. Rickert to allow Patti VanEperen to rent the pavilion until 12:00 a.m. on August 25(26) for a wedding reception. 5 Yes 0 No MC***

**CONSIDERATION OF IGA WITH TOWN OF BLACK CREEK FOR ELECTION SERVICES**

***Motion by Supv. Rickert with second by Supv. Kevin Schuh to allow the Clerk to setup an IGA with the Town of Black Creek for election services. 5 Yes 0 No MC***

**POLICE DEPARTMENT – Technology Issues**

- a. Policy on Employee Use of Cell Phones
- b. Update Parking Fees
- c. Other Items to be discussed in closed session

Police Chief Nechodom reported to the Board on the above items that he is working on. Employee cell phones will only be allowed to use for Town business and all content will be backed up on the server as required for government phones. Parking fees will be increased to \$25.00 for a standard ticket which is in accordance with others in the area.

**DEPARTMENT REPORTS**

**Engineer Brueggeman** reported to Board on TID #2 Demolition bids, Cedar Corp. sewer bids and construction bids planned for March and written report on ongoing projects.

**Clerk Seegers** submitted written report on: Elections for 2018; Costs to be reimbursed by School District for Referendum Election in November 2017; Property Tax Collections; 2018 Dog License collections; TID District tax levy; and Wreaths Across America held at Moravian Cemetery in conjunction with VFW and Rolling Thunder out of Hobart.

**Engineer Brueggeman** reported on Backstop and Outfield Fence projects at VFW Park.

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**ATTORNEY REPORT**

Attorney Frassetto reported on Easement Agreement with C&M Properties and MCC Agreement with Tiglman on Darlene Peters reimbursement at 90%.

**Motion by Supv. Maass with second by Supv. Rickert to MOVE TO CLOSED SESSION at 7:15 p.m. *PER WI STATS 19.85 (1) (g)(e) deliberating or negotiating the purchasing of public properties, the investment of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and; confer with legal counsel regarding litigation that is pending or threatened.***

**Voting Aye: Lowney, Maass, Rickert, K. Schuh and R. Schuh**

**Voting Nay: None**

**5 Yes 0 No MC**

**RETURN TO OPEN SESSION**

**Motion by Supv. Maass with second by Supv. R. Schuh to return to Open Session at 8:35 p.m.**

**5 Yes 0 No MC**

**ANY ACTION RESULTING FROM CLOSED SESSION**

***Motion by Supv. Maass with second by Supv. Rickert to authorize Eng. Brueggeman to work out the Angotti reimbursement based on percentage. 5 yes 0 No MC***

***Motion by Supv. K. Schuh with second by Supv. Rickert to incentivize residential developer for TID #1 to offset the infrastructure costs. 4 Yes 1 No (Maass) MC***

**ADJOURN**

***Motion by Supv. Maass with second by Chairman Lowney to adjourn at 8:40 p.m. 5 Yes 0 No MC***

Barbara M. Seegers, Clerk

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**TO:** Freedom Plan Commission  
**CC:** Aaron J. Breitenfeldt (abreitenfeldt@releeinc.com)  
**FROM:** Steve Brueggeman, PE  
**SUBJECT:** Site Plan Review – Chad & Mark Properties, LLC  
REVISED Proposed Condominium Development (Phase I) – CTH E  
**DATE:** January 15, 2018

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**Application No.:** SP6-01-17-15

**Applicant:** Aaron Breitenfeldt on behalf of Chad & Mark Properties LLC

**Background Information:** The applicant has revised the condominium layout and design and is resubmitting to the town for approval. The applicant is proposing to construct six two-unit condominiums on Lot 4 of CSM #7454. The applicant previously proposed and had approved, six two four unit and one two-unit condominiums. The six condominium buildings being proposed are the first phase of a larger planned development by Chad & Mark Properties. The property is currently zoned Multi-Family Residential (RMF).

Based on the dimensions provided, the proposed building and building addition area including all drives and parking area will have a net lot coverage of 38%.

The primary land use for the adjacent properties include medium density residential to the east, and general agricultural to the north, west and south.

**Applicable Ordinances:** The improvement of land in the Town of Freedom is governed by the Town's Site Plan Ordinance (Chapter 26) as well as Storm water and Erosion Control Ordinances (Chapters 24 and 25), the Outagamie County Zoning Ordinance (Chapter 54), Outagamie and Town of Freedom Site Plan Ordinances, and Wisconsin Administrative Code, whichever is most restrictive.

