

TOWN OF CLAYTON

Town Plan Commission

Meeting Minutes

7:00 P.M. – 8:11 P.M. on Wednesday, April 9th, 2014

Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order:

A. Notice Verification, Roll

1. Plan Commission Chairman Knapinski called the meeting to order at 7:00 P.M.
2. Pledge of Allegiance recited.
3. Meeting properly posted at three locations in the Town.
4. Roll

a. Plan Commission Members

Chair Knapinski	PRESENT
Commissioner Eckstein	PRESENT
Commissioner Haskell	PRESENT
Commissioner Jesse	PRESENT
Commissioner Klingenberger	PRESENT
Commissioner Linsmeier	ABSENT
Town Board Representative Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
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II. Public Hearing:

A. THE PETITIONER: The Town of Clayton will hold a Public Hearing on an amendment to the Town’s Artificial Pond Ordinance to bring the Artificial Pond Ordinance into conformity with the Permitted and Conditional Use Approval Sections of the Town’s newly adopted Zoning Code of Ordinances.

B. THE PETITIONER: Mark Zanders, 2699 Oakridge Road, Neenah WI 54956, has applied for a Conditional Use permit to operate a Home Occupation Major (Oakridge Small Engine & Repair LLC) on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2699 Oakridge Road, Neenah, WI 54956; specifically described as Tax ID # 006-0887-03, being located in Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

C. THE PETITIONER: Keith Salm, 2830 Larsen Road, Neenah, WI 54956, has applied for a Conditional Use permit to operate a PERSONAL STORAGE FACILITY on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645, being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Open Forum 7:25 p.m.: can't hear name (discussion regarding when this would potentially be approved, etc.) Most likely approved by the Town Board at the meeting on April 16th, 2014. Closed at 7:28 p.m.

D. THE PETITIONER: Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956, has applied for a Conditional Use permit to operate a landscaping business on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645, being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

III. Approval of Minutes:

A. Plan Commission Meeting – March 12th, 2014
Correction regarding duplication of discussion.

MOTION:

Motion by: Commissioner Klingenberger

Seconded by: Commissioner Jesse

Motion: To approve the amended minutes of the Plan Commission Meeting for Wednesday, March 12, 2014 as presented with correction of duplication of shooting range/driveway issues on Winnegamie Drive discussion.

Vote: Motion carried by unanimous voice vote.

IV. Open Forum – Non-Agendized Town-related Matters:

A. No Referrals

V. Correspondence:

A. Building Inspector's monthly building permit report.

VI. Business:

A. Discussion/Recommendation: Plan Commission review and recommendation on an amendment to the Town's Artificial Pond Ordinance to bring the Artificial Pond Ordinance into conformity with the Permitted and Conditional Use Approval Sections of the Town's newly adopted Zoning Code of Ordinances.

Attached please find a draft copy of the proposed amendments to the Town's Artificial Pond Ordinance. The changes are intended to bring the Town's Artificial Pond Ordinance into conformity with the Town's Zoning Code of Ordinances. Specifically, the proposed changes to the Artificial Pond Ordinance will allow staff to approve artificial pond applications that are permitted uses in the Zoning Code and require that the Plan Commission review and the Board approve artificial ponds that are Conditional Uses in the Zoning Code. Should the Plan Commission recommend the proposed amendments to the Ordinance, the Board will need to approve and publish the amendments to the Ordinance.

MOTION:

Motion by: Commissioner Klingenberger

Seconded by: Commissioner Eckstein

Motion: Recommend approval of the amendment to the artificial pond ordinance with the correction that the county may require an additional permit.

Vote: Motion carried by unanimous voice vote.

- B. Discussion/Recommendation: Plan Commission review and recommendation on a Conditional Use Application submitted by Mark Zanders, 2699 Oakridge Road, Neenah, WI 54956, to operate a Home Occupation Major (Oakridge Small Engine & Repair LLC) on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2699 Oakridge Road, Neenah, WI 54956; specifically described as Tax ID # 006-0887-03, being located in Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Someone from audience asking questions about illumination of the sign which is not possible without electricity near where the sign will be.

