

TOWN OF CLAYTON
Town Plan Commission
Meeting Minutes
7:00 P.M. – on Wednesday, April 11, 2018
Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

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	ABSENT
Commissioner Linsmeier	ABSENT
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 Conditional Use Application submitted by Robert and Janece Schommer, 2728 Oakridge Road, for a Hobby Kennel. The property is located at 8051 Rosemary Lane, Neenah, WI 54956; specifically described as Tax ID #006-0664, being located in Section 26, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- NO PUBLIC COMMENTS

B. Plan Commission Public Hearing on a Conditional Use Application submitted by Levi and Kaylin Van Stappen, to raise Backyard Chickens. The property is located at 2741 E Shady Lane, Neenah, WI 54956; specifically described as Tax ID #006-0331-01, being located in Section 12, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Dan Brygger, 2749 E Shady Lane, lived in the neighborhood for 30 years, and he feels backyard chickens would be a nice addition to the area.

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

III. Approval of Minutes

A. Approval of the minutes of the Wednesday, February 14, 2018 Plan Commission Meeting.

MOTION

Motion by Commissioner Haskell

Second by Commissioner Wisnepske

Motion to approve the minutes of the Wednesday, February 14, 2018 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. February CY 2018 Building Inspection Report.

B. March CY 2018 Building Inspection Report.

C. Correspondence from the Winnebago County Zoning Department relating to Farmland Preservation

- Planner Ken Jaworski explained that the Town may want to consider presenting a Farmland Preservation Plan to the County for consideration but he would like validation from the County to ensure their cooperation before spending the time and money to develop a plan

VI. Business:

A. Discussion/Recommendation: Plan Commission review and recommendation on a Site Plan Approval Application for Envisionink, a printing firm building to be located on property on the north side of the east end of West American Drive in the Town of Clayton specifically known as Tax ID# 006-0335-03 and owned by Jeff Day and John Garrow LLC, 1991 West Wisconsin Avenue, Appleton, WI 54913.

Site Location: The site is located on property on the north side of the east end of West American Drive in the Town of Clayton specifically known as Tax ID# 006-0335-03 and owned by Jeff Day and John Garrow LLC, 1991 West Wisconsin Avenue, Appleton, WI 54913.

Applicant: Jeff Stodola and Rich Lewandowski
2204 Crooks Avenue
Kaukauna, WI, 54931

Property Owner: Jeff Day and John Garrow LLC
1991 West Wisconsin Avenue
Appleton, WI 54913.

Consultant: Frontier Builders & Consultants
C/O Rich Lewandowski
2204 Crooks Ave., Suite A
Kaukauna, WI 54130

Property Information:

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

Property Information Specific to Tax ID# 006-0335-03:

1. The property is owned by Jeff Day and John Garrow LLC, 1991 West Wisconsin Avenue, Appleton, WI 54913.
2. The Lot is 2.010 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 has Officially Mapped Roads shown on it.
6. The property is currently zoned B-3 (General Business District) by the County.
7. The property is currently zoned B-3 (General Business District) by the Town.
8. The property is in the Zone 3 of the Outagamie County Airport Overlay Zoning District.
9. The property is in the Outagamie County Airport Overlay Height Zoning District.
10. The property is in the Village of Fox Crossing Extra Territorial Zoning District.
11. The property is out of the County's Floodplain Zoning Area.
12. The property is in the County Shoreland Zoning 300-foot buffer.
13. The property is not in the County's Wetland Identifier.

Application Details:

The petitioner has provided the attached material, staff has reviewed the Application material and believes that the Application is complete and compliant with the Town's Zoning Code of Ordinances. The Town's Site Plan Ordinance sets the standards for review by development area. The proposed site is in the Town's Zone B, Development Standards Area (see attached map).

Stormwater Management for the Site:

The stormwater management function for the proposed project will come from the Town's stormwater management ditch system and an existing stormwater management pond created as part of the Development. Conceptually, the stormwater from the project area flows to the storm water management pond and then northeast to the roadside ditch on the west side of Clayton Avenue, then it crosses Clayton Avenue into a waterway in the Town of Menasha. Staff has recommended that the Applicant try to make use of the existing stormwater management system rather than create any new storm water management facilities.

Access to the Site:

Access to the site comes from a new driveway on the public road known as West American Drive. As part of the construction project, the Town will require that the Applicant install mountable curb returns on the proposed driveway apron accessing West American Drive.

