

TOWN OF CLAYTON
Town Plan Commission
Meeting Minutes
7:00 P.M. – on Wednesday, March 09, 2022
Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order: Chair Knapinski called the meeting to order at 7:00 p.m.

A. Notice Verification, Roll

1. Pledge of Allegiance
2. Verification of Meeting Notice
3. Roll
 - a. Plan Commission Commissioners

Chair Knapinski	PRESENT
Commissioner White	PRESENT
Commissioner Nemecek	PRESENT
Commissioner Linsmeier	PRESENT
Commissioner Dorow	PRESENT via Zoom
Commissioner Haskell	PRESENT
Town Board Representative Lettau	PRESENT
 - b. Staff

Administrator Straw	PRESENT
Clerk Faust-Kubale	PRESENT
Planner Jaworski	PRESENT
Engineer Hamblin	PRESENT

II. Public Hearings:

- A. Plan Commission Public Hearing on a Re-zoning application submitted by Robert & Angela Antilia, 605 Van Buren St., Little Chute, WI 54140 for property owned by Kevin & Janna Fischer, 2830 E John St., Appleton, WI 54915 located on W. Shady Ln. specifically described as Lot 1 of CSM-2662, Tax ID #006-0279-01, being part of the Northeast ¼ of the Northwest ¼ of Section 10, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from A-2 (General Agriculture District) to R-1 (Rural Residential District).
- No discussion of the Public Hearing agenda item
 - Chair Knapinski read into record an emailed letter from Michael Naparalla & Paul Tice at 3525 Hickory Hill Rd, Neenah, WI 54956

Public Hearing Closed at 7:06 p.m.

III. Approval of Minutes:

A. Approval of the minutes of the Wednesday, February 9, 2021 Plan Commission Meeting.

MOTION:

Motion by Commissioner Nemecek

Second by Commissioner Haskell

Motion made to approve the February 9, 2022 Plan Commission Meeting Minutes as presented.

Motion carried

IV. Open Forum: Town-related Matters not on the Plan Commission's Agenda: NONE

V. Correspondence:

A. Distribution of the February 2022 Building Inspector's Report.

VI. Business:

A. Discussion/Recommendation: Plan Commission review and recommendation on a Rezoning application submitted by Robert & Angela Antilia, 605 Van Buren St., Little Chute, WI 54140 for property owned by Kevin & Janna Fischer, 2830 E John St., Appleton, WI 54915 located on W. Shady Ln. specifically described as Lot 1 of CSM-2662, Tax ID #006-0279-01, being part of the Northeast ¼ of the Northwest ¼ of Section 10, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from A-2 (General Agriculture District) to R-1 (Rural Residential District).

Site Location: The property is on W. Shady Ln. specifically described as Lot 1 of CSM-2662, Tax ID #006-0279-01, being part of the Northeast ¼ of the Northwest ¼ of Section 10, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Robert & Angela Antilia
605 Van Buren St
Little Chute, WI 54140

Property Owners: Kevin & Janna Fischer
C/O Amy Steier, Coldwell Banker
2830 E John St
Appleton, WI 54915

Consultant: N/A

Property Information:

1. The surrounding properties are zoned:
 - a. North:
A-2 (General Agriculture District)
 - b. South:
A-2 (General Agriculture District)
 - c. East:
A-2 (General Agriculture District)
 - d. West:
R-1 (Rural Residential District)

Property Information Specific to Tax ID# 006-0279-01:

1. The property is owned by Kevin Fischer, 5505 W Greenville Dr., Appleton, WI 54913
2. The Lot is 3.24 acres in size.
3. The property is in the Neenah School District (3892).
4. The Lot is currently zoned R-1 (Rural Residential District).
5. The property is within the Winnebago County Shoreland District.
6. The property does have Navigable – Intermittent (Checked) Stream.
7. The property is not within the Outagamie County Airport Zoning.
8. The property is located in the Outagamie County Airport Height Limitation Zone (1009-1009) Building Height 181-189.
9. The property is not located in the County Floodplain and FEMA Special Flood Hazard Area (SFHA).
10. The property does not have Wisconsin Wetland Inventory Information.
11. The property does have Wetland Soil Indicators (see attached DNR map).
12. The current land use is consistent with the Town's adopted Land Use Plan.
13. The proposed land use is consistent with the Future Land Use Plan.
14. The property is in the Department of Natural Resources Special Well Casing area.

