

TOWN OF CLAYTON  
Town Plan Commission  
Meeting Minutes  
5:00 P.M. – on Wednesday, July 13<sup>th</sup>, 2016  
Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

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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 Wisnefske	PRESENT
Commissioner Dorow	PRESENT
Commissioner Linsmeier	PRESENT
Town Board Representative Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Deputy Clerk Goffard	PRESENT
Planner Ken Jaworski	PRESENT

II. Public Hearings:

A. No Public Hearings

III. Approval of Minutes:

- A. Approval of the minutes of the Wednesday, May 11<sup>th</sup>, 2016 Regular Plan Commission Meeting. The meeting on June 8<sup>th</sup>, 2016 was cancelled.

**MOTION:**

Motion by: Commissioner Linsmeier

Seconded by: Commissioner Dorow

Motion: Motion to approve the Wednesday, May 11<sup>th</sup>, 2016 meeting minutes.

Vote: Motion carried.

IV. Open Forum – Town-related Matters not on the Plan Commission’s Agenda:

Pursuant to WI Statutes 19.83(2) and 19.84(2), the public may present question or issue; however, only limited discussion may occur and no action may be taken until specific notice of the subject matter of the proposed action can be given. If you wish to speak during the Open Forum portion of the meeting, please complete “Request to Speak at Meeting” form located on the Agenda Table and give the form to the Town Clerk or Treasurer.

V. Correspondence:

A. June CY 2016 Building Inspectors Report.

B. Meeting Notice from the Winnebago County Zoning Administrator.

- C. Town’s Association notice of an educational opportunity related to development.
- D. Notice and map of the Village of Fox Crossing’s Extraterritorial Zoning Jurisdiction are in the Town of Clayton.
  - Planner Jaworski stated that this map from the Village of Fox Crossing is not 100% accurate and has overlapping jurisdictions.

VI. Business:

- A. Discussion/Recommendation: Plan Commission review and recommendation on a development concept plan for the Struensee properties located at 3023 Winnegamie Drive, specifically identified as Tax ID# 006-0022 and Tax ID# 006-0021, located in Section 34, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 3023 Winnegamie Drive, specifically identified as Tax ID# 006-0022 and Tax ID# 006-0021, located in Section 34, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Nick Schmidt Construction  
3189 Winnegamie Drive  
Appleton WI 54914

Property Owners: David J. and Daniel L. Struensee et al  
1311 Lakeview Lane  
Appleton, WI 54952

Consultant: John Davel  
Davel Engineering & Environmental, Inc.  
1811 Racine Road  
Menasha, WI 54952

Property Location: 3189 Winnegamie Drive  
Appleton WI 54914

**Property Information:**

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

**Property Information Specific to Tax ID # Tax ID # 006-0021:**

1. The property is owned by David J. and Daniel L. Struensee et al, 1311 Lakeview Lane, Appleton, WI 54952.
2. The Lot is approximately 16.000 Acres in area.

3. The property is in the Neenah School District (3802).
4. The property is in the Village of Fox Crossing's extraterritorial zoning jurisdiction.
5. The property is in the Department of Natural Resources Special Well Casing area.
6. The property is currently zoned A-2 (General Agriculture District).
7. The property is in the Outagamie County Airport Height Zoning.
8. The property is out of the County's Floodplain Zoning Area.
9. The property is not in the County's Wetland Identifier.