Mark Zanders, 2699 Oakridge Road, Neenah, WI 54956, has applied for a Conditional Use permit to operate a Home Occupation Major (Oakridge Small Engine & Repair LLC) on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2699 Oakridge Road, Neenah, WI 54956; specifically described as Tax ID # 006-0887-03 and being located in Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Plan Commission review and recommendation on a Conditional Use Application submitted by Mark Zanders, 2699 Oakridge Road, Neenah, WI 54956, to operate a Home Occupation Major (Oakridge Small Engine & Repair LLC) on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2699 Oakridge Road, Neenah, WI 54956; specifically described as Tax ID # 006-0887-03 and being located in Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 2699 Oakridge Road, Neenah, WI 54956; specifically described as Tax ID # 006-0887-03, being located in Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant: Mark Zanders
2699 Oakridge Road
Neenah, WI 54956

Property Owners: Mark and Jennifer Zanders
2699 Oakridge Road
Neenah, WI 54956

Property Information:

- 1) The surrounding properties are zoned:
 - a) North:
A-2 (General Agriculture District)
R-1 (Rural Residential District)
 - b) South:
A-2 (General Agriculture District)
 - c) East:
A-2 (General Agriculture District)
 - d) West:
A-2 (General Agriculture District)

Property Information Specific to Tax ID# 006-0887-03:

1. Mark Zanders (Mark), 2699 Oakridge Road, Neenah, WI 54956.
2. The Lot is 5.00 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. There is an Officially Mapped right-of-way on the north property line.
6. The Lot is currently zoned A-2 (General Agriculture District).
7. The property is in the City of Neenah Extraterritorial Zoning District.
8. The property is out of the County's Floodplain Zoning Area.
9. The property is not in the County's Wetland Identifier.

Staff Comments:

1. Mark Zanders (Mark) has been operating Oakridge Small Engine & Repair LLC for a period of time. Mark has applied for a Sign Permit; this application has triggered the requirement that Mark apply for a Conditional Use Permit for his business. If approved, the Conditional Use Permit will satisfy the Zoning Code requirements and allow for the placement of the proposed signs.
2. Oakridge Small Engine & Repair LLC has operated on the existing site for a period of time. The County had not required that Mark apply for a County Conditional Use Permit to operate the business in an A-2 (General Agriculture District) zoning district. When the Town adopted its Zoning Code of Ordinances it was not aware that Mark was operating the business; once the Sign Application was made Town staff started the Conditional Use Application process to bring the business into compliance with the Town's Zoning Code of Ordinances.
3. Oakridge Small Engine & Repair LLC is in the business of repairing all makes and models of small engines and repairing/welding steel, aluminum, and plastic trailers and equipment.
4. Staff has advised Mark that the Town's Zoning Code of Ordinances requires a Home Occupation Major, Conditional Use Permit for the type of business in an A-2 (General Agriculture District) (see attached).
5. Specifically, Mark is applying for Home Occupation Major, Conditional Use Permit. The major permit is required because the Home Occupation is not conducted entirely within the home; in this case Mark intends to use one of the existing outbuildings as the area where the business will be conducted.
6. Please be advised that the Town's Future Land Use Map does show the subject property as Agricultural/Rural Residential. However, Mark is not asking to change the zoning of the property, only to be granted a Conditional Use for an extant business.
7. It is the Administration's opinion that this process does not require a change/amendment to the Town's Comprehensive Plan.

8. The site consists of what appears to be three residential structures on three individual adjoining lots and several permanent outbuildings that are used for equipment storage.
9. The Administration has never received any complaints from the three homes in the immediate area and believes that the homes are owned by related parties.
10. Mark has provided the examples of the proposed sign and the location for the sign (see attached). Based on the materials provided, Mark would like to place a sign at the access point to the properties (Oakridge Road).
11. In order to simplify the process, the conditions of approval should include the location and the type of sign that is being permitted.
12. Should the Commission recommend and the Board approve the proposed Conditional Use Application, the sign, as authorized, would also be considered approved.