Staff Comments on the proposed Re-zoning:

1. The Re-zoning of this property is due to the acreage of this property being below the minimum acreage requirement (5-acres) for A-2 (General Agriculture District).

Staff Recommendations:

Staff recommends approval of the proposed rezoning from A-2 (General Agriculture) to R-1 (Rural Residential) subject to the following conditions:

1. The Town receive any and all documentation of the approval of the proposed rezoning by any overlying unit of government having jurisdiction.

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Dorow

Motion made to recommend approval to the Town Board of the proposed rezoning from A-2 (General Agricultural District) to R-1 (Rural Residential District) with all staff recommendations and conditions.

Motion carried.

- B. Discussion/Recommendation: Plan Commission review and recommendation on a Site Plan Application submitted by JJJ2, LLC, Fox Valley Man Caves, 7577 Blacktop Way, Neenah, WI 54956 for property located at 7577 Blacktop Way, Neenah, WI 54956 specifically described as Tax ID #006-0895-06 being part of the Northwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 7577 Blacktop Way, Neenah, WI 54956 specifically described as Tax ID #006-0895-06 being part of the Northwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): JJJ2, LLC
Fox Valley Man Caves
7577 Blacktop Way
Neenah, WI 54956

Property Owners: JJJ2, LLC
1991 West Wisconsin Avenue
Appleton, WI 54914

Consultant: Craig Locy (S2940)
CRL Surveying LLC
N1674 Medina Drive

Greenville, WI 54942

Property Information:

1. The surrounding properties are zoned:
 - a) North:
A-2 (General Agriculture District), R-1 (Rural Residential District), and R-2 (Suburban Residential District).

- b) South:
I-1 (Light Industrial District), B-2 (Community Business District), B-3 (General Business District), and A-2 (General Agricultural District).
- c) East:
A-2 (General Agriculture District) and A-2 (General Agricultural District with a Conditional Use)
- d) West:
A-2 (General Agriculture District) and R-1(Rural Residential District)

Property Information Specific to Tax ID# 006-0385-01:

1. The property is owned by JJJ2 LLC, 1991 West Wisconsin Avenue, Appleton, WI 54914.
2. The Lot is 13.99 acres in size.
3. The property is in the Neenah School District (3892).
4. The property is in the Department of Natural Resources Special Well Casing area.
5. The property has a 50-foot DOT setback from the State Rd 76 right-of-way.
6. The property is currently zoned I-1 (Light Industrial District) by the Town.
7. The property is in the City of Neenah Extra Territorial Zoning District.
8. The property is out of the County's Floodplain Zoning Area.
9. The portion of the property within approximately 90 ft. of State Rd 76 is in the County Shoreland Zoning 300-foot buffer.
10. The property does not contain mapped wetlands, but a majority of the property contains wetland indicators per the Wisconsin DNR Surface Water Data Viewer.
11. The current land use is consistent with the Town's adopted Land Use Plan.
12. The proposed land use is consistent with the Future Land Use Plan.

Project History

This project is phase 2 of the development conditionally approved and constructed adjacent to the south of the subject property. Phase 1 was conditionally approved in April 2019 and again in August 2020.

The petitioner has provided the enclosed plans and materials. The proposed "personal storage facility" use is a permitted use in the property's I-1 district. A total of 18 private storage units are proposed in this phase 2 (Units 7 – 12, 31 – 36, & 50 – 55). Units 7 – 12 are proposed to be 40' x 40' buildings. Units 31 – 36 and 50 – 55 are proposed to be 40' x 64' buildings. 30' wide internal drives, surfaced with bituminous pavement, are proposed for access to each unit. Phase 2 will be served by one shared private well. Each unit will be served by individual private holding tanks. The submitted plans show compliance with all dimensional requirements for the I-1 district. The submitted plans are consistent with the approved phase 1 plans/development.

The Town's Site Plan Ordinance sets the standards for review by development area. The subject property is in the Town's Business Fringe Zone. The 2019 Site Plan Application divided the project into a number of phases. This Site Plan Application covers the second phase of the development.

Special Standards for Personal Storage Facilities

Personal storage facility land uses are subject to the special standards outlined in Section 9.08-402 of the Town Zoning Code of Ordinances. Per the plans and materials submitted, the proposed development complies with the requirements of Section 9.08-402. A number of requirements of this code section are included in the suggested conditions section of this memo.

