



BOARD OF SUPERVISORS MEETING

Wednesday, August 19, 2026 at 6:30 PM

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

AGENDA

CALL TO ORDER

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

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, August 5, 2026 Town Board Meeting

OPEN FORUM – TOWN RELATED MATTERS NOT ON THE AGENDA

Individuals properly signed in may speak directly to the Town Board on non-repetitive Town Matters whether on or not on the agenda. Commentators must wait to be called, must speak from the podium, directing their comments to the Board. Comments must be orderly, and will be limited to a maximum of 2 minutes per person. **Public comment is not permitted outside of this public comment period.** *Note:* The Board's ability to act on or respond to the public comments is limited by Chapter 19, Wis. Stats. Please complete the "Request to Speak at Meeting" form located on the agenda/sign-in table and submit the form to the Town Clerk for in-person attendance.

CORRESPONDENCE

- A. Distribution of the July 2026 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. New - Jennifer Lemke, Century Elm
- B. Temporary Event - Sarah Schneiker
- C. Temporary Event - Paula Schwartz

BUSINESS REFERRED BY THE PLAN COMMISSION

- A. Discussion/Action: Town Board review & consideration of Ordinance 2026-004, Amending the Town of Clayton Comprehensive Plan 2040, amending the future land use categories for Tax ID #006-0352; 006-0352-01; 006-0352-01-01; 006-0353; 006-0354; and 006-0355 from 45.02 acres of Gateway Commercial & Retail to approximately 13.24 acres; 27.82 acres of Medium & High Density Residential to approximately 25.55 acres; 30.79 acres of Neighborhood Center Mixed Use to 0

acres; 37.85 acres of Parks & Recreation to approximately 22.96 acres; and add 79.73 acres of Single & Duplex Residential.

B. Discussion/Action: Town Board review & consideration of Ordinance 2026-Z006 to Amend the Official Town of Clayton Zoning Map for the rezoning of approximately 141.48 acres from A-2 (General Agriculture District) to approximately 79.73 acres of R-2 (Suburban Residential District); approximately 25.55 acres of R-4 (Multi-Family Residential District); approximately 13.24 acres of B-2 (Community Business District); and approximately 22.96 acres of P-I (Public Institutional District).

C. Discussion/Action: Town Board review & consideration of Ordinance 2026-005 Amending the Comprehensive Plan 2040 to correct drafting errors in the amendments made by Ordinance 2026-001, adopted January 21, 2026.

BUSINESS

A. Discussion/Action: Town Board review & consideration of Resolution 2026-006 regarding proposed text amendments affecting the Winnebago County Chapter 16 of the Winnebago County General Code.

B. Discussion/Action: Town Board review & consideration of an Application for a Temporary Class "B" license by Central Wisconsin Auto Collectors for an event to be held August 23, 2026.

UPCOMING MEETING ATTENDANCE

- A. Town Board (6:30 pm start unless otherwise noted) - Sept 2 & 16; Oct 7 & 21; Nov 4 & 18
- B. Plan Commission (6:30 pm start unless otherwise noted) - Sept 9; Oct 14; Nov 11
- C. Board of Review - Aug 25 beginning at 10 am

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURNMENT

Respectfully submitted,

Russell D. Geise
Town Chairperson

Pursuant to Wisconsin Statute 19.84 (2) and (3) notice is hereby given to the public and the media that two or more members of any or all Boards, Commissions, and Committees of the Town of Clayton, may attend the meeting of the Town Board in order to gather information. For purposes of the Open Meetings Law only; attendance at a meeting by a quorum of members of the Town Boards, Commissions, and Committees constitutes a meeting of the Board, Commission, or Committee, pursuant to Badke Vs. Village Board of Village of Greendale, 173 Wis2d 553, 494 NW2d 408 (1993), and must be noticed as such, although it is not contemplated that any formal action by those bodies will be taken. The only business to be conducted is for Town Board action.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please call the Town Office at 920.836.2007.

This agenda has been posted at the following locations in the Town of Clayton:

1. The Town Hall Posting Board – 8348 Hickory Ave, Larsen, WI 54947
2. The Town's Web Page: --



BOARD OF SUPERVISORS MEETING

Wednesday, August 05, 2026 at 6:30 PM

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

MINUTES

CALL TO ORDER – Chair Geise called the meeting to order at 6:30 pm

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

PRESENT

Town Chair Geise
Supervisor Lettau
Supervisor Grundman
Supervisor Christianson

EXCUSED

Supervisor Reif

STAFF

Administrator Wisnefske
Clerk Faust-Kubale
Treasurer Fietzer
Attorney LaFrombois

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, July 15, 2026 Town Board Meeting

MOTION

Motion made by unanimous consent to approve the Minutes of the Wednesday, July 15, 2026 Town Board Meeting as presented.

Motion carried by unanimous voice vote.

OPEN FORUM – TOWN RELATED MATTERS NOT ON THE AGENDA

Arden Schroeder, 9458 State Rd 76, Neenah, shared concerns regarding a potential drainage issue at 9334 Hawk View Ct, as well as with maintenance at Clayton Park.