Staff Recommendations:

13. Staff recommends approval of the proposed Home Occupation Major, Conditional Use Permit for Mark Zanders (Mark) dba Oakridge Small Engine & Repair LLC in an A-2 (General Agriculture District) subject to the following conditions:
 1. That the Plan Commission recommend and the Town Board approve the sign permit as applied for.
 2. That any sign be maintained in good repair and in a business like order.
 3. That any future signs and/or modifications to the approved Home Occupation Major, Conditional Use Permit be approved by the Town prior to change.
 4. That any outside storage of equipment be orderly and short term.
 5. That any outside storage be hidden from the adjoining residential units.
 6. That the Applicant pays all fees related to the Conditional Use Permit Application.
 7. That any other conditions the Plan Commission may wish to recommend to the Town Board are met.

Motion by: Commissioner Schmidt

Seconded by: Commissioner Jesse

Motion: That we approve the conditional use permit for Mark Zanders dba Oakridge Small Engine & Repair LLC in an A-2 district subject to the seven conditions that were outlined along with short-term meaning no longer than 60 days.

Vote: Motion carried by unanimous voice vote.

- C. Discussion/Recommendation: Plan Commission review and recommendation on a Conditional Use Application submitted by Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956, to operate a landscaping business on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645, being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

(The below information applies to subsection (D) as well since this information applies to both Jason Ehrmentraut and Keith Salm)

Staff is reviewing these four agenda items as a single unit with four separate components. The two Public Hearings are related to the Conditional Use Applications made by Jason Ehrmentraut and Keith Salm. Both Conditional Uses are being conducted on a single site that was recently divided by a Certified Survey Map recommended and approved by the Board.

Public Hearings:

Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956, has applied for a Conditional Use permit to operate a landscaping business on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645 and being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Keith Salm, 2830 Larsen Road, Neenah, WI 54956, has applied for a Conditional Use permit to operate a PERSONAL STORAGE FACILITY on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645 and being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Conditional Use Applications:

Plan Commission review and recommendation on a Conditional Use Application submitted by Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956, to operate a landscaping business on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645 and being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Plan Commission review and recommendation on a Conditional Use Application submitted by Keith Salm, 2830 Larsen Road, Neenah, WI 54956, to operate a PERSONAL STORAGE FACILITY on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645 and being part of the Northwest ¼ of the Northwest 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 on the south side of Larsen Road east of STH “76”, specifically described as Tax ID # 006-0645 and being part of the northwest ¼ of the northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Jason D. Ehrmentraut
 Keith Salm
 2847 Larsen Road
 2830 Larsen Road
 Neenah, WI 54956
 Neenah, WI 54956

Property Owner(s): Jason D. Ehrmentraut
Keith Salm
2847 Larsen Road
2830 Larsen Road
Neenah, WI 54956
Neenah, WI 54956

Consultant: Ben Hamblin, PE
McMahon Engineers\Architects
1445 McMahon Drive
Neenah, WI 54956

Property Information:

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

Property Information Specific to Tax ID# 006-0645:

10. Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956.
11. Keith Salm, 2830 Larsen Road, Neenah, WI 54956.
12. The Lot is 31.080 acres in size.
13. The property is in the Neenah School District (3892).
14. The property is in the Department of Natural Resources Special Well Casing area.
15. The property has an Officially Mapped 80-foot right-of-way on the STH “76” frontage.
16. The property has an Officially Mapped 66-foot right-of-way on the property to the east of the application site.
17. The Lot is currently zoned A-2 (General Agriculture District).
18. The property is in the City of Neenah Extraterritorial Zoning District.
19. The property is out of the County’s Floodplain Zoning Area.
20. The property is not in the County’s Wetland Identifier.

Staff Comments on the Common Components:

1. Access:
 - a. STH ‘76’:
 - i. Both parties intend to share a common access off of STH “76”.
 - ii. The STH “76” access straddles the property lines of the two properties owned by the applicants with cross ingress and egress easements being granted for both property owners.

