

TOWN OF CLAYTON
Town Plan Commission
Meeting Minutes
7:00 P.M. – on Wednesday, July 13, 2022
Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order: Chair Knapinski called the meeting to order at 7:02 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 VIA ZOOM
Commissioner Nemecek	PRESENT
Commissioner Linsmeier	EXCUSED
Commissioner Dorow	PRESENT VIA ZOOM
Commissioner Haskell	PRESENT
Town Board Rep. Christianson	PRESENT

b. Staff

Administrator Straw	PRESENT
Clerk Faust-Kubale	PRESENT
Planner Jaworski	PRESENT
Engineer Hamblin	PRESENT
Town Attorney LaFrombois	ARRIVED 7:25 PM

II. Public Hearings:

A. Plan Commission Public Hearing on the Comprehensive Plan Amendment Application submitted by Spencer Main, W6943 Spencer Rd., Appleton, WI 54914 for property located between Lind Lane and State Hwy 76, Neenah, WI 54956, specifically described as Tax ID #006-0006-10-02, being part of both the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Southwest ¼ of Section 1, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The Comprehensive Plan Amendment application is to change the Town's Future Use Map Plan from Local Service Business District to Light Industrial District.

- Prior to residents addressing the Plan Commission, Chair Knapinski noted that Village of Greenville has given notice to the neighboring communities that they will be exercising its Extraterritorial Plat review authority within 1.5 miles of the boundary.
- Planner Jaworski also noted prior to residents addressing the Plan Commission that this hearing will reference the Future Land Use Map and that currently this parcel is planned to be part residential and part business.
- Barbara Brown, 3009 Windfield Dr, Neenah, WI 54956 commented that State Hwy 76 is a highway and has additional requirements. Ms. Brown asked if there is substantial evidence that this possible development would not be obnoxious, nuisance, etc. and further congest State Hwy 76. Ms. Brown also questions the Commission if they have considered the potential tax revenue against loss of property value in the area. Ms. Brown also questioned

why the Commission would consider changing the zoning of this parcel and not continue to expand the area as residential, as that is the hope of current residents in the area.

- Chair Knapinski reminded Ms. Brown that the only item under consideration on the agenda tonight is the Comprehensive Plan Amendment Application, not any site plans or rezoning for this parcel. Chair Knapinski also noted that there is currently a mix of land use and planned future land use in that area, and any qualified Comprehensive Plan Amendment Application would be considered by the Commission, hence the Public Hearing. Chair Knapinski noted that since there is no site plan being considered, there is no information on tax amounts, and also questioned Ms. Brown if she had any evidence at present of tax values going down in the surrounding area.
- Chue Lee, 3025 Winnegamie Dr, Neenah, WI 54956 asked what the definition of light industrial use is, and also what the process is to accept or deny this application.
- Chair Knapinski replied that this Public Hearing is the first step of the process. From here the Plan Commission will consider the Application and make a recommendation to the Town Board. The Town Board will then take action on the recommendation. If the Town Board approves the Comprehensive Plan Amendment, then the same process will be followed for a Re-Zoning Application.
- Administrator Straw read out the definition of light industrial use from the Zoning Code of Ordinances.
- Dave Baumann, 9551 Lind Ln, Neenah, WI 54956 commented that he would like to see no more driveways onto the road as it was not built for that kind of traffic.
- Chair Knapinski noted again that there is no site plan being considered. This would be of future consideration, assuming this project gets to the site plan submittal stage.
- Spencer Main, 1103 S Lynndale Dr, Appleton, WI 54914 spoke to some of the reasons he submitted the application. First, Mr. Main noted that he has applied for and received controlled access off of State Hwy 76. Secondly, Mr. Main noted he believed this area is a gateway to the community and had done a comparative analysis on where may be best to move his business to be closer to the main areas the business services. Thirdly, Mr. Main addressed that his concrete business has mostly residential customers. Mr. Main said there were a limited number of properties available in his target area within his budget that would allow the business to grow into. Mr. Main noted there does not appear to be much industrial real estate in the Town and like to work with the community. Mr. Main also noted that to address most of the residences to the west of the parcel, although a site plan is not being considered at this time, the plan does show a natural berm. Mr. Main then went on to highlight traffic statistics on State Hwy 76 he found, the current zonings of the parcel to the north being mostly commercial and heavy industrial and that he feels it would be best to re-zone this property and it would not be considered spot zoning. Mr. Main also noted that if the parcel he is in negotiation to purchase sold for a higher price per acre, then it may in fact increase the surrounding property values for residents. Mr. Main closed by noting he feels there needs to be room in the Town for essential businesses like his, and if not at this parcel and area of the Town, then where would that be possible.
- Chair Knapinski noted that there are residences to the west, south, and in Village of Greenville to the north of the parcel, and the property already zoned heavy industrial was grandfathered in when the Town took over the zoning from Winnebago County. Both the Town and Village have future uses designated as agriculture. Chair Knapinski questioned why the need for industrial at this particular parcel other than only economic value since

