

TOWN OF CLAYTON
Town Plan Commission
Meeting Minutes
7:00 P.M. – on Wednesday, May 10th, 2017
Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

- I. Call to Order: Plan Commission Chairman Knapinski called the meeting to order at 7:00 p.m.
 - A. Pledge of Allegiance
 - B. Verification of Notice
 - C. Roll

- a. Plan Commission Members
 - Chair Knapinski PRESENT
 - Commissioner Eckstein ABSENT
 - Commissioner Haskell PRESENT
 - Commissioner Wisnefske PRESENT
 - Commissioner Dorow PRESENT
 - Commissioner Linsmeier 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 Rezoning Application submitted by Tracy and Rick Steckling of 3096 Rose Moon Way, Neenah, WI 54956 for property located at the western terminus of Rose Moon Way in the Town of Clayton and specifically described as Tax ID # 006-0670-01 being all of Lot 1 of Certified Survey Map No. 6930 and being part of the southeast ¼ of the northwest ¼ of Section 26, 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 Agricultural District) to R-2 (Suburban Residential District).
 - No Comments
 - Public Hearing was closed at 7:02 p.m.

- III. Approval of Minutes:
 - A. Approval of the minutes of the Wednesday, April 12th, 2017 Plan Commission Meeting

MOTION:
Motion by Commissioner Linsmeier
Second by Commissioner Haskell
Motion to approve the Wednesday, April 12th, 2017 meeting minutes
Vote: Motion carried by unanimous voice vote

- IV. Open Forum: NONE

- V. Correspondence:
 - A. April CY 2017 Building Inspection Report.

VI. Business:

- A. Discussion/Recommendation: Plan Commission review and recommendation of a Rezoning Application submitted by Tracy and Rick Steckling of 3096 Rose Moon Way, Neenah, WI 54956 for property located at the western terminus of Rose Moon Way in the Town of Clayton and specifically described as Tax ID # 006-0670-01 being all of Lot 1 of Certified Survey Map No. 6930 and being part of the southeast ¼ of the northwest ¼ of Section 26, 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 Agricultural District) to R-2 (Suburban Residential District).

Site Location: The property is located at the western terminus of Rose Moon Way in the Town of Clayton and specifically described as Tax ID # 006-0670-01 being all of Lot 1 of Certified Survey Map No. 6930, being part of the southeast ¼ of the northwest ¼ of Section 26, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant: Tracy and Rick Steckling
3096 Rose Moon Way
Neenah, WI 54956

Property Owner(s): Tracy and Rick Steckling
3096 Rose Moon Way
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-2 (Suburban Residential District)
 - d) West: A-2 (General Agriculture District)

Property Information Specific to Tax ID# 006-0670-01:

1. The property is owned by Tracy and Rick Steckling, 3096 Rose Moon Way, Neenah, WI 54956.
2. The property was recently the subject of a 4-Lot CSM with the Lots ranging from 1.188 acres +/- to 1.581 acres +/-.
3. The properties are in the Neenah School District (3892).
4. The property is in the Department of Natural Resources Special Well Casing area.
5. The Lots are currently zoned A-2 (General Agriculture District).
6. The property is in the City of Neenah Extraterritorial 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 on the proposed Re-Zoning:

1. The conditionally approved CSM changed the existing use of the property from A-2 (General Agriculture) to R-1 (Rural Residential) or R-2 (Suburban Residential) and either Zoning Classification is consistent with the Town's approved Future Land Use Plan.
2. The conditionally approved CSM reconfigured the property to create four single family residential Lots.
3. The Lots created by the conditionally approved CSM are: Lot-1, 1.231 acres (53,603 square feet); Lot-2, 1.188 acres (51,754 square feet); Lot-3, 1.352 acres (58,882); and Lot-4, 1.581 acres (68,855 square feet).
4. All of the Lots created by the conditionally approved CSM are vacant land.
5. Access to all four Lots created by the conditionally approved CSM will come from the extension of Rose Moon Way when and if the properties are developed.
6. For consistency with the existing Zoning on the adjoining residential property (the Plat of Strawberry Estates) staff is recommending that the four new Lots created by the conditionally approved CSM be re-zoned to R-2 (Suburban Residential District).

