

TOWN OF CLAYTON
Town Plan Commission
Meeting Minutes
7:00 P.M. – on Wednesday, October 8th, 2014
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 7:00 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	PRESENT
Commissioner Dorow	PRESENT
Commissioner Linsmeier	ABSENT
Town Board Representative Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Planner Ken Jaworski	PRESENT

II. Public Hearings:

A. No Public Hearings.

III. Approval of Minutes:

A. Approval of the minutes of the Wednesday, September 10th, 2014 Regular Plan Commission Meeting.

MOTION:

Motion by: Commissioner Haskell

Seconded by: Commissioner Jesse

Motion: Motion that we approve the minutes from Wednesday, September 10th, 2014. Change noted on page 3 to representatives.

Vote: Motion carried by unanimous voice vote.

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. September Building Inspection Report
- B. Chairman’s Meeting notice

VI. Business:

- A. Discussion/Recommendation: Update to the Plan Commission on the application submitted by the petitioners, Rodger A. and Janet J. Cavanaugh, 3910 Fairview Road, Neenah, WI 54956, for an amendment to an existing Conditional Use permit to operate a wedding and event facility on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 3910 Fairview Road, Neenah, WI 54956 and specifically described as Tax ID # 006-0267, being located in Section 9, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Staff is scheduling the meeting between the interested parties for the week of October 6th, 2014. At this time the meeting is tentatively scheduled for 6:00 P.M. on Wednesday, October 8th, 2014. The Plan Commission Chair will report to the Commission on the progress made at the first meeting. Please be advised that, subject to the agreement by the Plan Commission Chair, the Administration is not asking the Town's Attorney to attend the meeting only to review the final draft of any agreement. Should any of the Commissioners have any questions relative to the process and/or progress please feel free to call or e-mail me.

- Extensive discussion on the types of activities which would be done under the conditional use permit. Interpretation of "etc."
- The neighbors do not want any activities to be conducted at the Cavanaugh residence. The Cavanaugh's are willing to negotiate with the neighbors and they are against it all.
- Kay Lettau, 3795 County Road II, Neenah, WI. Questioned the parameters of the conditional use permit.
- Property tax revenue discussed on the activities from the conditional use permit.
- This issue tabled to the next Plan Commission meeting.

- B. Discussion/Recommendation: Plan Commission review and recommendation on an Application submitted by Ross and Katie Thompson, 8950 Center Road, Neenah, WI 54956 requesting that the following property located at 8950 Center Road, in the Town of Clayton, specifically described as a portion of Tax ID # 006-0296 being all Lot 1 of Certified Survey Map No. 4090 as recorded in volume 1 of Certified Survey Maps on Page 4090 as Document No. 1030062 and being part of the southwest ¼ of the southwest ¼ and the northwest ¼ of the southwest ¼ of Section 10, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin be rezoned from A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT).

Site Location: The property is located at 8950 Center Road, Neenah, WI, 54956 and specifically identified as a portion of Tax ID # 006-0296 being all of Lot 1 of Certified Survey Map No. 4090 as recorded in volume 1 of Certified Survey Maps on Page 4090 as Document No. 1030062 and being part of the southwest ¼ of the southwest ¼ and the northwest ¼ of the southwest ¼ of Section 10, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Ross and Katie Thompson
8950 Center Road
Neenah, WI 54956

Property Owner(s): Ross and Katie Thompson
8950 Center Road
Neenah, WI 54956

Property Location: 8950 Center Road
Neenah, WI 54956

Property Information:

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

Property Information Specific to Tax ID # 006-0296:

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

- 1. The property Tax ID is # 006-0296.
- 2. The property consists of approximately 19.440 acres.
- 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 is currently Zoned A-2 (General Agricultural District).
- 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. A recent CSM of the property divided the parent parcel into 2-Lots; the first (Lot-1) is 2.99 acres (130,681 sq. ft.) and the second (Lot-2) is 16.43 acres (716,150 sq. ft.).
- 2. The rezoning Application applies to Lot-1 of the recently approved CSM.
- 3. Lot-1 of the proposed CSM contains the existing residential structure and outbuildings.
- 4. Lot-1 of the proposed CSM does not meet the minimum area for the A-2 (General Agricultural District) and therefore should be rezoned to R-1 (Rural Residential District).
- 5. Lot-1 of the proposed CSM does have an existing ingress and egress access point on North Center Road.

- 6. All of the existing structures on Lot-1 of the CSM comply with the setback requirements of the Town’s Zoning Code of Ordinances.
- 7. One of the conditions of approval of the recent CSM was that Lot-1 be rezoned from A-2 (General Agricultural District) to R-1 (Rural Residential District).

Staff Recommendations:

Staff recommends approval of the proposed rezoning of the subject property subject to the following condition(s):

- 1. Documentation of the approval of the proposed rezoning from A-2 (General Agricultural District) to R-1 (Rural Residential District) by any overlying unit of government having jurisdiction.

MOTION:

Motion by: Commissioner Jesse

Seconded by: Commissioner Haskell

Motion: Motion to approve the rezoning application with staff’s recommendations.

Vote: Motion carried by unanimous voice vote.

- C. Discussion/Recommendation: Plan Commission review and recommendation on the proposed rescission of the Town’s stand-alone Site Plan Ordinance.

Attached, please find a copy of the Town’s stand-alone Site Plan Ordinance as well as a copy of the Site Plan Section of the Town’s Zoning Code of Ordinances. Additionally, staff has distributed the CDs of the Town’s Zoning Code of Ordinances; for those who have not picked up their copies the document is published on the Town Home Page. If the Commission is ready to review the document, any changes or concerns Commissioners may have can be addressed and a recommendation made to the Board. The Administration expects that the earliest the Commission will make a recommendation to the Board will be at its November 12th, 2014 meeting.

- This issue tabled until the November Plan Commission meeting.

- D. Discussion/Recommendation: Plan Commission update on the impact on the Town of a Wisconsin Court of Appeals decision relating to Farmland Preservation Zoning Ordinances.

The State’s Court of Appeals has published an opinion that significantly impacts Shoreland Zoning and, by inference, Farmland Preservation Zoning in the State. Staff has continued to research the impact of the Court’s ruling on the Town and Farmland Preservation in the Town. Town Planner, Ken Jaworski (Ken) would like to update the Board and review the effect of the Court’s ruling on the Town’s Farmland Preservation Ordinance, on the Town’s Zoning Code of Ordinances and on the enforcement of that Code.

- This issue was reviewed to the satisfaction of the Plan Commission and is expected to have no impact on the Town of Clayton or any Farmland Preservation Programs.

- E. Discussion/Recommendation: Review with the Plan Commission Chair on elderly friendly residential development in the Town.

Plan Commission Chair, Knapinski (Dick), recently attended a Winnebago County Plan Commissioner Network meeting where the discussion topic was “older and elder care in rural areas”, the presentation was given by Christine Kniep, UW-Extension Family Living Educator. Staff has had several conversations with developers relative to this topic and how this type of development could be facilitated. Dick will share the information given at the presentation and, based on the questions asked by the developers’ staff, will be ready to answer any questions relative to how the Zoning Code would allow for this type of development.

NO ACTION TAKEN

- VII. Upcoming Meeting Attendance
- VIII. Adjournment – 8:05 p.m.

MOTION:

Motion by: Commissioner Dorow
Seconded by: Commissioner Eckstein
Motion: To Adjourn.
Vote: Motion carried by unanimous voice vote.

Respectfully submitted,
Laurie L. Goffard, Administrative Assistant