



# BOARD OF SUPERVISORS MEETING

Wednesday, July 19, 2023 at 6:30 PM

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

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## MINUTES

### CALL TO ORDER

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

### PRESENT

Town Chair Geise  
Supervisor Lettau  
Supervisor Grundman  
Supervisor Christianson  
Supervisor Reif

### STAFF

Administrator Wisnefske  
Clerk Faust-Kubale  
Treasurer Zolp  
Attorney LaFrombois  
Engineer Stephan

### APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, July 5, 2023, Town Board Meeting

### MOTION

**Motion made** by unanimous consent to approve the Wednesday, July 5, 2023, Town Board Meeting Minutes.

**Motion carried** by unanimous voice vote.

### OPEN FORUM – TOWN RELATED MATTERS NOT ON THE AGENDA - NONE

### CORRESPONDENCE

- A. Distribution of the June 2023 Winnebago County Tonnage Report

### DISCUSSION ITEMS (NO ACTION WILL BE TAKEN)

- A. Winnebago County Sheriff's Department – Public Concerns and Issues
- B. Larsen/Winchester Sanitary District Report
- C. Administrator's Report
- D. Chair & Supervisor Reports

### OPERATOR LICENSES ISSUED BY THE TOWN CLERK

- A. Renewal - Melissa Larsen

## **BUSINESS REFERRED BY THE PLAN COMMISSION**

- A. Plan Commission Recommendation: Motion to approve/deny a Final Plat Review Application submitted by McMahon Associates on behalf of Clayton Development Group, LLC, for approval of the Scholar Ridge Final Plat, dividing Tax ID #006-0617 (2689 County Rd II) & Tax ID #006-0618 into 49 lots and 2 outlots intended for a combination of commercial/business, multi-family residential, two-family residential, & single-family residential uses.

### **MOTION**

**Motion made** by unanimous consent to approve the Final Plat submitted by McMahon Associates on behalf of Clayton Development Group, LLC, with all Staff & Plan Commission recommendations & conditions as follows:

1. A second emergency access from CTH II to Princeton Dr/St Norbert Dr shall be provided as approved by Clayton Protective Services Department.
2. Approve Princeton Dr. & St Norbert Dr. street names, as proposed, with appropriate street signage designating each.
3. All roads shall meet the Town's Minimum Road Design Standards Policy for road construction materials for all platted roads within the final plat, and all other minimum road design standards described in the Town's Minimum Road Design Standards Policy shall be enforced.
4. As part of the Public Improvement Agreement subdivider shall provide the Town an irrevocable financial surety to cover costs of road failure if road failure were to occur within 30 years after construction.
5. Revised Utility & Road Construction Plans addressing comments from the Town Engineer & Village of Fox Crossing Utilities shall be submitted to and approved by the Town Engineer, Town of Clayton Sanitary District #1, and Village of Fox Crossing Utilities prior to commencing construction.
6. Town shall accept ownership of Outlots 1 and 2, as well as the maintenance responsibilities for the stormwater facilities of those Outlots.
7. Town Board deems pedestrian facilities consisting of an 8-foot wide asphalt trail along the east side of Marlo Ave, as shown on the Utility & Road Construction Plans adequate for the subdivision.
8. Town Board accepts fee in lieu of land dedication pursuant to Section 7.10.08 (4)(b) of the Town Subdivision Ordinance.
9. Approve temporary turnarounds/culs-de-sac, as proposed.
10. Subdivider shall finalize USPS service plan and, if using Cluster Mailbox Units (CBUs), CBU locations shall be identified on the final plat and a note shall be added to the final plat indicating:

- a. That the Subdivider is responsible for initial installation/construction; and
- b. Responsible parties for all CBU structure/foundation maintenance & replacement costs

11. State Certification of Final Plat shall be provided to the Town.

12. All permits & approvals required by the Wisconsin Department of Natural Resources (DNR) & Winnebago County for stormwater management and erosion control shall be obtained prior to commencing construction.

13. The DNR jurisdictional determination/wetland exemption or Individual Permit for wetland disturbance shall be obtained prior to any filling/disturbance of wetlands.

14. All permits and approvals required by the DNR, Town of Clayton, Village of Fox Crossing, and Town of Clayton Sanitary District #1 for sanitary sewer, water main, and street construction are obtained prior to commencing construction of such public facilities.

15. Subdivider shall execute a Public Improvement Agreement with the Town and provide requisite financial security for all public improvements pursuant to Section 7.10.06 prior to Town approval and as a condition of Town approval of the Final Plat.

**Motion carried** by unanimous voice vote.

- B. Plan Commission Recommendation: Motion to approve a Conditional Use Application submitted by McMahan Associates on behalf of Clayton Development Group, LLC for a proposed multi-family housing development consisting of fifteen (15) 12-unit multi-family buildings located on approximately 19.6 acres of Tax ID #006-0617 addressed 2689 County Rd II, Neenah, WI.

**MOTION**

**Motion made** by unanimous consent to approve the Conditional Use Application for Clayton Development Group, LLC with all Staff & Plan Commission recommendations and conditions as follows:

1. The project shall comply with all applicable local, state, & federal codes/ordinances.
2. Stormwater management & grading/erosion control plans shall be approved by the Town, Winnebago County, & Wisconsin Department of Natural Resources (DNR) prior to commencing construction. Winnebago County & DNR permits/approvals for stormwater management & erosion control shall be obtained prior to commencing construction.
3. Future accessory buildings shall maintain the same theme & material selections as the principal buildings.

