

TOWN OF CLAYTON  
 Town Plan Commission  
 Meeting Minutes  
 7:00 P.M. – on Wednesday, October 11<sup>th</sup>, 2017  
 Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

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I. Call to Order:

A. Notice Verification, Roll

1. Pledge of Allegiance
2. Verification of Meeting Notice
3. Roll

a. Plan Commission Members

Chair Knapinski	PRESENT
Commissioner Wisnefske	PRESENT
Commissioner Eckstein	PRESENT
Commissioner Linsmeier	PRESENT
Commissioner Dorow	ABSENT (EXCUSED)
Commissioner Haskell	PRESENT
Town Board Representative Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Deputy Clerk Stevens	PRESENT
Planner Ken Jaworski	ABSENT (EXCUSED)

II. Public Hearings:

A. Plan Commission Public Hearing on a Conditional Use Application for a Pond submitted by Robert C. and Janece F. Schommer of 2728 Oakridge Road, Neenah, WI 54956 for property located on Larsen Road between STH “76” and Oakwood Avenue and specifically described as Tax ID# 006-0664 and Tax ID# 006-0669 being part of the West ½ of the East ½ of the Northwest ¼ of Section 26, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Administrator Johnston explained that the Town Ordinances are not clear on Conditional Use Permit requirement. The Zoning Code indicates a pond is an allowable use in A-2 Zoning while the Pond Ordinance indicates it is a Conditional Use.
- No Public Comments were made

B. Plan Commission Public Hearing on a Conditional Use Application for a Mini Storage Center submitted by 76 & Shady LLC, P.O. Box 626, Appleton, WI 54912 for property located on the southwest corner of the intersection of Shady Lane and STH “76” and specifically described as Tax ID# 006-0306-07 being described as Lot-1 of CSM 6989 in Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Jeff and Jan Higgins, 9590 Oakwood Ave, indicated they own property at 9257 STH 76 which is adjacent to the proposed site. They expressed concern regarding visual buffers, lighting, and the type of fencing proposed

- Administrator Johnston explained that the east side of the property will be utilizing a stormwater management system which is a biofilter which will naturally develop a vegetative barrier. He indicated the lighting will be wall mounted, down lighting, and the fencing will likely be 6- to 8-foot chain link with privacy slating.
- Kristen Manteufel, 2879 E Shady Lane, expressed concerns about water run-off created by the development, and the type of storage offered, as she does not want to see outdoor storage which may be an eyesore
- Administrator Johnston explained that Stage 1 of the development will allow for some limited outside storage on the north end of the property, but the fencing will shield it. Stage 2 of the project will enclose that storage.
- Administrator Johnston also explained the property's location requires it to meet DNR standards for stormwater management and removal of particulate matter, but also must be compliant with the airport overlay requirement for no standing water. The system proposed is a bio-filter which satisfies both. Also, the Town's Zoning Code requires that no development create more run-off after development than before development.
- Shane Kutchenriter, 8719 Umland Road, indicated he also owns property along STH 76 near the proposed development. He explained his family farmed the land for years and he understands how the water runs. He noted that his property is low and takes a very long time to dry out and as a result has not been farmable. He expressed concern that the run-off created by the development will exasperate the situation. He also expressed concern about the type and size of the proposed fence and its potential negative impact on surrounding property values. He asked if there would be a landscaping requirement to improve the visual look of the fencing.
- Plan Commission Chair Knapinski stated the landscaping buffer is certainly a condition which the Commission can impose as a condition of the permit. He also indicated again that the stormwater management requirement does not allow for the development to negatively impact adjacent properties.

### III. Approval of Minutes:

- A. Approval of the minutes of the Wednesday, September 13<sup>th</sup>, 2017 Plan Commission Meeting.

#### **MOTION:**

Motion by Commissioner Eckstein

Second by Commissioner Linsmeier

Motion to approve the minutes of the Wednesday, September 13<sup>th</sup>, 2017 Plan Commission Meeting.

Motion carried by unanimous voice vote

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

- A. None

### V. Correspondence:

- A. September CY 2017 Building Inspection Report.