- iii. The construction standards and conditions of approval for the STH “76” access point are controlled and granted by the State Department of Transportation.
 - iv. The maintenance and repair of the access point will be the responsibility of the property owners.
- b. Farm access on the east side of the site:
- i. In order to provide Mr. Salm with continued access to the farm field on the south side of the site from Larsen Road an existing field lane is being maintained.
 - ii. The field lane ties into the internal access of the storage facility and to the farm property to the south.
2. Stormwater Management:
- a. Shared Stormwater Management Pond:
- i. The stormwater management pond as shown on the plans was designed and is intended to provide Department of Natural Resources (DNR) compliant stormwater management for all of the proposed development on the site.
 - ii. The stormwater management pond was designed to be constructed in phases to match the development of the site over time.
 - iii. The Town has agreed in principal to accept the County’s engineering review and approval of the stormwater management for the site.

Staff Comments on the Ehrmentraut Application:

14. Jason Ehrmentraut (Jason) has operated Earthscape Landscaping in the A-2 (General Agriculture District) with a Conditional Use Permit for a number of years.
15. Please be advised that the site covered by the Conditional Use Application is shown on the Town’s Future Land Use Map as residential property. However, Jason is not asking to change the zoning of the property, only to be granted a Conditional Use to extend his business on property he owns to the south of the existing Earthscape site. It is the Administration’s opinion that this process does not require a change/amendment to the Town’s Comprehensive Plan.
16. The site covered by the Conditional Use Application consists of an approximately 8-acre field that is part of an active farm field south of the existing Earthscape site. The property fronts on STH “76” (see attached aerial photograph).
17. Jason’s project can be divided into three elements. The first is an area that will be used as a tree nursery for the business (see attached Plan). The second is an area that will consist of a semi-permeable surface that is used for access to a 150’ X 330’ concrete pad that houses material storage bunkers for the business. The third is a 60’ X 150’ building accessed by the semi-permeable area and located on the northeast corner of the site. Please be advised that any construction on the site will be subject to the requirements of Town building and zoning permits at the time of construction.
18. The landscaping for the site will consist of the tree nursery and a landscaped berm on the STH “76” frontage that is intended to mask the semi-permeable area and the material bunkers.
19. The landscaping for the Earthscape site consists of approximately 140 plantings of various types and sizes (see plan detail). The combination of the landscaped berm and the tree nursery should provide for an attractive commercial area and be an asset to the Earthscape business.
20. The only significant allowance from the Town’s Ordinances is the request to use 1 and 1/2 inch caliper tree stock rather than the 2 and 1/2 inch caliper tree stock required by the Town’s Ordinances. This request is based on the ease of transplanting the tree stock and the survival rate of the smaller caliper trees when transplanted.
21. The drainage of the Earthscape site is from northwest to southeast with the water eventually accumulating in the stormwater management pond area for the project.

22. The Earthscape site also has a drainage swale on the east property line of the site that routes water to the stormwater management system.
23. Because the stormwater management system for the site is shared by two unrelated property owners the Town should require a guarantee from both parties that the stormwater management system will be maintained in good repair and operational as designed. In the event of failure of the property owners to maintain the stormwater management system the Town should be given the authority to repair the stormwater management system and assess the costs to the benefited property owners.
24. It is the Administration's understanding that the construction phase of Jason's project will take several years and that approval of the site plan is intended to cover the required period of time.
25. The ingress and egress and internal traffic flow on the site has been designed to allow for access by a full size tractor trailer with a 53-foot trailer with a sleeper cab.
26. Please be advised that the Plan Commission and the Board have accepted the concept of a County/Town Ordinance compliant sign on the northwest corner of the site as part of the approval of a previous Conditional Use Permit Approval.