Special Site Design Principles and Architectural Standards

Personal storage facility land uses are subject to the special site design principles and architectural standards outlined in Article 8, Division 8 of the Town Zoning Code of Ordinances. This section of the ordinance makes reference to the following attachments of the zoning code:

- Attachment B, Horizontal Site Design Standards
- Attachment C, Architectural Design Standards
- Attachment D, Architectural Design Zones
- Attachment E, Landscape Design Standards
- Attachment F, Environmental and Energy Efficiency (E³) Guidelines

Horizontal Site Design Standards (Attachment B)**Driveways**

No new driveways to a public road are proposed. Access to the site is proposed via the existing drives in phase 1 of this development.

Stormwater & Erosion Control

The following documents/plans were submitted with the application:

- Stormwater Management Plan, completed by Calvin Tollefson of Harris & Associates Inc.; This plan/report is not enclosed with this memo.
- Site Evaluation for Stormwater Infiltration, completed by Stuart Boerst of McMahon Associates Inc.; This report is not enclosed with this memo.
- Erosion Control Plan, completed by Craig Locy of CRL Surveying; This plan is enclosed with this memo.

Stormwater is proposed to be managed via a stormwater detention pond located adjacent to the north of 7578 State Rd 76 (PIN 006-0897-04) and adjacent to the east of State Rd 76.

Winnebago County regulates stormwater management and erosion control in the Town.

County Stormwater and Erosion Control Permits will need to be obtained prior to commencing development/construction. This requirement to obtain County permits is included in the suggested conditions section of this memo.

Wetlands

The property does not contain mapped wetlands, but a majority of the property contains wetland indicators per the Wisconsin DNR Surface Water Data Viewer. A wetland delineation of the Phase 2 project area will be needed for development of this property and a “Wetland Delineation Report” is required to be submitted to the Town. Wetland delineations may only be conducted during the growing season. The requirement to submit a “Wetland Delineation Report” to the Town is included in the suggested conditions section of this memo.

On-Site Wastewater Treatment

On-site wastewater treatment or private on-site wastewater treatment systems (POWTS) are regulated by Winnebago County. County Sanitary Permits will need to be obtained prior to occupancy of any building with wastewater generating facilities (e.g., sinks, toilets, etc.). Each proposed building shown on the site plan is proposed to be served by its own private holding tank as shown on the site plan.

Private Well Construction

Wells are regulated by the Wisconsin Department of Natural Resources. One shared private well is proposed to serve the entire phase 2 development. The shared private well location is identified on the site plan between Units 7 and 36.

Architectural Design Standards (Attachment C)

The subject property is in the Town's Business Fringe Zone per Attachment D, Architectural Design Zones.

Exterior Wall Materials

The proposed exterior wall materials are the same as the exterior wall materials approved for Phase 1 of this development. The proposed exterior wall materials is 29-gauge ribbed metal wall panel, which is proposed to cover 100% of the exterior wall surfaces.

Ribbed metal panels is not specifically listed as an "acceptable exterior building material" per Attachment C. "Acceptable exterior building materials" listed in Attachment C include the following:

- Clay or masonry brick
- Natural or manufactured stone
- Decorative concrete masonry (sealed) with color consistent with design theme.
- Poured-in-place, tilt-up or precast architectural concrete (shall have stone, texture or coating appearance consistent with design theme)
- Glass curtain walls
- Other materials as approved

Attachment C states that buildings in the Business Fringe Zone shall have "acceptable exterior building materials" covering 33% or more of wall surfaces facing a front-yard setback, 25% or more of wall surfaces facing a side-yard setback. Those areas deemed to be of limited exposure to the general public percentages may be lowered so long as the intent of this provision is maintained.

Again, the proposed exterior wall materials are the same as the exterior wall materials approved for Phase 1 of this development. The Town may approve the exterior wall materials as proposed or may require the applicant to comply with ordinance requirements.

Roofing Materials

The proposed roofing materials are the same as the roofing materials approved for Phase 1 of this development. The proposed roofing material is 29-gauge ribbed metal roof panel, which is an acceptable roofing material per Attachment C. Per Attachment C, the proposed roof material shall have a Solar Reflective Index (SRI) of 29 or higher. This SRI requirement is

included in the suggested conditions section of this memo. A color palate for the roofing materials and SRI ratings for each color are included with this memo.

