

TOWN OF CLAYTON
Town Plan Commission
Meeting Minutes
7:00 P.M. – on Wednesday, September 11, 2019
Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order: Chair Knapinski called the meeting to order at 7:03 p.m.

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 Nemecek	PRESENT
Commissioner Linsmeier	PRESENT
Commissioner Dorow	EXCUSED
Commissioner Haskell	PRESENT
Town Board Representative Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Asst Administrator Straw	PRESENT
Clerk Stevens	PRESENT
Planner Ken Jaworski	PRESENT

II. Public Hearings:

A. Plan Commission Public Hearing on a Re-zoning Application submitted by Jack Borchert, 6965 Thornberry Trail, Oshkosh, WI 54904, for property located at 3128 Fairview Road and specifically described as Tax ID# 006-0317-01-01 and Tax ID# 006-0318-02, being a part Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from R-2 (Suburban Residential District) and A-2 (General Agricultural District) to I-2 (Heavy Industrial District).

- Jack Borchert, 6965 Thornberry Trail, Oshkosh, was present to answer any questions regarding the rezoning.
- No questions or comments were received regarding the rezoning application.

The Public Hearing was closed at 7:02 p.m.

III. Approval of Minutes:

A. Approval of the minutes of the Wednesday, August 14th, 2019 Plan Commission Meeting.

- Chair Knapinski noted in the first bullet point on page 10 under Staff Recommendations, the word “the” should be “there.”

MOTION:

Motion by Commissioner Nemecek

Second by Commissioner Linsmeier

Motion to approve the Wednesday, August 14th, 2019 Plan Commission Meeting Minutes as corrected.

Motion carried by unanimous voice vote

IV. Open Forum Town-related Matters not on the Plan Commission’s Agenda: NO REQUESTS

V. Correspondence:

A. CY 2019, August Building Inspection Report

VI. Business:

A. Discussion/Recommendation: Plan Commission review and recommendation on a Re-zoning Application submitted by Jack Borchert, 6965 Thornberry Trail, Oshkosh, WI 54904, for property located at 3128 Fairview Road and specifically described as Tax ID# 006-0317-01-01 and Tax ID# 006-0318-02, being a part Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from R-2 (Suburban Residential District) and A-2 (General Agricultural District) to I-2 (Heavy Industrial District).

Site Location: The for property located at for property located at 3128 Fairview Road and specifically described as Tax ID# 006-0317-01-01 and Tax ID# 006-0318-02, being a part Section 11, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Jack Borchert
6965 Thornberry Trail
Oshkosh, WI 54904

Property Owners: Jack Borchert
6965 Thornberry Trail
Oshkosh, WI 54904

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

Property Information:

1. The surrounding properties are zoned:
 - a) North: R-2 (Suburban Residential District) and A-2 (General Agricultural District).
 - b) South: I-2 (Heavy Industrial District), R-1 (Rural Residential District), and A-1 (Agribusiness District).

- c) East: R-1 (Rural Residential District), A-2 (General Agricultural District), and P-1 Public Institutional District).
- d) West: I-2 (Heavy Industrial District), R-1 (Rural Residential District), and A-2 (General Agricultural District).

Property Information Specific to Tax ID # 006-0317-01:

1. The property is owned by Jack Borchert, 6965 Thornberry Trail, Oshkosh, WI 54904.
2. The Lot is 5.000 acres.
3. The property is in the Neenah School District (3892).
4. The property is in the Village of Fox Crossing Extraterritorial Zoning Area
5. The property is in the Department of Natural Resources Special Well Casing area.
6. The property is currently zoned by the Town as I-2 (Heavy Industrial District).
7. The property has no Navigable Stream and Surface Water Drainage Information.
8. The property is in the Outagamie County Airport Zoning, Zone 3 and Height Limitation Area.
9. The property is not in the County Shoreland Area.
10. The property has no navigable stream information.
11. The property is outside the County's floodplain area.
12. The property has no Wisconsin Wetland Inventory Information.
13. The Town's Future Land Use Planning Information is Business (Commercial & Industrial).
14. The current land use is consistent with the Town's adopted Land Use Plan.
15. The proposed land use is consistent with the Future Land Use Plan.

Property Information Specific to Tax ID # 006-0317-01-01:

1. The property is owned by Jack Borchert, 6965 Thornberry Trail, Oshkosh, WI 54904.
2. The Lot is 21.700 acres.
3. The property is in the Neenah School District (3892).
4. The property is in the Village of Fox Crossing Extraterritorial Zoning Area
5. The property is in the Department of Natural Resources Special Well Casing area.
6. The property is currently zoned by the Town as A-2 (General Agriculture District).
7. The property has no Navigable Stream and Surface Water Drainage Information.
8. The property is in the Outagamie County Airport Zoning, Zone 3 and Height Limitation Area.
9. The property is not in the County Shoreland Area.
10. The property has no navigable stream information.
11. The property is outside the County's floodplain area.
12. The property has no Wisconsin Wetland Inventory Information.
13. The Town's Future Land Use Planning Information is Business (Commercial & Industrial).
14. The current land use is consistent with the Town's adopted Land Use Plan.
15. The proposed land use is consistent with the Future Land Use Plan.

Property Information Specific to Tax ID # 006-0318-02:

1. The property is owned by Jack Borchert, 6965 Thornberry Trail, Oshkosh, WI 54904.
2. The Lot is 0.720 acres.
3. The property is in the Neenah School District (3892).
4. The property is in the Village of Fox Crossing Extraterritorial Zoning Area
5. The property is in the Department of Natural Resources Special Well Casing area.