Staff Comments on the Salm's Application:

1. Keith Salm (Keith) has applied for a Conditional Use Permit for commercial storage units on an A-2 (General Agriculture District) zoned property (see attached).
2. Please be advised that the site covered by the Conditional Use Application is shown on the Town's Future Land Use Map as residential property. However, Keith is not asking to change the zoning of the property, only to be granted a Conditional Use to extend his business on property he owns to the south of the existing Earthscape site. It is the Administration's opinion that this process does not require a change/amendment to the Town's Comprehensive Plan.
3. The site covered by the Conditional Use Application consists of an approximately 22.90-acre field that is part of an active farm field south of the existing Earthscape site. The property fronts on STH "76" (see attached aerial photograph).
4. The project as presented consists of 8 buildings constructed in phases. The project will take several years and the approval of the site plan is intended to cover the required period of time.
5. Development on the site is designed to drain to the stormwater management pond on the east side of the site.
6. The stormwater management system includes roof drains and parking area drains that are routed to the stormwater management pond (see design details).
7. Because the stormwater management system for the site is shared by two unrelated property owners the Town should require a guarantee from both parties that the stormwater management system will be maintained in good repair and operational as designed. In the event of failure of the property owners to maintain the stormwater management system the Town should be given the authority to repair the stormwater management system and assess the costs to the benefited property owners.
8. The landscaping for the Salm site consists of approximately 360 plantings of various types and sizes (see plan detail).
9. The landscaping plan for the project includes an extension of the Earthscape berm on the south side of the shared access point on STH "76".
10. The landscaping plan includes a line of trees on the south side of the phased project that will be moved further to the south as the phases of the project are constructed.
11. The landscaping plan also includes a row of trees on the east side of the stormwater management pond to screen the development and the building security lighting from the residential units to the east of the site (Breaker Ridge).
12. The only significant allowance from the Town's Ordinances is the request to use 1 and 1/2 inch caliper tree stock rather than the 2 and 1/2 inch caliper tree stock required by the Town's Ordinances. This

request is based on the ease of transplanting the tree stock and the survival rate of the smaller caliper trees when transplanted.

13. The ingress and egress and internal traffic flow on the site has been designed to allow for access by a full size tractor trailer with a 53-foot trailer with a sleeper cab.
14. The buildings meet the Town's Zoning Code requirements for property line setbacks and height of buildings.
15. The buildings are intended to be red with brown rooflines; the building façade facing STH "76" will have a 4-foot decorative brick wall with a capstone (see attached drawing and photographic example), and the roof lines of the buildings do have an overhang feature.
16. The photographic example shows a functional and decorative roof ventilation system that is not shown on the drawing supplied by the applicant. The Commission may want to ask the applicant about a decorative roof feature that would break up the monolithic roof structure of the proposed buildings.
17. The applicant has indicated that he would like to have a wall sign on the east façade of the buildings to advertise the site and the services provided to the public.
18. The paving of the access and internal driving corridors is intended to occur as the phases of the project are constructed.
19. Please be advised that the Salm site slopes from the northwest to the southeast and that the lower areas (southeast) will need substantial fill as the phases are constructed.

Staff Recommendations:

Staff recommends approval of the proposed Conditional Use Permit Application for Jason Ehrmentraut for the purposes of operating a landscaping business in the A-2 (General Agriculture District) zoning district subject to the following conditions:

8. That the applicants provide proof that the State DOT has granted the applicants access to the site from STH "76".
9. That the Plan Commission recommends and the Town Board approves the site plan and the 5-year development schedule as proposed.
10. That the applicant apply for and receive any building and or zoning permits required for construction on the site.
11. That the Plan Commission recommends and the Town Board approves the request to use 1 and 1/2 inch caliper tree stock rather than the 2 and 1/2 inch caliper tree stock required by the Town's Ordinances based on the ease of transplanting the tree stock and the understanding that the survival rate is better for smaller caliper trees when transplanted.
12. That any future sign be County/Town Ordinance compliant.
13. That any future sign be approved by the Town's Plan Commission.
14. That the Town should require and the property owners provide guarantee that the stormwater management system will be maintained in good repair and operational as designed. In the event of failure of the property owners to maintain the stormwater management system the Town should be given the authority to repair the stormwater management system and assess the costs to the benefited property owners.
15. Any other conditions the Plan Commission may wish to recommend to the Town Board.