the future use is not compatible with the parcels around it, and also how it would benefit the existing property owners.

- Mr. Main replied that it would benefit the businesses according to the Town Zoning Code of Ordinances. Mr. Main also noted that some of the northern part of the parcel is in the Airport Overlay and industrial would be allowed under the Outagamie County regulations regarding the overlay. Mr. Main noted proximity to State Hwy 76 was key in selecting this parcel, that the acreage of this parcel met his business needs, and that to re-zone to industrial would not be spot zoning.
- Chair Knapinski asked if light industrial, according to the definition in the Zoning Code, has most of the activity taking place inside of a building, if a contractor yard would be considered more light or heavy industrial use.
- Planner Jaworski felt that contractor yard would not be appropriate as a light industrial use. Planner Jaworski also asked Mr. Main if he had considered properties on the east side of State Hwy 76 for his business.
- Mr. Main replied he had not since there was not any property within the budget and he cannot just buy property that is not for sale. Mr. Main also noted that he is looking for a parcel for the business to not outgrow in several years. Mr. Main felt that this type of discussion will happen again in the Town as other businesses try to move in. Mr. Main noted he had googled businesses already existing in the Town like his, including Earthscape and Fox Valley Asphalt, and they were all zoned light industrial along State Hwy 76.
- Chair Knapinski noted that where industrial future use is planned to go is a part of the Comprehensive Plan review process that the Commission is currently undergoing.
- Joe Slezak, 9425 Memory Ln, Neenah, WI 54956 asked of the Commission why this is a two-step process. Mr. Slezak felt the key question before the Commission is if they would like the Town to grow in residents or industry. Mr. Slezak noted he moved here because he liked the residential aspect of Town and didn't understand why that would need to change now. Mr. Slezak noted he is not in favor of this Amendment.
- Chair Knapinski replied the Commission is looking at both, growing residential and business in the Town. Chair Knapinski also noted that the incorporated communities surrounding the Town look at the Town as a potential growth area for their community to expand into.
- Jackie Pellegrini, 2960 Braun Ct, Neenah, WI 54956 reported and provided a copy to Staff of over 150 signatures from neighbors that want to see this parcel remain as business use. Ms. Pellegrini noted that the applicant has property in Village of Greenville and has had issues with the Village as well regarding his businesses, and these signatures show that it is not something they desire in their neighborhood. Ms. Pellegrini also noted with Village of Greenville exercising their extraterritorial review that she did not feel they would approve of any changes. Ms. Pellegrini noted that herself and other neighbors have reviewed many agendas and citations from Village of Greenville to support that view, and do not want to the Town to have similar issues.
- Chair Knapinski noted again that the current application is only for the Comprehensive Plan Amendment. Chair Knapinski also noted that the future plan currently provides for residential and commercial growth, and also is designed to fend off annexation by neighboring communities.