Staff Recommendations:

Staff recommends approval of the proposed Re-Zoning Application subject to the following conditions:

1. The Developer and the Town entering into a Developer's Agreement for the construction and financing of the proposed extension of Rose Moon Way.
2. Documentation of the approval of the proposed re-zoning Application by any overlying unit of government having jurisdiction.

MOTION

Motion by Commissioner Linsmeier

Second by Commissioner Dorow

Motion to recommend approval to the Town Board to Re-Zone Tax ID # 006-0670-01 from A-2 to R-2 with Staff Recommendations.

Motion carried by unanimous voice vote

- B. Discussion/Recommendation: Plan Commission review and recommendation on a 1-Lot Certified Survey Map (CSM) application submitted by Barbara J. Bombinski of 2595 Larsen Road, Neenah, WI 54956 for property located at 2595 Larsen Road, Neenah, WI 54956, in the Town of Clayton and specifically described as Tax ID # 006-0637-01, and Tax ID# 006-0638 being part of Lot 1, CSM # 2571, Volume 1, Page 2571, and a part of Lot-2, CSM # 4917, Volume 1, Page 4971 and a Part of the Northeast ¼ of the Northeast ¼ , and a Part of the Northwest ¼ of the Northeast ¼ of Section 25,

Township 20 North, Range 16 East, Town of Clayton,
County of Winnebago, State of Wisconsin.

Site Location: The property is located at 2595 Larsen Road, Neenah, WI 54956, in the Town of Clayton and specifically described as Tax ID # 006-0637-01, and Tax ID# 006-0638 being part of Lot 1, CSM # 2571, Volume 1, Page 2571, and a part of Lot-2, CSM # 4917, Volume 1, Page 4971 and a Part of the Northeast ¼ of the Northeast ¼, and a Part of the Northwest ¼, of the Northeast ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Barbara J. Bombinski
2595 Larsen Road
Neenah, WI 54956

Property Owners: Barbara J. Bombinski
2595 Larsen Road
Neenah, WI 54956

Consultant: Jeffrey Butzke S-2801
Compass Surveying LLC
611 Kingswood Avenue
Fond Du Lac, WI 54935

Property Location: The property is located at 2595 Larsen Road, Neenah, WI 54956

Property Information:

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

Property Information Specific to Tax ID # 006-0637-01:

1. The property is owned by Barbara J. Bombinski of 2595 Larsen Road, Neenah, WI 54956.
2. The Lot is 1.160 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 an Officially Mapped 80-foot right-of-way on Larsen Road.
6. The property is currently zoned by the Town as R-1 (Rural 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 not in the County's Wetland Identifier.

Property Information Specific to Tax ID # 006-0638:

1. The property is owned by the Breaker Girls LLC of 36 Corvette Circle, Fond du Lac, WI 54935.
2. The Lot is 99.750 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 has several Officially Mapped reservations for rights-of-way as listed below:
 - a) City of Neenah: 100-foot reservation on the eastern side of the CSM for the southern extension of Clayton Avenue.
 - b) City of Neenah: 66-foot reservation on the southern side of the CSM for the extension of a Municipal Road.
 - c) Town of Clayton: 66-foot reservation approximately 2/3's of the way south of Larsen Road on the CSM for the eastern extension of Breaker Trail.
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 Floodplain designation.
10. The property is in the County's 1000-foot Shoreland zoning buffer.
11. The property is in the County's Surface Water Drainage Area.
12. The property is not in the County's Wetland Identifier.

