

TOWN OF CLAYTON

Town Plan Commission

Meeting Minutes

7:00 P.M. – 7:41 P.M. on Wednesday, September 11<sup>th</sup>, 2013

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 Brucks	ABSENT
Commissioner Eckstein	PRESENT
Commissioner Klingenberger	PRESENT
Commissioner Linsmeier	ABSENT
Commissioner Haskell	PRESENT
Town Board Representative Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Administrative Assistant Prange	PRESENT
Town Planner – Jon Bartz	PRESENT

II. Public Hearing:

A. THE PETITIONER: Scott J. Sedo, 9502 Center Road, Neenah, WI 54956, requests that the following property be rezoned from R-2 (SUBURBAN RESIDENTIAL DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT). The property is located at 9502 Center Road, Neenah, WI 54956, specifically described as part of Tax ID# 006-1242, being part of Lot 2, Winagamie Subdivision, Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**Applicants:** Scott J. Sedo  
9502 Center Road  
Neenah, WI 54956

**Property Owners:** Scott J. Sedo Winagamie, Inc.  
9502 Center Road 3501 Winnegamie Drive  
Neenah, WI 54956 Neenah, WI 54056

**Prepared for:** Scott J. Sedo  
9502 Center Road  
Neenah, WI 54956

**Property Information:**

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

**Property Information Specific to Tax ID# 006-1242:**

1. The property is owned by Winagamie, Inc., 3501 Winnegamie Drive, Neenah, WI 54056.
2. The Lot is 1.120 acres in size.
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 Lot is currently zoned R-2 (Suburban Residential District).
6. The property is in the Outagamie County Airport Overlay Height Restriction Area.
7. The property is out of the County’s Floodplain Zoning Area.  
The property is not in the County’s Wetland Identifier.

**Staff Comments:**

1. The Applicant recently submitted a Certified Survey Map (CSM) for the property that is consistent with the Town’s approved Future Land Use Plan.
2. The proposed CSM consolidates two existing properties and a portion of a third property (Tax ID #006-1242) into a single property.
3. The recently submitted CSM consolidated the two properties owned by Mr. Sedo (Tax ID # 006-0049-01 and Tax ID# 006-0049-02) and a recently purchased (approximately 20x175 foot) piece of property from the adjoining lot to the east (Tax ID# 006-1242).
4. Lot 1 of the recently submitted CSM has dual zoning, R-1 (Rural Residential District) on the Sedo property and R-2 (Suburban Rural District) on the 20 x175 foot piece of property purchased from the adjoining lot (Tax ID# 006-1242).
5. One of the conditions of approval of the recently submitted CSM includes re-zoning all of Lot 1 of the proposed CSM to R-1 (Rural Residential District).
6. If approved, the Re-zoning Application submitted by Mr. Sedo will meet the requirement to eliminate the split zoning on the consolidated property.

**Staff Recommendations:**

Staff recommends approval of the Re-zoning Application subject to the following conditions:

1. Approval by the County of the Application to Re-zone Lot 1 of the proposed CSM from R-1 (Rural Residential District) and R-2 (Suburban Rural District) to R-1 (Rural Residential District).
2. Documentation of the approval of the proposed Re-zoning by any overlying unit of government having jurisdiction.
  - o Hearing closed without comment

- B. THE PETITIONER: Daniel G. Olson, 4891 North Loop Road, Larsen, WI 54947, requests that a portion of the following property be rezoned from A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT). The property is located at 4891 North Loop Road, Larsen, WI 54947; specifically described as Tax ID # 006-0186, being

part of the Southwest ¼ of the Northwest ¼ and a part of the Southeast ¼ of the Northwest ¼ of Section 7, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**Applicant:** Daniel G. Olson  
4891 North Loop Road  
Larsen, WI 54947

**Property Owners:** Daniel G. Olson  
4891 North Loop Road  
Larsen, WI 54947

**Consultant:** L. C. Kriescher and Associates, LLC – S-1599  
P.O. Box 14  
140 West Main Street  
Winneconne, WI 54986

**Prepared for:** Daniel G. Olson  
4891 North Loop Road  
Larsen, WI 54947

**Property Information:**

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

**Property Information Specific to Tax ID # 006-0186:**

1. The property is owned by Daniel G. Olson, 4891 North Loop Road, Larsen, WI 54947.
2. The Lot is 36.139 acres in size.
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 Lot is currently zoned A-2 (General Agriculture District).
6. The property is out of the County's Floodplain Zoning Area.
7. The property is not in the County's Wetland Identifier.

