

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

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I. Call to Order: Chair Knapinski called the meeting to order at 7:00 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 White	PRESENT
Commissioner Nemecek	PRESENT
Commissioner Linsmeier	EXCUSED
Commissioner Dorow	EXCUSED
Commissioner Haskell	PRESENT
Town Board Representative Wisnefske	PRESENT

b. Staff

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

II. Public Hearings:

A. Public Hearing on a Re-zoning application submitted by Tim Wrase, 411 Kittiver Ct, Neenah, for property located the Highland Wood Subdivision at the northeast corner of Shady Lane and Center Road and specifically described as all of Tax ID# 006-0535-06-04, and part of Tax ID# 006-1337-02, Tax ID# 006-1337-03, Tax ID# 006-1340-01, Tax ID# 006-1340-02, Tax ID# 006-1340-03, Tax ID# 006-1343, Tax ID# 006-1344, Tax ID# 006-1345, Tax ID# 006-1346-01, Tax ID# 006-1346-02, Tax ID# 006-1346-03, Tax ID# 006-1346-04; all being a part Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the properties from A-2 (General Agricultural District) to R-2 (Suburban Residential District).

No Comments were made

Public Hearing Closed at 7:02 p.m.

I. Approval of Minutes:

A. Approval of the minutes of the Wednesday, November 13<sup>th</sup>, 2019 Plan Commission Meeting.

- Chair Knapinski noted a spelling correction t his name on page 9 of the draft minutes.

**MOTION:**

Motion by Commissioner Nemecek

Second by Commission Haskell

Motion to approve the November 13<sup>th</sup>, 2019 Plan Commission Meeting Minutes with the correction noted.

Motion carried by unanimous voice vote

II. Open Forum Town-related Matters not on the Plan Commission’s Agenda: NONE

III. Correspondence:

A. Distribution of the Winnebago County, Planning and Zoning Department, CY 2020 Board of Adjustments Meeting Schedule.

B. November CY 2019, Building Inspection Report.

IV. Business:

A. Discussion/Recommendation: Plan Commission review and recommendation on a Re-zoning application submitted by Tim Wrase, 411 Kittiver Ct, Neenah, for property located the Highland Wood Subdivision at the northeast corner of Shady Lane and Center Road and specifically described as all of Tax ID# 006-0535-06-04, and part of Tax ID# 006-1337-02, Tax ID# 006-1337-03, Tax ID# 006-1340-01, Tax ID# 006-1340-02, Tax ID# 006-1340-03, Tax ID# 006-1343, Tax ID# 006-1344, Tax ID# 006-1345, Tax ID# 006-1346-01, Tax ID# 006-1346-02, Tax ID# 006-1346-03, Tax ID# 006-1346-04; all being a part Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the properties from A-2 (General Agricultural District) to R-2 (Suburban Residential District).

Site Location: The property is located at the northeast corner of Shady Lane and Center Road and specifically described as all of Tax ID# 006-0535-06-04, and part of Tax ID# 006-1337-02, Tax ID# 006-1337-03, Tax ID# 006-1340-01, Tax ID# 006-1340-02, Tax ID# 006-1340-03, Tax ID# 006-1343, Tax ID# 006-1344, Tax ID# 006-1345, Tax ID# 006-1346-01, Tax ID# 006-1346-02, Tax ID# 006-1346-03, Tax ID# 006-1346-04.

Applicants: Town of Clayton  
8348 CTR “T”  
Neenah, WI 54956

Property Owners: Tim Wrase  
411 Kittiver Ct  
Neenah, WI 54956

Jennifer and Eric Mayer  
2203 Hillington Drive  
Neenah, WI 5495

Consultant: N/A

**Property Information:**

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

**Property Information Specific to Tax ID# 006-0535-06-04, Tax ID# 006-1337-02, Tax ID# 006-1337-03, Tax ID# 006-1340-01, Tax ID# 006-1340-02, Tax ID# 006-1340-03, Tax ID# 006-1343, Tax ID# 006-1344, Tax ID# 006-1345, Tax ID# 006-1346-01, Tax ID# 006-1346-02, Tax ID# 006-1346-03, Tax ID# 006-1346-04:**

1. The property is owned by Tim Wrase, 411 Kittiver Ct, Neenah, WI 54956 and Jennifer and Eric Mayer, 2203 Hillington Drive, Neenah, WI 54956 (Tax ID# 006-1340-01).
2. The average Lot is 1.50 acres.
3. The property is in the Neenah Joint 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 Agricultural District).
6. The property has no Navigable Stream and Surface Water Drainage Information.
7. The property has no County Floodplain and FEMA Flood Hazard Area (SFHA) Information.
8. The property has no Wisconsin Wetland Inventory Information.
9. The Town's Future Land Use Planning Information is showing the property as agricultural/residential uses.
10. The current land use is consistent with the Town's adopted Land Use Plan.
11. The proposed land use is consistent with the Future Land Use Plan.