- B. Letter from Kevin Jacobs regarding condition of Fairview Road

VI. Business:

A. Discussion/Recommendation: Plan Commission review and recommendation on a Conditional Use Application for a Pond submitted by Robert C. and Janece F. Schommer of 2728 Oakridge Road, Neenah, WI 54956 for property located on Larsen Road between STH “76” and Oakwood Avenue and specifically described as Tax ID# 006-0664 and Tax ID# 006-0669 being part of the West ½ of the East ½ of the Northwest ¼ of Section 26, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located on Larsen Road between STH “76” and Oakwood Avenue and specifically described as Tax ID# 006-0664 and Tax ID# 006-0669 being Part of the West ½ of the East ½ of the Northwest ¼ of Section 26, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Robert C. and Janece F. Schommer  
2728 Oakridge Road, Neenah, WI 54956

Property Owners: Robert C. and Janece F. Schommer  
2728 Oakridge Road, Neenah, WI 54956

Property Location: Larsen Road between STH “76” and Oakwood Avenue.

**Property Information:**

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

**Property Information Specific to Tax ID # 006-0664:**

1. The property is owned by Robert C. and Janece F. Schommer of 2728, Oakridge Road, Neenah, WI 54956.
2. The Lot is 20.000 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 by the Town as A-2 (General Agricultural Residential District).
6. The property has an Officially Mapped Road Right-Of-Way on Larsen Road.
7. The property is in the City of Neenah Extraterritorial Zoning District.
8. The property is out of the County’s Flood Plain.
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.

**Property Information Specific to Tax ID # 006-0669:**

1. The property is owned by Robert C. and Janece F. Schommer of 2728, Oakridge Road, Neenah, WI 54956.
2. The Lot is 20.000 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 by the Town as A-2 (General Agricultural Residential District).
6. The property has an Officially Mapped Road Right-Of-Way.
7. The property is in the City of Neenah Extraterritorial Zoning District.
8. The property is out of the County's Flood Plain.
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.

**Staff Comments on the proposed Conditional Use for two Ponds:**

1. The Administration is treating the Pond Application as a Conditional Use because of ambiguities between the Town's Pond Ordinance, SECTION 5. ADMINISTRATION, 3 Permit Approvals and the Town's Zoning Code, Exhibit 8-1, Land use matrix, 17.32. Simply put, the Pond Ordinance allows for placing conditions on the approval of a pond and the Zoning Code allows a pond in the A-2 (General Agriculture District) as a permitted use. Because of the ambiguity the Administration is treating the Application as a Conditional Use and the design as a Permitted Use.
2. Applying the Conditional Use function is relatively simple; it requires a Class 2 Notice in the paper of record, a street sign, and notice to property owners within 300 feet of the subject property.
3. Enforcing the Permitted Use function of the Zoning Code is more difficult. The Town's Pond Ordinance requires an engineering design as part of the Application including shelving and other safety functions. The Application includes such design features; however, they are not to an engineering standard.
4. As a Permitted Use the Administration would accept a permit approval for a pond from the Department of Natural Resources (DNR) and approve a Pond Permit Application conditioned on meeting the DNR requirements.
5. This Application has a DNR Permit Approval with self-certification requirements and possible penalties for failure to meet the DNR approval conditions.

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

Staff recommends approval of the proposed Conditional Use for two ponds subject to the following conditions:

1. That the Applicant agrees to the DNR permit requirements for both ponds and construct both ponds in compliance with the DNR approval letter.
  - Chair Knapinski asked for clarification of the DNR Self-Certification requirement. Administrator Johnston explained that the DNR will likely perform checks during construction to make sure that all is compliant, but ultimately, the owners are responsible for the construction compliancy. He recommends approval of the Conditional Use with the condition of meeting the DNR requirements
  - Commissioner Reif asked why there is no engineering requirement for the pond. Administrator Johnston explained the are "ponds" with their only purpose being a source of fill and to be visually pleasing; they are not stormwater management devices

which must be constructed to gather water and then release it while also managing the particulate matter.

**MOTION:**

Motion by: Commissioner Reif

Second by: Commissioner Eckstein

Motion to recommend approval to the Town Board for the Conditional Use Application to construct two ponds with Staff Recommendation to require compliance with the DNR permit requirements.

