



TOWN OF CLAYTON

Meeting of the Town Plan Commission Meeting Minutes

www.townofclayton.net
Town Office Building
8358 County Road T
Larsen, WI 54947

Wednesday, March 10, 2010
7:00 p.m. – 7:42 p.m.

I. Call to Order

Meeting called to order at 7:00 p.m. by Chairperson Knapinski.
Present: Chairperson Knapinski, Commissioners Brucks, Geise, Hamblin, Haskell, and VanAirsdale.
Excused Absent: Commissioner Adler
Staff Present: Town Administrator Johnston, Deputy Clerk/Treasurer Weichart

Meeting was properly posted; three locations in the Town.

II. Approval of Minutes

- Regular Plan Commission – February 10, 2010
Motion by: Hamblin, Seconded by: Haskell
Motion to approve the minutes of the February 10, 2010 Plan Commission Meeting as presented, with the exception to adding “over a ten year period” within the motion of Business Item D prior to “as well as educational...,” in addition to correcting the spelling of Chair Knapinski’s and Commissioner Geise’s names throughout the minutes, and adding Knapinski and Geise’s names as members who had attended the March 1, 2010 Land Use Conference.
Motion carried by voice vote.

III. Open Forum – Non-Agendized Town-related Matters

- Please complete “Request to Speak at Meeting” form located on the agenda table and give to the Town Clerk/Treasurer. Non-Agendized Town-Related Matters: Pursuant to WI Statutes 19.83(2) and 19.84(2), the public may present matters; however, limited discussion may occur but no action may be taken until specific notice of the subject matter of the proposed action can be given.
- Rich Fischer (8685 North Oakwood Avenue) questioned the various hunting issues discussed at the Wednesday, February 10, 2010 meeting.

IV. Correspondence - None

V. Business Items

- A. Rezoning – Brian & Sandra White and Susan Rubick, 7889 County Road T, Larsen (Tax Key 006-0740-03 and Tax Key 006-0740-02-01(p)), from A-2 (General Agriculture) to R-1 (Single Family non-subdivided).

Staff comments:

- The proposed re-zoning involves a portion of the property owned by Susan Rubick (7853 CTH “T”, Tax ID# 006-0740-02-01 (p) and the adjoining property owned by Brian and Sandra White (7889 CTH “T”, Tax ID# 006-0740-03). As a result of a recent CSM the White property will go from 2.03 acres to 3.074 acres. In order for the County to approve the proposed CSM the Whites need to re-zone their property from A-2 (General Farming District) to R-1 (Rural Residential). The proposed re-zoning will bring the White property into compliance with the County’s minimum acreage Zoning Code requirements (A-2 requires a minimum of 5-acres).
- The property is currently Zoned A- 2 General Farming District.
- The proposed re-zoning is consistent with the Town’s approved Land Use Plan.
- The property is in the Winneconne School District.
- The property is in the Department of Natural Resources Special Well Casing area.
- The property is not in the County’s Floodplain Zoning Area.
- The property is not in the County’s Wetland Identifier.
- Both properties have access points and the property that is being transferred does not need or have access to a developed road. However, there is a 66’ wide reservation for a future road on the north boundary of the property.

9. The intent of the property owner is to continue growing hay on the site.
10. The surrounding zoning uses are:
 - a. North A-2 (General Farming District)
 - b. South A-2 (General Farming District)
 - c. East P-1 (Institutional and Recreational District)
 - d. West A-2 (General Farming District)

Staff recommends approval of the proposed re-zoning subject to the following condition:

1. Documentation of the approval of the proposed re-zoning by any overlying unit of government with jurisdiction.

Motion by: Hamblin, Seconded by: Haskell

Motion to approve Resolution 2010-003 for rezoning by Brian & Sandra White and Susan Rubick, 7889 County Road T, Larsen (Tax Key 006-0740-03 and Tax Key 006-0740-02-01(p)), from A-2 (General Agriculture) to R-1 (Single Family non-subdivided), and to be forwarded to the Town Board for consideration.

Carried by voice vote.

- B. Granting of an easement to Winnebago County for a fiber optic cable to be run along the Friendship Trail between Clayton Avenue and State Highway “76.”

Staff comments:

The County Sheriff’s Department is working on a communications project that will require that a fiber optic cable be extended from the Town of Menasha to the Department’s communications antenna on Fairview Road. The project engineer has asked the Town for an easement in the Friendship Trail right-of-way. Staff has met with the project engineer and the County to review their requests. The Town’s Green Space Committee has recommended the project to the Board with the inclusion of some decorative improvements to the trail as a condition of granting the easement. The Administration has advised the County and the contractor that the decorative improvements are subject to project funding and budget availability. The proposed cable would be extended in the southern 18 to 32 inches of the trail right-of-way at a minimum depth of 36 inches. The project engineer will complete routine maintenance on the trail with equipment that will not damage the trail. The Administration is recommending granting the easement on a purely cooperative public health and safety basis.

Motion by: VanAirdale, Seconded by: Geise

Motion to approve the easement for a fiber optic cable to be run along the Friendship Trail between Clayton Avenue and State Highway “76” and onward to Fairview Road, and to forward to the Town Board for consideration.

Carried by voice vote.

- C. Update – Town of Clayton Draft Hunting Map Ordinance

Staff has started collecting the material requested by the Commission. The requests are being made to the state Department of Natural Resources (DNR) and the County Sheriff’s Department. The Administration has had several conversations with residents relative to the hunting question. Staff will continue to update the Committee on information as it is obtained.

D. Update – Winnebago County Zoning Code Re-write

Staff would like to update the Commission on the County’s Zoning Code update. A draft copy of the proposed zoning code update should be available within the next few months. As soon as that document is available the Administration will distribute it to the Board and the Commission. The base document will modernize and rationalize the existing County Code. This should make the document easier to read and far more customer friendly. The work done so far has created a matrix style document makes the decision process far less subjective and the appeal process far more defined. Should the Town wish to opt out of County Zoning the base document will be a good place to start a town Zoning Code from. The only area where zoning authority would stay with the County would be in the shoreland zoning areas of the Town. A tentative timeline for completion of the re-zoning project is the fall of 2010.

E. Update – Outagamie County Airport Zoning Ad-Hoc Committee meetings

The Ad-Hoc Committee was set up by the Outagamie County Board to provide recommendations to the County Board on updating the County’s Airport Overlay Zoning Ordinance. The main issue of interest to the Town is the fact that the Outagamie Ordinance has not been extended into Winnebago County. Both the Board and the Commission should be advised that Outagamie County can unilaterally extend the Ordinance into Winnebago County. This should not be an issue since the two Counties are trying to work together to resolve any issues residents may have. However, if they wish they can extend and enforce the Ordinance. The Town Chair and staff are working on the process and will eventually need to involve the Commission in the public informational process. Airport committee and committees of jurisdictions will be having informational public hearings on the process in the various municipalities in the future.

VI. Upcoming Meeting Attendance

- Late April – A meeting directed towards Plan Commissioners as a follow-up to the March 1, 2010 Land Use Conference
- First week of May – Will be a dedication ceremony of a bench for use of the Wiowash Trail within the movie "Public Enemies."

VII. Adjournment – 7:42 p.m.

Motion by: Hamblin, Seconded by: VanAirsdale

Motion to adjourn at 7:42 p.m.

Motion carried by voice vote.

Respectfully submitted,
Kimberly Weichart, *Deputy Clerk/Treasurer*

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please call Town Office at 836-2007. This agenda has been posted at all three locations in the Town of Clayton:

- 1) Town Office
- 2) Corner of JJ & Breezewood
- 3) Clayton School