Staff recommends approval of the proposed Conditional Use Permit Application for Keith Salm for the purposes of operating a storage facility business in the A-2 (General Agriculture District) zoning district subject to the following conditions:

1. That the applicants provide proof that the State DOT has granted the applicants access to the site from STH “76”.
2. That the Plan Commission recommends and the Town Board approves the site plan and the 5-year development schedule as proposed.
3. That the applicant apply for and receive any building and or zoning permits required for construction on the site.
4. That the Plan Commission recommends and the Town Board approves the request to use 1and 1/2 inch caliper tree stock rather than the 2 and 1/2 inch caliper tree stock required by the Town’s Ordinances based on the ease of transplanting the tree stock and the understanding that the survival rate is better for smaller caliper trees when transplanted.
5. That any future sign be County/Town Ordinance compliant.
6. That any future sign be approved by the Town’s Plan Commission.
7. That the stormwater management pond be constructed in the phases as designed.
8. That the Town should require and the property owners provide guarantee that the stormwater management system will be maintained in good repair and operational as designed. In the event of failure of the property owners to maintain the stormwater management system the Town should be given the authority to repair the stormwater management system and assess the costs to the benefited property owners.
9. Any other conditions the Plan Commission may wish to recommend to the Town Board.

MOTION

Motion by: Commissioner Jesse

Seconded by: Commissioner Schmidt

Motion: Motion to approve the condition use application and recommend that approval to the town board as submitted by Jason Ehrmentraut, 2847 Larsen Road, Neenah, WI 54956.

Vote: Motion carried by unanimous voice vote.

- D. Discussion/Recommendation: Plan Commission review and recommendation on a Conditional Use Application submitted by Keith Salm, 2830 Larsen Road, Neenah, WI 54956, to operate a PERSONAL STORAGE FACILITY on property zoned A-2 (GENERAL AGRICULTURE DISTRICT). The property is located at 2847 Larsen Road, Neenah, WI 54956; specifically described as Tax ID # 006-0645, being part of the Northwest ¼ of the Northwest ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

MOTION

Motion by: Commissioner Haskell

Seconded by: Commissioner Schmidt

Motion: Motion for the proposed conditional use permit application for Keith Salm for the purposes of operating a storage facility business in the A-2 agricultural district zoning district subject to the following: that we approve it subject to nine recommendations by staff and that kupolas or some type of spear to make the top of the building more aesthetically pleasing than just one of our main business corridors be presented to the town board.

Vote: Motion carried by unanimous voice vote.

E. Discussion/Recommendation: Plan Commission and recommendation on a Certified Survey Map (CSM) for the Town of Clayton, 8348 CTH “T”, Larsen, WI 54047, and Kenton L. Wiedenbeck, P.O. Box 24, Larsen, WI 54947, for properties located at 8348 CTR “T”, Larsen WI 54947, 8328 CTR “T”, Larsen, WI 54947, 8326 CTR “T”, Larsen, WI 54947, and 8322 CTR “T”, Larsen, WI 54947; specifically described as Tax ID# 006-0535-15, Tax ID# 006-0535-08, Tax ID# 006-0535-07, and Tax ID# 006-0535-06, being part of Lot 1 of Certified Survey Map 5886, and Part of the southwest ¼ of the northwest ¼, all in Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The properties are located at 8348 CTR “T”, Larsen, WI 54947, 8328 CTR “T”, Larsen, WI 54947, 8326 CTR “T”, Larsen, WI 54947, and 8322 CTR “T”, Larsen, WI 54947; specifically described as Tax ID# 006-0535-15, Tax ID# 006-0535-08, Tax ID# 006-0535-07, and Tax ID# 006-0535-06 and being part of Lot 1 of Certified Survey Map 5886, and Part of the southwest ¼ of the northwest ¼, all in Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Town of Clayton
8348 CTR “T”
Larsen, WI 54947