Motion carried by unanimous voice vote

- B. Discussion/Recommendation: Plan Commission review and recommendation on a Conditional Use Application for a Mini Storage Center submitted by 76 & Shady LLC, P.O. Box 626, Appleton, WI 54912 for property located on the southwest corner of the intersection of Shady Lane and STH “76” and specifically described as Tax ID# 006-0306-07 being described as Lot-1 of CSM 6989 in Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The site is located on the southwest corner of the intersection of Shady Lane and STH “76” and specifically described as Tax ID# 006-0306-07 being described as Lot-1 of CSM 6989 in Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant: 76 & Shady LLC  
P.O. Box 626  
Appleton, WI 54912

Property Owner: 76 & Shady LLC  
P.O. Box 626  
Appleton, WI 54912

**Property Information:**

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

**Property Information Specific to Tax ID# 006-0306-07:**

- 1. The property is owned by 76 & Shady LLC, P.O. Box 626, Appleton, WI 54912.
- 2. The Lot is 5.010 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 is currently zoned A-2 (General Agricultural District) in the Town.
- 6. The property is currently in the Outagamie County Airport Overlay Zoning District.

7. The property is currently in the Outagamie County Airport Height Zoning District.
8. The property is in the Village of Fox Crossing Extra Territorial 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.

**Conditional Use Application Details:**

The Plan Commission and the Town Board have approved the Site Plan for the project. The only significant issues to be resolved are the Conditional Use for the project and the dedication of the right-of-way on the western boundary of the property. Staff has scheduled the Public Hearing, provided the Notice to the abutting property owners, and placed the Notice sign at the site. The Plan Commission's recommendation of the Conditional Use and the Board's approval of the Conditional Use are procedural and will occur based on Public Input, Plan Commission Consideration, and Town Board consideration. Dedication of the public right-of-way should be a condition of approval of the Conditional Use Application.

**Storm Water Management for the Site:**

Storm Water Management for the site is under the control of Winnebago County Planning and Zoning and the Outagamie County Planning and Zoning Department, Airport Zoning Overlay. The Administration has reviewed the storm water management plan as provided: the system uses a combination of parking lot detention, biofilters to clean the water, and short-term storage in the case of rain events. The Administration is recommending that the Plan Commission and the Town Board accept the engineering opinion provided by both Winnebago County and Outagamie County. Attached please find a copy of an e-mail from the Outagamie County Planning and Zoning Office indicating that their consultant is comfortable with the storm water management pond as presented. This approval validates the concept; however, Winnebago County will also need to approve the storm water management plan design.

**Access to the Site:**

Access to the site is from Shady Lane over the reservation for the road right-of-way. The Administration has no issues with the access as proposed; however, the Town will require the dedication of the right-of-way as a condition of approval of the Conditional Use for the facility. The only issue with the dedication of the right-of-way is recording the dedication and the Administration is recommending that the Town absorb any costs related to the dedication. The Administration's recommendation is based on the original reservation process that was used to facilitate the approval of the Certified Survey Map (CSM) that created the two adjoining Lots. The construction of the road shall be at the Town's discretion with the costs assessed to the abutting property owners pursuant to the Town's Policy. Once the road is constructed access to the proposed storage facility shall come from the un-named road.

**Site Signage:**

The Plan Commission will need to identify the Zoning Classification for any signs on the site. The Administration is recommending that the Plan Commission use the B-3 (General Business District) sign standards. This recommendation is based on the allowable use categories in the Zoning Code. Signs for the site are routinely approved by staff subject to compliance with Article 12 "Signs" of the Town Zoning Code of Ordinances for the B-3 (General Business District).

**Staff Comments:**

The Administration is recommending that the Plan Commission recommend approval of the Conditional Use Application as presented subject to the following plus any recommendations provided by the Plan Commission as part of its review:

