



# 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, July 14, 2010  
7:00 p.m.

### I. Call to Order

- Pledge of Allegiance
- Notice Verification  
The Recording Secretary informed the Commission that the was properly noticed
- Roll the following Commission and Town Staff were present:
 

Commission Chair:	Knapinski	Present
Commission Member:	Haskell	Present
Commission Member:	Vanairsdale	Absent
Commission Member:	Brucks	Present
Commission Member:	Adler	Present
Commission Member:	Hamblin	Present
Commission Member:	Geise	Present

Staff in attendance:

Administrator: Richard Johnston  
 Planner: Jennifer Yagow (M&E, Inc.)

### II. Approval of Minutes

- Regular Plan Commission – May 12, 2010  
 Motion by: Adler  
 Second By: Hamblin  
 Motion: to approve the minutes of the May 12<sup>th</sup>, 2010 Commission Meeting  
 Motion approved unanimously
- Special Plan Commission – May 26, 2010  
 Motion by: Geise  
 Second By: Adler  
 Motion: to approve the minutes of the May 26<sup>th</sup>, 2010 Commission Meeting.  
 Motion approved unanimously
- Special Plan Commission – June 23, 2010  
 Motion by: Hamblin  
 Second By: Adlera  
 Motion: to approve the minutes of the June 23<sup>rd</sup>, 2010 Commission Meeting  
 Motion approved unanimously

### 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 Deputy 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.

Susan Rubik – Is the Town going off County Zoning?

Commission Chair Knapinski – Explained that the County is in the process of re-drafting its current Zoning Code of Ordinances, this process will create a new updated County Zoning Code. By State Statute this is one of the few opportunities the Town will have to opt out of County Zoning. Chair Knapinski indicated that the Plan Commission has reviewed the Town’s options but is not ready to make a recommendation to the Town Board on the subject.

**IV. Correspondence**

- Winnebago County Zoning Department (received 5/27/2010) – No items to review for June
- Winnebago County Zoning Department (received 6/28/2010) – No items to review for July

**V. Business Items**

- A. **Discussion / Recommendation** – Discussion/Recommendation: Town Board direction to staff relative to growth in the Town of Clayton

Staff Presentation:

Based on conversations with local builders and the Town’s Building Inspector it appears that the Town is going to be running short on developer-owned building lots. Developer-owned lots are the ones that are available to be purchased by the public for building purposes; they do not include lots owned by individuals with the intent of building in the future. As the market gets more restricted developers are likely to want to start subdividing land again. Given the conditions of the market, this is likely to start slowly with small developments. Another factor that may influence the development market in the Town is the availability of developable lots in the adjoining Towns.

This would be the ideal time for the Board to review the following development related issues:

1. The Town’s Development Policy
2. The Town’s Public Infrastructure Standards
3. The Town’s Policy relative to the ownership of Stormwater Management Devices
4. The Town’s Policy relative to public utilities in the Town’s Rights-of-Way
5. The Town’s Policy relative to the types of development it would like to foster

The Board has directed staff to review these issues with the Town’s Plan Commission so that it can prepare draft documents for the Commission to consider. This Agenda Item is intended to advise the Commission of the Board’s action and set a process for reviewing the Town’s Development related Ordinances and Policies.

The Commission discussed the subject and some of the implications of the potential revisions to the Town’s Development Codes and Policies.

Staff will prepare draft development related documents and present them to the Commission as they are ready for the Plan Commission’s review and recommendation to the Town Board. The Administrator recommended starting with the Town Road Standards in late August of CY 2010.

- B. **Discussion / Recommendation** –Staff review of Outagamie County’s Airport Zoning Overlay process.

Staff Presentation:

The Outagamie County Airport Overlay Ordinance AdHoc Committee has tentatively scheduled its next meeting at 9:00 A. M. on Wednesday, July 21st, 2010. I will be attending the meeting and will report to the Commission at its next regularly scheduled meeting. The Administration would like to know if the Commission has any specific questions that should be asked of the ADHOC Committee.

