

TOWN OF CLAYTON
Town Plan Commission
Meeting Minutes
7:00 P.M. – on Wednesday, September 28, 2022
Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order: Chair Knapinski called the meeting to order at 7:01 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 Ketter	PRESENT
Commissioner Nemecek	PRESENT
Commissioner Linsmeier	ABSENT
Commissioner Dorow	ABSENT
Commissioner Haskell	PRESENT
Town Board Rep. Christianson	PRESENT

b. Staff

Administrator Wisnefske	PRESENT
Clerk Faust-Kubale	PRESENT
Town Planner Jaworski	PRESENT

II. Public Hearings: NONE

III. Approval of Minutes:

A. Approval of the minutes of the Wednesday, August 24, 2022 Plan Commission Meeting

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Nemecek

Motion made to approve the August 24, 2022 Plan Commission Meeting Minutes as presented.

Motion carried by unanimous voice vote.

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

V. Correspondence:

A. None

VI. Business:

- A. Review & Discussion: Plan Commission review and recommendation on revisions to the Hwy 76/10 Master Plan Map.

The Commissioners reviewed a copy of the current Hwy 76/10 Master Plan Map, and several concept maps of possible future land use changes. The Commissioners resumed discussion regarding the current Hwy 76/10 Master Plan Map in relation to proposed future developments.

- Planner Jaworski began discussions noting that there has been much more interest in this area, with most of the developer interest being for Light Industrial uses in the area north of West American Drive. Administrator Wisnefske confirmed she has been receiving the same feedback when approached by potential developers, and noted one particular example.
- Commissioner Ketter questioned if that possible development would be more on the manufacturing end of the spectrum or closer to retail establishments. Administrator Wisnefske noted no discussions with potential developers have gone into that depth yet.
- Chair Knapinski noted that the Town Broker had previously expressed there has been a softening market for the business park office concept that has been the planned Future Use in this area.
- The Commissioners reviewed the concept maps and discussed possible impacts if the Future Land Use is changed. The Commissioners also discussed the possible impacts to the Future Land Use Map with regard to a possible future extension of the Airport Overlay, noting that may not happen for over 10 years.
- The Commissioners reached some consensus on areas of the Future Land Use Map to revisit and discuss further, especially within the Hwy 76/10 Corridor.

DISCUSSION ITEM ONLY – NO ACTION TAKEN.

- B. Review & Recommendation: Plan Commission review and recommendation on a Comprehensive Plan Amendment submitted by Town of Clayton, 8348 County Rd T, Larsen, WI 54947 for property owned by the Town of Clayton, 8348 County Rd T, Larsen, WI for property located on W American Dr., specifically described as Tax ID #006-0328-03, being part of the being part of the Northwest ¼ of Southeast ¼ of Section 12, 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 General Agriculture* to Light Industrial.

*The current Future Use Map lists the parcel as in the Clayton Business Park. Both the Agenda and Comprehensive Plan Application incorrectly listed the current Future Use as General Agriculture. That is the current Zoning of the parcel and the correct current Future Use will be used hereafter.

Property Information:

The surrounding properties are zoned:

- a) North:
A-2 (General Agriculture District)
- b) South:
B-3 (General Business District)
- c) East:
A-2 (General Agriculture District)
- d) West:
B-3 (General Business District)

Property Information Specific to Tax ID# 006-0328-03:

1. The property is owned by Town of Clayton, 8348 Country Rd T, Larsen, WI 54947.
2. The property is 8.12 acres in size.
3. The property is in the Neenah Joint School District (3892).
4. The property is currently zoned A-2 (General Agriculture District) by the Town of Clayton.
5. The property is located within the Village of Fox Crossing 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 **not** located in Outagamie County Airport Zoning District.
9. The property is located in the Outagamie County Airport Height Limitation Zone (1009).
10. A portion of the property is located in the 10,000 ft. buffer from the Outagamie County Airport Operations Area.
11. The property has no County Floodplain and FEMA Special Flood Hazard Area (SFHA) Information.
12. The property has no mapped wetlands, but there are wetland indicators per the DNR Surface Water Data Viewer.
13. The “Highways 10 & 76 Corridor Land Use Master Plan” currently identifies this parcel as being in the “Clayton Business Park” land use district. This Master Plan was adopted as part of the Town Comprehensive Plan and serves as a more detailed future land use map for the Highways 10 and 76 Corridor.
14. This property is located within the special well casing depth area for Winnebago County.

Staff Comments

The Town of Clayton is requesting approval to amend the “Highways 10 & 76 Corridor Land Use Master Plan” by changing the land use district designation of the subject property from the “Clayton Business Park” to “Light Industrial, Warehousing, and Distribution”. This Master Plan was adopted as part of the Town Comprehensive Plan and serves as a more detailed future land use map for the Highways 10 and 76 Corridor. Therefore, amendment of this Master Plan is effectively an amendment of the Town Comprehensive Plan.