CORRESPONDENCE

- A. Distribution of the July 2026 Building Inspection Report
- B. Distribution of the 2025 Winnebago County Solid Waste Management Single-Stream Material Recovery Facility Income Statement & 2026 Projected Recycling Revenues

DISCUSSION ITEMS (NO ACTION WILL BE TAKEN)

- A. County Board Supervisor Report

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

OPERATOR LICENSES ISSUED BY THE TOWN CLERK

- A. New - Bruce Argall, The Woodshed

BUSINESS

- A. Discussion/Action: Town Board review & consideration of Resolution 2026-005 Regarding a Text Amendment to Chapter 23, Winnebago County Town County Zoning Codes of the Winnebago County General Code.

MOTION

Motion made by Supervisor Grundman, **Seconded** by Supervisor Christianson to approve Resolution 2026-005 Regarding a Text Amendment to Chapter 23, Winnebago County Town County Zoning Codes of the Winnebago County General Code.

Voting Yea: Town Chair Geise, Supervisor Lettau, Supervisor Grundman, Supervisor Christianson

Motion carried 4-0.

- B. Discussion/Action: Town Board review & consideration of the asphaltting of Moeser Ln from the intersection with Grandview Rd to terminus, at an approximate cost of \$65,000.

MOTION

Motion made by unanimous consent to approve asphalt overlay to all of Moeser Ln at an approximate cost of \$65,000.

Motion carried by unanimous voice vote.

- C. Discussion/Action: Town Board review & consideration of the repair and asphaltting of Oakwood Ave from Winnegamie Dr to Shady Ln, at an approximate cost of \$185,000.

MOTION

Motion made by unanimous consent to approve repair & asphaltting Oakwood Ave from Winnegamie Dr to Shady Ln at an approximate cost of \$185,000.

Motion carried by unanimous voice vote.

REVIEW OF DISBURSEMENTS

- A. Check Summary Register

UPCOMING MEETING ATTENDANCE

- A. Town Board (6:30 pm start unless otherwise noted) - Aug 19; Sept 2 & 16; Oct 7 & 21

- B. Plan Commission (6:30 pm start unless otherwise noted) - Aug 12; Sept 9; Oct 14
- C. Board of Review - Aug 25 beginning at 10 am

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURNMENT

MOTION

Motion made by unanimous consent to adjourn at 7:00 pm.

Motion carried by unanimous voice vote.

Respectfully submitted,

Kelsey Faust-Kubale
Town Clerk

DRAFT

**WINNEBAGO COUNTY SOLID WASTE MANAGEMENT BOARD
2026 RECYCLING TONNAGE REPORT**

		January	February	March	April	May	June	July	August	September	October	November	December	YTD	
		SS Tons	SS Tons	SS Tons	SS Tons	SS Tons	SS Tons	SS Tons	SS Tons	SS Tons	SS Tons	SS Tons	SS Tons	SS Tons	
001	T. Algoma	59.51	37.84	39.13	46.25	44.01	49.09	72.42						348.25	T. Algoma
002	T. Black Wolf	21.20	16.02	16.15	24.71	19.29	18.56	25.84						141.77	T. Black Wolf
003	T. Clayton	35.64	29.53	37.76	34.48	35.99	43.47	33.72						250.59	T. Clayton
004	V. Fox Crossing	120.57	91.51	69.38	115.35	89.85	104.31	129.50						720.47	V. Fox Crossing
005	T. Neenah	27.00	23.98	22.62	31.05	26.06	32.00	32.42						195.13	T. Neenah
006	T. Nekimi	8.55	7.47	7.93	11.54	9.35	9.02	11.76						65.62	T. Nekimi
008	T. Omro	11.73	9.70	12.72	10.03	9.26	10.93	8.27						72.64	T. Omro
013	T. Vinland	12.57	11.27	15.40	11.76	14.69	16.64	14.46						96.79	T. Vinland
014	T. Winchester	15.21	10.59	11.01	13.62	10.27	12.42	15.09						88.21	T. Winchester
015	T. Winneconne	28.56	22.77	17.30	25.68	21.24	22.16	27.77						165.48	T. Winneconne
016	T. Wolf River	6.11	5.68	6.43	7.28	8.94	9.33	12.84						56.61	T. Wolf River
017	V. Winneconne	19.95	14.41	14.37	15.40	20.39	16.16	20.73						121.41	V. Winneconne
018	C. Menasha	124.16	72.29	117.31	108.45	107.31	128.17	86.18						743.87	C. Menasha
019	C. Neenah	170.64	138.93	155.01	167.38	158.05	168.20	174.82						1133.03	C. Neenah
020	C. Omro	28.79	14.37	20.55	20.07	18.06	19.13	30.36						151.33	C. Omro
021	C. Oshkosh	304.20	261.49	288.22	343.23	304.47	320.71	340.36						2162.68	C. Oshkosh
	Other SS	153.95	189.01	442.96	434.04	313.12	224.55	218.01						1975.64	Other SS
	TOTAL TONS	1148.34	956.86	1294.25	1420.32	1210.35	1204.85	1254.55						8489.52	TOTAL TONS

	Population	SS lbs./person		Population	SS lbs./person		Population	SS lbs./person
T. Algoma	6,922	100.62	T. Omro	2,422	59.98	C. Menasha	18,683	79.63
T. Black Wolf	2,440	116.20	T. Vinland	1,752	110.49	C. Neenah	27,817	81.46
T. Clayton	4,954	101.17	T. Winchester	1,797	98.17	C. Omro	3,631	83.35
V. Fox Crossing	19,331	74.54	T. Winneconne	2,665	124.19	C. Oshkosh	67,504	64.08
T. Neenah	3,648	106.98	T. Wolf River	1,222	92.65			
T. Nekimi	1,322	99.27	V. Winneconne	2,519	96.40	Total	168629	77.26

