

TOWN OF CLAYTON  
 Town Plan Commission  
 Meeting Minutes  
 7:00 P.M. – on Wednesday, January 10<sup>th</sup>, 2018  
 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	PRESENT
Commissioner Haskell	PRESENT
Town Board Representative Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Deputy Clerk Stevens	PRESENT
Planner Ken Jaworski	PRESENT

II. Public Hearings:

A. Plan Commission Public Hearing on a Re-zoning Application submitted by Terry Haase and Julie Kitzmiller, 2865 Winnegamie Drive, Appleton WI 54914, for property located at 2865 Winnegamie Drive, Appleton, WI 54914, and specifically described as Tax ID# 006-0006-02, being part of Lot 2 of Certified Survey Map No. 5591 located in the Northwest ¼ of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The Application is to re-zone the property from A-2 (General Agriculture District) to R-1 (Rural Residential District).

- Andrew Ujazdowski, 13230 English Lake Rd, Valders, WI, asked why the change was being requested.
- Administrator Johnston explained that a 1.577-acre lot was being split from the property with the intention to build a single-family residence. The new lot does not meet the minimum lot size requirement for A-2 zoning and therefore, in order to comply with the Town’s Zoning Code, it must be rezoned.

Chairman Knapinski closed the Public Hearing at 7:04 p.m.

III. Approval of Minutes

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

**MOTION**

Motion by Commissioner Linsmeier

Second by Commissioner Haskell

Motion to approve the minutes of the Wednesday, December 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: NONE

V. Correspondence

A. December CY 2017 Building Inspection Report.

B. Meeting Notice from the Winnebago County Zoning Department.

VI. Business:

A. Discussion/Recommendation: Plan Commission review and recommendation on a 1-Lot Certified Survey Map (CSM) application submitted by Terry Haase and Julie Kitzmiller, 2865 Winnegamie Drive, Appleton WI 54914, for property located at 2865 Winnegamie Drive, Appleton, WI 54914, and specifically described as Tax ID# 006-0006-02, being part of Lot 2 of Certified Survey Map No. 5591 located in the Northwest ¼ of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 2865 Winnegamie Drive, Appleton, WI 54914, and specifically described as Tax ID# 006-0006-02, being part of Lot 2 of Certified Survey Map No. 5591 located in the Northwest ¼ of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Terry Haase and Julie Kitzmiller  
2865 Winnegamie Drive  
Appleton WI 54914

Property Owners: Terry Haase and Julie Kitzmiller  
2865 Winnegamie Drive  
Appleton WI 54914

Property Location: 2865 Winnegamie Drive  
Appleton WI 54914

Consultant: Lawrence C. Kriescher S-1599  
L.C. Kriescher and Associates  
5251 Grandview Road  
Larsen, WI 54947

**Property Information:**

1. The surrounding properties are zoned:

- a) North: Town of Greenville
- b) South: A-2 (General Agriculture District), R-1 (Rural Residential District), and I-2 (Heavy Industrial 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 # 006-0006-02**

1. The property is owned by Terry Haase and Julie Kitzmiller, 2865 Winnegamie Drive, Appleton WI 54914
2. The Lot is 7.390 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 Agriculture District).
6. The property is in Zone-3 of the Outagamie County Airport Zoning District.
7. The property is 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 Flood Plain 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.

**Staff Comments:**

1. The proposed CSM is consistent with the Town's approved Land Use Plan.
2. The proposed CSM creates 1-Lot from the 7.390-acre parent parcel.
3. The CSM **does** show the Right-to-Farm Language required by the Town.
4. Lot 1 of the proposed CSM is 1.577 acres (68,710 Square Feet) in area and contains vacant land.
5. The parent parcel has an existing access from Winnegamie Drive.
6. By the Town's Access Ordinance, Lot-1 of the proposed CSM will be required to take access from Lind Lane.
7. The parent parcel of the proposed CSM is consistent with the existing A-2 (General Agriculture District) zoning.
8. Lot-1 of the proposed CSM does not meet the minimum lot area for the existing A-2 (General Agriculture District) zoning and will need to be re-zoned to R-1 (Rural Residential District).
9. The term East should be added to the legal description of the CSM.

