

TOWN OF CLAYTON
 Town Plan Commission
 Meeting Minutes
 7:36 P.M. – 7:58 P.M. on Wednesday, June 10th, 2015
 Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order:

A. Notice Verification, Roll

1. Plan Commission Chairman Knapinski called the meeting to order at 7:36 P.M.
2. Pledge of Allegiance recited.
3. Meeting properly posted at three locations in the Town.
4. Roll

a. Plan Commission Members

Chair Knapinski	PRESENT
Commissioner Eckstein	PRESENT
Commissioner Haskell	PRESENT
Commissioner Jesse	ABSENT
Commissioner Dorow	PRESENT
Commissioner Linsmeier	ABSENT
Town Board Representative Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Treasurer Straw	PRESENT
Planner Ken Jaworski	PRESENT

II. Public Hearings:

- A. No Public Hearings.

III. Approval of Minutes:

- A. Approval of the minutes of the Wednesday, June 10th, 2015 Regular Plan Commission Meeting.

MOTION:

Motion by: Commissioner Haskell

Seconded by: Commissioner Reif

Motion: To approve the minutes of the Wednesday, June 10th, 2015 meeting minutes.

Motion carried.

IV. Open Forum – Town-related Matters not on the Plan Commission’s Agenda:

Pursuant to WI Statutes 19.83(2) and 19.84(2), the public may present question or issue; however, only limited discussion may occur and no action may be taken until specific notice of the subject matter of the proposed action can be given. If you wish to speak during the Open Forum portion of the meeting, please complete “Request to Speak at Meeting” form located on the Agenda Table and give the form to the Town Clerk or Treasurer.

V. Correspondence:

- A. May CY 2015 Building Inspection Report.

VI. Business:

A. Discussion/Recommendation: Plan Commission review and recommendation on a request by Applicants Wendy A. and Robert L. Good, 7853 CTR “T” Larsen, WI 54947, specifically identified as Tax ID# 006-0740-02-01 in Section 29, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin for input by the Town of Clayton on a Variance Application from the strict interpretation of the County Ordinance Chapter 7 (Traffic Code), Section 7.14 (Driveway Access to County Trunk Highways), specifically, the application is for a driveway access with less than the required 600-foot separation.

Site Location: The property is located at 7853 CTR “T” Larsen, WI 54947 and specifically identified as Tax ID # 006-0740-02-01 in Section 29, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Wendy A. and Robert L. Good
7853 CTR “T”
Larsen, WI 54947

Property Owner(s): Wendy A. and Robert L. Good
7853 CTR “T”
Larsen, WI 54947

Property Location: 7853 CTR “T”
Larsen, WI 54947

Property Information:

- 1) The surrounding properties are zoned:
 - a) North:
A-1 (Agribusiness District), A-2 (General Agriculture District) and R-1 (Rural Residential District)
 - b) South:
A-2 (General Agriculture District) and R-1 (Rural Residential District)
 - c) East:
P-I (Public Institutional District), A-2 (General Agriculture District) and R-1 (Rural Residential District)
 - d) West:
A-1 (Agribusiness District) and A-2 (General Agriculture District)

Property Information Specific to Tax ID # 006-0740-02-01:

The statements on the status of the property are specific to the proposed project site:

- 1. The property Tax ID is # 006-0740-02-01.
- 2. The property consists of approximately 5.280 acres.
- 3. The property is in the Winneconne School District (6608).
- 4. The property is in the Department of Natural Resources Special Well Casing Area.
- 5. The property is currently Zoned A-2 (General Agriculture District) by the Town.
- 6. The property is out of the County’s Floodplain Zoning Area.

7. The property is not in the County's Wetland Identifier.
8. The land use is consistent with the Town's adopted Land Use Plan.

Staff Comments:

1. The Applicants are asking the County for a variance from the strict interpretation of the County Ordinance, Chapter 7 (Traffic Code), Section 7.14 (Driveway Access to County Trunk Highways), specifically, the application is for a driveway access on the north side of the property with less than the required 600-foot separation.
2. The County Board of Adjustments will be considering this Application within the next few months with the specific timing of the consideration being based on the Application date and notice requirements.
3. The County Zoning Department is asking the Town's Plan Commission and the Town Board for input on the proposed Variance Application.
4. The Applicants are asking for an additional access point on the north side of the property in order to develop the property as a hobby farm. It is staff's understanding that the additional access point will facilitate the location of the desired outbuildings without the need to change the existing driveway, sanitary, well and building uses. Additionally, the access will allow for the agricultural use of the property without running the risk of damaging the well and/or the septic system of the residential structure.
5. Staff believes that given the number of access points in the immediate area (30 +/- within 4,200' south of Larsen Road on CTH "T") (see aerial photograph) granting a legitimate agricultural access would not negatively impact the vehicular traffic and/or vehicular safety in the area.

