



PLAN COMMISSION

Wednesday, December 13, 2023 – 6:30 PM

Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947

MINUTES

CALL TO ORDER - Chair Knapinski called the meeting to order at 6:30 pm

- A. Pledge of Allegiance
- B. Verification of Notice
- C. Meeting Roll

PRESENT

Chair Knapinski
Commissioner Haskell
Commissioner Nemecek
Commissioner Dorow
Commissioner Ketter
Town Board Rep. Christianson

EXCUSED

Commissioner Hopkins

STAFF

Administrator Wisnefske
Clerk Faust-Kubale
Planner Jaworski
Code Administrator Kussow

PUBLIC HEARING(S) AND/OR PUBLIC INFORMATION MEETINGS

- A. Public Hearing on a Conditional Use Application submitted by Utschig Inc on behalf of Last Time Realty LLC for a proposed heavy vehicle sales and rental development located adjacent to the west of 2615 West American Dr, specifically described as Tax ID #006-0341-02.

NO PUBLIC COMMENTS - HEARING CLOSED AT 6:32 PM

- B. Public Hearing on a Conditional Use Application submitted by Brandon Flees for a proposed retention pond residential accessory use located at 8375 Whispering Meadows Dr, specifically described as Tax ID #006-0566-04-09.

NO PUBLIC COMMENTS - HEARING CLOSED AT 6:33 PM

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday November 8, 2023 Plan Commission Meeting

MOTION

Motion made by Commissioner Haskell, **Seconded** by Commissioner Nemecek to approve the Minutes of the Wednesday, November 8, 2023 Plan Commission Meeting as presented.

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Ketter, Town Board Rep. Christianson

Motion carried 6-0.

OPEN FORUM – Public comments addressed to the Plan Commission - NONE

CORRESPONDENCE

- A. Distribution of the November 2023 Building Inspection Report

BUSINESS

- A. Review/Recommendation: Plan Commission review & recommendation on a Conditional Use Application submitted by Utschig Inc on behalf of Last Time Realty LLC for a proposed heavy vehicle sales and rental development located adjacent to the west of 2615 West American Dr, specifically described as Tax ID #006-0341-02.

MOTION

Motion made by Commissioner Nemecek, **Seconded** by Commissioner Ketter to recommend approval of the Conditional Use Application submitted by Utschig Inc on behalf of Last Time Realty LLC with the following conditions:

1. The proposed development obtains Site Plan Approval pursuant to Division 13 of Article 7 of the Town Zoning Ordinance
2. The proposed development shall comply with all conditions of any Site Plan approval
3. If the proposed development transitions to any other type of use requiring a Conditional Use Permit the Town will review a new application at that time
4. The proposed development shall operate within customary business hours in accordance with adjacent businesses in the area
5. The proposed development shall not allow any overnight accommodations of people on site
6. The proposed development shall direct any customers or prospective customers to use the best trucking route of State Hwy 76, I-41, and West American Dr and not disturb or disrupt the residential traffic to the East of the proposed development
7. The proposed development shall comply with and all Staff Recommendations & Conditions

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Ketter, Town Board Rep. Christianson

Motion carries 6-0.

- B. Review/Recommendation: Plan Commission review & recommendation on a Site Plan Application submitted by Utschig Inc on behalf of Last Time Realty LLC for a proposed heavy vehicle sales and rental development located adjacent to the west of 2615 West American Dr, specifically described as Tax ID #006-0341-02.

MOTION

Motion made by Commissioner Ketter, **Seconded** by Commissioner Nemecek to recommend approval of the Site Plan Application submitted by Utschig Inc. on behalf of Last Time Realty LLC with the following conditions:

1. This permit/approval is only for Phase 1 of this development. Any future addition(s) or expansion(s) of this use/development shall require a new Conditional Use Permit and Site Plan Review in accordance with the Town Zoning Ordinance
2. The project shall comply with all applicable local, state, and federal codes/ordinances
3. Outagamie County permit/approval for development in the Airport Overlay Zoning District shall be obtained prior to commencing construction
4. Winnebago County and Wisconsin Department of Natural Resources permits/approvals for stormwater management and erosion control shall be obtained prior to commencing construction
5. Any proposed signage shall comply with the applicable requirements of Article 12 and Attachment E of the Town Zoning Ordinance
6. Any substantial changes and/or additions to the site plan and/or building plans shall be reviewed & approved by the Plan Commission and Town Board in accordance with the Town Zoning Ordinance. Determination of whether a change or addition is substantial shall be at the discretion of the Town Administrator
7. Revised plans including updates to the roofing materials and landscaping plans shall be submitted to Town Staff no later than 9 am on Friday, December 15, 2023 for review prior to the next Town Board meeting

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Ketter, Town Board Rep. Christianson

Motion carried 6-0.

- C. Review/Recommendation: Plan Commission review & recommendation on a Conditional Use Application submitted by Brandon Flees for a proposed retention pond residential accessory use located at 8375 Whispering Meadows Dr, specifically described as Tax ID #006-0566-04-09.

MOTION

Motion made by Commissioner Haskell, **Seconded** by Commissioner Ketter to recommend approval of the Conditional Use Application submitted by Brandon Flees with the following conditions:

1. The project shall comply with all applicable local, state, and federal codes/ordinances. Applicant should be aware that a Wisconsin Department of Natural Resources (WisDNR) Pond General Permit 3500-144 and Winnebago County stormwater management/erosion control permit(s) may be required for the project. It is the applicant's responsibility to comply with any applicable WisDNR and Winnebago County permit/approval requirements and obtain any required WisDNR and Winnebago County permits/approvals prior to commencing construction

2. Applicant should be aware that point discharge of water from the pond onto a neighboring property may create adverse conditions. The Town recommends coordination with the neighbor on discharge location to make use of a level spreader type of diffuser prior to draining to neighboring property

3. Any substantial changes, additions, and/or expansions to the pond shall be reviewed and approved by the Plan Commission and Town Board in accordance with the Town of Clayton Zoning Ordinance and the Town of Clayton Pond Ordinance (Town of Clayton Ordinance 2022-002). Determination of whether a change or addition is substantial shall be at the discretion of the Town Administrator

4. The pond shall be properly maintained according to both the Town of Clayton and WisDNR requirements and standards

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Ketter, Town Board Rep. Christianson

Motion carried 6-0.

UPCOMING MEETING ATTENDANCE

- A. Plan Commission (6:30 pm start unless otherwise noted) - Jan 10; Feb 14; March 13
- B. Town Board (6:30 pm start unless otherwise noted) - Dec 20; Jan 3 & 17; Feb 7 & 21

ADJOURNMENT

MOTION

Motion made by Commissioner Haskell, **Seconded** by Commissioner Nemecek to adjourn at 8:34 pm.

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Ketter, Town Board Rep. Christianson

Motion carried 6-0.

Respectfully submitted,

Kelsey Faust-Kubale
Town Clerk