

TOWN OF CLAYTON

Special Town Plan Commission

Meeting Minutes

7:00 P.M. on Wednesday, December 12<sup>th</sup>, 2012

Town Office Meeting Room, 8358 County Road T, Larsen, WI 54947

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I. Call to Order by the Chair at 7:00 P.M.

A. Pledge of Allegiance recited.

B. Meeting properly posted at three locations in the Town.

C. Roll

i. Plan Commission Members

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|------------------------------|---------|
| 1. Chairperson Knapinski     | PRESENT |
| 2. Commissioner Adler        | ABSENT  |
| 3. Commissioner Brucks       | PRESENT |
| 4. Commissioner Schmidt      | PRESENT |
| 5. Commissioner Hamblin      | PRESENT |
| 6. Commissioner Haskell      | PRESENT |
| 7. Commissioner Van Airsdale | PRESENT |

ii. Staff

- |                           |         |
|---------------------------|---------|
| 1. Administrator Johnston | PRESENT |
| 2. Planner Bartz          | PRESENT |

II. Approval of Minutes: Regular Plan Commission Meeting – Wednesday, November 28<sup>th</sup>, 2012.

Motion by: Commissioner Hamblin

Second by: Commissioner Brucks

Motion: To approve the minutes of the Commission's Wednesday, November 28<sup>th</sup>, 2012 meeting as presented.

Vote: Unanimously approved.

III. Open Forum on Town-related Matters not on the Plan Commission's Agenda: Please complete the "Request to Speak at Meeting" form and give it to the Clerk or Treasurer. Pursuant to WI Statutes 19.83(2) and 19.84(2), the public may present matters not on the Posted Agenda, however, only limited discussion may occur and no action may be taken until a specific notice of the subject matter of the proposed action can be given.

IV. Correspondence:

A. No Communications

V. Business

A. Plan Commission recommendation to the Board of a Certified Survey Map (CSM) for Theodore M. and Patricia K. Vander Wielen, 7355 Sunburst Lane, Neenah WI 54956 and George Strum, 3292 Breezewood Lane, Neenah WI 54956 for properties located at 3270 Breezewood Lane, 3278 Breezewood Lane, 3282 Breezewood Lane and 3292 Breezewood Lane, Neenah WI 54956, specifically described as Tax ID # 006-0877-03, 006-0877-02, 006-0877-01 and 006-0877, being all of Lots 1, 2, and 3 of Certified Survey Map No. 5176 and part of the northwest ¼ and southwest ¼ of

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the southwest ¼ of Section 35, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 3270 Breezewood Lane, 3278 Breezewood Lane, 3282 Breezewood Lane and 3292 Breezewood Lane, Neenah WI 54956, specifically described as Tax ID # 006-0877-03, 006-0877-02, 006-0877-01 and 006-0877, being all of Lots 1, 2, and 3 of Certified Survey Map No. 5176 and part of the northwest ¼ and southwest ¼ of the southwest ¼ of Section 35, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants:	Theodore and Patricia Vander Wielen 7355 Sunburst Lane Neenah WI 54956	George Strum 3292 Breezewood Lane Neenah WI 54956
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Property Owners:	Theodore and Patricia Vander Wielen 7355 Sunburst Lane Neenah WI 54956	George Strum 3292 Breezewood Lane Neenah WI 54956
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Consultant: Gary A. Zahringer, S-2098  
Martenson & Eisele, Inc.  
1377 Midway Road  
Menasha, WI 54952

Prepared for: Theodore and Patricia Vander Wielen  
7355 Sunburst Lane  
Neenah WI 54956