1. Documented approval of the storm water management device for the development by both the Winnebago County Planning and Zoning Department and the Outagamie County Planning and Zoning Department.
  2. Dedication of the right-of-way reservation for the un-named road on the western side of the site.
  3. Identification of the vehicular travel areas and an agreement with the Developer on the schedule for paving the vehicular travel areas for the project.
  4. Approval of the use of the B-3 (General Business District) sign standards for the project.
- Chair Knapinski clarified that the dedicated road, when constructed will have another access point. Administrator Johnston indicated it would be dependent upon how the adjacent properties develop, but will likely have 2-3 access points
  - Commissioner Haskell inquired about the timeline for the various stages of the project and suggested the Commission add a reasonable timeline as a condition in order to guarantee completion. She suggested 3 years
  - Administrator Johnston suggested adding the requirement for vegetation outside the permanent fencing and to facilitate that, to require the permanent fencing to be pushed back from the edge of the right-of-way by 3 feet. He noted this would also allow for maintenance of the exterior of the fence without trespassing on neighboring properties.
  - Administrator Johnston also requested the Commission require the Right-of-way dedication to the town as a condition of the permit
  - Commissioner Haskell requested the “staff comments” in the report be changed to “staff recommendations” to clarify the conditions
  - Commissioner Haskell also requested a requirement for the lighting to be hooded, down lights with no spot lighting allowed.

**MOTION:**

Motion by: Commissioner Linsmeier

Second by: Commissioner Eckstein

Motion to recommend approval to the Town Board for the Conditional Use Application with staff recommendations and the following conditions:

1. Project completion within 3 years
2. Permanent fence placement moved back 3 feet to facilitate a required vegetative buffer outside the fencing
3. Dedication to the Town of the Right-of-Way for the unnamed road
4. Staff “comments” changed to Staff “recommendations”
5. All lighting to be wall-mounted, hooded, down-lighting with no spot lighting allowed

Motion carried by unanimous voice vote.

- C. Discussion/Recommendation: Plan Commission review and consideration of an updated Site Plan Application submitted by the petitioner(s): Jeff Houts, owner of Cruisin Safely Motorcycle & Driving

Instruction, LLC, 2211 Oregon Street, Oshkosh, WI 54901 for a Home Occupation Major on property located at the north end of Black Top Way, Neenah, WI 54956 and specifically described as Lot 2 of the recently approved CSM 7052 and Tax ID # 006-0895-07, being part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 7568 Black Top Way, Neenah, WI 54956 and specifically described as Lot 2 of the recently approved CSM 7052 and Tax ID # 006-0895-07, being part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Jeff Houts  
2211 Oregon Street  
Oshkosh, WI 54901

Property Owner(s): Jeff Houts  
2211 Oregon Street  
Oshkosh, WI 54901

**Property Information:**

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

**Property Information Specific to Tax ID # 006-0895-07:**

1. The property is owned by Jeffrey G. Houts of 2211 Oregon Street, Oshkosh, WI 54901.
2. The Lot is 14.00 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 is currently zoned A-2 (General Agricultural District) by the County.
6. The property is currently zoned A-2 (General Agricultural District) by the Town.
7. The property is in the City of Neenah Extra-Territorial 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.
10. The land use on the property is consistent with the Town’s adopted Comprehensive Plan.

**Staff Comments:**

1. The Applicant has requested a Site Plan Approval for an Approved Conditional Use Permit for the purposes of operating a motorcycle and automobile driver training school on property located at 7568 Black Top Way, Neenah, WI 54956.
2. The Applicant has provided staff with a Landscaping Plan that includes a 4-foot grass covered berm around most of the perimeter of the parking/training area. Additionally, the Applicant proposes to place a combination of 47 plantings on the proposed berm.
3. The Applicant has also provided staff with the elevations for the Office/Shop building. These elevations show all four façades and color palates for the building and the roofing materials. The only item not included in the additional material is the color palate for the building. Staff has advised the Applicant that the site would benefit from a light-colored roof given the amount of paved surface proposed for the site. The light-colored roof would mitigate the heat island effect of the site.

**Staff Recommendations:**

Staff recommends approval of the additional material provided for the Site Plan by the Applicant, Jeff Houts, owner of Cruisin Safely Motorcycle & Driving Instruction, LLC, of 2211 Oregon Street, Oshkosh, WI 54901 subject to providing the additional items listed in the staff report and final approval by the Plan Commission and the Town Board.

- Chair Knapinski noted the significant activity to add landscaping to the site plan
- Commissioner Linsmeier noted the willingness of the applicant to minimize the concerns regarding sound pollution, and the willingness to create the visual buffers with the landscaping plan.
- Administrator Johnston also noted that he had recommended construction of the building include a light-colored material for the roof to prevent the creation of a “heat island” in combination with the black top around the site.