4. A revised Landscape Plan shall be submitted to the Town for review & approval by the Plan Commission & Town Board. The revised Landscape Plan shall be approved & all landscaping shall be installed prior to issuance of any occupancy permit(s)/approval(s) by the Town.

5. No obstructions, such as structures, parking or vegetation, greater than 3 feet in height above the centerline of intersecting street or driveway grades, whichever grade is lower, shall be permitted in a vision clearance triangle.

6. Any proposed signage shall comply with the applicable requirements of Article 12 and Attachment E of the Town Zoning Code.

7. Any substantial changes and/or additions to the site plan and/or building plans shall be reviewed & approved by the Plan Commission & Town Board in accordance with the Town of Clayton Zoning Ordinance. Determination of whether a change or addition is substantial shall be at the discretion of the Town Administrator.

**Motion carried** by unanimous voice vote.

- C. Plan Commission Recommendation: Motion to approve a Site Plan Review Application submitted by McMahon Associates on behalf of Clayton Development Group, LLC for a proposed multi-family housing development consisting of fifteen (15) 12-unit multi-family buildings located on approximately 19.6 acres of Tax ID #006-0617 addressed 2689 County Rd II, Neenah, WI.

#### **MOTION**

**Motion made** by unanimous consent to approve the Site Plan Review Application for Clayton Development Group, LLC with all Staff & Plan Commission recommendations and conditions as follows:

1. The project shall comply with all applicable local, state, & federal codes/ordinances.

2. Stormwater management & grading/erosion control plans shall be approved by the Town, Winnebago County, & Wisconsin Department of Natural Resources (DNR) prior to commencing construction. Winnebago County & DNR permits/approvals for stormwater management & erosion control shall be obtained prior to commencing construction.

3. Future accessory buildings shall maintain the same theme & material selections as the principal buildings.

4. A revised Landscape Plan shall be submitted to the Town for review & approval by the Plan Commission & Town Board. The revised Landscape Plan shall be approved & all landscaping shall be installed prior to issuance of any occupancy permit(s)/approval(s) by the Town.

5. No obstructions, such as structures, parking or vegetation, greater than 3 feet in height above the centerline of intersecting street or driveway grades, whichever grade is lower, shall be permitted in a vision clearance triangle.

6. Any proposed signage shall comply with the applicable requirements of Article 12 and Attachment E of the Town Zoning Code.

7. Any substantial changes and/or additions to the site plan and/or building plans shall be reviewed & approved by the Plan Commission & Town Board in accordance with the Town of Clayton Zoning Ordinance. Determination of whether a change or addition is substantial shall be at the discretion of the Town Administrator.

**Motion carried** by unanimous voice vote.

- D. Plan Commission Recommendation: Motion to approve a Certified Survey Map (CSM) submitted by Davel Engineering & Environmental Inc., on behalf of Donald & Tara Hennessey for approval of a CSM dividing Tax ID #006-0114-03 (9365 Center Rd) into two (2) lots.

**MOTION**

**Motion made** by unanimous consent to approve the CSM for Donald & Tara Hennessey dividing Tax ID #006-0114-03 into two lots with all Staff & Plan Commission recommendations and conditions as follows:

1. The "Undelineated Wetland<2Ac." on Lot 1, per the Winnebago County Hydrologic Viewer, shall be shown on the face of the CSM.

**Motion carried** by unanimous voice vote.

- E. Plan Commission Discussion: Plan Commission Resolution 2023-005 Recommending Adoption of the Town of Clayton Comprehensive Plan 2040.

**DISCUSSION ITEM ONLY - NO ACTION TAKEN**

**BUSINESS**

- A. Discussion/Action: Town Board review & consideration of the Certificate of Payment #1 for Eagle Heights Dr & Wing Ln. Sanitary Sewer, Street & Stormwater Pond Construction submitted by MCC, Inc. in the amount of \$251,880.62.

**MOTION**

**Motion made** by unanimous consent to approve the Certificate for Payment #1 for Eagle Heights Dr & Wing Ln. Sanitary Sewer, Street & Stormwater Pond Construction submitted by MCC, Inc. in the amount of \$251,880.62.

**Motion carried** by unanimous voice vote.

- B. Discussion/Action: Town Board review & consideration of a revised Developer Agreement submitted by G&L Properties for a proposed machining & repair services development on Tax ID #006-0340-02-01.

**ITEM TABLED UNTIL THE AUGUST 2, 2023 MEETING**

- C. Discussion/Action: Town Board review & consideration of a Developer Agreement submitted by PRE/3, LLC for a proposed multi-family residential development on Tax ID #006-0328-01.

**ITEM TABLED UNTIL THE AUGUST 2, 2023 MEETING**

- D. Discussion/Action: Town Board review & consideration of the Tax Increment Financing (TIF) Application submitted by PRE/3, LLC for a proposed multi-family residential development on Tax ID #006-0328-01.

**ITEM TABLED UNTIL THE AUGUST 2, 2023 MEETING**

**REVIEW OF DISBURSEMENTS**

- A. Check Summary Register

**REVIEW OF GENERAL FUND BUDGET UPDATES**

**UPCOMING MEETING ATTENDANCE**

- A. Town Board (6:30 pm start unless otherwise noted) - August 2 & 16; Sept 6 & 20; Oct 4 & 18
- B. Plan Commission (6:30 pm start unless otherwise noted) - August 9 & 23; Sept 13; Oct 11

**BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

**ADJOURNMENT**

**MOTION**

**Motion made** by unanimous consent to adjourn at 7:17 pm.

**Motion carried** by unanimous voice vote.

Respectfully submitted,  
Kelsey Faust-Kubale  
Town Clerk