**Staff Comments:**

1. The proposed Certified Survey Map is consistent with the Town's approved Land Use Plan.
2. Two of the three Lots of the proposed CSM comply with the frontage requirements of the County's Zoning Code of Ordinances. Lot 3 of the proposed CSM has no public access or frontage and is identified as not buildable until the lot complies with the access and lot frontage requirements of any entity having jurisdiction over the property (see note on the face of the CSM).
3. The proposed CSM divides four existing properties (Tax ID # 006-0877-03, 006-0877-02, 006-0877-01 and 006-0877 into three lots by reconfiguring and combining the existing property lines (see attached images).
4. Lot 1 of the proposed CSM will have dual zoning. The conditions of approval of the proposed CSM should include re-zoning all of Lot 1 of the proposed CSM to P-1 (INSTITUTIONAL & RECREATIONAL PARK DISTRICT). Interested parties want to close on the sale of the property before the end of the year. In order to achieve this goal the CSM will need to be recorded before the end of the year, the Administration has indicated that it would be willing to recommend that the Board authorize the Town Chair to sign the CSM before the re-zoning is completed if the County agrees to the same process, the surveyor will need to provide staff with written documentation of that agreement.
5. Lot 1 and Lot 2 both have Officially Mapped Roads (Breezewood Lane) staff has asked the surveyor to comply with the dedication of the Right-Of-Way (ROW) as required by any entity

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having jurisdiction over the property. The Administration believes that the required ROW width is a total of 80-feet.

6. Based on the CSM it appears that ingress and egress to the site will remain as it is using dedicated easements across property lines.
7. The setback lines for the existing buildings on Lots 1 and 2 can be seen on the detail drawing on the face of the Plat. The building setbacks shown in the detail map area comply with the requirements of the County's Zoning Code.

**Plan Commission Recommendation:**

The Plan Commission recommends approval of the proposed CSM subject to the following conditions:

1. Re-zoning Lot 1 of the proposed CSM to P-1 (INSTITUTIONAL & RECREATIONAL PARK DISTRICT).
2. Including a statement on the face of the CSM that indicates that Lot 3 of the proposed CSM is not buildable until it complies with the access and lot frontage requirements of any entity having jurisdiction over the property.
3. Dedicating the ROW on Lot 1 and Lot 2 (Breezewood Lane) as required by any entity having jurisdiction over the property. The Administration believes that the required ROW width is a total of 80-feet.
4. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.

Motion by: Commissioner: Haskell

Second by: Commissioner: Van Airsdale

Motion: To approve a Certified Survey Map (CSM) for Theodore M. and Patricia K. Vander Wielen, 7355 Sunburst Lane, Neenah WI 54956 and George Strum, 3292 Breezewood Lane, Neenah WI 54956 for properties located at 3270 Breezewood Lane, 3278 Breezewood Lane, 3282 Breezewood Lane and 3292 Breezewood Lane, Neenah WI 54956, specifically described as Tax ID # 006-0877-03, 006-0877-02, 006-0877-01 and 006-0877, being all of Lots 1, 2, and 3 of Certified Survey Map No. 5176 and part of the northwest ¼ and southwest ¼ of the southwest ¼ of Section 35, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with the listed conditions.

Vote: Unanimously approved.

**B. Plan Commission referral to the Board of a Town of Clayton, Draft Zoning Code of Ordinances.**

The Plan Commission completed its review of the Draft Zoning Code of Ordinances, please be advised that the Town's Draft Zoning Code of Ordinances was based on the County's recently revised Zoning Code of Ordinances and as such it reflects what the County would apply to other Towns in the County. The Plan Commission made the following Motion:

Motion by: Commissioner Van Airsdale

Second by: Commissioner Haskell

Motion: To refer the Draft Zoning Code of Ordinances to the Town Board with the recommendation that the Draft Document be sent to the Wisconsin Department of Agriculture, Trade and Consumer Protection for its review prior to the Plan Commission

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making a formal recommendation to the Board relative to approval of the Draft Zoning Code of Ordinances.

Vote: Unanimously approved.

VI. Upcoming Meeting Attendance:

A. No Additional Meeting Attendance Notice

VII. Adjournment:

Motion by: Commissioner Schmidt

Second by: Commissioner Van Airsdale

Motion: To adjourn the Plan Commission at 8:21 P.M.

Vote: Unanimously approved

Respectfully submitted,

Richard Johnston, Administrator/Clerk