Per the application, the purpose of this request is “*to promote development of town-owned property*” and more specifically, “*development of lighting warehouse/distribution*” business on the subject property. If approved by the Town, this amendment would allow for the Town to approve rezoning the property to the Light Industrial (I-1) zoning district since the any rezoning shall be consistent with the Town Comprehensive Plan. A lighting

warehouse/distribution business would be considered a “light industrial” land use, which is a Permitted Use in the I-1 zoning district.

- Commissioner Ketter asked for clarification if this parcel is to the west of Eagle Heights Drive and Chair Knapinski confirmed it is.

MOTION:

Motion by Commissioner Ketter

Second by Commissioner Nemecek

Motion made to recommend approval of the Comprehensive Plan Amendment to change the Town’s Future Use Map Plan from Clayton Business Park to Light Industrial with all Staff Recommendations.

Motion carried by unanimous voice vote.

- C. Review & Recommendation: Plan Commission review and recommendation on a Comprehensive Plan Amendment submitted by Town of Clayton, 8348 County Rd T, Larsen, WI 54947 for property owned by the Town of Clayton, 8348 County Rd T, Larsen, WI for property located on W American Dr., specifically described as Tax ID #006-0340-02-01 being part of the Northeast ¼ of the Southeast ¼ of Section 12, 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 General Agriculture* to Light Industrial.

*The current Future Use Map lists the parcel as in the Clayton Business Park. Both the Agenda and Comprehensive Plan Application incorrectly listed the current Future Use as General Agriculture. That is the current Zoning of the parcel and the correct current Future Use will be used hereafter.

Property Information:

The surrounding properties are zoned:

- a) North:
A-2 (General Agriculture District)
- b) South:
A-2 (General Agriculture District); B-3 (General Business District) to the Southwest
- c) East:
A-2 (General Agriculture District)
- d) West:
A-2 (General Agriculture District)

Property Information Specific to Tax ID# 006-0340-02-01:

1. The property is owned by Town of Clayton, 8348 Country Rd T, Larsen, WI 54947.
2. The property is 6.54 acres in size.
3. The property is in the Neenah Joint School District (3892).
4. The property is currently zoned A-2 (General Agriculture District) by the Town of Clayton.
5. The property is located within the Village of Fox Crossing 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 **not** located in Outagamie County Airport Zoning District.
9. The property is located in the Outagamie County Airport Height Limitation Zone (1009).
10. A portion of the property is located in the 10,000 ft. buffer from the Outagamie County Airport Operations Area.
11. The property has no County Floodplain and FEMA Special Flood Hazard Area (SFHA) Information.
12. The property contains a wetland as depicted on the site plans per a 2017 Wetland Delineation Report completed by Martenson & Eisele Inc.
13. The “Highways 10 & 76 Corridor Land Use Master Plan” currently identifies this parcel as being in the “Clayton Business Park” land use district. This Master Plan was adopted as part of the Town Comprehensive Plan and serves as a more detailed future land use map for the Highways 10 and 76 Corridor.
14. This property is located within the special well casing depth area for Winnebago County.

Staff Comments

The Town of Clayton is requesting approval to amend the “Highways 10 & 76 Corridor Land Use Master Plan” by changing the land use district designation of the subject property from the “Clayton Business Park” to “Light Industrial, Warehousing, and Distribution”. This Master Plan was adopted as part of the Town Comprehensive Plan and serves as a more detailed future land use map for the Highways 10 and 76 Corridor. Therefore, amendment of this Master Plan is effectively an amendment of the Town Comprehensive Plan.

Per the application, the purpose of this request is “*to promote development of town-owned property*” and more specifically, “*development of a cast and dye facility/manufacturing*” business on the subject property. If approved by the Town, this amendment would allow for the Town to approve rezoning the property to the Light Industrial (I-1) zoning district since the any rezoning shall be consistent with the Town Comprehensive Plan.

Prior to making any recommendation/decision, staff would recommend obtaining additional information on the proposed “cast and dye facility/manufacturing” business since this vague description could be considered either a “light industrial” or “heavy industrial” land use per the Town Zoning Ordinance. The “light industrial” or “heavy industrial” land use definitions are:

Light Industrial: A place where finished products or parts from previously prepared materials are manufactured, including processing, fabrication, assembly, treatment, packaging, incidental storage, and administrative offices. The term includes furniture production, metal fabrication, apparel manufacturing, printing, and publishing.

Heavy Industrial: A place where raw materials are processed or refined. The term includes batching plants, sawmills, foundries, and power plants.³⁹ The term does not include a biofuels production plant which is listed as a separate land use in this series.