*Population updated on 1/1/25 from Dept. of Admin. "January 1, 2025 Final Population Estimates"

https://doa.wi.gov/DIR/Final_Ests_Muni_2025.pdf

https://doa.wi.gov/Pages/LocalGovtsGrants/Population_Estimates.aspx

** Other SS - in 2017 include all direct haul to OC (City Disposal, etc.)



PLAN COMMISSION

Wednesday, August 12, 2026 – 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 Haase
 Commissioner Ketter
 Town Board Rep. Christianson

EXCUSED

Commissioner Sleik

STAFF

Administrator Wisniewski
 Clerk Faust-Kubale
 Code Administrator Kamke
 Planner Jaworski

PUBLIC HEARING(S) AND/OR PUBLIC INFORMATION MEETINGS

- A. Plan Commission Public Hearing on a Comprehensive Plan Amendment Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al, for a proposed amendment to the Future Land Use Map of the Town of Clayton Comprehensive Plan 2040 in the area immediately adjacent to the corner of State Rd 76 & Fairview Rd, being Tax ID #006-0352; Tax ID #006-0352-01; Tax ID #006-0352-01-01; Tax ID #006-0353; Tax ID #006-0354; and Tax ID #006-0355 to amend the Future Land Use Map from 45.02 acres of Gateway Commercial & Retail to approximately 13.24 acres; 27.82 acres of Medium & High Density Residential to approximately 25.55 acres; 30.79 acres of Neighborhood Center Mixed Use to 0 acres; 37.85 acres of Parks & Recreation to approximately 22.96 acres; and add 79.73 acres of Single & Duplex Residential

Johanna Wittmann, 2685 Fairview Rd, Neenah, shared concerns about traffic on Fairview as a result of these potential changes & asked when WISDOT gets involved in traffic concerns.

Fred Ebbesen, 3689 Country Woods Ct, Neenah, shared concerns about having high-density residential area(s) in this proposed development.

Karen Thorne, 8759 Clayton Ave, Neenah, questioned where this proposed development planned for entrances and exits.

Joe Wilz, 2593 Fairview Rd, Neenah, shared concerns about possible utility costs for existing residents if the proposed development moves ahead.

Debbie Manteufel, 2761 Fairview Rd, Neenah, shared concerns about drainage from the proposed development, as it is an existing issue with the land as it is now.

Jeremiah Euclide, 2818 Fairview Rd, Neenah, shared concerns about the loss of the rural feel of the area if the proposed development moves ahead, concerns about increased traffic, possible utility costs for existing residents and/or special assessments that may be levied, & that this proposed development does not fit the community.

Max Rasmussen, 2789 Fairview Rd, Neenah, expressed that he wants a berm constructed between his property and this proposed development.

Nina Hardell, 1650 Eugene St, Menasha, shared concerns about water runoff coming onto her property, which is adjacent to the proposed development.

Nancy Irvine, 3022 Windfield Dr, Neenah, shared concerns about the decrease in the proposed park & recreation area.

Jen Olson, 2687 Fairview Rd, Neenah, shared concerns that no agreement has been finalized with her family, as the owners of Tax ID #006-0352-01 and Tax ID #006-0352-01-01, regarding the developer's purchase and/or land swap.

Brad Rhymer (Vierbicher), 400 Security Blvd, addressed the concerns shared by previous speakers, & emphasized this is the next step in bringing this proposed development forward.

Tracy Schettle, N1448 Westhaven Dr, Greenville, would like to keep the greenspace and see those borders protected.

Scott Lehmann, 2722 Fairview Rd, Neenah, shared concerns about how the Town will be able to provide services for a development this large and the addition of 3,200 new residents.

Chair Knapinski read out written comments received by the Clerk from Rich Fischer, 8685 Oakwood Ave, Neenah, opposing the proposed development and changes.

PUBLIC HEARING CLOSED AT 7:12 PM

- B. Plan Commission Public Hearing on a Rezoning Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al, requesting approval to re-zone approximately 141.48 acres from A-2 (General Agriculture District) to approximately 79.73 acres of R-2 (Suburban Residential District); approximately 25.55 acres of R-4 (Multi-Family Residential District); approximately 13.24 acres of B-2 (Community Business District); and approximately 22.96 acres of P-I (Public Institutional District).

Johanna Wittmann, 2685 Fairview Rd, Neenah, shared concerns about Tax ID #006-0352-01 and Tax ID #006-0352-01-01 being included in the application, as it is not under contract by the developer.

Jeremiah Euclide, 2818 Fairview Rd, Neenah, shared his preference to eliminate any R-4 zoning with apartment buildings.

Jen Olson, 2687 Fairview Rd, Neenah, questioned what portion of Tax ID #006-0352-01 would be rezoned, as they (current property owner) had only discussed trading a portion of that parcel.

Nina Hardell, 1650 Eugene St, Menasha, followed up that they were told as part of the possible land swap the parcel would remain zoned agricultural.

Brad Rhymer (Vierbicher), 400 Security Blvd, noted that Tax ID #006-0352-01-01 was included in error on the application, and the applicants have not included that parcel in their planning & calculations.

Chair Knapinski read out written comments received by the Clerk from Megan Euclide, 2818 Fairview Rd, Neenah, opposing the proposed development and changes.