**Staff Comments on the Public Hearing:**

Mr. Olson has submitted a CSM for the Town's review and consideration. The proposed CSM divides a single 36.139 acre parcel that is zoned A-2 (General Agricultural District) into two parcels. The first parcel is 1.739 acres in area and includes the existing home and farm outbuildings. The second parcel is 29.671 acres in area and is used for agricultural purposes. Given the size and use of the 1.739 acre parcel, staff is recommending that the property be re-zoned to R-1 (Rural Residential District). In order to expedite the process, staff has published the required Public Notice so that the recommended Re-zoning Application can be considered at the same meeting as the CSM submittal. Should the Commission recommend approval of the CSM submittal it will be able to make its recommendation on the Re-zoning Application at the same meeting. This process will allow the Board to take its actions on a 30-day schedule rather than a 60-day schedule.

- o Hearing closed without comment

C. THE PETITIONER: Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956, requests a Conditional Use permit to operate a landscaping business on property zoned A-2 (GENERAL FARMING DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645-01, being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**Applicant:** Jason Ehrmentraut (Jason)  
2847 Larsen Road  
Neenah, WI 54956

**Property Owners:** Jason Ehrmentraut  
2847 Larsen Road  
Neenah, WI 54956

**Property Information:**

- 1) The surrounding properties are zoned:
  - a) North: R-2 (Suburban Residential District)
  - b) South: A-2 (General Agriculture District)
  - c) East: R-2 (Suburban Residential District)
  - d) West: B-3 (General Business District)  
R-1 (Rural Residential District)  
A-2 (General Agriculture District)  
R-2 (Suburban Residential District)

**Property Information Specific to Tax ID# 006-0645-01:**

1. Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956.
2. The Lot is 6.960 acres in size.
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 has an Officially Mapped 80-foot right-of-way on the STH “76” frontage.
6. The Lot is currently zoned A-2 (General Agriculture District).
7. The property is in the City of Neenah Extraterritorial Zoning District.
8. The property is out of the County’s Floodplain Zoning Area.
9. The property is not in the County’s Wetland Identifier.

**Staff Comments:**

1. Jason has operated Earthscape Landscaping on the existing site for a number of years while the Town was under County Zoning Jurisdiction. The County had advised Jason that under the County’s Zoning Code he needed to apply for a Conditional Use Permit to operate a landscaping business in the A-2 (General Agriculture District) zoning district. When the Town adopted a Zoning Code of Ordinances the County forwarded any enforcement action to the Town based on Town Ordinances.
2. Staff did advise Jason that the Town’s Zoning Code of Ordinances requires a Conditional Use Permit for a landscaping business in an A-2 (General Agriculture District) (see attached).

3. Please be advised that the Town’s Future Land Use Map does show the subject property as residential. However, Jason is not asking to change the zoning of the property, only to be granted a Conditional Use for an extant business. It is the Administration’s opinion that this process does not require a change/amendment to the Town’s Comprehensive Plan.
4. The site consists of a residential structure, several permanent outbuildings that are used for vehicle, equipment and inventory storage, a row of material storage bunkers along the south property line, one temporary greenhouse unit and a large planting area on the southeast corner of Larsen Road and STH “76” (see attached aerial photograph).
5. The only significant source of resident complaints from the business operation has been the truck that was used as a sign on the STH “76” frontage; based on a site visit the Administration has determined that the truck/sign has been removed.
6. Jason has been contacted relative to any signage he may wish to install on the site. Jason has indicated that he would like to install a County/Town Ordinance compliant sign on the southwest corner of the property (STH ‘76” frontage in the area where the truck/sign was).
7. Should the Commission recommend and the Board accept, the concept of a County/Town Ordinance compliant sign in that location as part of the Conditional Use Permit would significantly simplify the future placement of the proposed sign.
8. Other than the removal of the truck/sign, continued operation of the landscaping firm in the extant location should not significantly impact the present and/or future land uses.
9. Please be advised that this does not mean that the landscaping business may not change or be moved over time, simply that future development in the area will occur given the existing business and land uses.