Building Details:

The proposed building is a typical commercial building consisting of a steel structure with prefinished metal siding and roofing with the amenities required by the Town's Site Plan Section of the Zoning Code (see attached elevations). Staff will require that Knox Box security system that will give the Fire Department restricted access to the building. The

Commission may wish to consider requiring that the building roof have an overhang to enhance the esthetic appeal of the structure.

Parking:

The parking plan for the facility is fully developed asphalt surface and compliant with the Town Zoning Code requirements. Specifically, access to the office portion of the building is from the south side of the facility, the eastern portion of the parking area has two below-grade docks and one at-grade dock with an access door to the production facility.

Site Landscaping:

The landscaping plan shows a vegetative visual barrier around the parking facility including the required vegetated parking islands. The landscaping around the building provides a green area with several trees to provide screening for the building. The only item missing from the landscaping plan is a size and species inventory of the plantings.

Staff Comments:

The Site Plan Application, as presented, is complete and with the exception of the planting inventory, compliant with the Town’s Zoning Code.

Staff Recommendation:

Staff recommends approval of the Site Plan as submitted with the following conditions:

1. That the Applicant install mountable curb returns on the proposed driveway apron accessing West American Drive.
2. That the building roof have an overhang on the office and entrance areas to enhance the esthetic appeal of the structure.
3. That a Knox Box security system be installed to give the Fire Department restricted access to the building.
4. That the Applicant provide a size and species inventory of the proposed plantings

MOTION:

Motion by Commissioner Reif

Second by Commissioner Dorow

Motion to recommend approval to the Town Board for the site plan as submitted with Staff recommendations.

Motion carried by unanimous voice vote

- B. **Discussion/Recommendation:** Plan Commission review and recommendation on a Conditional Use Application submitted by Robert and Janece Schommer, 2728 Oakridge Road, for a Hobby Kennel. The property is located at 8051 Rosemary Lane, Neenah, WI 54956; specifically described as Tax ID #006-0664, being located in Section 26, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 8051 Rosemary Lane, Neenah, WI 54956; specifically described as Tax ID #006-0664, being located in Section 26, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

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

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

Property Information:

- 2) The surrounding properties are zoned:
 - a) North: A-2 (General Farming District)
 - b) South: A-2 (General Agriculture District)
 - c) East: A-2 (General Agriculture District)
 - d) West: A-2 (General Farming District)

Property Information Specific to Tax ID# 006-0348-03:

- 1. Robert and Janece Schommer, 2728 Oakridge Road, Neenah, WI 54956
- 2. The Lot is approximately 20.000 acres in area.
- 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 Agriculture District).
- 6. The property is in the City of Neenah’s Extra-Territorial Zoning District.
- 7. The property is out of the County’s Floodplain Zoning Area.
- 8. The property is not in the County’s Wetland Identifier.
- 9. The land use is consistent with the Town’s adopted Land Use Plan.

Staff Comments:

- 1. The Public Notice, Site Posting, and Neighbor Notices have been completed as required by the Town’s Zoning Code of Ordinances.
- 2. In the A-2 (General Agriculture District) the Town’s Zoning Code of Ordinances requires a Conditional Use Permit for a Hobby Kennel.
- 3. Attached please find a copy of the required Conditional Use Application.
- 4. The Schommer’s are building a new home on the site that includes an on-site kennel facility (see attached plans).
- 5. With an approved Conditional Use Permit this activity would meet the requirements of the Town’s Zoning Code of Ordinances.

Staff Recommendations:

Staff recommends approval of the proposed Conditional Use Application for the purposes of operating a Hobby Kennel subject to the following conditions:

- 1. That the Applicant comply with the Town’s Zoning Code of Ordinances.
- 2. That dogs be allowed outside an enclosed kennel facility during the hours from 8:00 a.m. to 8:00 p.m.
- 3. That the total number of dogs that may be kept on-site be limited to seven (7) dogs not including up to four (4) family pets.
- 4. That the Commission consider recommending that the kennel facility be kept in a workman like manner and that any waste product be properly disposed of on a daily basis; and that any complaints received shall be investigated by the Town’s Animal Control Contractor.