**MOTION:**

Motion by: Commissioner Linsmeier

Second by: Commissioner Eckstein

Motion to recommend approval to the Town Board of the additional Site Plan materials with Staff recommendations.

Motion carried by unanimous voice vote

- D. Discussion/Recommendation: Plan Commission review and recommendation on a 4-Lot Certified Survey Map (CSM) Application submitted by Clayton Preserve, LLC of 1835 East Edgewood Drive, Suite 105-7, Appleton, WI 54913, for property located at 3033 West Shady Lane, Neenah, WI 54956 and specifically described as Tax ID# 006-0307 and Tax ID# 006-0307-06, being all of Lots 1 and 2 of Certified Map 4579, being part of the West ½ of the Northeast ¼ and part of the Southeast ¼ of the Northeast ¼ of Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 3033 West Shady Lane, Neenah, WI 54956 and is specifically described as Tax ID# 006-0307 and Tax ID# 006-0307-06, being all of Lots 1 and 2 of Certified Map 4579, being part of the West ½ of

the Northeast ¼ and part of the Southeast ¼ of the Northeast ¼ of Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Clayton Preserve, LLC  
1835 East Edgewood Drive, Suite 105-7  
Appleton, WI 54913

Property Owners: Michael and Marion Sabee  
3033 West Shady Lane  
Neenah, WI 54956

Consultant: David Hebert S-2123  
Shuler & Associates, Inc.  
2711 North Mason Street, Suite F  
Appleton, WI 54914

Property Location: 3033 West Shady Lane, Neenah, WI 54956.

**Property Information:**

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

**Property Information Specific to Tax ID # 006-0307:**

1. The property is owned by Michael and Marion Sabee of 3033 West Shady Lane, Neenah, WI 54956.
2. The Lot is 32.750 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 by the Town as A-2 (General Agricultural District).
6. The property is in the Outagamie County Airport Overlay Zoning Zone 3 and Zone 2B.
7. The property is in the Outagamie County Airport Height Zoning District.
8. The property is in the Village of Fox Crossing Extraterritorial Zoning District.
9. The property is out of the County's Flood Plain.
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.

**Property Information Specific to Tax ID # 006-0307-06:**

1. The property is owned by Michael and Marion Sabee of 3033 West Shady Lane, Neenah, WI 54956.
2. The Lot is 28.980 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 by the Town as A-2 (General Agricultural District).
6. The property is in the Outagamie County Airport Overlay Zone 3.
7. The property is in the Outagamie County Airport Height Zoning District.
8. The property is in the Village of Fox Crossing Extraterritorial Zoning District.

9. The property is out of the County's Flood Plain.
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 on the CSM:**

1. The CSM does not change the existing use of the property and therefore it is consistent with the Town's approved Future Land Use Plan.
2. The CSM **does** show the Right to Farm Language required by the Town.
3. The CSM divides the 60.000 acres +/- into 4 Lots.
4. Lot-1 is 13.481 acres (587,247 square feet in area).
5. Lot-2 is 8.971 acres (390759 square feet in area).
6. Lot-3 is 11.546 acres (502,927 square feet in area).
7. Lot-4 is 27.777 acres (1,209,951 square feet in area).
8. The proposed CSM does not dedicate the of right-of-way for Shady Lane.
9. Lots 1,3, and 4 created by the proposed CSM consist of vacant land.
10. Lot 2 of the proposed CSM contains a house and outbuildings.
11. Lot 2 of the proposed CSM has access to Shady Lane by a 33-foot +/- Zoning Code compliant strip of land.
12. Lot 1 and Lot 3 also have Zoning Code compliant access from Shady Lane.
13. Lot 4 is not buildable; however, it could have access from West American Drive if it were to be developed.
14. All of the proposed Lots have wetland areas shown on the face of the CSM that may impact the developable areas of the properties.
15. All of the proposed Lots meet the existing A-2 (General Agriculture District) requirement of 5-acres.

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

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

1. Dedication of the right-of way on Shady Lane to the Town.
2. The Surveyor providing the Town with a recorded copy of the CSM.
3. Documentation of the approval of the proposed re-zoning Application by any overlying unit of government having jurisdiction.