- Hearing closed without comment

III. Approval of Minutes:

A. Regular Plan Commission Meeting – August 14<sup>th</sup>, 2013.

- Changes: Town Planner Bartz was not present, Commissioner Eckstein was present, and Commissioner Linsmeier was absent.

**MOTION:**

Motion by: Commissioner Klingenberger

Seconded by: Commissioner Haskell

Motion made to approve the minutes of the Plan Commission Meeting for Wednesday, August 14<sup>th</sup>, 2013 with the corrections as discussed

Motion carried by unanimous voice vote.

IV. Open Forum – Non-Agendized Town-related Matters:

- A. No Referrals

V. Correspondence:

- A. Notice of Noncompliance from the Winnebago County Zoning Department.
- B. Small Town Downtown Forums Program Notice.
- C. Zoning Reports & Ordinances Portion of the Winnebago County Board Meeting.
- D. County Resolution Supporting an Amendment to Proposed Administrative Rule ATCP 49.

VI. Business:

A. Discussion/Recommendation: Plan Commission review and recommendation of a rezoning request submitted by Scott J. Sedo, 9502 Center Road, Neenah, WI 54956, requests that the following property be rezoned from R-2 (SUBURBAN RESIDENTIAL DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT). The property is located at 9502 Center Road, Neenah, WI 54956, specifically described as part of Tax ID# 006-1242, being part of Lot 2, Winagamie Subdivision, Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Scott J. Sedo  
9502 Center Road  
Neenah, WI 54956

Property Owners: Scott J. Sedo Winagamie, Inc.  
9502 Center Road 3501 Winnegamie Drive  
Neenah, WI 54956 Neenah, WI 54056

Prepared for: Scott J. Sedo  
9502 Center Road  
Neenah, WI 54956

Property Information:

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

Property Information Specific to Tax ID# 006-1242:

- 1. The property is owned by Winagamie, Inc., 3501 Winnegamie Drive, Neenah, WI 54056.
- 2. The Lot is 1.120 acres in size.
- 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 Lot is currently zoned R-2 (Suburban Residential District).
- 6. The property is in the Outagamie County Airport Overlay Height Restriction Area.
- 7. The property is out of the County’s Floodplain Zoning Area.
- 8. The property is not in the County’s Wetland Identifier.

Staff Comments:

- 1. The Applicant recently submitted a Certified Survey Map (CSM) for the property that is consistent with the Town’s approved Future Land Use Plan.
- 2. The proposed CSM consolidates two existing properties and a portion of a third property (Tax ID #006-1242) into a single property.

3. The recently submitted CSM consolidated the two properties owned by Mr. Sedo (Tax ID # 006-0049-01 and Tax ID# 006-0049-02) and a recently purchased (approximately 20x175 foot) piece of property from the adjoining lot to the east (Tax ID# 006-1242).
4. Lot 1 of the recently submitted CSM has dual zoning, R-1 (Rural Residential District) on the Sedo property and R-2 (Suburban Rural District) on the 20 x175 foot piece of property purchased from the adjoining lot (Tax ID# 006-1242).
5. One of the conditions of approval of the recently submitted CSM includes re-zoning all of Lot 1 of the proposed CSM to R-1 (Rural Residential District).
6. If approved, the Re-zoning Application submitted by Mr. Sedo will meet the requirement to eliminate the split zoning on the consolidated property.