- Jayne Schermerhorn, 3003 Fairwinds Dr, Neenah, WI 54956 expressed concerns surrounding the potential additional traffic on State Hwy 76. Ms. Schermerhorn noted her son passed away several months ago as a result of an accident on State Hwy 76 and would not want any zoning changes that could increase the traffic flow.
- Chair Knapinski noted this Public Hearing is not regarding the zoning of the parcel, but appreciated the comments from Ms. Schermerhorn. Chair Knapinski noted that State Hwy 76 will become busier, but that traffic control will be up to the State to determine.
- Phil Beaver, 2986 Fairwinds Dr, Neenah, WI 54956 commented that he does not want this type of business in his neighborhood, and if the Applicant is seeking bypasses on State Hwy 76, why not wait until a later point.
- Chair Knapinski again stated that traffic control on State Hwy 76 will be up to the State to determine, and that they will be included, if necessary, further along in any development plan.
- Troy Ribble, 9618 Lind Ln, Neenah, WI 54956 noted he is the owner of Root Medics and that the land use of his property is agriculture with a conditional use permit. Mr. Ribble thought mixed use property would not make sense to have next to a residential area. Mr. Ribble also voiced his opposition to the Application.
- Mr. Lee addressed the Commission again and asked how much of the future plan is currently utilized as industrial.
- Chair Knapinski highlighted the areas on the current Future Use Map and noted that approximately 25% with buildings in that area are industrial use.

Public Hearing Closed at 7:55 p.m.

III. Approval of Minutes:

A. Approval of the minutes of the Wednesday, June 8, 2022 Plan Commission Meeting.

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Nemecek

Motion made to approve the May 11, 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 June 2022 Building Inspector's Report.

- Chair Knapinski noted that the new building in the Town was \$3.2 million which is approximately the total of the other 3 communities combined.

B. Distribution of correspondence from the Village of Greenville noticing the Town of their intent to exercise their Extraterritorial Jurisdiction.

- Chair Knapinski noted this allows the Village to review land division and plats but not Comprehensive Plan and zoning changes. Chair Knapinski noted they have the right to exercise but may be a negotiable item if forming an intermunicipal agreement.
 - Engineer Hamblin also distributed additional items to the Commissioners from the League of Municipalities regarding extraterritorial rights.
- C. Distribution of correspondence from the Wisconsin Department of Transportation regarding the reconstruction of the intersection of Larsen Road and State Highway 76.
- Chair Knapinski noted there have been fatalities over the years at this intersection.
 - Administrator Straw noted they are hoping for a target date of 2023 and that the residents of Larsen Rd, the Staff, and the Town of Neenah have been pushing for this change, especially in light of the new Neenah High School going up. Administrator Straw noted that this is on the State schedule for 2025.

VI. Business:

- A. Discussion/Recommendation: Plan Commission review and recommendation on the Comprehensive Plan Amendment Application submitted by Spencer Main, W6943 Spencer Rd., Appleton, WI 54914 for property located between Lind Lane and State Hwy 76, Neenah, WI 54956, specifically described as Tax ID #006-0006-10-02, being part of both the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Southwest ¼ of Section 1, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The Comprehensive Plan Amendment application is to change the Town's Future Use Map Plan from Local Service Business District to Light Industrial District.

Site Location: The property is located between Lind Lane and State Hwy 76, Neenah, WI 54956, specifically described as Tax ID #006-0006-10-02, being part of both the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Southwest ¼ of Section 1, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Spencer Main
W6943 Spencer Rd
Appleton, WI 54917

Property Owners: Big Ring Properties, LLC
Gregory P. Landwehr Liv Tst
1397 S Park Ave
Neenah, WI 54956

Consultant: N/A

Property Information:

1. The surrounding properties are zoned:
 - a. North:
A-2 (General Agriculture District) and R-1 (Rural Residential District)
 - b. South:
B-1 (Local Service Business District)
 - c. East:
A-2 (General Agriculture District) and I-2 (Heavy Industrial District)
 - d. West:
A-2 (General Agriculture District) and R-1 (Rural Residential District)

Property Information Specific to Tax ID# 006-0006-10-02:

1. The property is owned by Big Ring Properties, LLC, 1397 S Park Ave, Neenah, WI 54956.
2. The property is 19.61 acres in size.
3. The property is in the Neenah Joint School District (3892).
4. The property is currently zoned B-1 (Local Service Business District) by the Town of Clayton.
5. The property is located within the Village of Greenville Extraterritorial Jurisdiction.
6. The property is not located within Winnebago County Shoreland Zoning.
7. The property has no Navigable Stream and Surface Water Drainage Information.
8. The property is located in Outagamie County Airport Zoning District – Zone 3.
9. The property has no County Floodplain and FEMA Special Flood Hazard Area (SFHA) Information.
10. The property does have wetland too small to delineate recorded in the southeast corner of the property.
11. The Future Land Use Plan (per the County Parcel Profile Report) designates the property as “Agriculture/Rural Residential” and the Comprehensive Plan/Future Land Use Plan Map designates the property on the eastern side (adjacent to Hwy 76) as “Business/Business Planned Unit Development” and the remaining portion of the property as “Residential”.