C. **Discussion / Recommendation** –Plan Commission review and recommendation on a Site Plan for developing a secure storage area for the Town’s Public Works Department

Staff Presentation:

Staff provided the Commission with a site plan showing the construction work involved in creating a secure storage area for the Town’s Public Works Department. Staff is seeking a Plan Commission recommendation to the Town Board on the proposed project. The project includes tree removal, grassy removal, surface contouring, asphalt surfacing, and fencing of the area between the Town Garage, the Town Sign Shop, and the Trail Head Park Restrooms. The purpose of the project is to provide the Town’s Public Works Department with a secure long-term storage area for its equipment. The project consists of an 8-foot chain link fence with a barbed wire surround and three gates. Additional access to the area would be available from a garage door in the cold storage building. Please be advised that the Town will be acting as a general contractor for the project and bidding out the individual elements of the project. Pending approval, construction of the project would start in late July with completion expected in 3 to 4 weeks.

Following some discussion the Plan Commission made the following motion:

Motion by: Hamblin

Second By: Adler

Motion: to recommend the approval of the Site Plan for the security enclosure for the Town’s Public Works Department as presented by staff. With the addition of vegetative screening on the north side of the enclosure that would be in compliance with the Town’s Site Plan Ordinance.

Motion approved 6 in favor – one opposed (Geise)

D. **Discussion / Recommendation** –Plan Commission review and recommendation on a CSM for Al D. Cummings and Marie E. Cummings, C/O Neal Walter, 4030 Oakridge Road, Larsen, WI 54947, for property located at 4030 Oakridge Road, in the Town of Clayton (Tax ID#006-0712)

Staff Presentation::

The proposed CSM creates 2 Lots from the parent parcel consisting of approximately 39 acres. Lot 1 is approximately 32.60 acres and consists of the farm field and the outbuildings associated with the residential structure on the property. Access to the lot is from an existing farm access and an ingress and egress easement on Lot 2 of the proposed CSM (see detail map). Lot 2 is approximately 5.3 Acres and consists of the residential structure that takes access from an existing access point on Oakridge Road. Both lots have sufficient frontage and lot acreage to meet the County’s Zoning Code requirements. The proposed CSM dedicates the 33-foot northern half of the Oakridge Road Right-Of-Way to the Town. Staff has some concerns about the structures on Lot 1 of the proposed CSM. It is customary for a Zoning Code to not allow accessory buildings without a principal structure. A cursory review of the County’s Zoning Code, A- 2 GENERAL FARMING DISTRICT, seems to indicate that a Conditional Use Permit will be needed for the outbuildings on Lot 1 of the proposed CSM.

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

1. Dedication of the northern half (33.00 feet) of the Oakridge Road Right-Of-Way to the Town of Clayton.
2. Recommendation by the Plan Commission and approval by the Town Board for the grandfathering of the farm access on Oakridge Road as part of the ingress and egress easement for Lot 1 of the proposed CSM.
3. Documentation of the approval for the proposed CSM by any overlying unit of government with jurisdiction.

The Commission reviewed the proposed CSM with staff. Several questions were asked relative to the ingress/egress easement and the potential for access to Lot 1 of the CSM from CTH “T”.

Motion by: Geise

Second By: Brucks

Motion: to recommend approval of the CSM for Al D. Cummings and Marie E. Cummings, C/O Neal Walter, 4030 Oakridge Road, Larsen, WI 54947, for property located at 4030 Oakridge Road, in the Town of Clayton (Tax ID#006-0712) subject to the conditions recommended by staff.

Motion approved unanimously

- E. **Discussion / Recommendation** –Plan Commission review and recommendation on a Site Plan submitted by Dino O. Valeri for a deck at the Woodshed, Inc., located at 2895 County Road II, in the Town of Clayton (Tax ID#006-062101)

The petitioner has applied for approval of an 8-foot by 40-foot fenced deck on the east side of the existing structure (see attached site plan). The improvements will be used to comply with the State’s new laws relating to smoking restrictions in public buildings. Other than the addition of the fenced deck the project, as proposed, does not modify the existing structures, access points, or parking surfaces. The proposed deck consists of a hard surface with a 4-foot high wood fence on its perimeter. Staff has some concern relative to the proximity of the proposed improvements to the site’s east property line. This concern is shared by the adjoining property owner. The deck, its location and the construction materials comply with the Town’s Site Plan Ordinance. The Ordinance requires that fences meet the following criteria.