**Staff Recommendations:**

Staff recommends approval of the Re-zoning Application subject to the following conditions:

3. Approval by the County of the Application to Re-zone Lot 1 of the proposed CSM from R-1 (Rural Residential District) and R-2 (Suburban Rural District) to R-1 (Rural Residential District).
4. Documentation of the approval of the proposed Re-zoning by any overlying unit of government having jurisdiction.

**MOTION:**

Motion by: Commissioner Klingenberger

Seconded by: Commissioner Schmidt

Motion to approve the re-zoning for the Scott Sedo property as described on the agenda with the staff recommendations

Motion carried by unanimous voice vote.

- B. Discussion/Recommendation: Plan Commission review and recommendation of a Certified Survey Map (CSM) submitted by Daniel G. Olson, 4891 North Loop Road, Larsen, WI 54947, for property located at 4891 North Loop Road, Larsen, WI 54947; specifically described as Tax ID # 006-0186, being part of the Southwest ¼ of the Northwest ¼ and a part of the Southeast ¼ of the Northwest ¼ of Section 7, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**Applicant:** Daniel G. Olson  
 4891 North Loop Road  
 Larsen, WI 54947

**Property Owners:** Daniel G. Olson  
 4891 North Loop Road  
 Larsen, WI 54947

**Consultant:** L. C. Kriescher and Associates, LLC – S-1599  
 P.O. Box 14  
 140 West Main Street  
 Winneconne, WI 54986

**Prepared for:** Daniel G. Olson  
4891 North Loop Road  
Larsen, WI 54947

**Property Information:**

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

**Property Information Specific to Tax ID # 006-0186:**

1. The property is owned by Daniel G. Olson, 4891 North Loop Road, Larsen, WI 54947.
2. The Lot is 36.139 acres in size.
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 Lot is currently zoned A-2 (General Agriculture District).
6. The property is out of the County's Floodplain Zoning Area.
7. The property is not in the County's Wetland Identifier.

**Staff Comments on the CSM Approval Application:**

1. The proposed CSM is consistent with the Town's approved Future Land Use Plan.
2. The proposed CSM dedicates approximately 0.982 of an acre as the public right-of-way of North Loop Road to the Town.
3. The proposed CSM divides a single parcel into two new parcels one of which contains the existing house and farm outbuildings.
4. The CSM has notes on it that indicate that one of the existing outbuildings will be removed and a second building will be moved in order to comply with the setback requirements of the Town's Zoning Code of Ordinances.
5. If the proposed CSM is approved and the work identified in the notes is completed, all of the structures on the property will comply with the setback requirements of the Town's Zoning Code of Ordinances.
6. The proposed CSM does contain the Right to Farm Language required by the Town.
7. The existing properties and the proposed consolidated property comply with the frontage requirements of the Town's Zoning Code of Ordinances and Access Ordinance.
8. Based on the proposed CSM, it appears that ingress and egress from the residential site will remain as it is.
9. A condition of approval of the proposed CSM should include re-zoning Lot 1 of the proposed CSM to R-1 (Rural Residential District).

**Staff Recommendations on the CSM submittal:**

Staff recommends approval of the proposed CSM subject to the following conditions:

1. Re-zoning Lot 1 of the proposed CSM from A-2 (General Agricultural District) to R-1 (Rural Residential District).
2. Completion of the work identified in the notes on the face of the CSM so that all of the structures on Lot 1 comply with the Town's Zoning Code of Ordinances.

- 3. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.

**MOTION:**

Motion by: Commissioner Eckstein

Seconded by: Commissioner Schmidt

Motion to approve the CSM for Daniel Olson as described

- o Commissioner Klingenberg asked for clarification that the out buildings complied with the zoning code

Motion carried by unanimous voice vote.