**Staff Recommendations on the CSM Application:**

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

1. That Lot-1 of the proposed CSM be re-zoned to R-1 (Rural Residential District).
2. Add the term East to the legal description of the CSM
3. The Surveyor providing the Town with a recorded copy of the CSM.
4. Documentation of the approval of the proposed CSM Application by any overlying unit of government having jurisdiction.

**MOTION:**

Motion by Commissioner Haskell

Second by Commissioner Linsmeier

Motion to recommend approval of the 1-Lot Certified Survey Map (CSM) submitted by Terry Haase and Julie Kitzmiller, 2865 Winnegamie Drive, Appleton WI 54914, for

property located at 2865 Winnegamie Drive, Appleton, WI 54914, and specifically described as Tax ID# 006-0006-02, being part of Lot 2 of Certified Survey Map No. 5591 located in the Northwest ¼ of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.  
Motion carried by unanimous voice vote.

- B. Discussion/Recommendation: Plan Commission review and consideration of a Re-zoning Application submitted by Terry Haase and Julie Kitzmiller, 2865 Winnegamie Drive, Appleton WI 54914, for property located at 2865 Winnegamie Drive, Appleton, WI 54914, and specifically described as a portion of Tax ID# 006-0006-02, being part of Lot 2 of Certified Survey Map No. 5591 located in the Northwest ¼ of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The Application is to re-zone the property from A-2 (General Agriculture District) to R-1 (Rural Residential District).

Site Location: The property is located at 2865 Winnegamie Drive, Appleton, WI 54914, and specifically described as a portion of Tax ID# 006-0006-02, being part of Lot 2 of Certified Survey Map No. 5591 located in the Northwest ¼ of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

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2865 Winnegamie Drive  
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Property Owners: Terry Haase and Julie Kitzmiller  
2865 Winnegamie Drive  
Appleton WI 54914

Property Location: 2865 Winnegamie Drive  
Appleton WI 54914

**Property Information:**

1. The surrounding properties are zoned:
  - a) North: Town of Greenville
  - b) South: A-2 (General Agriculture District), R-1 (Rural Residential District), and I-2 (Heavy Industrial 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 # 006-0006-02**

1. The property is owned by Terry Haase and Julie Kitzmiller, 2865 Winnegamie Drive, Appleton WI 54914
2. The Lot is 7.390 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 Agriculture District).

6. The property is in Zone-3 of the Outagamie County Airport Zoning District.
7. The property is 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 Flood Plain 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.

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

1. The proposed re-zoning does not change the existing use of the property and therefore it is consistent with the Town’s approved Future Land Use Plan.
2. Lot-1 of the proposed CSM does not meet the A-2 (General Agriculture District) area requirement and therefore the new Lot 1 should be re-zoned to R-1 (Rural Residential District).
3. Lot-1 of the proposed CSM is 1.577 Acres (68,710 Square Feet) in area and is consistent with the R-1 (Rural Residential District).
4. Lot-1 of the proposed CSM is vacant property.
5. Lot-1 of the proposed CSM is proposed to be used by the family for a new single family residential structure.

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

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

1. Documentation of the approval of the proposed CSM Application by any overlying unit of government having jurisdiction.

**MOTION:**

Motion by Commissioner Reif

Second by Commissioner Linsmeier

Motion to recommend approval by the Town Board for rezoning of the property from A-2 to R-1 per the Re-zoning Application submitted by Terry Haase and Julie Kitzmiller, 2865 Winnegamie Drive, Appleton WI 54914, for property located at 2865 Winnegamie Drive, Appleton, WI 54914, and specifically described as a portion of Tax ID# 006-0006-02, being part of Lot 2 of Certified Survey Map No. 5591 located in the Northwest ¼ of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Motion carried by unanimous voice vote.

VII. Upcoming Meeting Attendance: NONE

VIII. Adjournment

**MOTION:**

Motion by: Commissioner Haskell

Second by: Commissioner Linsmeier

Motion made to Adjourn the meeting at 7:18 p.m.

Motion carried by unanimous voice vote

Respectfully submitted, Holly Stevens, Deputy Clerk