**Property Information Specific to Tax ID # 006-0021:**

1. The property is owned by David J. and Daniel L. Struensee et al, 1311 Lakeview Lane, Appleton, WI 54952.
2. The Lot is approximately 16.000 Acres in area.
3. The property is in the Neenah School District (3802).
4. The property is in the Village of Fox Crossing's extraterritorial zoning jurisdiction.
5. The property is in the Department of Natural Resources Special Well Casing area.
6. The property is currently zoned A-2 (General Agriculture District).
7. The property is in the Outagamie County Airport Height Zoning.
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. The Concept Plan changes the existing use of the property from A-2 General Agricultural to R-1 Suburban Residential and therefore it is consistent with the Town's approved Future Land Use Plan.
2. The Concept Plan **does not** show the Right to Farm Language required by the Town.
3. The Concept Plan reconfigures two existing parcels into six parcels including 5 residential parcels ranging from 3.25 acres to 5.09 acres and a large parent parcel of 34.57 acres.
4. The large parcel (Lot-3) has access to Winnegamie Drive by means of a 66-foot future right-of-way between Lot-2 and Lot-3. Presumably the property owner intends to divide the property at a future date.
5. The existing principal structure and outbuildings on Lot-4 do meet the setback requirements of the Town's Zoning Code of Ordinances.
6. The Lots created by the concept plan do have Ordinance complying access to a public road from an existing driveway on Lot-4 and proposed driveways onto Winnegamie Drive.
7. The Concept Plan fits the Town's Access Ordinance intent to compel driveway access based development into areas where there is existing compatible development. Specifically, access to properties by means of driveways is being clustered off of the intersections of Town Roads; in this case the existing driveways are in the area of Lind Lane, Lois Lane and Oakwood Avenue (see attached photograph).

**Staff Recommendations:**

Staff recommends approval of the proposed Concept Plan subject to the following conditions:

1. That all potential development on the proposed Lots complies with the Town's Zoning Code of Ordinances.
2. That any future subdivision of Lot-3 is by means of a Plat and that any future public infrastructure complies with the Town's Minimum Road Standards Ordinance.
3. Documentation of the approval of any future Certified Survey Map and/or Plat by any overlying unit of government having jurisdiction.

- Administrator Johnston stated that the developer will need to figure out how the road will be paid for between Lots 2 and 4.
- Supervisor Haskell discussed a smaller stream running through this area.
- Administrator Johnston stated that issue will have to be figured out closer to the time of the area being prepared for the road going in. This area needs to be cleaned out as well. The Town of Clayton cannot clean out the area on Golfwood as it is private property. Before development begins the Town of Clayton will require a storm water management plan and a plat map.

**MOTION:**

Motion by: Commissioner Linsmeier

Seconded by: Commissioner Haskell

Motion: To approve and refer the concept plan for the Struensee properties located at 3023 Winnegamie Drive, specifically identified as Tax ID# 006-0022 and Tax ID# 006-0021 to the Town Board with the additional staff recommendations to require a Plat Map with a discussion on clearing the navigable waterway.

Vote: Motion carried.

- B. Discussion/Recommendation: Plan Commission review and recommendation on a development concept plan for the Moran property located adjacent to 3431 Winnegamie Drive, specifically identified as Tax ID# 006 0042-02, located in Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located adjacent to 3431 Winnegamie Drive, specifically identified as Tax ID# 006 0042-02, located in Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Paul D. and Jolene M. Moran  
2748 Holiday Court  
Neenah, WI 54956

Property Owners: Paul D. and Jolene M. Moran  
2748 Holiday Court  
Neenah, WI 54956

Consultant: John Davel  
Davel Engineering & Environmental, Inc.  
1811 Racine Road  
Menasha, WI 54952

Property Location: 2748 Holiday Court  
Neenah, WI 54956

**Property Information:**

1. The surrounding properties are zoned:
  - a) North:

- Residential in the Town of Greenville
- b) South:  
R-2 (Suburban Residential District)
  - c) East:  
R-2 (Suburban Residential District) and R-1 (Rural Residential District)
  - d) West:  
R-2 (Suburban Residential District) and A-2 (General Agricultural District)

**Property Information Specific to Tax ID # 006-0042-02:**

1. The property is owned by Paul D. and Jolene M. Moran, 2748 Holiday Court, Neenah, WI 54956.
2. The Lot is approximately 17.920 Acres in area.
3. The property is in the Neenah School District (3802).
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 Outagamie County Airport Height Zoning.
7. The property is out of the County's Floodplain Zoning Area.
8. The property is not in the County's Wetland Identifier.