Landscape Design Standards (Attachment E)

The subject property is in the Town's Business Fringe Zone per Attachment D, Architectural Design Zones.

A landscape plan was submitted with the application and is enclosed with this memo. The landscape plan identifies 20 total shrubs, but does not identify the type or species of proposed shrubs. The landscape plan does not meet the minimum landscape requirements outlined below. Please note that Section K states: *"The Town Board shall have the authority to waive or modify the requirements and standards of this section for good cause shown by the applicant. In lieu of any modification a substitution of higher standards can be made to offset any corresponding reduction. Documentation of any modification shall be on file at the Town of Clayton and available for public review."*

Grounds Landscaping for Commercial Building Construction – Section G. (1) (e) 1) (b)

- One (1) shade tree, conifer or ornamental tree for every 4,500 square feet of developed area. Ornamental trees may comprise up to fifty (50) percent of the total number of trees with conifers being at least fifteen percent of the total number of trees.
- One (1) understory shrub for every one thousand (1,000) square feet of developed area.

Building Landscaping for Business Fringe Zone – Section G. (1) (e) 2) (c)

- 100% of the building façade facing all public streets must be landscaped with a variety of appropriate plant materials in a mulched bed a minimum of 6' wide measured from building façade.

As described above, the Town may waive or modify the landscaping requirements and standards for good cause shown by the applicant.

Environmental and Energy Efficiency (E3) Guidelines (Attachment F)

The E3 standard is strongly recommended, but not required. Per review of the application materials, the following E³ components are included in this development:

- Roof heat island
- Storm sewer piping
- Minimize impervious surfaces

Outdoor Storage of Equipment, Products, & Materials

No outdoor storage of equipment, products, or materials is proposed.

Storage of Waste/Trash and Recyclables

No communal storage of waste/trash/recyclables is proposed. Each Unit owner is responsible for proper disposal of waste/trash/recyclables.

Lighting

A lighting plan and pictures identifying light locations on each building were submitted and are enclosed with this memo. Pictures of the lighting fixtures were also submitted and are

enclosed with this memo. A photometric plan identifying dispersion pattern and light intensity was not submitted. Lighting in Phase 2 is proposed to be the same as approved for Phase 1.

Signage

No new signage is proposed.

Staff Recommendation & Suggested Conditions:

If the Town determines that the exterior wall materials are acceptable, staff recommends conditional approval of the Site Plan Application.

The following are possible conditions of approval that may be relevant to ensure compliance with ordinance requirements. Conditions 7 through 14 below are relevant conditions that were placed on the Phase 1 development.

1. The project shall comply with all applicable local, state, and federal codes/ordinances.
2. No unit shall be used to store explosives, toxic substances, hazardous materials, or radioactive materials; as required per Section 9.08-402(d) of the Town of Clayton Zoning Code of Ordinances.
3. No portion of the site shall be used for commercial fabrication, repair, or any similar use or for human habitation; as required per Section 9.08-402(e) of the Town of Clayton Zoning Code of Ordinances.
4. Stormwater Management and Erosion Control Permits shall be obtained from Winnebago County and the Wisconsin Department of Natural Resources prior to commencing land disturbing activities and/or construction.
5. A “Wetland Delineation Report” for the Phase 2 development area shall be submitted to the Town prior to commencing land disturbing activities and/or construction.
6. A landscape plan in compliance with the applicable requirements of Attachment E of the Town of Clayton Zoning Code of Ordinances or a landscape plan acceptable by the Plan Commission as per discussion at the Plan Commission meeting shall be submitted to the Town prior to review of the Site Plan Application by Town Board. Verification that the landscape plan is code-compliant or acceptable by the Plan Commission as per discussion at the Plan Commission meeting shall be at the discretion of the Town Administrator.
7. The applicant shall work with Town Fire Department staff to site and provide the design requirements for a hydrant on the proposed storm water management pond.
8. A Knox Box security system shall be installed on each building to give the Fire Department restricted access to the building.
9. A Condo Association Agreement shall provide for the Town to access the storm water management pond to perform maintenance if the Condo Association fails to properly

maintain the pond; and the agreement shall provide for the Town to special assess the cost of any storm water management pond maintenance to the Condo Association.

