

TOWN OF CLAYTON
 Town Plan Commission Meeting Minutes
 7:00 P.M. Wednesday, December 14, 2022
 Town Hall 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. Pledge of Allegiance

B. Verification of Notice

C. Verification of Meeting Roll

a. Commissioners

Chair Knapinski PRESENT

Commissioner Ketter PRESENT

Commissioner Nemecek PRESENT

Commissioner Dorow PRESENT

Commissioner Haskell PRESENT

Commissioner VACANT

Town Board Rep. Christianson PRESENT

b. Staff

Administrator Wisniewski PRESENT

Clerk Faust-Kubale PRESENT

Planner Jaworski PRESENT

Engineer Hamblin PRESENT

II. Public Hearings:

A. ~~Plan Commission Public Hearing on a Comprehensive Plan Amendment Application submitted by Seven for Land LLC, 1445 McMahon Dr, Neenah WI 54956 for property owned by Clayton Preserve LLC, 1835 E Edgewood Dr, Ste 105-7, Appleton, WI 54913 Tax ID #006-0585; Tax ID #006-0579; and Tax ID #006-0580. The application is to change the Future Use from A-1 (Agribusiness District) to R-2 (Suburban Residential District).~~ **CANCELLED**

B. ~~Plan Commission Public Hearing on a Re-Zoning Application submitted by Seven for Land LLC, 1445 McMahon Dr, Neenah WI 54956 for property owned by Clayton Preserve LLC, 1835 E Edgewood Dr, Ste 105-7, Appleton, WI 54913 Tax ID #006-0585; Tax ID #006-0579; and Tax ID #006-0580. The application is to re-zone the property from A-1 (Agribusiness District) to R-2 (Suburban Residential District).~~ **CANCELLED**

C. Plan Commission Public Hearing on a Re-Zoning Application submitted by Keith & Katherine Salm to re-zone part of Tax ID #006-0615 (2535 County Rd II), owned by James H & Bonnie J Salm, and part of Tax ID #006-0615-01 (County Rd II), owned by Sandra Eckstein & Terri Gruetzmacher, from Light Industrial (I-1) District to General Agriculture (A-2) District. The application is to re-zone the portions of Lot 2 of a proposed Certified Survey Map currently in the Light Industrial (I-1) District to the General Agriculture (A-2) District, resulting in all of Lot 2 being in the General Agriculture (A-2) District.

No public comments – hearing closed at 7:02 pm

III. Approval of Minutes:

- A. Approval of the minutes of the Wednesday, November 9, 2022 Plan Commission Meeting.

MOTION:

Motion by Commissioner Ketter

Second by Commissioner Haskell

Motion made to approve the November 9, 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. Distribution of the November 2022 Building Inspector's Report.

- Chair Knapinski noted there was approximately \$3.6 million in building which is more than the other 4 communities served by the Building Inspector combined.

- VI. Business:

- A. Review/Discussion: Plan Commission review and discussion of a Stormwater Pond Presentation from McMahon Associates.

The Commissioners viewed a presentation prepared by McMahon Associates regarding the Town's annual reporting to the Department of Natural Resources (DNR) and future stormwater planning.

DISCUSSION ITEM ONLY – NO ACTION TAKEN

- B. Review/Recommendation: Plan Commission review and recommendation on a Re-Zoning Application submitted by Keith & Katherine Salm to re-zone part of Tax ID #006-0615 (2535 County Rd II), owned by James H & Bonnie J Salm, and part of Tax ID #006-0615-01 (County Rd II), owned by Sandra Eckstein & Terri Gruetzmacher, from Light Industrial (I-1) District to General Agriculture (A-2) District. The application is to re-zone the portions of Lot 2 of a proposed Certified Survey Map currently in the Light Industrial (I-1) District to the General Agriculture (A-2) District, resulting in all of Lot 2 being in the General Agriculture (A-2) District.

MOTION:

Motion by Commissioner Ketter

Second by Commissioner Haskell

Motion made to recommend approval of the Re-zoning Application submitted by Keith & Katherine Salm for property owned by James & Bonnie Salm (Tax ID #006-0615), and property owned by Sandra Eckstein & Terri Gruetzmacher (Tax ID #006-0615-01) with all Staff Recommendations.

Motion carried by unanimous voice vote.

- C. Review/Recommendation: Plan Commission review and recommendation on a Certified Survey Map (CSM) Review Application submitted by Craig & Mary Keberlein for Tax ID #006-0031-07-02 and Tax ID #006-0030.

The Commissioners reviewed the Staff Comments prepared by Code Administrator Kussow. The proposed condition of approval would be that the “Undelineated Wetlands < 2 Ac.” points mapped on the proposed Lot per the Winnebago County Hydrologic Viewer shall be mapped on the face of the CSM. Chair Knapinski questioned if the building within the proposed new lot line would be staying, and Administrator Wisnepske noted the Town has not heard to the contrary.

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Dorow

Motion made to recommend approval of the CSM Review Application submitted by Craig & Mary Keberlein for Tax ID #006-0031-07-02 and Tax ID #006-0030 with all Staff Recommendations and Conditions.

Motion carried by unanimous voice vote.

- D. Review/Recommendation: Plan Commission review and recommendation on a Certified Survey Map (CSM) Review Application submitted by Town of Clayton for Tax ID #006-0328-02.

The Commissioners reviewed the Staff Comments prepared by Code Administrator Kussow. The proposed condition of approval would be that the notes at the bottom of Sheet 3 regarding zoning and setbacks shall be corrected to reflect R-4 zoning requirements or removed from the CSM. Engineer Hamblin noted that the CSM shows not only the stormwater pond, but also future development and roads. Planner Jaworski questioned if Lot 1 was an adequate size and Engineer Hamblin confirmed and that it was also approved by Winnebago County.