Staff Comments

Mr. Main approached the Administration regarding the property on Lind Lane stating he was interested in the property because he would like to move his asphalt company and concrete company to that location. Mr. Main owns Pave Black Asphalt and also Spencer Concrete. The Town’s Zoning Code does not allow “Contractor Yard” business to operate within the B-1 (Local Service Business District) Zoning. Mr. Main asked the Administration if changing the zoning of the property to I-1 (Light Industrial District) would be permissible. Staff has explained the approval process to Mr. Main. First, a Comprehensive Plan Amendment Application must be submitted, reviewed and approved (this agenda item). If approved, then a rezone application must be submitted, reviewed and approved. The Town of Clayton Comprehensive Plan must support the rezone (State Law) so that is why this application for

amendment is first. Should a comprehensive plan amendment and rezone occur, full site plan review would follow. Tonight's discussion should focus on if this area of the town is suitable for industrial type uses. The discussion on industrial use should be more encompassing than just this parcel. It needs to be big picture for the area. Otherwise, the approval action could be considered spot planning and zoning which is frowned upon by the planning profession because it singles out one person or owner over the common good.

At first glance, the Saw Mill adjacent to the subject property to the East is currently zoned I-2 (Heavy Industrial District) so defining this request as spot zoning would not necessarily be correct. However, when the Town took back our Zoning Jurisdiction in 2014, the Town inherited existing zoning that does not meet the Town's Future Land Use Map which has been deemed "grandfathered" until the property changes use and therefore, at that time, would need to be updated to the proper zoning. When told that Lind Lane could not support heavy equipment, Mr. Main expressed a desire to rebuild Lind Lane to accommodate his business.

The Town staff has received several inquiries from residents in that area that have expressed concern with a Contractor Yard adjacent their neighborhood.

Finally, Mr. Main is basing the need for this project on projected development growth in the area including Greenville, Fox Crossing, Clayton etc. Development, existing and future, will need driveways and parking lots as essential infrastructure. This proposed business will provide that. It will also provide jobs and needed tax base. The Town of Clayton has technically opened their doors for development in the eastern third of the town. Development of this type comes along with this growth as the market grows. Which begs the question; if not in this location, then where is industrial use of this type appropriate? The comprehensive plan should provide direction to that question.

- Commissioner Nemecek noted when looking at the Comprehensive Plan, he is looking for highest and best use for property when considering making a change. Commissioner Nemecek voiced he would not support a change to the Comprehensive Plan, and that the best future use would be as it presently is noted, for business.
- Commissioner Haskell noted that the future use is currently business as it is a gateway to the Town. The current Comprehensive Plan indicates business fringe which has additional guidelines for landscape, façade, etc. in that area. Commissioner Haskell also noted Village of Greenville also has a similar gateway plan for that area with similar aesthetic requirements. Commissioner Haskell addressed an earlier comment from the Public Hearing that it is not the place of the Plan Commission to find a place for a business to locate or relocate to, but rather look at the future use of all areas of the Town.
- Chair Knapinski noted he studied the application and felt it was reaching some. Chair Knapinski recalled looking at one thing that altered his outlook and that was looking at Village of Greenville and the surrounding area to see if it would expand as industrial.
- Engineer Hamblin reported he was contacted directly by the Applicant to put together a plan on how to make this parcel compatible with the residential use that already exists, which was distributed to the Commissioners, and noted that outside of berm, lighting, hours of operation, etc. Engineer Hamblin struggled to come up with this plan.