10. The Condo Association Agreement must be recorded with the Winnebago County Register of Deeds prior to the issuance of any building permits.
11. No external storage is allowed at any of the buildings.
12. Lighting is to be limited to one hooded, LED light above the entrance door and one hooded, LED light above the garage/overhead door on each building.
13. No Signage may be placed on the STH “76” frontage.
14. Signage on the individual condo units is limited to a wall sign only which follows the Town’s adopted Zoning Code as it relates to signs.
15. Any substantial changes and/or additions to the site plan and/or building plans shall be reviewed and approved by the Plan Commission and Town Board in accordance with the requirements of Article 8, Division 8, Special Site Design Principles and Architectural Standards, of the Town of Clayton Zoning Ordinance. Determination of whether a change or addition is substantial shall be at the discretion of the Town Administrator.

Chair Knapinski opened the discussion reviewing the recently received Town Engineer recommendations, Code Administrator’s notes, offsite review from Wisconsin DNR and waiver of wetland delineation for Phase II, and several items from 2019 Plan Commission meeting related to Phase I of this project construction.

Commissioner Haskell voiced concerns with the Application, most emphasized being landscape plan, lighting not appearing to meet Town ordinances, and questions of compliance with conditional approvals in Phase I. Commissioner Haskell also questioned which drawings provided were most correct as some are dated 2020 and others have no date printed. Commissioner Haskell asked why the items in Phase II were not complete and compliant having had 2 years to work on this Application during construction on Phase I.

Planner Jaworski addressed some of these concerns that there could be a detailed review after Phase I and agreed that the landscape plan submitted is inadequate but was conditionally approved for Phase I. Planner Jaworski also noted that if those conditions have not been met, it may be appropriate to remedy and satisfy those conditions before proceeding to Phase II. Planner Jaworski also referenced materials in Phase I that were discussed, focusing on lighting for majority of discussion, and should apply same standard for consistency across all project phases. Planner Jaworski suggested using the detailed review of Phase I as the baseline for moving forward with Phase II with the Town holding the Applicant accountable on meeting any conditional approvals. Planner Jaworski also addressed a more detailed lighting plan and photometric study would be a reasonable expectation of the Commission.

Engineer Hamblin also addressed some of the concerns voiced by Commissioner Haskell noting that if there are any issues related to stormwater, the pond marked on the Application, and spillway the County will address in their review at the appropriate time.

Commissioner Nemecek voiced concerns over water and holding tanks shown on the Phase II plans. Commissioner Nemecek did not recall those items being included in Phase I and expressed that he would not have approved of these items had they been included in Phase I. Commissioner Nemecek reiterated that the plans as presented are inadequate and would like to more thoroughly review Phase I before proceeding with Phase II.

Jason Garrow of JJJ2, LLC responded to the concerns of the Commission. Mr. Garrow stated that this Application is only for Phase II, and that Phase I has already been permitted and completed. Mr. Garrow expressed that JJJ2, LLC is working to get things done in a timely manner and would like to move forward with Phase II rather than continuing to revisit Phase I. He also noted that Commissioner Haskell had many concerns also with Phase I. Mr. Garrow remarked that he would address concerns to the best of his ability, but was not looking at the meeting packet that the Commissioners were given. Addressing the water, holding tank, restroom issue brought up first by Commissioner Nemecek, Mr. Garrow stated that those plans were marked on Phase I. Mr. Garrow also noted in response to a later concern brought up by Town Board Representative Lettau regarding a memorandum provided by Chief Rieckmann regarding accessibility, the landscaping boulders placed in Phase I can be moved and is not a concern on their end.

Chair Knapinski also addressed some concerns of fellow Commissioners noting that the minutes of the April 2019 meeting where Phase I was first presented may need to also be reviewed for clarifications on conditional approvals. Chair Knapinski noted that the Commission has the option to review if conditions for Phase I were met and if remedies are needed, it can be required as a condition before moving forward with Phase II. Chair Knapinski noted that there was a brief concern raised by Commissioner Haskell regarding a possible cell tower noted on the submitted plan. Chair Knapinski stated that this would be a separate agreement with a cell company if they come forward and has no bearing on the review and discussion of the Application at present.

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Nemecek

Motion made to recommend to the Town Board denial of the Site Plan Application submitted by JJJ2, LLC until a complete and conforming site plan is submitted based on the Site Plan Requirements Section of Town Code Chapter 9, Article 8, Division 8, Section 9.08-201 entitled “Site Design Principals” and attachments.