Staff Recommendations:

1. Staff recommends that the Plan Commission recommend that the Town Board support the granting of an agricultural use ingress and egress access point to the Applicants with the condition that it not be converted or used as a vehicular access point without prior consent by the County approving agencies.
2. Documentation of the approval by any overlying unit of government having jurisdiction of the proposed Variance from the strict interpretation of the County Ordinance Chapter 7 (Traffic Code), Section 7.14 (Driveway Access to County Trunk Highways), for a driveway access with less than the required 600-foot separation.
 - Discussion on use of access and Winnebago County's opinions on granting the variance. The field used to be accessed through the neighbor's yard who has since installed a fence and now that area is blocked off.

MOTION:

Motion by: Commissioner Eckstein

Seconded by: Commissioner Haskell

Motion: That the Plan Commission recommend approval of granting the variance to add an agricultural access subject to the conditions listed by staff.

Motion: Motion carried.

- B. Discussion/Recommendation: Plan Commission review and recommendation on a request by Joe and Lea Keesler for a conceptual approval of a plan for subdividing property located at 2596 Oakridge Road, Neenah, WI 54956, specifically identified as Tax ID # 006-0653-04, Section 25, Township 20 North, Range 16 East,

Town of Clayton, County of Winnebago, State of Wisconsin for the purposes of converting an existing garage into a house while they plan and build their home over the course of the next few years (3 to 5 Years).

Site Location: The property is located at 2596 Oakridge Road, Neenah, WI 54956, specifically identified as Tax ID # 006-0653-04, Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Joe and Lea Keesler

Property Owner(s): Ted E. and Cathleen A. Dominowski
2596 Oakridge Road
Neenah, WI 54956

Property Location: 2596 Oakridge Road
Neenah, WI 54956

Property Information:

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

Property Information Specific to Tax ID # 006-0653-04:

The statements on the status of the property are specific to the proposed project site:

1. The property is owned by Ted and Cathy Dominowski, 2596 Oakridge Road, Neenah, WI 54956.
2. The property Tax ID is # 006-0653-04.
3. The property consists of approximately 5.260 acres.
4. The property is in the Neenah School District (3892).
5. The property is in the Department of Natural Resources Special Well Casing Area.
6. The County GIS shows an Officially Mapped 80-foot Right-Of-Way for Oakridge Road.
7. The property is currently Zoned A-2 (General Agriculture District) by the Town.
8. The property is in the City of Neenah Extraterritorial Zoning District.
9. The property is out of the County's Floodplain Zoning Area.
10. The property is not in the County's Wetland Identifier.
11. The land use is consistent with the Town's adopted Land Use Plan.

Staff Comments:

1. The Applicants are asking the Town Plan Commission and the Town Board for conceptual approval of a possible Certified Survey Map (CSM) that would create a Lot with an accessory building (the existing garage) with no principal use in violation of the Town's Zoning Code. The Applicants then want to convert the existing garage to a home in anticipation of building a new home in the next few years.
2. Staff has three procedural concerns with the Applicants' request. The first concern is creating a Lot with an accessory structure and no principal structure, the second concern is the conversion of the garage to a residential structure, the third concern relates to the possible construction of a new home and creating a Lot with two principal structures.
3. Staff's concerns could be dealt with in the following manner:
 - a. If a Zoning Code compliant CSM is submitted, staff would require that a building permit be issued for the conversion of the garage to a residential structure prior to signing the CSM.
 - b. Staff would require that the conversion of the existing garage to a residential structure be Uniform Dwelling Code compliant.
 - c. Staff would require that the conversion of the garage to a residential unit be completed within 120 days of the issuance of the Building Permit.
 - d. When the new home is constructed staff would recommend not issuing an occupancy permit until the existing garage/home was decommissioned as a residential structure.
4. Additional, staff expects that the two parcels created by the proposed CSM would need to be re-zoned from A-2 (General Agriculture District) to R-1 (Rural Residential District).

Staff Recommendations:

1. That the Plan Commission recommend that the Town Board support the conceptual approval of a Certified Survey Map (CSM) that would create a Lot with an accessory building (the existing garage) with no principal use in violation of the Town's Zoning Code subject to the listed staff recommendations and any other recommendations made by the Plan Commission.

MOTION:

Motion by: Commissioner Haskell

Seconded by: Commissioner Reif

Motion: That the Commission recommend that the Town Board support the conceptual approval of the plans to subdivide the property as stated in Section 3(b) and include all staff's recommendations and comments.

Motion: Motion carried.

VII. Upcoming Meeting Attendance

VIII. Adjournment

MOTION:

Motion by: Committee Member Haskell

Second by: Committee Member Reif

Motion: To Adjourn the Plan Commission meeting at 7:58 PM.

Vote: Motion carried.

Respectfully submitted,

Laurie L. Goffard, Deputy Clerk