- Planner Jaworski noted that the Town is in the middle of the Comprehensive Plan update process and that this is good resident input for that process. Planner Jaworski also reported having talked to the Applicant. Planner Jaworski encouraged the Commissioners to consider places for essential businesses that provide services for residences, like concrete and asphalt. Planner Jaworski noted that in the planning view, a community forms when all land uses are accommodated relatively harmoniously, and this potential new business could provide an essential service for residents. Planner Jaworski also noted that the gateway image is very important and that this particular use may not be the most appealing in the planned gateway area.

MOTION:

Motion by Commissioner Nemecek

Second by Commissioner Haskell

Motion made to recommend denial to the Town Board of the Comprehensive Plan Amendment Application submitted by Spencer Main, W6943 Spencer Rd., Appleton, WI 54914 for property located between Lind Lane and State Hwy 76, Neenah, WI 54956, specifically described as Tax ID #006-0006-10-02, being part of both the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Southwest ¼ of Section 1, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Motion carried 5-1 with Commissioner Dorow opposed.

- B. Discussion/Recommendation: Plan Commission review and recommendation on a Certified Survey Map submitted by Bret Blickhahn, 4262 Rocky Road, Oshkosh, WI 54904, for property owned by Bret Blickhahn, 4262 Rocky Road, Oshkosh, WI 54904 and located at the Northwest corner of Rocky Road and Jensen Road, specifically described as Tax ID #006-0816-01 being part of the Northwest ¼ of the Southwest ¼ of Section 32, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at the Northwest corner of Rocky Road and Jensen Road, specifically described as Tax ID #006-0816-01 being part of the Northwest ¼ of the Southwest ¼ of Section 32, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Bret Blickhahn
4362 Rocky Road
Oshkosh, WI 54904

Property Owners: Bret Blickhahn
4362 Rocky Road

Oshkosh, WI 54904

Consultant: Lawrence C, Kriescher (PLS-1599)
L.C. Kriescher and Associates, LLC
5251 Grandview Road
Larsen, WI 54947

Property Information:

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

Property Information Specific to Tax ID # 006-0816-01:

1. The property is owned by Bret Blickhahn, 4362 Rocky Road, Oshkosh, WI 54904.
2. The Lot is 8.72 acres.
3. The property is in the Winneconne Community School District (6608).
4. The property is currently zoned by the Town as A-2 (General Agricultural District).
5. The property **is not** within an Extraterritorial Jurisdiction.
6. The property **is** within the Shoreland Area (see attached map).
7. The property has a Navigable – Permanent (unchecked) Stream and no Surface Water Drainage Information (see attached map).
8. The property has no Outagamie County Airport Zoning and Height Limitation Information.
9. The property is in Zone X (Outside Floodplain) of the County Floodplain and FEMA Special Flood Hazard Area.
10. The property has no Wisconsin Wetland Inventory Information.
11. The property is in the Department of Natural Resources Special Well Casing area.
12. The Future Land Use Planning Information is Residential (Single & Two-family homes), Environmental (open water/pool lakes), and Agriculture/Rural Residential.
13. The current land use is consistent with the Town's adopted Land Use Plan.
14. The proposed land use is consistent with the Future Land Use Plan.

Staff Comments on the proposed CSM:

1. The CSM **does** show the Right to Farm Language required by the Town.

2. Although the County GIS Map shows the property in Shoreland Zoning and having a navigable stream, Jeff Kussow reached out to Cary Rowe, Winnebago County Zoning Administrator, and Cary explained that the ponds in this area are not considered “navigable” and therefore the property is not in the County Shoreland Zoning buffer and is not subject to County Zoning.
3. Per the WI DNR Surface Water Data Viewer, there are no mapped wetlands or wetland indicators on the subject property.
4. The CSM creates three (3) lots with Lots 2 and 3 requiring rezoning to R-1 (Rural Residential).
5. The property is not located in a sanitary district or sewer service area.
6. Lot 1 complies with the minimum lot size, lot width, and road frontage requirements for the A-2 district.
7. Lots 2 and 3 comply with the minimum lot size, lot width, and road frontage requirements for the R-1 district.
8. All existing structures shown on the CSM comply with Town setback requirements.