PUBLIC HEARING CLOSED AT 7:32 PM

- C. Plan Commission Public Hearing on a Comprehensive Plan Amendment submitted by the Town of Clayton, for a proposed amendment to the Comprehensive Plan 2040 to correct drafting errors in the amendments made by Ordinance 2026-001, adopted January 21, 2026: (a) a subject-verb agreement defect in the amendment to Chapter 8, page 7; (b) the reproduction of unamended text in the amendment to Chapter 11, page 30; and (c) unfilled drafting placeholders in the Appendix F amendment table.

PUBLIC HEARING CLOSED AT 7:33 PM

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, July 8, 2026 Plan Commission Meeting

MOTION

Motion made by Commissioner Nemecek, **Seconded** by Commissioner Haase to approve the Minutes of the Wednesday, July 8, 2026 Plan Commission Meeting as presented.

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

Motion carries 6-0.

OPEN FORUM – Public comments addressed to the Plan Commission

CORRESPONDENCE

- A. Distribution of the July 2026 Building Inspection Report

DISCUSSION ITEMS (NO ACTION WILL BE TAKEN)

- A. Administrator's Report

BUSINESS

- A. Discussion/Action: Plan Commission review & consideration of Resolution 2026-008 Making a Recommendation to the Town Board of Supervisors regarding Comprehensive Plan Amendment Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson &

Jacqueline Maynard et.al, for a proposed amendment to the Future Land Use Map of the Town of Clayton Comprehensive Plan 2040 in the area immediately adjacent to the corner of State Rd 76 & Fairview Rd, being Tax ID #006-0352; Tax ID #006-0352-01; Tax ID #006-0352-01-01; Tax ID #006-0353; Tax ID #006-0354; and Tax ID #006-0355 to amend the Future Land Use Map from 45.02 acres of Gateway Commercial & Retail to approximately 13.24 acres; 27.82 acres of Medium & High Density Residential to approximately 25.55 acres; 30.79 acres of Neighborhood Center Mixed Use to 0 acres; 37.85 acres of Parks & Recreation to approximately 22.96 acres; and add 79.73 acres of Single & Duplex Residential

MOTION

Motion made by Commissioner Ketter, **Seconded** by Commissioner Haase to recommend approval of the Comprehensive Plan Amendment Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al with Resolution 2026-008.

Voting Yea: Commissioner Haase, Commissioner Ketter

Voting Nay: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Town Board Rep. Christianson

Motion failed 2-4.

MOTION

Motion made by Commissioner Nemecek, **Seconded** by Commissioner Haskell to recommend denial of the Comprehensive Plan Amendment Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al with Resolution 2026-008.

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

Voting Nay: Commissioner Haase, Commissioner Ketter

Motion carried 4-2.

- B. Discussion/Action: Plan Commission review & consideration of Resolution 2026-009 Making a Recommendation to the Town Board of Supervisors regarding a Rezoning Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al, requesting approval to re-zone approximately 141.48 acres from A-2 (General Agriculture District) to approximately 79.73 acres of R-2 (Suburban Residential District); approximately 25.55 acres of R-4 (Multi-Family Residential District); approximately 13.24 acres of B-2 (Community Business District); and approximately 22.96 acres of P-I (Public Institutional District).

MOTION

Motion made by Commissioner Nemecek, **Seconded** by Commissioner Haskell to recommend denial of the Rezoning Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al with Resolution 2026-009.

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

Motion carried 6-0.

- C. Discussion/Action: Plan Commission review & consideration of Resolution 2026-010 Making a Recommendation to the Town Board of Supervisors regarding a Comprehensive Plan Amendment submitted by the Town of Clayton, for a proposed amendment to the Comprehensive Plan 2040 to correct drafting errors in the amendments made by Ordinance 2026-001, adopted January 21, 2026: (a) a subject-verb agreement defect in the amendment to Chapter 8, page 7; (b) the reproduction of unamended text in the amendment to Chapter 11, page 30; and (c) unfilled drafting placeholders in the Appendix F amendment table.

MOTION

Motion made by Commissioner Haskell, **Seconded** by Commissioner Nemecek to recommend approval of the amendment to the Comprehensive Plan 2040 to correct drafting errors in the amendments made by Ordinance 2026-001 with Resolution 2026-010.

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

Motion carried 6-0.

UPCOMING MEETING ATTENDANCE

- A. Plan Commission (6:30 pm start unless otherwise noted) - Sept 9; Oct 14; Nov 11
- B. Town Board (6:30 pm start unless otherwise noted) - Aug 19; Sept 2 & 16; Oct 7 & 21
- C. Board of Review - Aug 25 beginning at 10 am

ADJOURNMENT

MOTION

Motion made by Commissioner Haskell, **Seconded** by Commissioner Nemecek to adjourn at 8:13 pm.

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

Motion carried 6-0.

Respectfully submitted,

Kelsey Faust-Kubale
Town Clerk

MEMORANDUM

Business Referred by Plan Commission

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of Ordinance 2026-004, Amending the Town of Clayton Comprehensive Plan 2040, amending the future land use categories for Tax ID #006-0352; 006-0352-01; 006-0352-01-01; 006-0353; 006-0354; and 006-0355 from 45.02 acres of Gateway Commercial & Retail to approximately 13.24 acres; 27.82 acres of Medium & High Density Residential to approximately 25.55 acres; 30.79 acres of Neighborhood Center Mixed Use to 0 acres; 37.85 acres of Parks & Recreation to approximately 22.96 acres; and add 79.73 acres of Single & Duplex Residential.