**Staff Comments:**

1. The Concept Plans change the existing use of the property from A-2 General Agricultural to R-1 Suburban Residential and therefore they are consistent with the Town's approved Future Land Use Plan.
2. The Concept Plans **do not** show the Right to Farm Language required by the Town.
3. The Concept Plans reconfigure the existing parcel into twelve parcels, not including the Out Lots that house the storm water management devices for the development. The Lots range from 1.08 acres to 2.50 acres.
4. Version #1 of the Concept Plans has a Town Road that runs down the middle of the property and connects to a future road in the next phase of the Plat of Berry Bramble Estates.
5. Version #1 of the Concept Plans would require that Lot-10 and Lot-11 be combined in order for the proposed single family residential unit to comply with the Town's Zoning Code of Ordinances.
6. Version #1 of the Concept Plans would also require a process for recovering the costs of the new Town Road from the adjoining property owner should they choose to take advantage of the Town Road at a future date.
7. Topography allowing, staff would prefer to see a single Out Lot in version #1 of the Concept Plan.
8. Version #2 of the Concept Plans has a Town Road that runs down the east property line of the subject property and connects to a future road in the next phase of the Plat of Berry Bramble Estates.
9. Version #2 of the Concept Plan would have no methodology to recover the costs of the new Town Road from the Developer of the Plat of Berry Bramble Estates.
10. Version #2 of the Concept Plans would result in the Lots on the western boundary of the Plat of Berry Bramble Estates having a road on both the front and the back of the Lot.
11. Version #2 of the Concept Plans would result in the property on the northwest corner of the property being land locked with no possibility for subdivision.
12. Staff would prefer to see the Plan Commission approve version #1 of the Concept Plans submitted.
13. Both Concept Plans submitted do comply with the Town's Zoning Code of Ordinances and the Town Future Land Use Plan.

**Staff Recommendations:**

Staff recommends approval of the proposed Concept Plans subject to the following conditions:

1. That all potential development on the proposed Lots comply with the Town’s Zoning Code of Ordinances.
2. That any future public infrastructure comply with the Town’s Minimum Road Standards Ordinance.
3. That the Developer have in place a process for recovering the costs of any Public Infrastructure used by adjoining property owners.
4. Documentation of the approval of any future Certified Survey Map and/or Plat by any overlying unit of government having jurisdiction.
  - Administrator Johnston stated that he preferred Option #1 for the concept plan. The two properties cannot be separated without a main residence. The Town of Clayton ordinance prohibits building only a structure that is not a primary residence. The minimum road standards would apply.

**MOTION:**

Motion by: Commissioner Haskell  
 Seconded by: Commissioner Linsmeier  
 Motion: To approve and refer concept plan #1 for the Moran property located at 3431 Winnegamie Drive, specifically identified Tax ID# 006 0042-02 to the Town Board with the additional staff recommendations.  
 Vote: Motion carried.

- C. Discussion/Recommendation: Plan Commission review and recommendation on a Certified Survey Map concept plans for the Sturgis property located at 8326 Pioneer Road, specifically identified as Tax ID# 006-0565, located in Section 24, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 8326 Pioneer Road, specifically identified as Tax ID# 006-0565 and located in Section 24, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Scott Rieckmann  
8484 Pioneer Road  
Larsen, WI 54947

Property Owners: James A. and Lavern L. Sturgis  
1740 Oakridge Road #A  
Neenah, WI 54956

Consultant: N/A

Property Location: 8326 Pioneer Road  
Larsen, WI 54947

**Property Information:**

1. The surrounding properties are zoned:

- a) North:  
R-1 (Rural Residential District) and A-2 (General Agricultural District)
- b) South:  
R-1 (Rural Residential District), A-2 (General Agricultural District) and R-2 (Suburban Residential District)
- c) East:  
A-2 (General Agricultural District) and R-2 (Suburban Residential District)
- b) West:  
R-2 (Suburban Residential District) and A-2 (General Agricultural District)

**Property Information Specific to Tax ID # Tax ID # 006-0565:**

1. The property is owned by James A. and Lavern L. Sturgis, 1740 Oakridge Road #A Larsen, WI 54956.
2. The Lot is approximately 38.000 Acres in area.
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 currently zoned A-2 (General Agriculture District).
6. The property is out of the County's Floodplain Zoning Area.
7. The property is not in the County's Wetland Identifier.