- C. Discussion/Recommendation: Plan Commission review and recommendation of a rezoning request submitted by Daniel G. Olson, 4891 North Loop Road, Larsen, WI 54947, requests that a portion of the following property be rezoned from A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT). The property is located at 4891 North Loop Road, Larsen, WI 54947; specifically described as Tax ID # 006-0186, being part of the Southwest ¼ of the Northwest ¼ and a part of the Southeast ¼ of the Northwest ¼ of Section 7, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**Applicant:** Daniel G. Olson  
 4891 North Loop Road  
 Larsen, WI 54947

**Property Owners:** Daniel G. Olson  
 4891 North Loop Road  
 Larsen, WI 54947

**Consultant:** L. C. Kriescher and Associates, LLC – S-1599  
 P.O. Box 14  
 140 West Main Street  
 Winneconne, WI 54986

**Prepared for:** Daniel G. Olson  
 4891 North Loop Road  
 Larsen, WI 54947

**Property Information:**

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

**Property Information Specific to Tax ID # 006-0186:**

1. The property is owned by Daniel G. Olson, 4891 North Loop Road, Larsen, WI 54947.
2. The Lot is 36.139 acres in size.
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 Lot is currently zoned A-2 (General Agriculture District).
6. The property is out of the County’s Floodplain Zoning Area.
7. The property is not in the County’s Wetland Identifier.

**Staff Comments on the Re-zoning Application:**

1. The proposed Re-zoning is consistent with the Town’s approved Future Land Use Plan.
2. Given the 5-acre minimum Lot size required by the Town’s Zoning Code of Ordinances for the A-2 (General Agricultural District) classification, staff is recommending that the property be re-zoned to R-1 (Rural Residential District).
3. In order to expedite the process staff has published the required Public Notice so that the recommended Re-zoning Application can be considered at the same meeting as the CSM submittal.
4. If the proposed CSM is approved, a condition of recommendation for the proposed Re-zoning Application should include completing the work identified in the notes on the face of the CSM so that all of the structures on the property will comply with the setback requirements of the Town’s Zoning Code of Ordinances.

**Staff Recommendations on the Re-zoning Application:**

Staff recommends approval of the proposed Re-zoning Application from A-2 (General Agricultural District) to R-1 (Rural Residential District) subject to the following conditions:

1. Completion of the work identified in the notes on the face of the CSM so that all of the structures on Lot 1 comply with the Town’s Zoning Code of Ordinances.
2. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.

**MOTION:**

Motion by: Commissioner Klingenberger

Seconded by: Commissioner Eckstein

Motion to approve the re-zoning request for Daniel Olson for the property as described in the agenda with staff recommendations

Motion carried by unanimous voice vote.

- D. Discussion/Recommendation: Plan Commission review and consideration of a Conditional Use Application submitted by Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956, for operating a landscaping business on property zoned A-2 (GENERAL FARMING DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645-01, being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**Applicant:** Jason Ehrmentraut (Jason)

2847 Larsen Road  
Neenah, WI 54956

**Property Owners:** Jason Ehrmentraut  
2847 Larsen Road  
Neenah, WI 54956

**Property Information:**

- 1) The surrounding properties are zoned:
  - a) North: R-2 (Suburban Residential District)
  - b) South: A-2 (General Agriculture District)
  - c) East: R-2 (Suburban Residential District)
  - d) West: B-3 (General Business District)  
R-1 (Rural Residential District)  
A-2 (General Agriculture District)  
R-2 (Suburban Residential District)

**Property Information Specific to Tax ID# 006-0645-01:**

1. Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956.
2. The Lot is 6.960 acres in size.
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 has an Officially Mapped 80-foot right-of-way on the STH “76” frontage.
6. The Lot is currently zoned A-2 (General Agriculture District).
7. The property is in the City of Neenah Extraterritorial Zoning District.
8. The property is out of the County’s Floodplain Zoning Area.
9. The property is not in the County’s Wetland Identifier.