Motion carried 4-3

- C. Review and Discussion: Plan Commission review and recommendation on a Site Plan Application submitted by Ben Hamblin, McMahon Associates, 1445 McMahon Drive, Neenah, WI 54956 for property owned by Town of Clayton, 8348 County Road T, Larsen, WI 54947 and located on Clayton Ave specifically described as Tax ID#006-0340-02-03 being part of the Northeast ¼ of the Southeast ¼ of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located on Clayton Ave specifically described as Tax ID#006-0340-02-03 being part of the Northeast ¼ of the Southeast ¼ of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Ben Hamblin
McMahon Associates
1445 McMahon Dr
Neenah, WI 54956

Property Owner(s): Town of Clayton
8348 County Rd T
Larsen, WI 54947

Consultant: Ben Hamblin
McMahon Associates
1445 McMahon Dr
Neenah, WI 54956

Property Information:

1. The surrounding properties are zoned:
 - a. North:
A-2 (General Agriculture District), R-1 (Rural Residential District).
 - b. South:
A-2 (General Agricultural District); P-1 (Public Institutional District)
 - c. East:
Village of Fox Crossing
 - d. West:
A-2 (General Agriculture District); B-3 (General Business District)

Property Information Specific to Tax ID# 006-0340-0203:

1. The property is owned by Town of Clayton.
2. The Lot is 5.84 acres in size.
3. The property is in the Department of Natural Resources Special Well Casing area.
4. The property was approved to be rezoned from A-2 (General Agriculture District) to B-2 (Community Business District) by the Town in January 2022, contingent upon sale of the property.
5. The property is in the Town's Zone B Architectural Design Zones.
6. The property is in the Village of Fox Crossing extraterritorial zoning.
7. The property is out of the County's Floodplain Zoning Area.
8. The property is out of the County's Shoreland Zoning Area.
9. The property contains a wetland swale through the property, as depicted on the site plans, per a 2017 Wetland Delineation Report completed by Martenson & Eisele Inc.
10. The proposed land use is consistent with the Future Land Use Plan.

Background Information

See "Plan of Operation Description" submitted with application. The petitioner has provided the enclosed plans and materials. No specific businesses/uses for the buildings have been identified. Any future business/use to locate in the buildings will need to be an allowed use in the B-2 district and will need to comply with all requirements of the Town Zoning Code.

Please specifically note that "contractor yard" is not an allowed use in the B-2 district. Contractor yard is defined as: *"A place where a contractor or builder may establish a base of operation, which may include one or more of the following: office space; indoor and outdoor storage of construction materials, equipment, and machinery, such as trucks and heavy equipment; and shops for the repair of machinery and equipment owned by the operator."* Therefore, the solar panel installation company and small business contractor businesses identified in the "Plan of Operation Description" may not be allowed on this property.

Special Site Design Principles and Architectural Standards

This development is subject to the special site design principles and architectural standards outlined in Article 8, Division 8 of the Town Zoning Code of Ordinances. This section of the ordinance makes reference to the following attachments of the zoning code:

- Attachment B, Horizontal Site Design Standards
- Attachment C, Architectural Design Standards
- Attachment D, Architectural Design Zones
- Attachment E, Landscape Design Standards
- Attachment F, Environmental and Energy Efficiency (E³) Guidelines

Horizontal Site Design Standards (Attachment B)Driveways

Access to the property is proposed via one driveway to Clayton Ave. and one driveway to W. American Dr.

Per *Attachment B, Sec. A(1)(e)*, driveways shall not exceed a maximum width of 36 ft. at their juncture with the street pavement. Both driveways do **not** comply with this requirement. The driveway to W. American Dr. is 40 ft. wide at its juncture with the street pavement and the driveway to Clayton Ave. is 60 ft. wide at its juncture with the pavement. The applicant has indicated that the increased width is due to the need for semi-truck and aerial platform fire truck access, and any further width reduction will compromise access for fire trucks and the occasional semi-truck or delivery truck.

Stormwater & Erosion Control

Stormwater is proposed to be managed via a stormwater detention pond located northwest of the developed area. Winnebago County regulates stormwater management and erosion control in the Town. County Stormwater and Erosion Control Permits will need to be obtained prior to commencing development/construction. This requirement to obtain County permits is included in the suggested conditions section of this memo.

Wetlands

The property contains a wetland swale through the property, as depicted on the site plans, per a 2017 Wetland Delineation Report completed by Martenson & Eisele Inc. No wetland disturbance is proposed with this project.