**Staff Findings:**

1. A Town of Freedom Site Application was submitted to the Town with the appropriate review fees. The previous project site plan was approved in October 2017.
2. The proposed land uses are consistent with the Future Land Use Plan in the Comprehensive Plan. A comprehensive plan amendment was previously approved by the town to allow the change in future and use.
3. The proposed site is within the Freedom Sanitary District Sewer and Water Service area.
4. The current zoning of the parcel in Residential Multi-Family (RMF).

5. A landscape plan was included in the revised site plan submitted for review. All proposed landscaping meets the requirements of Section 26.308 of the Town's Site Plan Ordinance for multifamily residential buildings.
6. The proposed building locations complies with required setbacks on all sides.
7. Partial architectural plans were submitted for review. The Architectural exterior building materials need to be identified along with color that meet the requirements of Chapter 26, Town's Site Plan Ordinance.
8. Applicant shall coordinate location of Knox Box with Town of Freedom Fire Department.
9. An external lighting plan (cut sheets) was not submitted for review.
10. An NOI Storm Water Discharge Permit is required by the WDNR if disturbing one acre or more.
11. Vehicular access to the proposed building site will be from Villa Way.
12. A regional storm water management report and facility was previously completed and approved for the area.
13. The Freedom Sanitary District will be designing, bidding out, and constructing all proposed water main looping and sanitary sewer main extensions. The applicant must coordinate with the Sanitary District regarding all sewer and water main laterals and connections.
14. The Freedom Sanitary District will also be reviewing these plans and may provide additional review comments for sewer and water main related issues.
15. The following are staff review comments of the site plan:

Sheet 1 – Cover Sheet

No comments

Sheet 2 – Existing Site Conditions

No Comments

Sheet 3 – Site Plan

- 1) Need to provide appropriately sized cul-de-sac or hammer head turn around at south end of drive to accommodate a fire truck. You may need to shift the easterly buildings north to provide enough room for this.

Sheet 4 – Utility Plan

No comments

Sheet 5 – Grading & Erosion Control Plan

No comments

Sheet 6 – Miscellaneous Details

No comments

Sheet 7 – Miscellaneous Details

No comments

Sheet 8 – Erosion Control/Miscellaneous Details

No comments

Sheet 9 – Erosion Control Details

No comments

Sheets 10 through 12 – Building Plans

- 1) Provide type and color of exterior building materials to be used.

**Plan Commission Direction:** The Plan Commission has the ability to approve, table, or deny the Site Plan. It also has the ability to attach conditions to the approval of a plan.

**Staff Recommendation:** Based on the findings presented, we recommend that approval be approved with the following conditions and issues being completed and satisfactorily addressed:

1. Town approval of proposed architectural plans. Partial preliminary architectural plans were submitted for review but did not include exterior building materials type and color. Architectural plans must include proposed exterior building materials that meet the requirements of Chapter 26, Town's Site Plan Ordinance.
2. Applicant shall coordinate location of Knox Box with Town of Freedom Fire Department.
3. Copy of WDNR approved NOI Permit. An NOI Storm Water Discharge Permit is required by the WDNR if disturbing one acre or more.
4. The Freedom Sanitary District will be designing, bidding out, and constructing all proposed water main looping and sanitary sewer main extensions. The applicant must coordinate with the Sanitary District regarding all sewer and water main laterals and connections.
5. The following are staff review comments of the site plan:

Sheet 1 – Cover Sheet

No comments

Sheet 2 – Existing Site Conditions

No Comments

Sheet 3 – Site Plan

- 1) Need to provide appropriately sized cul-de-sac or hammer head turn around at south end of drive to accommodate a fire truck. You may need to shift the easterly buildings north to provide enough room for this.

Sheet 4 – Utility Plan

No comments

Sheet 5 – Grading & Erosion Control Plan

No comments

Sheet 6 – Miscellaneous Details

No comments

Sheet 7 – Miscellaneous Details

No comments

Sheet 8 – Erosion Control/Miscellaneous Details

No comments

Sheet 9 – Erosion Control Details

No comments

Sheets 10 through 12 – Building Plans

1) Provide type and color of exterior building materials to be used.