**Staff Comments:**

1. Jason has operated Earthscape Landscaping on the existing site for a number of years while the Town was under County Zoning Jurisdiction. The County had advised Jason that under the County’s Zoning Code he needed to apply for a Conditional Use Permit to operate a landscaping business in the A-2 (General Agriculture District) zoning district. When the Town adopted a Zoning Code of Ordinances the County forwarded any enforcement action to the Town based on Town Ordinances.
2. Staff did advise Jason that the Town’s Zoning Code of Ordinances requires a Conditional Use Permit for a landscaping business in an A-2 (General Agriculture District) (see attached).
3. Please be advised that the Town’s Future Land Use Map does show the subject property as residential. However, Jason is not asking to change the zoning of the property, only to be granted a Conditional Use for an extant business. It is the Administration’s opinion that this process does not require a change/amendment to the Town’s Comprehensive Plan.
4. The site consists of a residential structure, several permanent outbuildings that are used for vehicle, equipment and inventory storage, a row of material storage bunkers along the south property line, one temporary greenhouse unit and a large planting area on the southeast corner of Larsen Road and STH “76” (see attached aerial photograph).

5. The only significant source of resident complaints from the business operation has been the truck that was used as a sign on the STH “76” frontage; based on a site visit the Administration has determined that the truck/sign has been removed.
6. Jason has been contacted relative to any signage he may wish to install on the site. Jason has indicated that he would like to install a County/Town Ordinance compliant sign on the southwest corner of the property (STH ‘76” frontage in the area where the truck/sign was).
7. Should the Commission recommend and the Board accept, the concept of a County/Town Ordinance compliant sign in that location as part of the Conditional Use Permit would significantly simplify the future placement of the proposed sign.
8. Other than the removal of the truck/sign, continued operation of the landscaping firm in the extant location should not significantly impact the present and/or future land uses.
9. Please be advised that this does not mean that the landscaping business may not change or be moved over time, simply that future development in the area will occur given the existing business and land uses.

**Staff Recommendations:**

Staff recommends approval of the proposed Conditional Use Application for the purposes of operating a landscaping business in the A-2 (General Agriculture District) zoning district subject to the following conditions:

1. That the Plan Commission recommend and the Town Board approve the site for a future sign on the southwest corner of the property (STH “76” frontage).
2. That any future sign be County/Town Ordinance compliant.
3. That any future sign be approved by the Town’s Plan Commission.
4. That any outside storage of equipment, material and inventory be conducted off of the STH “76” and Larsen Road frontage of the property.
5. That the Applicant pays all fees related to the Conditional Use Permit Application.
6. Any other conditions the Plan Commission may wish to recommend to the Town Board.
  - o Chair Knapinski advised the hours of service are usually discussed at this point
  - o Discussed future signage
  - o Discussed hours of operation. Jason Ehrmentraut (applicant) advised of his current times
  - o Added the condition of working “onsite” to being no earlier than 6am and no later than 8pm

**MOTION:**

Motion by: Commissioner Haskell

Seconded by: Commissioner Klingenberger

Motion to recommend the conditional use application from Jason Ehrmentraut (2847 Larsen Road, Neenah) with the recommendations as discussed

Motion carried by unanimous voice vote.

- E. Discussion/Recommendation: Plan Commission review and recommendation on a Site Plan Application approval for a wall sign for Cintas Document Management at 9087 Westphal Lane, Neenah, WI 54956, specifically identified as Tax ID # 006-0320-03-01.

**Applicant:** Jim Wehausen  
ORDE Sign and Graphics  
1825 Nimitz Drive  
De Pere, WI 54115

**Property Owner:** Westphal Lane North, LLC.  
1953 Shady Lane  
Neenah, WI 54956

**Property Status:**

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

1. The property owner is Westphal Lane North, LLC.
2. The property Tax ID is # 006-0320-03-01.
3. The property consists of approximately 3.69 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 property is currently Zoned I-1 (LIGHT INDUSTRIAL DISTRICT).
7. The property is in the Outagamie County Airport Overlay Zoning District, Zone-3.
8. The property is out of the County's Floodplain Zoning Area.
9. The property is not in the County's Wetland Identifier.
10. The land use is consistent with the Town's adopted Land Use Plan.