**Staff Comments on the proposed Re-zoning:**

1. The re-zoning applies to the Plat of Highland Wood Phase II. Highland Wood Phase II was approved by the Town in CY 2000, revised by means of a Certified Survey Map in CY 2017. When the Plat was originally approved the property should have been re-zoned from A-2 (General Agricultural District) to R-2 (Suburban Residential District). For reasons unknown this action was not taken. The oversight was noticed while staff was working with the Developer on the construction process for the public infrastructure in the Plat. The Lots created by the Plat comply with the R-2 (Suburban Residential District). Based on the oversight the Administration has recommended that the Town administratively re-zone the properties in order to be consistent with the Town's Zoning Code of Ordinances and Comprehensive Plan.

**Staff Recommendations:**

Staff recommends approval of the proposed rezoning from A-2 (General Agricultural District) and R-2 (Suburban Residential District) subject to the following conditions:

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

**MOTION:**

Motion by Commissioner Haskell

Second by Commissioner Wisnepske

Motion to recommend to the Town Board approval of the ReZonings for the Plat of Highland Wood Phase II as presented and with Staff recommendations.  
Motion carried by unanimous voice vote

- B. Discussion/Recommendation: Plan Commission review and direction to staff on preparing the documentation for the moratorium approved by the Town Board on construction of any new self-storage facilities as defined in Chapter 9 – Town of Clayton Zoning Code of Ordinances, Article 3 – Definitions, Section 14.0 GENERAL STORAGE, 14.02 Personal Storage Facilities in the Town of Clayton Code of Ordinances.

At its Wednesday, November 20<sup>th</sup>, 2019 the Town Board approved the moratorium on storage units as it was recommended by the Plan Commission. The Administration asked the Commission for direction on how it would like to proceed with the Zoning Code review process. Staff had been working with the Town's Planner, Ken Jaworski to provide the Commission with options on how the Commission might conduct the Zoning Code review process and Planner Jaworski provided a summary document which the Commission reviewed. Staff noted they would like to avoid any exclusionary considerations, as well as any considerations that would completely restrict and/or eliminate storage units from the Town completely. Staff also requested the Commission keep in mind the items presented in the Town Attorney relating to the moratorium on Storage Facilities. In addition to the General Storage, Staff has found several other items within the zoning code which merit modification and/or correction. Planner Jaworski also provided some basic information relating to those items.

**MOTION:**

Motion by Commissioner Haskell

Second by Commissioner Nemecek

Motion to recommend to the Town Board to direct Planner Jaworski to determine a cost range to review and advise the Commission relating to the recommended revisions to the Town's Zoning Code

Motion carried by unanimous voice vote

- C. Discussion/Recommendation: Plan Commission review and direction to staff on a concept plan for the Plat of Royer Cemetery specifically identified as Tax ID # 006-0482, being part of the Northwest 1/4 of the Northwest 1/4 of Section 18, Town 20, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

The Commission reviewed a draft of a Plat of the Royer Cemetery property in the Town of Clayton. Royer Cemetery was originally developed as a family cemetery by the Royer Family in 1872. Pursuant to State Statutes, the responsibility for Royer Cemetery was transferred to the Town. The family portion of the Cemetery is shown on the northeast corner of the proposed Plat with the balance of the 1-acre property being the area that will be Platted. The conceptual layout of the Plat allows for parking on the gravel roadway and a turnaround using the traffic circle at the south end of the property. It is staff's recommendation that the family portion of the Cemetery be fenced and to the extent

possible be reserved for the use of surviving family members. Staff requested for direction relative to the Commission’s opinion of the proposed Plat and the possibility of submitting the document for consideration and approval.

**DIRECTION:**

The Commission directed staff to have the Platting of Royer Cemetery completed as proposed to present it to the Commission for review.

A. Upcoming Meeting Attendance: NONE

B. Adjournment

**MOTION:**

Motion by: Commissioner Haskell

Second by: Commissioner Nemecek

Motion made to Adjourn the meeting at 7:41 p.m.

Motion carried by unanimous voice vote

Respectfully submitted,  
Holly Stevens, Clerk