MOTION:

Motion by Commissioner Dorow

Second by Representative Christianson

Motion made to recommend approval of the CSM Review Application submitted by Town of Clayton for Tax ID #006-0328-02 with all Staff Recommendations.

Motion carried by unanimous voice vote.

- E. Review/Recommendation: Plan Commission review and recommendation on a revised Site Plan submitted by Affordable Storage Neenah, LLC for property owned by Jesse C. Clark for a 170-unit personal storage facility on Tax ID #006-0897-09 (2815 Fox Valley Dr).

Staff Recommendation & Suggested Conditions prepared by Code Administrator Kussow and presented to the Commissioners:

If the Town determines that the exterior wall materials, landscaping plan, and overall site plan are adequate, as proposed, staff recommends approval of the conditional use permit and site plan. 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. No cubicle/unit shall be used to store explosives, toxic substances, hazardous materials, or radioactive materials.
3. Only uses that are accessory to storage shall occur on the property. No portion of the site shall be used for fabrication, repair, or any similar use or for human habitation.
4. If outdoor storage is proposed in the future, a new Conditional Use Permit and Site Plan Approval by the Town shall be required.
5. The roof material shall have a Solar Reflective Index (SRI) of 29 or higher.
6. Any proposed signage shall comply with the applicable requirements of Article 12, Signs, and landscape design standards of Attachment E, Section G.(1)(f) of the Town Zoning Ordinance.
7. 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 Town of Clayton Zoning Ordinance. Determination of whether a change or addition is substantial shall be at the discretion of the Town Administrator.

The Applicant provided additional documentation during the meeting, and requested that this development be held to the same standards as existing storage facilities in the Town. Planner Jaworski noted that both he and Code Administrator Kussow have been working with the Applicant and feel what has been presented to the Commissioners is an adequate trade-off with respect to the type of development planned and the Town Zoning Code.

Commissioner Haskell voiced concerns that if the standards outlined in the Town Zoning Code are not adhered to with this development, it will set a precedence for future developments. Commissioner Haskell noted if any concessions or waivers from the Town Zoning Code standards were granted for this development, it would only be applicable to this development. The Applicant also expressed that it was their desire to keep as much of the existing landscaping as possible and would work with their engineering firm to do so.

MOTION:**Motion by** Commissioner Haskell**Second by** Commissioner Ketter

Motion made to recommend approval of the Site Plan submitted by Affordable Storage Neenah, LLC with all Staff Recommendations & Conditions, including the additional conditions of: no sales outside or inside of units; the North side of the building(s) follow the Town Zoning Code with use of acceptable building materials; and that consideration and exploration will be undertaken for a drainage revision on the East & South side to retain the most vegetation.

Motion carried by unanimous voice vote.

- F. Review/Recommendation: Plan Commission review and recommendation on a Site Plan Review Application submitted by DGV Investments LLC for property owned by Town of Clayton for a warehouse development on Tax ID #006-0328-03 (2586 W American Dr).

Staff Recommendation & Suggested Conditions prepared by Code Administrator Kussow and presented to the Commissioners:

Staff recommends that building/exterior wall materials plans shall be submitted for Plan Commission/Town Board review/approval prior to approval of the site plan. The Plan Commission may recommend conditional approval, subject to future Plan Commission/Town Board approval of the exterior building materials.

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. The roof material shall have a Solar Reflective Index (SRI) of 78 or higher.
3. State and County stormwater/erosion control permits shall be issued prior to commencing construction.
4. Any proposed signage shall comply with the applicable requirements of Article 12, Signs, and landscape design standards of Attachment E, Section G.(1)(f) of the Town Zoning Ordinance.
5. 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 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 noted a waiver was requested for a larger driveway to accommodate deliveries, and questioned if there would still be provisions for safe pedestrian access on Eagle Heights Dr. Engineer Hamblin noted that there are planned trails to the East for pedestrian traffic.

MOTION:

Motion by Commissioner Haskell
Second by Commissioner Nemecek

Motion made to recommend approval of the Site Plan submitted by DGV Investments LLC for property owned by Town of Clayton Tax ID #006-0328-03 with all Staff Recommendations & Conditions, including the waiver for the larger driveway access.

Motion carried by unanimous voice vote.

- G. Review/Recommendation: Plan Commission review and recommendation on a Concept Plan submitted by Robert E. Lee & Associates, Inc. for property owned by Town of Clayton for a multi-family residential housing development.

The Commissioners reviewed the Staff Comments prepared by Code Administrator Kussow. Chair Knapinski noted that this concept would be consistent with the current Comprehensive Plan, but that based on the CSM approved earlier on the agenda, some reconfiguring would need to occur. Engineer Hamblin noted that during that reconfiguring/redesigning process, another building may be able to be constructed, or recreational areas could be developed.

DISCUSSION ITEM ONLY – NO ACTION TAKEN

- VII. Upcoming Meeting Attendance
A. Site Plan Review Committee Meeting December 15, 2022 at 5 pm.
B. Plan Commission Meeting January 11, 2023 at 7 pm.
C. Plan Commission Comp Plan Meeting January 25, 2023 at 7 pm.

- VIII. Adjournment

MOTION:

Motion by Commissioner Haskell
Second by Commissioner Ketter

Motion to Adjourn the meeting at 8:36 p.m.

Motion carried by unanimous voice vote.

Respectfully submitted,
Kelsey Faust-Kubale, Clerk