**Staff Comments:**

1. The Concept Plans do not change the existing use of the property and therefore are consistent with the Town's approved Future Land Use Plan.
2. The Concept Plans reconfigure the existing parcel into two parcels; the Lots are expected to be 5 acres and 33 acres in area.
3. The five-acre Lots in both versions of the Concept Plan do meet the Towns' Zoning Code for road frontage and access.
4. The Applicant is asking the Plan Commission if it would be comfortable recommending the proposed land division and residential access to Pioneer Road before contracting for a Certified Survey Map to formally divide the property.
5. The Concept Plans fit the Town's Access Ordinance intent to direct driveway access based development into areas where there is existing compatible development. Specifically, access to properties by means of driveways is being clustered off of the intersections of Town Roads, in this case the existing driveways are in the area of Pioneer Road and CTH "II" (see attached photograph).

**Staff Recommendations:**

Staff recommends approval of the proposed Concept Plans subject to the following conditions:

1. That all potential development on the proposed Lot complies with the Town's Zoning Code of Ordinances.
2. Documentation of the approval of any future Certified Survey Map by any overlying unit of government having jurisdiction.
  - Administrator Johnston discussed the access of Pioneer Road. A resident wants to buy these two lots and combine into one five acre property for agricultural land. Would make more sense to have straight lines vs. an odd split.

**MOTION:**

Motion by: Commissioner Linsmeier  
Seconded by: Commissioner Dorow

Motion: To approve and refer the concept plan for the squared off lot on the Sturgis property located at 8326 Pioneer Road, specifically identified as Tax ID# 006-0565 to the Town Board with the additional staff recommendations.  
Vote: Motion carried.

D. Discussion/Recommendation: Plan Commission review and recommendation on a Certified Survey Map (CSM) Application submitted by Jeffrey S. and Jon R. Freier, 8504 Winncrest Road, Neenah, WI 54956, for properties located at 8405 Winncrest Road, specifically described as Tax ID # 006-1049 and Tax ID # 006 1050, being all of Lots 41 and 42 of Winn-Crest Plat, and located in the southwest ¼ of the southwest ¼ of Section 13, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at 8405 Winncrest Road, specifically described as Tax ID # 006-1049 and Tax ID # 006 1050, being all of Lots 41 and 42 of Winn-Crest Plat, and located in the southwest ¼ of the southwest ¼ of Section 13, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Jeffrey S. and Jon R. Freier  
8504 Winncrest Road  
Neenah, WI 54956

Property Owners: Jeffrey S. and Jon R. Freier  
8504 Winncrest Road  
Neenah, WI 54956

Consultant: Steven C. Dejong (S2791)  
Meridian Surveying, LLC  
NB 774 Firelane 1  
Menasha, WI 54952

Property Location: 8504 Winncrest Road  
Neenah, WI 54956

**Property Information:**

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

**Property Information Specific to Tax ID # Tax ID # 006-1049:**

1. The property is owned by Jeffrey S. and Jon R. Freier, 8504 Winncrest Road, Neenah, WI 54956.
2. The Lot is approximately 18,655 Square Feet in area.
3. The property is in the Neenah School District (3802).
4. The property is in the City of Neenah’s extraterritorial zoning jurisdiction.
5. The property is in the Village of Fox Crossing’s Extraterritorial Zoning Jurisdiction in the Town of Clayton.
6. The property is in the Department of Natural Resources Special Well Casing area.
7. The property is currently zoned R-2 (Suburban Residential District).
8. The property is in the Outagamie County Airport Height Zoning.
9. The property is out of the County’s Floodplain Zoning Area.
10. The property is not in the County’s Wetland Identifier.