SUGGESTED MOTION(S):

*Motion **AND ROLL CALL** to deny Ordinance 2026-004 Amending the Town of Clayton Comprehensive Plan 2040.*

Re: Town Board review & consideration of Ordinance 2026-Z006 to Amend the Official Town of Clayton Zoning Map for the rezoning of approximately 141.48 acres from A-2 (General Agriculture District) to approximately 79.73 acres of R-2 (Suburban Residential District); approximately 25.55 acres of R-4 (Multi-Family Residential District); approximately 13.24 acres of B-2 (Community Business District); and approximately 22.96 acres of P-I (Public Institutional District).

SUGGESTED MOTION(S):

*Motion **AND ROLL CALL** to deny Ordinance 2026-Z006 to Amend the Official Town of Clayton Zoning Map.*

Re: Town Board review & consideration of Ordinance 2026-005 Amending the Comprehensive Plan 2040 to correct drafting errors in the amendments made by Ordinance 2026-001, adopted January 21, 2026.

SUGGESTED MOTION(S):

*Motion **AND ROLL CALL** to approve Ordinance 2026-005 to Amend the Comprehensive Plan 2040 to correct drafting errors.*

Respectfully Submitted
Kelsey

**TOWN OF CLAYTON
WINNEBAGO COUNTY, WISCONSIN**

**RESOLUTION NO. 2026-008
A RESOLUTION RECOMMENDING AMENDMENT OF THE
TOWN OF CLAYTON COMPREHENSIVE PLAN 2040**

WHEREAS, an application for amendment to the Town of Clayton Comprehensive Plan has been filed with the Town of Clayton as described herein; and

WHEREAS, the application for amendment to the Town of Clayton Comprehensive Plan is to amend the Future Land Use Map by amending the future land use category of approximately 141.48 acres including Tax ID #006-0352; 006-0352-01; 006-0352-01-01; 006-0353; 006-0354; and 006-0355 (State Rd 76 & Fairview Rd) from "Gateway Commerical & Retail", "Parks and Recreation", "Neighborhood Center Mixed Use", and "Medium and High Density Residential" to "Gateway Commercial & Retail", "Parks and Recreation", "Neighborhood Center Mixed Use", and "Medium and High Density Residential", and the addition of "Residential – Single and Duplex" (i.e. keep categories with reconfigured acreage & add an additional future land use overlay); and

WHEREAS, the Town of Clayton Plan Commission held a public hearing to solicit public comment and input on the proposed amendment on Wednesday, August 12, 2026; and

WHEREAS, the Town of Clayton Plan Commission reviewed the proposed amendment at a meeting open to the public on Wednesday, August 12, 2026; and

WHEREAS, all procedural requirements have been met for the purposes of consideration of the amendment as provided in the Town of Clayton Comprehensive Plan and §66.1001, Wisconsin Statutes; and

NOW, THEREFORE, BE IT RESOLVED by the Town of Clayton Plan Commission to recommend to the Town of Clayton Town Boardnd amendment of the Town of Clayton Comprehensive Plan 2040 by ordinance, amending the future land use category of approximately 141.48 acres including Tax ID #006-0352; 006-0352-01; 006-0352-01-01; 006-0353; 006-0354; and 006-0355 (State Rd 76 & Fairview Rd) from "Gateway Commerical & Retail", "Parks and Recreation", "Neighborhood Center Mixed Use", and "Medium and High Density Residential" to "Gateway Commercial & Retail", "Parks and Recreation", "Neighborhood Center Mixed Use", and "Medium and High Density Residential", and the addition of "Residential – Single and Duplex" (i.e. keep categories with reconfigured acreage & add an additional future land use overlay);

Date passed and adopted: 12th day of August, 2026

Vote: Yes: 4 No: 2 Absent: 1 Abstain: 0

TOWN OF CLAYTON

By:

Dick Knapinski
Dick Knapinski, Town Plan Commission Chairman

Attest:

Kelsey Faust-Kubale
Kelsey Faust-Kubale, Town Clerk

Plan Commission

Roll Call Vote Tally

VOTE # 1

Meeting Date: August 12, 2026

Agenda Item: Plan Commission review & consideration of Resolution 2026-008 Making a Recommendation to the Town Board of Supervisors regarding Comprehensive Plan Amendment Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al, for a proposed amendment to the Future Land Use Map of the Town of Clayton Comprehensive Plan 2040 in the area immediately adjacent to the corner of State Rd 76 & Fairview Rd, being Tax ID #006-0352; Tax ID #006-0352-01; Tax ID #006-0352-01-01; Tax ID #006-0353; Tax ID #006-0354; and Tax ID #006-0355 to amend the Future Land Use Map from 45.02 acres of Gateway Commercial & Retail to approximately 13.24 acres; 27.82 acres of Medium & High Density Residential to approximately 25.55 acres; 30.79 acres of Neighborhood Center Mixed Use to 0 acres; 37.85 acres of Parks & Recreation to approximately 22.96 acres; and add 79.73 acres of Single & Duplex Residential

Motion by: RKSecond by: TH

MOTION: Motion to approve Resolution 2026-008 recommending approval / denial of amendment of the Town of Clayton Comprehensive Plan 2040.