- Administrator Johnston noted the CSM contains the dedication of the Right-of-Way along Shady Lane.
- Administrator Johnston also indicated that the oddities of the "flag-pole" extensions of Lot 2 make the lot a legal lot and retain the area of the sanitary system for the house on the same lot
- Administrator Johnston also explained that this CSM is a "temporary" map which will facilitate the sale of the surrounding properties, whose buyer has plans to eventually develop and therefore will eventually be submitting revised CSMs and/or plat development maps

**MOTION:**

Motion by: Commissioner Haskell

Second by: Commissioner Wisnefske

Motion to recommend approval of the CSM to the Town Board with Staff Recommendations

Motion carried by unanimous voice vote

E. Discussion/Recommendation: Plan Commission review and recommendation on a 1-Lot Certified Survey Map (CSM) Application submitted by Carol Meyer, 2674 Woodcrest Drive, Neenah, WI 54956, for property located at 2674 Woodcrest Drive, Neenah, WI 54956 and specifically described as Tax ID# 006-0975 and Tax ID# 006-0976, being all of Lots 26 and 27, Oakcrest Manors, located in the Southeast ¼ and of the Southeast ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 2674 Woodcrest Drive, Neenah, WI 54956 and specifically described as Tax ID# 006-0975 and Tax ID# 006-0976, being all of Lots 26 and 27, Oakcrest Manors, located in the Southeast ¼ of the Southeast ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Robert F. Reider S1251  
Carow Land Surveying Co., Inc.  
615 North Lynndale Drive  
P.O. Box 1297  
Appleton, WI 54912-1297

Property Owners: Carol Meyer  
2674 Woodcrest Drive  
Neenah, WI 54956

Consultant: Robert F. Reider S1251  
Carow Land Surveying Co., Inc.  
615 North Lynndale Drive  
P.O. Box 1297  
Appleton, WI 54912-1297

Property Location: 2674 Woodcrest Drive, Neenah, WI 54956.

**Property Information:**

1. The surrounding properties are zoned:
  - a) North: R-1 (Rural Residential District) and R-2 (Suburban Residential District)
  - b) South: R-1 (Rural Residential District) and R-2 (Suburban Residential District)
  - c) East: Town of Neenah
  - d) West: R-1 (Rural Residential District) and R-2 (Suburban Residential District)

**Property Information Specific to Tax ID # 006-0975:**

1. The property is owned by Carol Meyer of 2674 Woodcrest Drive, Neenah, WI 54956.
2. The Lot is 0.350 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 has a 100-foot right-of-way on Woodenshoe Road.
6. The property is currently zoned by the County as R-2 (Suburban Residential District).
7. The property is currently zoned by the Town as R-2 (Suburban Residential District).
8. The property is in the City of Neenah Extraterritorial Zoning District.

9. The property is out of the County's Flood Plain.
10. The property is in the County's 300-foot Shoreland Zoning Buffer.
11. The property is not in the County's Wetland Identifier.
12. The land use is consistent with the Town's adopted Land Use Plan.

**Property Information Specific to Tax ID # 006-0975:**

1. The property is owned by Carol Meyer of 2674 Woodcrest Drive, Neenah, WI 54956.
2. The Lot is 0.330 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 by the County as R-2 (Suburban Residential District).
6. The property is currently zoned by the Town as R-2 (Suburban Residential District).
7. The property is in the City of Neenah Extraterritorial Zoning District.
8. The property is out of the County's Flood Plain.
9. The property is in the County's 300-foot Shoreland Zoning Buffer.
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 on the CSM:**

1. The CSM does not change the existing use of the property and therefore it is consistent with the Town's approved Future Land Use Plan.
2. The CSM **does** show the Right to Farm Language required by the Town.
3. The CSM consolidates two adjoining lots into a single property, Tax ID # 006-0975 is 0.350 acres in size and Tax ID # 006-0976 is 0.330 acres.
4. The new parcel will be approximately 0.680 acres.
5. The proposed CSM does not dedicate the required right-of-way for Woodenshoe Road.
6. Tax ID # 006 0976 has an existing single-family home on the property with access to the home from Woodcrest Drive.