On-Site Wastewater Treatment

Development will be served by public sewer.

Private Well Construction

Development will be served by public water.

Architectural Design Standards (Attachment C)

The subject property is in the Town's Zone B per Attachment D, Architectural Design Zones.

Exterior Wall Materials

The proposed exterior wall materials are:

- Building 1 = 29 gauge metal wall panels and 40 inch high thin stone veneer wainscot.
- Buildings 2 & 3 = pre-finished metal wall panels

Acceptable exterior building materials include clay/masonry brick, natural/manufactured stone, decorative concrete masonry, tilt-up/precast architectural concrete, glass curtain walls, and other materials as approved. Per Sec. A(3)(a), acceptable exterior building materials shall cover a minimum of:

- 50% of the wall surfaces facing a front yard or public road;
- 33% of the wall surfaces facing a side yard setback; and
- 20% of the wall surfaces facing a rear yard setback.

The proposed buildings do **not** comply with the exterior wall materials requirements.

Please note the following Zoning Code section in Attachment C which allow for exceptions to exterior wall materials requirements:

- Sec. A(3)(a) states: “Those areas deemed to be of limited exposure to the general public percentages may be lowered so long as the intent of this provision is maintained.”
- Sec. A(14) states: “Should a particular parcel present an undue hardship or needs arise to mitigate adjoining land use impacts, provisions of these regulations can be modified so long as the intent is protected and not be utilized in significant fashion as to warrant revision.”

Roofing Materials

The proposed roofing materials are:

- Building 1 = 29 gauge metal roof panel,
- Buildings 2 & 3 = pre-finished metal roof panels

Metal roof panels is an acceptable roofing material per Attachment C. Per Attachment C, the proposed roof material shall have a Solar Reflective Index (SRI) of 29 or higher. This SRI requirement is included in the suggested conditions section of this memo.

Landscape Design Standards (Attachment E)

The subject property is in the Town’s Zone B per Attachment D, Architectural Design Zone. A landscape plan was submitted with the application and is enclosed with this memo. The applicant is proposing to preserve existing vegetation and plant additional landscaping as a means to fulfill the Town’s landscaping requirements. Therefore, the applicant is requesting approval of an “alternative compliance landscape plan” as may be allowed per Attachment E,

Environmental and Energy Efficiency (E3) Guidelines (Attachment F)

The E3 standard is strongly recommended, but not required. Per review of the application materials, the following E³ components are included in this development:

- Roof heat island
- Storm sewer piping
- Natural feature preservation
- Minimize impervious surfaces

Outdoor Storage of Equipment, Products, & Materials

No outdoor storage of equipment, products, or materials is shown on the plans submitted.

Storage of Waste/Trash and Recyclables

No communal storage of waste/trash/recyclables is proposed. Each Unit owner is responsible for proper disposal of waste/trash/recyclables.

Lighting

A lighting/photometric plan was submitted with the application and appears to comply with Town Zoning Code requirements.

Signage

No signage plans were submitted. All future signage shall comply with Town Zoning Code requirements.

Staff Recommendation & Suggested Conditions:

If the Town determines that the driveway widths at the juncture with street pavement, exterior wall materials, and the alternative compliance landscape plan are acceptable, staff recommends conditional approval of the Site Plan Application.

The following are possible conditions of approval that may be relevant to ensure compliance with ordinance requirements.

1. The project shall comply with all applicable local, state, and federal codes/ordinances.
2. Stormwater Management and Erosion Control Permits shall be obtained from Winnebago County and the Wisconsin Department of Natural Resources prior to commencing land disturbing activities and/or construction.
3. All future businesses/uses established on the property shall be allowed uses per the Town Zoning Code and shall comply with all applicable requirements of the Town Zoning Code.
4. All future signage shall comply with all applicable requirements of the Town Zoning Code.

Any substantial changes and/or additions to the site plan and/or building plans shall be reviewed and approved by the Plan Commission and Town Board in accordance with the requirements of Article 8, Division 8, Special Site Design Principles and Architectural Standards, of the Town of Clayton Zoning Ordinance. Determination of whether a change or addition is substantial shall be at the discretion of the Town Administrator.