**Application Details:**

It appears that the owner of the property is leasing the site to Cintas Document Management and they, as the tenants, are applying for approval of a new sign for the facility. The Town's Zoning Code of Ordinances allows wall signs in the I-1 (Light Industrial District) (see attached). The site is on Westphal Lane west of STH "76" and only nominally visible from either STH "76" or USH "10" (see attached aerial photograph).

**Sign Details:**

The sign consists of the following:

1. An 8' x 3'10" wall sign that will be affixed to the east façade over the main entrance to the building.
2. Based on the location of the building the wall sign is likely to only be visible by customers of the firm approaching from West American Drive.
3. The color palate and layout of the sign match the logo used by Cintas Document Management (see attached).

**Staff Comments:**

The Site Plan for the signs is complete and meets the I-1 (Light Industrial District) sign code requirements. Staff recommends approval of the Site Plan Application for a wall sign at the Cintas Document Management facility located at 9087 Westphal Lane, Neenah, WI 54956 with the following conditions:

1. That the contractor verifies the need for a building permit for the proposed sign with the Town's Building Inspector.

**MOTION:**

Motion by: Commissioner Schmidt

Seconded by: Commissioner Haskell

Motion to approve the Site Plan Application approval for a wall sign for Cintas Document Management at 9087 Westphal Lane, Neenah, WI 54956, specifically identified as Tax ID # 006-0320-03-01 with staff recommendations

Motion carried by unanimous voice vote.

- F. Discussion/Recommendation: Plan Commission review and recommendation on a Site Plan Application for a building expansion project for Tuttle Lake Wood Working Inc., 2923 West American Drive, Neenah, WI 54956, specifically identified as Tax ID # 006-0320-03.

**Applicant:** Randy Doege, Owner  
Tuttle Lake Wood Working Inc.  
2923 West American Drive  
Neenah, WI 54956

**Property Owner:** Randy Doege  
2923 West American Drive  
Neenah, WI 54956

**Consultant:** Ben Hamblin, P.E.  
McMahon Associates, Inc.  
1445 McMahon Drive  
Neenah, WI 54956

**Property Information:**

- 1) The surrounding properties are zoned:
  - a) North: A-2 (General Agriculture District), and R-1 (Rural Residential District)
  - b) South: A-2 (General Agriculture District), R-1 (Rural Residential District), and B-3 (General Business District)
  - c) East: B-3 (General Business District), A-2 (General Agriculture District) and R-1 (Rural Residential District)
  - d) West: A-2 (General Agriculture District), and I-1 (Light Industrial District)

**Property Information Specific to Tax ID# 006-0320-03):**

1. The property is owned by Randy Doege.
2. The Lot is 1.789 Acres in size.
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 Lot is currently zoned I-1 (Light Industrial District).
6. The property is in the Outagamie County Airport Overlay District, Zone 3.
7. The property is in the Outagamie County Airport Overlay Height Zoning.
8. The property is out of the County's Floodplain Zoning Area.
9. The property is not in the County's Wetland Identifier.

**Application Details:**

- 1) The petitioner is proposing to add a 40' x 40' (1,600 square foot) addition to the

building located on the south property line of the site (see floor plans and building elevations). The proposed addition will be constructed over what was the driveway to the existing building and a small portion of the existing lawn. The addition will require the removal of one existing tree. As part of the construction project the west access to the site on Westphal Lane will be reconstructed. Generally speaking, the addition will be slightly taller than the existing building (by approximately 2-3 feet) and will match the existing building in materials and colors. The landscaping and esthetic requirements of the Town's Site Ordinance will be focused on the building facades that are most visible to the public from STH "76". Pursuant to the following Section from the Town's Site Plan Review Ordinance, Section 2.0, General Provisions of the Town Site Plan Ordinance, the project is subject to the Town's Site Plan Ordinance. Based on this Section the following areas of the project are subject to review:

- a) Stormwater Management for the Site
- b) Access to the Site
- c) Building Details
- d) Building Elevations and Construction Materials
- e) Building Colors
- f) Parking
- g) Site Landscaping

The Town's Site Plan Ordinance sets the standards for review by development area. The proposed site is in the Town's Zone B, Development Standards Area (see attached).