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 not** show the Right to Farm Language required by the Town.
3. The CSM adds approximately 0.84 of an acre from **Tax ID # 006-0638** to **Tax ID # 006-0637-01** to create a Lot known as **Tax ID # 006-0637-01** that is 2.000 acres in area.
4. The action of attaching area from properties with 2 different zoning classifications R-1 (Rural Residential District) and R-2 (Suburban Residential District) will require that the property be rezoned to a common zoning classification. Staff is recommending that the property be re-zoned to R-2 (Suburban Residential District).
5. Lot 1 of the proposed CSM has a principal structure (residential home) that is compliant with the Town's Zoning Code of Ordinances.
6. Access to Lot-1 of the proposed CSM comes from an existing access on Larsen Road.
7. The proposed CSM does deed approximately 0.034 acres (1,463 Square Feet) of right-of-way for Larsen Road.
8. The signatory text of the CSM lists the Town's Treasurer as Elected, this should be changed to Appointed.

Staff Recommendations on the Re-zoning Application:

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

1. Subject to re-zoning the property to R-2 (Suburban Residential District).
2. Subject to showing the Right to Farm Language required by the Town.

3. Documentation of the approval of the proposed re-zoning Application by any overlying unit of government having jurisdiction.

MOTION

Motion by Commissioner Haskell

Second by Commissioner Linsmeier

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

Motion carried by unanimous voice vote

- C. Discussion/Recommendation: Plan Commission review and recommendation on a 1-Lot Certified Survey Map (CSM) application submitted by Jeremy and Amanda Dassler of 2615 Larsen Road, Neenah, WI 54956 for property located at 2615 Larsen Road, Neenah WI 54956 and 2603 Larsen Road, Neenah, WI 54956 in the Town of Clayton and specifically described as Tax ID # 006-0638-01, and Tax ID# 006-0638 being part of Lot-1, CSM # 4917, Volume 1, Page 4917, and a part of Lot-2, CSM #4917, Volume 1, Page 4971 being part of the Northwest ¼ of the Northeast ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 2615 Larsen Road, Neenah WI 54956 and 2603 Larsen Road, Neenah, WI 54956 in the Town of Clayton and specifically described as Tax ID # 006-0638-01, and Tax ID# 006-0638 being part of Lot-1, CSM # 4917, Volume 1, Page 4917, and a part of Lot-2, CSM #4917, Volume 1, Page 4971 being part of the Northwest ¼ of the Northeast ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Jeremy and Amanda Dassler
2615 Larsen Road
Neenah, WI 54956

Property Owners: Jeremy and Amanda Dassler
2615 Larsen Road
Neenah, WI 54956

Consultant: Jeffrey Butzke S-2801
Compass Surveying LLC
611 Kingswood Avenue
Fond Du Lac, WI 54935

Property Location: The property is located at 2615 Larsen Road, Neenah, WI 54956.

Property Information:

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

Property Information Specific to Tax ID # 006-0638-01:

1. The property is owned by Jeremy and Amanda Dassler of 2615 Larsen Road, Neenah, WI 54956.
2. The Lot is 0.610 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 R-1 (Rural Residential District).
6. The property is in the City of Neenah Extraterritorial Zoning District.
7. The property is out of the County's Flood Plain.
8. The property is not in the County's Wetland Identifier.

Property Information Specific to Tax ID # 006-0638:

1. The property is owned by the Breaker Girls LLC of 36 Corvette Circle, Fond du Lac, WI 54935.
2. The Lot is 99.750 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 has several Officially Mapped reservations for rights-of-way as listed below:
 - a) City of Neenah: 100-foot reservation on the eastern side of the CSM for the southern extension of Clayton Avenue.
 - b) City of Neenah: 66-foot reservation on the southern side of the CSM for the extension of a Municipal Road.
 - c) Town of Clayton: 66-foot reservation approximately 2/3's of the way south of Larsen Road on the CSM for the eastern extension of Breaker Trail.
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 Floodplain designation.
10. The property is in the County's 1000-foot Shoreland zoning buffer.
11. The property is in the County's Surface Water Drainage Area.
12. The property is not in the County's Wetland Identifier.