6. The property is currently zoned by the Town as R-2 (Suburban Residential District).
7. The property has no Navigable Stream and Surface Water Drainage Information.
8. The property is in the Outagamie County Airport Zoning, Zone 3 and Height Limitation Area.
9. The property is not in the County Shoreland Area.
10. The property has no navigable stream information.
11. The property is outside the County's floodplain area.
12. The property has no Wisconsin Wetland Inventory Information.
13. The Town's Future Land Use Planning Information is Business (Commercial & Industrial).
14. The current land use is consistent with the Town's adopted Land Use Plan.
The proposed land use is consistent with the Future Land Use Plan

Staff Comments on the Re-zoning:

1. The revised Re-zoning Application as submitted re-zones Lot-2 of the conditionally approved CSM from (A-2 General Agriculture District) and R-2 (Suburban Residential District) to I-2 (Heavy Industrial District). The change in the Re-zoning Application provides the Applicant with a Code compliant zoning district that fits within the Town's Zoning Code, the Town existing Land Use Plan and the Town's Future Land Use Plan.
2. The re-zoning is required to eliminate the mixed zoning on Lot-2 of the conditionally approved CSM submitted by the Applicant. The details of Lot-2 are as follows:
 - a. Lot-2 of the conditionally approved CSM submitted by the Applicant has mixed zoning and should be re-zoned to I-2 (Heavy Industrial District) in order to comply with the Town's Zoning Code of Ordinances. Lot-2 is 7.31 acres (318,678 Square Feet) in area with a new code compliant access point on Fairview Road. Lot-2 contains an existing shed used in the operation of an ongoing business. The 55.00-foot access point onto Fairview Road is part of a 66-foot wide ingress and egress easement required by CSM No. 5543 recorded in the Winnebago County Register of Deeds Office.
3. The proposed re-zoning is consistent with the Town's adopted Land Use Plan and Future Land Use plans and would have no impact on the existing use of the properties.

Staff Recommendations on the Re-zoning Application:

Staff supports a motion by the Plan Commission to recommend approval of the re-zoning Application as submitted.

- Chair Knapinski noted there were no comments received during the public hearing and the issues raised at the last meeting were addressed and/or corrected.

MOTION:

Motion by Commissioner Haskell

Second by Commissioner Linsmeier

Motion to recommend to the Town Board approval of the re-zoning application submitted by Jack Borchert for property located at 3128 Fairview Road and specifically described as Tax ID# 006-0317-01 and Tax ID# 006-0318-02 to be re-zoned from A-2 and R-2 to I-2.

Motion carried by unanimous voice vote

- B. Discussion/Recommendation: Plan Commission review and recommendation on a CSM for Craig J. & Lisa L. Lang Riegel 3692 Forrest Heights Lane, Neenah WI, 54956, for properties located at 3692 and 3680 Forest Heights Lane, Clayton, WI 54956, specifically identified as (Tax ID# 006-1350-00 and 006-1351-00), Lots 14 and 15 of the Plat of Highland Wood, being a part Section 10, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Please be advised that this staff report was generated as part of the original CY 2010 Certified Survey Map Approval process. The CSM was approved in CY 2010, however, it was never recorded. Staff is requiring that the CSM be recorded. Winnebago County will not record the document until it goes through the approval process again, due to its age. In order to facilitate the process, the Administration has waived the Review Fee for the Application.

Site Location: The property is known as All of Lots 14 and 15 of Highland Wood, Located in the Northwest ¼ of the Northwest ¼ of Section 10, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, Wisconsin.

Applicants: Craig J. Riegel & Lisa L. Lang-Riegel, and Timothy W. Wrase

Property Owners: Craig J. Riegel & Lisa L. Lang-Riegel and Timothy W. Wrase
C/O Wrase Realty
411 Kittiver Court
Neenah, WI 53956

Consultant: David M. Schmaltz
McMahon Engineers and Architects
P.O. Box 1025
Neenah, WI 54957-1025

Prepared for: Wrase Realty
411 Kittiver Court
Neenah, WI 53956

Staff Comments:

1. The proposed CSM creates a single Lot from what were two parcels. Tax ID # 006-1350-00 is the larger of the two parcels (approximately 2.04 acres). This lot contains an existing housing unit. Tax ID # 006-1351-00 is vacant, abuts the larger parcel on its east side and is approximately 1.74 acres. Lot 1 of the proposed CSM is 3.791 acres. The proposed CSM consolidates two properties for the purpose of creating a single parcel with an existing housing unit. Additionally, Mr. Wrase and Mr. and Mrs. Holtz are relocating an existing Drainage Easement 15, 16, and 17 of the Plat of Highland Wood.
2. Both properties are currently Zoned R-2 (Suburban Residential District).
3. The proposed CSM is consistent with the Town's approved Land Use Plan.

4. The properties are in the Neenah School District (3892).
5. The properties are in the Department of Natural Resources Special Well Casing area.
6. The properties are not in the County’s Floodplain Zoning Area.
7. The properties are not in the County’s Wetland Identifier.
8. The properties are both in the Outagamie County Airport Zoning District, Height Limitations Overlay.

Staff Recommendations on the CSM Application:

Staff recommends that the Plan Commission approve the CSM subject to the following conditions:

1. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.
2. The Applicant provide a copy of the recorded document to the Town.

MOTION:

Motion by Commissioner Linsmeier

Second by Commissioner Schmidt

Motion to recommend to the Town Board approval of the CSM with Staff recommendations and with the requirement to update the signatories on the document.

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 7:13 p.m.

Motion carried by unanimous voice vote

Respectfully submitted,
Holly Stevens, Clerk