Staff Recommendations:

Staff does recommend approval of the proposed CSM with the following conditions:

1. Lots 2 and 3 be rezoned to R-1 (Rural Residential District).
 2. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.
 3. The Town to be provided with a recorded copy of the CSM.
- Larry Kriescher, Surveyor on this request, noted that to the west and north of the property is R-1 zoning.
 - Administrator Straw requested that the 2 smaller lots created, if approved, have the contingency they be rezoned to R-1 since they do not meet the 5-acre requirement.
 - Chair Knapinski asked if there is a barn and shed but no primary structure, can this be done.
 - Administrator Straw noted that there has been precedent set for this on other A-2 properties that allowed agriculture buildings to exist prior to the primary structure because the primary use of the property is agriculture.

MOTION:

Motion by Commissioner Nemecek

Second by Supervisor Christianson

Motion made to recommend approval to the Town Board of a Certified Survey Map submitted by Bret Blickhahn, 4262 Rocky Road, Oshkosh, WI 54904, for property owned by Bret Blickhahn, 4262 Rocky Road, Oshkosh, WI 54904 and located at the Northwest corner of Rocky Road and Jensen Road, specifically described as Tax ID #006-0816-01 being part of the Northwest ¼ of the Southwest ¼ of Section 32, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin, with all Staff recommendations.

Motion carried.

- C. Review and Discussion: Plan Commission review and recommendation on a resubmittal of a site plan for Trident Holdings, LLC, 501 S. Nicolet Road, Appleton, WI 54914 for property 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): Trident Holdings, LLC
501 S Nicolet Rd.
Appleton, WI 54914

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# 006-0340-02-03:

1. The property is owned by Trident Holdings, LLC, 501 S Nicolet Rd., Appleton, WI 54914.

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.

Staff Comments:

The following changes have been made to the original site plan application:

1. Building #2 is proposed to be increased in size from 148' x 60' to 188' x 60' with a depressed loading dock and retaining walls on the north end of building #2.
2. The 6 parking spaces on the north side of building #2 are proposed to be relocated to be replaced with 7 parking spaces on the west side of building #2.
3. Lighting, Utility, Grading, Erosion Control, and Stormwater Plan revisions, presumably due to the building #2 revision.

Staff is also aware of additional trees being removed on the North side of the property due to the quality of the existing trees and finding dead trees that could fall and cause injury or damage. Barry Gill contacted the office and spoke with staff. Mr. Gill indicated that he has every intention of replacing the trees with the suggested landscaping material listed within the Town's Code.

- Administrator Straw noted the Code Administrator's comment that Building 2 extension needs to show the dimensions. Administrator Straw also noted that the developer Mr. Gill reached out regarding the Contractor needing to take down more dead trees for safety reasons. Mr. Gill noted they may be replaced under the alternative landscape plan.
- Chair Knapinski noted the loading dock and wanted clarification that the large truck use will be coming off of W American Dr. and Administrator Straw confirmed, stating that drive will be gated and used only by the owner.
- Commissioner Haskell requested there be a stipulation that it is not an outlet, and Engineer Hamblin noted the large turning radius was requested by the Fire Chief so that it can be accessed by not only larger trucks but also the fire trucks.
- Chair Knapinski asked if there would be fire access to the private gate and Administrator Straw noted that knox boxes are a requirement.

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Nemecek

Motion made to recommend approval to the Town Board of a resubmittal of a site plan for Trident Holdings, LLC, 501 S. Nicolet Road, Appleton, WI 54914 for property 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, with all Staff recommendations and additional conditions as follows:

1. No large truck access to the driveway off of Clayton Ave,
2. There will be a knox box for Fire Department access at the private gate,
3. The additional trees being removed at the Contractor's request shall be replaced.

Motion carried.

- D. Review and Discussion: Plan Commission review and recommendation on a Sign Review Application submitted by Matt Erickson, Sign Country, 235 Allegiance Ct., Appleton, WI 54913 for property owned by Mark Wegand, 4123 County Road II, Larsen, WI 54947 for property located at 4123 County Road II, Larsen, WI 54947 specifically described as Tax ID #006-0527-04, being part of the Northeast ¼ of the Northeast ¼ of Section 20, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

The Commissioners reviewed a copy of the Sign Review Application and Sign Plan for Accurate Fire Protection. This application was originally submitted in December, 2021. At that time, there had not been a site plan submitted, so this application was filed. The site plan that was reviewed and approved at the May 2022 Plan Commission meeting. The comments per the memo and meeting minutes state “no new signage is proposed per the submitted plans”.