Commissioner Vote:	Aye	Nay	Abstain
6 Chair Knapinski	_____	<u>1</u>	_____
1 Commissioner Nemecek	_____	<u>1</u>	_____
2 Commissioner Haase	<u>1</u>	_____	_____
3 Commissioner Haskell	_____	<u>1</u>	_____
4 Commissioner Ketter	<u>1</u>	_____	_____
X Commissioner Sleik	<u>EXCUSED</u>	<u>X</u>	<u>X</u>
5 Rep. Christianson	_____	<u>1</u>	_____

FAILED 2-4

Plan Commission

Roll Call Vote Tally

VOTE #2

Meeting Date: August 12, 2026

Agenda Item: Plan Commission review & consideration of Resolution 2026-008 Making a Recommendation to the Town Board of Supervisors regarding Comprehensive Plan Amendment Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al, for a proposed amendment to the Future Land Use Map of the Town of Clayton Comprehensive Plan 2040 in the area immediately adjacent to the corner of State Rd 76 & Fairview Rd, being Tax ID #006-0352; Tax ID #006-0352-01; Tax ID #006-0352-01-01; Tax ID #006-0353; Tax ID #006-0354; and Tax ID #006-0355 to amend the Future Land Use Map from 45.02 acres of Gateway Commercial & Retail to approximately 13.24 acres; 27.82 acres of Medium & High Density Residential to approximately 25.55 acres; 30.79 acres of Neighborhood Center Mixed Use to 0 acres; 37.85 acres of Parks & Recreation to approximately 22.96 acres; and add 79.73 acres of Single & Duplex Residential

Motion by: NNSecond by: BH

MOTION: Motion to approve Resolution 2026-008 recommending approval / denial of amendment of the Town of Clayton Comprehensive Plan 2040.

Commissioner Vote:	Aye	Nay	Abstain
1 Chair Knapinski	<u>1</u>	<u> </u>	<u> </u>
6 Commissioner Nemecek	<u>1</u>	<u> </u>	<u> </u>
5 Commissioner Haase	<u> </u>	<u>1</u>	<u> </u>
4 Commissioner Haskell	<u>1</u>	<u> </u>	<u> </u>
3 Commissioner Ketter	<u> </u>	<u>1</u>	<u> </u>
X Commissioner Sleik	<u>EXCUSED</u>	<u>X</u>	<u>X</u>
2 Rep. Christianson	<u>1</u>	<u> </u>	<u> </u>

PASSED 4-2

**TOWN OF CLAYTON
WINNEBAGO COUNTY, WISCONSIN**

**ORDINANCE NO. 2026-004
AN ORDINANCE TO AMEND THE TOWN OF CLAYTON
COMPREHENSIVE PLAN 2040**

WHEREAS, an application for amendment to the Town of Clayton Comprehensive Plan has been filed with the Town of Clayton as described herein; and

WHEREAS, the application for amendment to the Town of Clayton Comprehensive Plan is to amend the Future Land Use Plan Map by amending the future land use categories of Tax ID #006-0352; 006-0352-01; 006-0352-01-01; 006-0353; 006-0354; and 006-0355 from 45.02 acres of Gateway Commercial & Retail to approximately 13.24 acres; 27.82 acres of Medium & High Density Residential to approximately 25.55 acres; 30.79 acres of Neighborhood Center Mixed Use to 0 acres; 37.85 acres of Parks & Recreation to approximately 22.96 acres; and add 79.73 acres of Single & Duplex Residential and

WHEREAS, the proposed amendment has been reviewed by the Town of Clayton Plan Commission on August 12, 2026, which did not recommend amendment of the Town of Clayton Comprehensive Plan 2040; and

WHEREAS, a public hearing on the Comprehensive Plan amendment was held at a Town of Clayton Plan Commission meeting at 6:30 pm on Wednesday, August 12, 2026, to hear comments from the public in support or objection of the proposed Comprehensive Plan amendment; and

WHEREAS, all procedural requirements have been met for the purposes of consideration of the amendment as provided in the Town of Clayton Comprehensive Plan and §66.1001, Wisconsin Statutes; and

NOW, THEREFORE, BE IT ORDAINED, THAT THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN, PURSUANT TO THE TOWN COMPREHENSIVE PLAN AND §66.1001, WISCONSIN STATUTES, HEREBY ADOPTS THE FOLLOWING AMENDMENT TO THE TOWN OF CLAYTON COMPREHENSIVE PLAN 2040:

- Property Owner(s):
VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al
- Legal Description of Property:
NW NW EXC HWY-PT D627195-1.57A & EXC HWY-PT D1170371-.36A 38.62 A.; NE NW EXC N 473.48 FT OF E 920 FT & EXC CSM-2942 CSM- 3081 27.69 A.; (NINA M HARDELL LIFE ESTATE) PT NE NW DESC AS LOT 1 OF CSM-943 EXC E 100 FT 5.91 A.; (NINA M HARDELL LIFE ESTATE) PT NE NW BEING E 100 FT OF LOT 1 OF CSM-943 1.08 A.; SW NW EXC N 276 FT OF S 518 FT OF W 322 FT LYG E OF EL OF HWY 45 & EXC CSM-1603 & EXC HWY 34.85 A.; SE NW 40.00 A.