**Staff Recommendations on CSM:**

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

1. Subject to the dedication of the right-of-way for Woodenshoe Road.
  2. The Surveyor providing the Town with a recorded copy of the CSM.
  3. Documentation of the approval of the proposed CSM Application by any overlying unit of government having jurisdiction
- Administrator Johnston explained the CSM combines two lots into one in order to facilitate the sale of the property
  - Administrator Johnston also noted the CSM must be modified to dedicate the Right-of-Way along Woodenshoe to the Town

**MOTION:**

Motion by: Commissioner Haskell

Second by: Commissioner Reif

Motion to recommend approval of the CSM to the Town Board with Staff recommendations

Motion carried by unanimous voice vote

F. Discussion/Recommendation: Plan Commission review and recommendation on a 1-Lot Certified Survey Map (CSM) Application submitted by Ron and Amy Jankowski, 3471 Knox Lane, Neenah, WI 54956, for property located at 3685 Fairview Road, Neenah, WI 54956 and specifically described as Tax ID# 006-0405-04-01, being part of Lot 1 of Certified Survey Map No. 6785 located in the Northwest ¼ of the Northwest ¼ of Section 15, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 3685 Fairview Road, Neenah, WI 54956 and is specifically described as Tax ID# 006-0405-04-01, being part of Lot 1 of Certified Survey Map No. 6785 located in the Northwest ¼ of the Northwest ¼ of Section 15, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Ron and Amy Jankowski  
3471 Knox Lane  
Neenah, WI 54956

Property Owners: Ron and Amy Jankowski  
3471 Knox Lane  
Neenah, WI 54956

Consultant: L. C. Krierscher S 1251  
L.C. Krierscher and Associates LLC  
5251 Grandview Road  
Larsen, WI 54947

Property Location: 3685 Fairview Road, Neenah, WI 54956.

**Property Information:**

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

**Property Information Specific to Tax ID # 006-0405-04-01**

1. The property is owned by Ron and Amy Jankowski of 3471 Knox Lane, Neenah, WI 54956.
2. The Lot is 17.550 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 by the County as A-2 (General Agriculture District).
6. The property is currently zoned by the Town as A-2 (General Agriculture District).
7. The property is out of the County’s Flood Plain area.
8. The property is in the County’s 300-foot Shoreland Zoning Buffer 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.

**Staff Comments on the CSM:**

1. The CSM does not change the existing use of the property and therefore it is consistent with the Town’s approved Future Land Use Plan.
2. The CSM **does** show the Right to Farm Language required by the Town.
3. The CSM separates an existing home from the 17.550-acre site.
4. Lot-1 of the proposed CSM is 3.387 Acres (147,530 Square Feet) in area.
5. Lot-1 of the proposed CSM does not meet the A-2 (General Agriculture District) area requirement and therefore it will need to be re-zoned to R-1 (Rural Residential District).
6. Lot-1 of the proposed CSM contains a single-family home with a number of outbuildings.
7. Access to Lot-1 and the buildings contained on the site is available from an existing driveway on Shady Lane.
8. All of the structures on Lot-1 of the proposed CSM are Zoning Code Compliant.

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

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

1. Re-zoning of Lot-1 of the proposed CSM to R-1 (Rural Residential District).
  2. The Surveyor providing the Town with a recorded copy of the CSM.
  3. Documentation of the approval of the proposed CSM Application by any overlying unit of government having jurisdiction.
- Administrator Johnston noted he recommends the Commission’s approval with the requirement of the Re-zoning of Lot 1 of the CSM

**MOTION:**

Motion by: Commissioner Linsmeier

Second by: Commissioner Eckstein

Motion to recommend approval to the Town Board with Staff Recommendations including the required Re-zoning

Motion carried by unanimous voice vote

- G. Discussion/Recommendation: Distribution to the Plan Commission of the Public Hearing material for the proposed Amendments to the Town’s Comprehensive Plan and Future Land Use Map.

- Administrator Johnston advised the Commission the information is for preparation study before the public hearing and meeting to be held November 8, 2017.

VII. Upcoming Meeting Attendance: NONE

VIII. Adjournment

**MOTION:**

Motion by: Commissioner Haskell

Second by: Commissioner Linsmeier

Motion made to Adjourn the meeting at 8:14 p.m., carried by unanimous voice vote

Respectfully submitted, Holly Stevens, Deputy Clerk