Staff Comments/Recommendations:

1. The subject property is in the B-3 district.
2. Per Table 12-4, wall sign allowances/requirements are as follows:
 - a. Number of signs: 1 per frontage.
 - b. Max. sign area: 10% of the wall area.
 - c. Max. sign height: No more that 20% of the sign area shall extend above the wall.
 - d. Illumination: External or internal.
 - e. Type of display: static or electronic.
3. The application is for one (1) 18' 6.7" x 6' 1.5" wall sign (113.78 sq. ft. total); no portion of the sign will extend above the wall; internal LED illumination; static display.
4. The wall face area per the plans submitted with the Site Plan Application is 22' 6" x 110' (2,475 sq. ft. total).

The proposed sign complies with ordinance requirements.

- Chair Knapinski noted the application came in before the site plan and was not approved at the same time as the site plan.
- Administrator Straw also noted it was not previously approved, and there has been no prior discussion regarding the sign.

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Dorow

Motion made to recommend approval to the Town Board of a resubmittal of on a Sign Review Application submitted by Matt Erickson, Sign Country, 235 Allegiance Ct., Appleton, WI 54913 for property owned by Mark Wegand, 4123 County Road II, Larsen, WI 54947 for property located at 4123 County Road II, Larsen, WI 54947 specifically described as Tax ID #006-0527-04, being part of the Northeast ¼ of the Northeast ¼ of Section 20, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin for the business Accurate Fire Protection.

Motion carried.

- E. Review and Discussion: Plan Commission review and recommendation on appointing members to an Ad Hoc Committee to review/update/recreate the Town's Site Plan Review Procedures and Requirements.

During the discussion of last month's meeting regarding the development of Design Standards including Site Plan Review procedures and requirements, it was noted that an Ad Hoc Committee was needed to evaluate and propose changes to the existing Code.

The Staff is in need of some direction as to whom the Commissioners would like on the Committee. The Staff came up with a resident's name that expressed interest in getting more involved with the Town: Mr. Robert (Rob) Ketter, 2682 Megan Way, Neenah.

The Commissioners may want to discuss whom they would like to see on the committee – the Town Planner, Town Engineer, the Town Broker, perhaps a developer, a member of the Town Staff, etc.

- Planner Jaworski hoped the Commission would move forward with a process to review/update/recreate the Site Plan Review process and formalize the participants. An additional suggestion Planner Jaworski had, in addition to those listed above was developers.
- Commissioner Haskell expressed reservation that this Ad Hoc Committee not look like the Highway District Committee and have more resident involvement rather than developers and outside agendas. Commissioner Haskell also noted her support of the current, more strict guidelines which have been used by the new developments in Town and are aesthetically pleasing. Commissioner Haskell voiced her concern that the Town is experiencing pressure to relax the standard and does not feel the Town should.

- Chair Knapinski noted the concerns, but also recognized the need for expertise of professionals as well as resident input. Chair Knapinski noted his preference for the size of the Ad Hoc Committee to be 5-7 people, with a mix of Board, Commission, Staff, and residents to meet and review/revise the procedure by the end of CY 2022.

STAFF WILL PROVIDE AT AUGUST 2022 MEETING CANDIDATES FOR APPROVAL.

- F. Review and Discussion: Plan Commission continued discussion on the Solar Initiatives as part of the CY 2022 Planning Initiatives.

The Town Planner suggested that this item be placed on the meeting so that the Plan Commissioners could continue the discussion on the Solar Initiatives.

- Planner Jaworski noted that the outreach to Outagamie County and the Airport has resulted in a meeting scheduled for July 21, 2022 at 3 pm. Chair Knapinski cannot participate, so Commissioner Nemecek has volunteered to step in and attend.

DISCUSSION ONLY – NO ACTION TAKEN.

VII. Upcoming Meeting Attendance

- A. Plan Commission meeting on July 27, 2022 has been cancelled.

VIII. Adjournment

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Dorow

Motion to Adjourn the meeting at 8:44 p.m.

Motion carried

Respectfully submitted,
Kelsey Faust-Kubale, Clerk