- Chair Knapinski noted this parcel is to the east of Eagle Heights Drive, and asked if Staff had received any additional information as noted in the Staff Comments. Administrator Wisniewska reported she had not.
- Commissioner Nemecek noted this request casts a very wide spectrum as it could be either Light or Heavy Industrial, citing examples of Neenah Foundry on the Heavy Industrial end of the spectrum, or a laser cutting business on the Light Industrial end of the spectrum.
- Planner Jaworski noted that the main question under consideration with this application is if Light Industrial would be a fit within the Comprehensive Plan.
- Chair Knapinski noted that a change could be considered because the Light Industrial use has been discussed and if a Re-Zoning Application comes forward, any specific business presented would be considered at that time.
- Commissioner Haskell noted that a hearing has already been conducted on this agenda item, and at this point was agreeable to a Light Industrial land use for this parcel.

MOTION:

Motion by Commissioner Nemecek

Second by Commissioner Haskell

Motion made to recommend approval of the Comprehensive Plan Amendment to change the Town's Future Use Map Plan from Clayton Business Park to Light Industrial with all Staff Recommendations.

Motion carried by unanimous voice vote.

- D. Review & Recommendation: Plan Commission review and recommendation on a Sign Review Application submitted by Creative Sign Company, 505 Lawrence Dr, DePere, WI 54115 for property owned by Dale Mart, LLC, 8510 State Road 76, Neenah, WI 54956, specifically described as Tax ID 006-0361, being part of the Southwest ¼ of the Southwest ¼ of Section 13, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

The Commissioners reviewed a Sign Review Application for the conversion of this gas station from the US Oil branding to a BP. Code Administrator Kussow has reviewed the application and has shared the following comments:

1. The subject property is located in the General Business (B-3) District.
2. Table 12-4 in Sec. 9.12-11 outlines requirements for on-premise signage in the B-3 district.
3. Building Sign: The "Ridgeway Store" building sign is considered "roof signage" under the terms of the Town Zoning Ordinance. Per Section 9.12-08, Prohibited Signs, roof signage

is prohibited. Therefore, the existing “Ridgeway” roof sign is considered a “nonconforming sign”. Per Section 9.13-05, Special Provisions for Nonconforming Signs: “The copy of a nonconforming sign may be changed.” **Therefore, the existing sign face may be changed/replaced in-kind. It is my interpretation that the proposed signage complies with this allowance for nonconforming signs and may be approved as proposed.**

4. Freestanding Pole Sign: The existing freestanding pole sign is considered a “nonconforming sign” due to the existing pole sign exceeding the maximum sign area (100 sq. ft.) and maximum sign height (25 ft.) requirements per Table 12-4. Per Section 9.13-05: “The copy of a nonconforming sign may be changed.” **Therefore, the existing sign face may be changed/replaced in-kind. It is my interpretation that the proposed signage complies with this allowance/requirement for nonconforming signs and may be approved as proposed.**
5. Fuel Pump Canopy Signage: The fuel pump canopy signs are considered “wall signs”. The proposed fuel pump canopy signage on the west side of the canopy complies with ordinance requirements per Table 12-4 and may be approved as proposed. The existing fuel pump canopy signage on the north and south sides of the canopy are “nonconforming signs” due to the existing signage exceeding the maximum sign area requirement (10% of the wall area) per Table 12-4. Per Section 9.13-05: “The copy of a nonconforming sign may be changed.” **Therefore, the existing sign faces may be changed/replaced in-kind. It is my interpretation that the proposed signage on the north and south sides of the canopy meet the purpose and intent of this allowance/requirement for nonconforming signs and may be approved as proposed.**

It is Code Administrator Kussow’s interpretation that the proposed signage complies with ordinance requirements and/or allowances for nonconforming signs, and the Sign Review Application may be approved as proposed.

- Commissioner Ketter asked for some additional background as to why roof signage is not permitted. Chair Knapinski noted this sign was in place prior to the Town Ordinance, the current Ordinance strives to create a standardized look for developments and buildings in the Town.

MOTION:

Motion by Commissioner Nemecek

Second by Commissioner Haskell

Motion made to recommend approval of the Sign Review Application submitted by Creative Sign Company with all Staff Recommendations.

Motion carried by unanimous voice vote.

VII. Upcoming Meeting Attendance

- A. Plan Commission Meeting October 12, 2022 at 7:00 pm.
- B. Plan Commission Comp Plan Meeting October 26, 2022 at 7:00 pm.
- C. Site Plan Review Committee Meeting October 27, 2022 at 5:00 pm.

VIII. Adjournment

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Ketter

Motion to Adjourn the meeting at 8:18 p.m.

Motion carried by unanimous voice vote.

Respectfully submitted,
Kelsey Faust-Kubale, Clerk