NW 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF CLAYTON; NE 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF CLAYTON; NE 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF CLAYTON; NE 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF CLAYTON; SW 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF CLAYTON; SE 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF CLAYTON

- Adopted Amendment(s):
Amend Future Land Use Plan Map by amending the future land use category of the above-described properties from 45.02 acres of Gateway Commercial & Retail to approximately 13.24 acres; 27.82 acres of Medium & High Density Residential to approximately 25.55 acres; 30.79 acres of Neighborhood Center Mixed Use to 0 acres; 37.85 acres of Parks & Recreation to approximately 22.96 acres; and add 79.73 acres of Single & Duplex Residential

NOW, THEREFORE, BE IT FURTHER ORDAINED, that this amendment to the Town of Clayton Comprehensive Plan 2040 shall be effective immediately upon adoption by the Town Board of Supervisors of the Town of Clayton, and upon posting or publication of the same, as made and required by law.

Adopted this _____ day of _____, 20_____

Vote: Yes: _____ No: _____ Absent: _____ Abstain: _____

TOWN OF CLAYTON

By: _____
Russell D. Geise, Town Chair

Attest: _____
Kelsey Faust-Kubale, Town Clerk

**TOWN OF CLAYTON PLAN COMMISSION
RESOLUTION NO. 2026-009**

**A RESOLUTION TO THE TOWN OF CLAYTON BOARD OF SUPERVISORS
RECOMMENDING DENIAL OF THE REZONING APPLICATION OF LANDMARK
REAL ESTATE & DEVELOPMENT, INC.**

WHEREAS, Landmark Real Estate & Development, Inc., by its agent, Vierbicher (collectively, "**Landmark**"), submitted an application (the "**Application**") to the Town of Clayton (the "**Town**") requesting a zoning map amendment for approximately 141.48 acres of real property located in the Town of Clayton, Winnebago County, Wisconsin, identified as Tax Parcel Nos. 0060353, 0060354, 0060355, 0060352, 006035201, and 00603520101 (collectively, the "**Property**"); and

WHEREAS, Tax Parcel Nos. 006035201 and 00603520101 (collectively, the "**Subject Parcels**") are owned of record by Jennifer Olson, Jacqueline Maynard, and other remainder owners, and are not owned by VanderHeiden Family Partnership, the party identified as the property owner on the Application; and

WHEREAS, Section 9.07-02 (Initiation) of the Town of Clayton Zoning Code of Ordinances, Chapter 9 of the general code of the Town (the "**Zoning Code**"), provides that an application to amend the zoning map may be submitted only by (1) a property owner in the area to be affected by the proposed amendment, (2) the Plan Commission, or (3) a member of the Town Board of Supervisors; and

WHEREAS, Section 9.06-03 (Authority to file an application) of the Zoning Code provides that, unless otherwise specified in the Zoning Code, the owner of the property or a person holding power of attorney for the property owner shall sign the application submitted for review; and

WHEREAS, the Application was signed solely by Brad Rymer of Vierbicher, identified therein as agent for Keith Garot of Landmark Real Estate & Development, Inc.; and

WHEREAS, the Application was not signed by, nor submitted with any power of attorney or other written authorization from, the owners of record of the Subject Parcels; and

WHEREAS, Landmark is not an owner of record of the Subject Parcels, nor has Landmark demonstrated that it holds a power of attorney or other written authorization from the owners of record of the Subject Parcels; and

WHEREAS, the Application, as submitted, seeks rezoning of the Property as a single, unified request; and

WHEREAS, Landmark currently lacks the requisite authority to initiate an application for rezoning of the Subject Parcels; and

WHEREAS, because the Application was not properly initiated or signed as to the Subject Parcels under the Zoning Code, the Town Plan Commission wishes to recommend that the Town Board of Supervisors (the "**Board**") deny the Application in its entirety without prejudice to the

submission of a new application or applications, properly initiated and signed by the record owners of the property to be affected, or their authorized representatives;

NOW THEREFORE BE IT RESOLVED that the Town of Clayton Plan Commission hereby recommends that the Board deny the Application in its entirety, without prejudice to the submission of a new application or applications, properly initiated and signed by the record owners of the property to be affected, or their authorized representatives.

Vote:

Yes:

6

No:

0

Absent: 1

Abstain: 0

Signed:

Dick Knapinski
Dick Knapinski, Chairman

Date:

8/12/2020

Attest:

Kelsey Faust-Kubale

Kelsey Faust-Kubale, Town Clerk

Date:

8/12/20

Plan Commission

Roll Call Vote Tally

Meeting Date: August 12, 2026

Agenda Item: Plan Commission review & consideration of Resolution 2026-009 Making a Recommendation to the Town Board of Supervisors regarding a Rezoning Application submitted by Vierbicher on behalf of VanderHeiden Family Partnership, Wayne VanderHeiden & Mary Jane Volkman et. al., and Jennifer Olson & Jacqueline Maynard et.al, requesting approval to re-zone approximately 141.48 acres from A-2 (General Agriculture District) to approximately 79.73 acres of R-2 (Suburban Residential District); approximately 25.55 acres of R-4 (Multi-Family Residential District); approximately 13.24 acres of B-2 (Community Business District); and approximately 22.96 acres of P-I (Public Institutional District).

Motion by: WN

Second by: BH

MOTION: Motion to approve Resolution 2026-009 recommending approval / denial of the rezoning.