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 not** show the Right to Farm Language required by the Town.
3. The CSM adds approximately 0.653 of an acre from **Tax ID # 006-0638** to **Tax ID # 006-0638-01** to create a Lot known as **Tax ID # 006-0638-01** that is 1.263 acres in area.

4. The action of attaching area from properties with 2 different zoning classifications R-1 (Rural Residential District) and R-2 (Suburban Residential District) will require that the property be rezoned to a common zoning classification. Staff is recommending that the property be re-zoned to R-2 (Suburban Residential District)
5. Lot 1 of the proposed CSM has a principal structure (residential home) that is compliant with the Town's Zoning Code of Ordinances.
6. Access to Lot-1 of the proposed CSM comes from an existing access on Larsen Road.
7. The signatory text of the CSM list the Town's Treasurer as Elected, this should be changed to Appointed.

Staff Recommendations on the Re-zoning Application:

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

1. Subject to re-zoning the property to R-2 (Suburban Residential District)
2. Subject to showing the Right to Farm Language required by the Town.
3. Documentation of the approval of the proposed re-zoning Application by any overlying unit of government having jurisdiction.

MOTION

Motion by Commissioner Dorow

Second by Commissioner Linsmeier

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

Motion carried by unanimous voice vote

- D. Discussion/Recommendation: Plan Commission review and recommendation on an amendment to the Horn RV Site Plan Approval.

The Commission reviewed a copy of the Site Plans for the Horn RV project which showed the approved Site Plan and the expansion area. As part of the original Site Plan Approval process the Applicant reduced the site of the display area for their recreational vehicles. In order to minimize any short-term expansion costs and business disruption, the Applicant has decided to apply for an amendment to the Site Plan Approval and construct the large display area while the equipment is on site.

Staff Recommendations on the Site Plan Amendment Application:

Staff recommends approval of the proposed Site Plan Amendment for the Horn RV Site Plan as presented subject to the following conditions:

1. Documentation of the approval of the proposed Site Plan Amendment Application by any overlying unit of government having jurisdiction.
- Chair Knapinski inquired regarding the effect the expansion would have on the Storm Water Management drainage plan.
 - Administrator Johnston explained there is no change as the SWM drainage plan was designed for the larger site plan

- Chair Knapinski also confirmed the expansion would conform to the Town’s impervious surface rules

MOTION

Motion by Commissioner Reif

Second by Commissioner Linsmeier

Motion to recommend approval to the Town Board of the proposed Site Plan Amendment Application.

Motion carried by unanimous voice vote

- E. Discussion/Recommendation: Plan Commission review and direction to staff relative to proposed amendments to the Town’s Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance.

The Commission reviewed a highlighted copy of the Town’s “Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance.” The highlights indicated changes staff is recommending to the Ordinance, specifically, the changes relate to Section 2: Applicability, 2.01(b) “to the use of recreational and decorative outdoor burning devices commercially sold for use by the public.” Staff recommended that the Town add that these items be limited to the back yard and have a 10-foot separation from the device to any structure. The other changes related to the change from Clayton/Winchester Joint Fire Department to the Clayton Fire Rescue Department.

DIRECTION TO STAFF:

The Commission directed staff to make the changes as necessary following the applicable amendment procedures.

VII. Upcoming Meeting Attendance: May 22, 2017 Plan Commissioners Networking Meeting

VIII. Adjournment

MOTION:

Motion by: Commissioner Haskell

Second by: Commissioner Linsmeier

Motion: To Adjourn the Plan Commission meeting at 7:22 p.m.

Vote: Motion carried by unanimous voice vote

Respectfully submitted,
Holly Stevens, Deputy Clerk