Property Owners: Town of Clayton
8348 CTR “T”
Larsen, WI 54947

Kenton L. Wiedenbeck
8322 CTR “T”
Larsen, WI 54947

Consultant: James E Smith, S1803
Martenson and Eisele, Inc
109 W. Main Street
Omro, WI

Prepared for: Town of Clayton
8348 CTR “T”
Larsen, WI 54947

Property Information:

- 3) The surrounding properties are zoned:
 - a) North:
B-3 (General Business District), R-1 (Rural Residential District) and I-2 (Heavy Industrial District)
 - b) South:

- B-3 (General Business District)
- c) East:
 - A-1 (Agribusiness District)
- d) West:
 - R-1 (Rural Residential District) and A-2 (General Agricultural District)

Property Information Specific to Tax ID # 006-0535-15:

1. The property is owned by the Town of Clayton, 8348 CTR “T”, Larsen, WI 54947.
2. The Lot is 10.60 acres in size.
3. The property is in the Winneconne School District (6608).
4. The property is in the Department of Natural Resources Special Well Casing area.
5. The property is in the Larsen/Winchester Sanitary District.
6. The property is currently zoned P-I (Public Institutional District).
7. The property is out of the County’s Floodplain Zoning Area.
8. The property is in the Larsen Drainage District.
9. The property is not in the County’s Wetland Identifier.
10. The property is the site of the Trail Head Park, the Town/Fire Hall Building, and the Town of Clayton Public Works Department facilities.

Property Information Specific to Tax ID # 006-0535-08:

1. The property is owned by the Town of Clayton, 8348 CTR “T”, Larsen, WI 54947.
2. The Lot is 0.56 acres in size.
3. The property is in the Winneconne School District (6608).
4. The property is in the Department of Natural Resources Special Well Casing area.
5. The property is in the Larsen/Winchester Sanitary District.
6. The property is currently zoned R-1 (Rural Residential District).
7. The property is out of the County’s Floodplain Zoning Area.
8. The property is in the Larsen Drainage District.
9. The property is not in the County’s Wetland Identifier.
10. The property is the site of the single family residential unit formerly owned by Marshal Elmer that was purchased by the Town of Clayton for the purposes of developing a Town-owned Yard Waste Site.

Property Information Specific to Tax ID # 006-0535-07:

1. The property is owned by the Town of Clayton, 8348 CTR “T”, Larsen, WI 54947.
2. The Lot is 0.200 acres in size.
3. The property is in the Winneconne School District (6608).
4. The property is in the Department of Natural Resources Special Well Casing area.
5. The property is in the Larsen/Winchester Sanitary District.
6. The property is currently zoned R-1 (Rural Residential District).
7. The property is out of the County’s Floodplain Zoning Area.
8. The property is in the Larsen Drainage District.
9. The property is not in the County’s Wetland Identifier.
10. The property was formerly owned by Marshal Elmer and was the site of a bar that was destroyed by a fire; the property was purchased by the Town of Clayton and the former bar was demolished for the purposes of developing a Town-owned Yard Waste Site.

Property Information Specific to Tax ID# 006-0535-06:

1. The property is owned by Kenton L. Wiedenbeck, 8322 CTR “T”, Larsen, WI 54947.
2. The Lot is 1.299 acres in size.
3. The property is in the Winneconne School District (6608).
4. The property is in the Department of Natural Resources Special Well Casing area.
5. The property is in the Larsen/Winchester Sanitary District.
6. The property is currently zoned R-3 (Two Family Residential District).
7. The property is out of the County’s Floodplain Zoning Area.
8. The property is in the Larsen Drainage District.
9. The property is not in the County’s Wetland Identifier.
10. The property is the site of a duplex residential unit owned by Kenton L. Wiedenbeck.