**Stormwater Management for the Site:**

The stormwater management function for the proposed project comes from the County's and Town's storm water management ditch system. Conceptually, the stormwater from the project area flows west to east in a swale on the south property line of the site. The Site Plan calls for re-grading of the swale and the addition of a small rain garden on the southeast corner of the site. The rain garden should filter and infiltrate minor storm water flows before they reach the storm water management ditch system; major storm water flows will find their way directly into the storm water management ditch system. From the regulatory perspective, the project does not reach the threshold for onsite storm water management (see attached drainage plan).

**Access to the Site:**

Access to the site comes from a public road known as West American Drive and from Westphal Lane. As part of the construction project, the access to the site on Westphal Lane will be reconstructed. Staff has provided the applicant with an access permit and a culvert permit so that if the access culvert is replaced, the new culvert can be made to comply with the Town's Ordinance. When completed, the Westphal Lane driveway and access will be paved with an asphaltic surface.

**Building Details:**

The proposed building is a typical commercial building consisting of a steel structure with prefinished metal siding and roofing. The warehouse/shop addition to the building is designed as a slightly taller extension to the west end of an existing building and will be constructed with matching colors and materials (see attached elevations).

**Parking:**

The project has no impact on the existing parking facilities and generates no need for additional parking for the site.

**Site Landscaping:**

The landscaping plan consists of the following features:

- 1) Six new trees will be planted on the southeast corner of the site and one tree will be removed from the footprint of the proposed addition to the existing building (see landscaping plan).
- 2) Sixty plus plantings will be placed around the existing buildings, the new addition, and the east frontage of the existing parking lot. The plantings on the east frontage of the existing parking lot will be in the STH “76” right-of-way and subject to a permitting process.

Staff has worked with the owner and consultant to focus the landscaping on the façade and the portion of the site that face STH “76” rather than trying to improve the site around the building addition. Additionally, the owner, the consultant, and staff have tried to improve storm water management on the site with landscaping features that will improve the quality and quantity of the small scale storm water runoff from the site (see attached landscaping plan).

**Staff Comments:**

The Site Plan Application, as presented, is complete and accurate. Staff has no questions relative to the application as it relates to the Town’s Site Plan Ordinance.

Should the Plan Commission agree with staff’s application of the Town’s Site Plan Review Ordinance, the Administration recommends approval of the Site Plan with the following conditions:

1. That the Applicant obtains any and all Building Permits required for the project.
2. That the Applicant obtains an Outagamie County Airport Overlay Zoning Ordinance Approval for the proposed project.
3. That the Commission and the Board agree to the lack of accents and limited landscaping on the western façade of the addition to the existing building.
4. That the Applicant signs a Site Plan Approval document drafted by Town staff.
5. That the project is approved by any and all units of government having jurisdiction prior to the start of construction.
6. That the Applicant agrees to any additional conditions placed on the project by the Plan Commission and the Town Board.
  - o Ben Hamblin (Consultant) described the project and ideas that they have moving forward

**MOTION:**

Motion by: Commissioner Klingenberger

Seconded by: Commissioner Haskell

Motion to recommend approval for the Site Plan Application for a building expansion project for Tuttle Lake Wood Working Inc. as described in the agenda including the approval of site landscaping and staff recommendations

Motion carried by unanimous voice vote.

VII. Upcoming Meeting Attendance

- a. Winnebago County Plan Commission Meeting is 9/25/13

- b. Town Planner Bartz discussed the DATCAP questions he was sent and is hoping for approval by the next meeting

VIII. Adjournment – 7:41 P.M.

**MOTION:**

Motion by: Commissioner Klingenberger

Seconded by: Commissioner Schmidt

Motion to Adjourn

Motion carried by unanimous voice vote.

Respectfully submitted,  
Jenna Prange, Administrative Assistant