**E. Architectural Design Standards**

**(1) General Design Criteria.**

- (a) **Architectural Design Zones.** Architectural design zones have been applied to the Town of Clayton to encourage appropriate development standards for regional, and community uses. Each of these zones encourages compatibility with adjacent properties that result in a positive impact on the community. Refer to Architectural Zone map for Zone A and Zone B locations. Business Fringe Zone are those properties that are identified on the Town’s comprehensive land-use map as commercial, office, industrial, multi-family and institutional use, but are not located in Zone A or Zone B.

**(2) Zone “A”.**

- (a) Exterior Materials.** Acceptable Exterior Building Materials shall cover 75 percent or more of all wall surfaces. In those areas deemed to be of limited exposure to the general public, percentages may be lowered so long as the intent of this provision is maintained.

**Existing Structures.** It is the intent to improve the architectural design of existing development governed by these standards.

- Principal buildings or structures that have been erected or constructed prior to the effective date of adoption of these provisions are allowed to make minor improvements to these structures. These improvements must make significant efforts to conform to the intent of the architectural design standards. Any additional square footage added to these structures must be in full compliance to the architectural design standards.

**(8) Architectural Screening Requirements.** It is the intent of this section to provide screening of flat roof structures under a 3/12 pitch and roof or ground mounted mechanical equipment that will be readily visible when viewed at ground level from other properties or from major public ways. View towards equipment shall be screening to 75% opacity or covered in a manner that forms an integral part of the building design. Screening shall be permanent and complementary to the design intent of the building. Screening may be in the form of fencing, screen walls or parapets, or landscaping and shall be constructed of one of the following materials:

- Wood or masonry fencing.
- Metal solid or louvered screen wall.
- Parapet using same material as building.
- Evergreen landscaping materials with height at maturity at least 6 inches above top of highest point of equipment.

The Administration recommends approval of the proposed fenced deck enclosure with the following conditions:

1. That the petitioner demonstrate, to the Administration’s satisfaction, that the project does not encroach on the site’s east property line or on the County’s required Zoning Code setback. The simplest way to accomplish this requirement is to have a Licensed Surveyor locate the site’s east property line.
2. That the petitioner agrees to pay all Municipal Fees related to the project.
3. That the petitioner has all the County permits in place prior to the start of construction.

The Commission reviewed the proposed site plan with staff. The main concern expressed by staff was the accuracy of the east property line of the Woodshed site.

Motion by: Adler

Second By: Geise

Motion: to recommend approval of the a Site Plan submitted by Dino O. Valeri for a deck at the Woodshed, Inc., located at 2895 County Road II, in the Town of Clayton (Tax ID#006-062101)

subject to the conditions recommended by staff. Including the locating of the east property line of the site.

Motion approved unanimously

- F. **Discussion / Recommendation** –Plan Commission review of the preliminary work completed by the Town’s Engineering Consultant on the engineering required for the Plan Commission report to the Town Board on the Town’s Fire Department Structures

Jennifer Yagow, an architect with M&E presented the three site plans that were prepared by the firm. Jennifer also presented floor plans for site plan options A and C. The Commission had an extensive discussion on all three of the site options as well as the floor plans for options A and C. Jennifer has been directed to prepare a detailed set of floor plans for options A and C including a list of the code requirements for the proposed structure. Staff was also directed to have the Fire Chief at the Commission’s special meeting scheduled for 6:30 P.M. on, Thursday, July 22<sup>nd</sup>, 2010.

- G. **Discussion / Action** – Set date for Special Plan Commission Meeting regarding the Town’s Fire Department Structures

This item was placed on the Commission’s Agenda at the request of the Chair. It appears that staff has inadvertently scheduled a Commission meeting during the week of the EAA AirVenture Show. The Chair is looking to re-schedule the meeting for an alternate date. The Commission agreed to hold a Special Plan Commission Meeting at 6:30 P.M. on , Thursday, July 22<sup>nd</sup>, 2010.

**VI. Upcoming Meeting Attendance**

**VII. Adjournment**

Motion by: Brucks

Second By: Adler

Motion: to Adjourn the meeting at 9:40 P.M.

Respectfully submitted,  
Richard Johnston, Recording Secretary