5. That the Commission recommend that if the animal husbandry activities cease for more than 12 consecutive calendar months the Conditional Use shall be deemed to have ceased and the Conditional Use Permit terminated.
6. That the Commission consider recommending that should the Conditional Use terminate, any outdoor structures specifically related to the animal husbandry activities and with no alternate use shall be removed.
7. Documentation of the approval of the proposed Conditional Use Permit by any overlying unit of government having jurisdiction.
8. That the Conditional Use Permit does not allow commercial functions from the facility.

MOTION:

Motion by Commissioner Dorow

Second by Commissioner Wisnefske

Motion to recommend approval to the Town Board for the CUP with Staff and Commission recommendations as noted.

Motion carried by unanimous voice vote

- C. Discussion/Recommendation: Plan Commission review and recommendation on a Conditional Use Application submitted by Levi and Kaylin Van Stappen, to raise Backyard Chickens. The property is located at 2741 E Shady Lane, Neenah, WI 54956; specifically described as Tax ID #006-0331-01, being located in Section 12, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: For property located at located at 2741 E Shady Lane, Neenah, WI 54956; specifically described as Tax ID #006-0331-01, being located in Section 12, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Levi and Kaylin Van Stappen
2741 E Shady Lane
Neenah, WI 54956

Property Owners: Levi and Kaylin Van Stappen
2741 E Shady Lane
Neenah, WI 54956

Property Information:

1. The surrounding properties are zoned:
 - a) North: A-2 (General Agriculture 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 Farming District)

Property Information Specific to Tax ID# 006-0279-01:

1. The property is owned by Levi and Kaylin Van Stappen, 2741 E Shady Lane, Neenah, WI 54956
2. The Lot is 1.370 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 Lot is currently zoned R-1 (Rural Residential District).
6. The property is in the Outagamie County Airport Overlay Zoning District 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 Floodplain Zoning Area.
10. The property is not in the County's Wetland Identifier.

Staff Comments:

1. The Town's Zoning Code of Ordinances requires a Conditional Use Permit for backyard chickens.
2. Attached please find a copy of a map locating the proposed 10 X 10 coop site.
3. The Van Stappen's would like to have up to 6 hens and no rooster in a fully confined coop.

Staff Recommendations:

Staff recommends approval of the proposed Conditional Use Application for the purposes of having up to 6 backyard chickens subject to the following conditions:

1. That the Plan Commission set a maximum number of chickens.
2. There shall be no roosters on site at any time.
3. The chickens shall be contained in the coop or in a confined area of the backyard of the property.
4. The chickens shall not be allowed to free range on the property.
5. Should the animal husbandry cease for more than 12 consecutive calendar months the Conditional Use shall be deemed to have ceased and the Conditional Use Permit terminated.
6. Should the Conditional Use terminate, any structures specifically related to the animal husbandry and with no alternate use shall be removed.
7. That the flock be registered with the State Department of Trade and Consumer Protection (DATCP).
8. The Applicant be approved by any overlying unit of government and/or agency having jurisdiction of the site.

MOTION:

Motion by Commissioner Reif

Second by Commissioner Dorow

Motion to recommend approval to the Town Board for the CUP with Staff recommendations as noted.

Motion carried by unanimous voice vote

- D. **Discussion/Recommendation:** Plan Commission review and recommendation on a proposal from the Town's Planning Firm to update the Conditional Use function of the Zoning Code of Ordinances to comply with Wisconsin Act 67 and the new requirements for Conditional Use Permits created by Act 67.

The Commission reviewed a copy of an article on Wisconsin Act 67 provided by the Town's Planner. They also reviewed a copy of an Agreement for Professional Services for

updating the Town's Zoning Code Sections relating to Conditional Permits so that they comply with Act 67. The Administration has reviewed the proposal and is recommending that the Plan Commission recommend the Agreement to the Town Board for approval. The cost of the project is \$1880.00 and would be funded from the CY 2018, General Fund, Planning Line Item.

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Wisnefske

Motion to recommend that the Town Board approve the Agreement for Professional Services as presented with the funding for the project coming from the CY 2018, General Fund, Planning Line Item.

VII. Upcoming Meeting Attendance: Annual Meeting, Tuesday, April 17, 2018 at 7:00 p.m.

VIII. Adjournment

MOTION:

Motion by: Commissioner Haskell

Second by: Commissioner Dorow

Motion made to Adjourn the meeting at 8:02 p.m.

Motion carried by unanimous voice vote

Respectfully submitted,
Holly Stevens, Deputy Clerk