- Commissioner Haskell asked if the presented landscape plan factored in the existing landscape, specifically the trees already on the site.
- Engineer Hamblin confirmed that the plan presented was designed to preserve as much of the natural integrity of the site as possible. Engineer Hamblin pointed out that the Northern and Eastern trees were kept as they are abutting the neighboring residential property to minimize the amount of disruption to residents from the development.
- Commissioner Nemecek questioned if there were fire walls factored into the presented plan.
- Mr. Gill confirmed that the project is under the 12,000 sq foot requirement.

MOTION:

Motion by Commissioner Nemecek

Second by Commissioner White

Motion made to recommend to the Town Board approval of a Site Plan Application submitted by Ben Hamblin, McMahon Associates, with all staff recommendations.

Motion carried

- D. Review/Recommendation: Plan Commission review and approval of Plan Commission Resolution 2022-001 A Recommendation of the Plan Commission to the Town Board on the Comprehensive Plan Public Participation Plan.

The Commissioners were provided a copy of Plan Commission Resolution 2022-001 A Recommendation of the Plan Commission to the Town Board on the Comprehensive Plan Public Participation Plan.

The addition or amendment of the Comprehensive Plan requires a Plan Commission Resolution recommending approval to the Town Board. The Town Board will approve the recommendations with a Town Ordinance.

- Planner Jaworski confirmed this is a basic resolution based on what was discussed at the February 9, 2022 Commission meeting.
- Chair Knapinski noted that there may be additional meetings if this resolution is passed as the Commission is taking the lead on this Plan.

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Dorow

Motion made to approve Plan Commission Resolution 2022-001 A Recommendation of the Plan Commission to the Town Board on the Comprehensive Plan Public Participation Plan.

ROLL CALL:

Commissioner Nemecek	Aye
Commissioner White	Aye
Chair Knapinski	Aye
Commissioner Linsmeier	Aye
Commissioner Dorow	Aye
Commissioner Haskell	Aye
Supervisor Lettau	Aye

Motion carried

- E. Review and Discussion: Plan Commission review and discussion on the Updates on the CY 2022 Planning Initiatives: Comprehensive Plan Update, Marketing of Hwy 10.76 Corridor (Gold Shovel), and the investigation of Solar Farm Opportunities.
- Planner Jaworski began with the Comprehensive Plan Update – There has been no 2020 census data released yet for the municipal level. It is anticipated to be released by Summer 2022.

- Planner Jaworski suggested focusing on items, like transportation and utility, that are not demographic dependent (census data) for the public information meetings.
- Planner Jaworski moved on to Gold Shovel – The program is still moving forward and has been embraced by communities in the Fox Valley.
- Planner Jaworski advised that rezoning of the parcels in the targeted corridor may be a next course of action, suggesting B-3 (Community Business Area) may be most appropriate.
- Chair Knapinski requested clarification that, because there are some private parcels in that corridor, the only parcels that would be part of any rezoning would be the Town property. Planner Jaworski confirmed that would be the case.
- Mr. Jochman noted that there are shifting business conditions and that there may be no use for office buildings if those are planned for this business corridor.
- Chair Knapinski noted the concern and that the Comprehensive Plan has this corridor leaning towards business rather than light industry for zoning purposes.
- Planner Jaworski again emphasized that once the certification is achieved that there will be a large marketing campaign around the properties. Planner Jaworski reminded that if in a year or so the Town is not seeing the interest they are hoping for, it is possible to reevaluate at that time.
- Planner Jaworski moved to discussing solar opportunities – advised that the Commission and Town are at a “Y” in the road on how to address potential development.
- Chair Knapinski noted that a parallel track may be a good way of approaching future solar opportunities – addressing questions on the technology and viability while also developing regulations to keep progress moving forward.
- Commissioner Haskell remarked that this is a fast-moving industry and the technology is changing rapidly. Commissioner Haskell noted that any regulations the Town develops would need to take that into account.
- Chair Knapinski asked Planner Jaworski for some direction on how he thought it would be best to proceed.
- Planner Jaworski advised that the parallel track approach would be the best option to be able to move quickly on any possible developments, keep momentum on technological developments, and bringing wider awareness to the community of these opportunities.

NO ACTION TAKEN

VII. Upcoming Meeting Attendance

- A. Town Board Annual Meeting scheduled for Tuesday, April 19, 2022 at 7:00 p.m.

VIII. Adjournment

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Nemecek

Motion to Adjourn the meeting at 8:39 p.m.

Motion carried

Respectfully submitted,
Kelsey Faust-Kubale, Clerk