Staff Comments:

- 1) The proposed CSM is consistent with the Town’s approved Land Use Plan.
- 2) The proposed CSM consolidates, reconfigures, and rationalizes the properties involved in the CSM (see attached map).
- 3) To the extent possible, the consolidated properties comply with the frontage requirements of the Town’s Zoning Code of Ordinances.
- 4) All of the properties have existing legal access points that could continue to be used following the reconfiguration of the properties by the CSM.
- 5) Based on the proposed CSM it appears that ingress and egress from the sites may change in the following manner:
 - a) Access to the single family residential unit formerly owned by Marshal Elmer has been moved from the south side of the house to the north side of the house. This change is required to remove an encroachment onto the Wiedenbeck property by the existing driveway.
 - b) Access to the back of the duplex residential unit owned by Kenton L. Wiedenbeck will come from an ingress and egress easement on the south side of the duplex unit.
 - c) Lot 4 should be considered a Lot of Record and should continue to have access by means of a narrow strip on the south side of the property. When drafting the CSM Town staff has tried to improve the conformance with the Town’s Zoning Code to the extent possible. The frontage of Lot 4 is 24.38 feet; the required frontage based on a B-2 (Community Business District) is 75 feet. The average frontage of Lot 4 is 54.65; this measurement is achieved by using the methodology outlined in the Zoning Code of Ordinances.

Staff Recommendations:

Given staff’s involvement in creating the proposed CSM and the Town’s participation in the project, The Administration will not make a recommendation on the proposed CSM. However, the following conditions should be placed on any approval of the document:

16. Re-zoning of all of the proposed properties involved in the CSM to conform to the Town’s Zoning Code of Ordinances.
17. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.

MOTION:

Motion by: Commissioner Eckstein

Seconded by: Commissioner Jesse

Motion: Motion to recommend approval of the CSM as described with the staff.

Vote: Motion carried by unanimous voice vote.

- F. Discussion/Recommendation: Plan Commission review and recommendation on process and timeline for staff for making the changes and corrections recommended to bring the Town's Zoning Code of Ordinances and the Town's Ordinances into conformity as recommended by the Town's Planning Consultant (Jon Bartz).

Attached please find copies of material provided by the Town Contract Planner Jon Bartz (Jon).

Jon was asked to provide staff with advice and direction relative to bringing the Town's Ordinances into concurrence with the Town's Zoning Code of Ordinances. The attached material contains Jon's recommendations relative to this process. Staff has reviewed Jon's material and created the following three categories of changes:

1. Simple editorial changes to the Town's Zoning Code of Ordinances.
2. Functional changes to the Town's Zoning Code of Ordinances.
3. Changes to the Town's Ordinances relating to the zoning function.

The Administration is recommending that the Plan Commission and the Board allow staff to first notice and then run the editorial changes through the Plan Commission and the Board. These changes would then be held in abeyance until the revision process is completed. The Administration would then like notice and run the functional through the Plan Commission and the Board and then submit the changes to the Zoning Code to the County for their approval. The final step to the process would be to notice and run the individual Ordinances through the Plan Commission and the Town Board for approval. The ultimate goal of the Administration is to rescind and recreate all of the Town's Ordinances so that staff can have the history and signed copies of all of the Town's Ordinances. This process will allow the Town to create a Code of Ordinances that would be held within a single codified document. Staff will be able to go into more detail and answer any questions relative to the recommended process at the Commission's meeting.

NO ACTION TAKEN

- VII. Upcoming Meeting Attendance
- a. None
 - b. Discussing regarding Winnegamie Golf Course being donated to the Appleton Education Foundation.
 - c. Last meeting of Plan Commission before reorganization (Commissioner Klingenberg last meeting) and Commissioner Haskell's three-year term is up.

VIII. Adjournment – 8:11 P.M.

MOTION:

Motion by: Commissioner Klingenberger

Seconded by: Commissioner Schmidt

Motion to Adjourn

Motion carried by unanimous voice vote.

Respectfully submitted,

Laurie L. Goffard, Administrative Assistant