**Property Information Specific to Tax ID # 006-1050:**

1. The property is owned by Jeffrey S. and Jon R. Freier, 8504 Winncrest Road, Neenah, WI 54956.
2. The Lot is approximately 20,116 Square Feet in area.
3. The property is in the Neenah School District (3802).
4. The property is in the City of Neenah’s extraterritorial zoning jurisdiction.
5. The property is in the Village of Fox Crossing’s Extraterritorial Zoning Jurisdiction in the Town of Clayton.
6. The property is in the Department of Natural Resources Special Well Casing area.
7. The property is currently zoned R-2 (Suburban Residential District).
8. The property is in the Outagamie County Airport Height Zoning.
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 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 **does not** show the required extraterritorial zoning approval by the Village of Fox Crossing.
4. The CSM reconfigures two existing parcels into a single property.
5. The properties combined by the CSM total approximately .884 acres (38,502 square feet) of usable area.
6. The existing principal structure and outbuildings do meet the setback requirements of the Town’s Zoning Code of Ordinances.
7. The properties combined by the CSM have access to a public road from existing driveways on Winncrest Road.
8. The northern area of the combined parcels consists of vacant land.

**Staff Recommendations:**

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

1. Adding the Right to Farm Language required by the Town.
2. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.

**MOTION:**

Motion by: Commissioner Haskell  
Seconded by: Commissioner Linsmeier

Motion: To approve and refer the Certified Survey Map (CSM) Application submitted by Jeffrey S. and Jon R. Freier, 8504 Winncrest Road, Neenah, WI 54956, for properties located at 8405 Winncrest Road, specifically described as Tax ID # 006-1049 and Tax ID # 006 1050, being all of Lots 41 and 42 of Winn-Crest Plat, to the Town Board with the additional staff recommendations.

Vote: Motion carried.

- E. Discussion/Recommendation: Plan Commission review and recommendation on including documentation on Society, Technology, Economy, Environment, and Politics (STEER) as an appendix in the Town CY 2015/16 Update to the Town’s Comprehensive Plan.

Attached please find a copy of a research document developed by NEXT Generation Consulting on the impact on local government generated by Society, Technology, the Economy, the Environment, and Politics (STEER). Both the Town Planner (Ken) and I see this document as a synopsis of the issues the Plan Commission has been reviewing over the course of the past year as it worked on the CY 2015/16 Update to the Town’s Comprehensive Plan. The document goes a long way to putting into words the discussions had by the Plan Commission during its deliberations. Staff believes that attaching this document as an appendix to the Town Comprehensive Plan Update will help with providing residents with the background needed to understand what the Plan Commission and the Town Board are trying to accomplish with the Comprehensive Plan Update. Staff will be ready to answer any questions Commissioners may have relative to the document and to the impact of adding it, as an appendix, to the Town’s Comprehensive Plan. Should the Plan Commission wish to move forward with adding the appendix, the Board would include the recommendation as part of the Public Hearing on the adoption of the CY 2015/16 Comprehensive Plan Update.

**MOTION:**

Motion by: Commissioner Haskell  
 Seconded by: Commissioner Linsmeier  
 Motion: To approve adding the document to the Town’s CY 201/16 Comprehensive Plan Update as a “Reference Guide” for an update to the Town of Clayton’s Comprehensive Plan.  
 Vote: Motion carried.

- VII. Upcoming Meeting Attendance  
None.

- VIII. Adjournment

**MOTION:**

Motion by: Commissioner Haskell  
 Second by: Commissioner Linsmeier  
 Motion: To Adjourn the Plan Commission meeting at 7:57 PM.  
 Vote: Motion carried.

Respectfully submitted,  
 Laurie Goffard, Deputy Clerk