Commissioner Vote:	Aye	Nay	Abstain
5 Chair Knapinski	<u>1</u>	<u> </u>	<u> </u>
6 Commissioner Nemecek	<u>1</u>	<u> </u>	<u> </u>
1 Commissioner Haase	<u>1</u>	<u> </u>	<u> </u>
2 Commissioner Haskell	<u>1</u>	<u> </u>	<u> </u>
3 Commissioner Ketter	<u>1</u>	<u> </u>	<u> </u>
X Commissioner Sleik	<u>EXCUSED</u>		
4 Rep. Christianson	<u>1</u>	<u> </u>	<u> </u>

TOWN OF CLAYTON

ORDINANCE 2026-Z006

AN ORDINANCE TO AMEND THE OFFICIAL TOWN OF CLAYTON ZONING MAP – WINNEBAGO COUNTY, WISCONSIN

WHEREAS, one or more applications for amendment(s) to the “Town of Clayton Zoning Map – Winnebago County, Wisconsin” have been filed with the Town of Clayton Clerk as described herein; and

WHEREAS, following the requisite Notices and Public Hearing(s), the proposed amendment(s) have been reviewed and a recommendation was provided to the Town of Clayton Board of Supervisors by the Town’s Plan Commission; and

WHEREAS, the application(s) for amendment(s) to the “Town of Clayton Zoning Map – Winnebago County, Wisconsin” does comply with the Town’s future land use element of the Town of Clayton Comprehensive Plan 2040; and

WHEREAS, all other procedural requirements have been met for purposes of consideration of the amendment(s) as provided in Article 7 of the Town of Clayton Zoning Code of Ordinances; and

NOW, THEREFORE BE IT ORDAINED THAT, the Board of Supervisors of the Town of Clayton, County of Winnebago, State of Wisconsin, pursuant to Article 7 of the Town of Clayton Zoning Code of Ordinances, hereby adopts the following amendment(s) to the “Town of Clayton Zoning Map – Winnebago County, Wisconsin”:

Section 1: The Official “Town of Clayton Zoning Map – Winnebago County, Wisconsin” is amended as follows:

A. Property Owner(s):

VanderHeiden Family Partnership; Wayne VanderHeiden & Mary Jane Volkman et al.; and Jennifer Olson & Jacqueline Maynard et al.

Legal description of the property:

NW NW EXC HWY-PT D627195-1.57A & EXC HWY-PT D1170371-.36A 38.62 A.; NE NW EXC N 473.48 FT OF E 920 FT & EXC CSM-2942 CSM- 3081 27.69 A.; (NINA M HARDELL LIFE ESTATE) PT NE NW DESC AS LOT 1 OF CSM-943 EXC E 100 FT 5.91 A.; (NINA M HARDELL LIFE ESTATE) PT NE NW BEING E 100 FT OF LOT 1 OF CSM-943 1.08 A.; SW NW EXC N 276 FT OF S 518 FT OF W 322 FT LYG E OF EL OF HWY 45 & EXC CSM-1603 & EXC HWY 34.85 A.; SE NW 40.00 A.
NW 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF CLAYTON; NE 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF CLAYTON; NE 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF CLAYTON; NE 1/4, NW 1/4 of Section 13, T.20N. -

R.16E., TOWN OF CLAYTON; SW 1/4, NW 1/4 of Section 13, T.20N. - R.16E.,
TOWN OF CLAYTON; SE 1/4, NW 1/4 of Section 13, T.20N. - R.16E., TOWN OF
CLAYTON

Findings of Fact:

1. The Town of Clayton has an adopted Comprehensive Plan.
2. The Future Land Use Plan Map of the Comprehensive Plan shows the subject properties as Gateway Commercial & Retail", "Parks and Recreation", "Neighborhood Center Mixed Use", and "Medium and High Density Residential" to "Gateway Commercial & Retail", "Parks and Recreation", Neighborhood Center Mixed Use", "Medium and High Density Residential", and "Residential – Single and Duplex"
3. The proposed R-2 (Suburban Residential District); R-4 (Multi-Family Residential District); B-2 (Community Business District); and P-I (Public Institutional District).is consistent with the aforementioned future land use categories.
4. Therefore, a zoning map amendment from A-2 (General Agriculture District) to R-2 (Suburban Residential District); R-4 (Multi-Family Residential District); B-2 (Community Business District); and P-I (Public Institutional District) is consistent with the adopted Comprehensive Plan.
5. The zoning map amendment is compatible with adjacent land uses.

The above-described property is hereby rezoned from:

A-2 (General Agriculture District) to R-2 (Suburban Residential District); R-4 (Multi-Family Residential District); B-2 (Community Business District); and P-I (Public Institutional District)

Section 2: This Ordinance shall be submitted to the Winnebago County Board for approval. This amendment to the "Town of Clayton Zoning Map – Winnebago County, Wisconsin" shall be effective upon approval by the Winnebago County Board.

Adopted this _____ day of _____, 20_____

Vote: Yes: _____ No: _____ Abstain: _____ Absent: _____

ATTEST:

Russell D. Geise, Town Chair

Kelsey Faust-Kubale, Town Clerk

TOWN OF CLAYTON PLAN COMMISSION
RESOLUTION 2026-010
A RESOLUTION RECOMMENDING THE ADOPTION OF AN ORDINANCE
CORRECTING THE AMENDMENTS TO THE TOWN OF CLAYTON COMPREHENSIVE
PLAN 2040 MADE BY ORDINANCE 2026-001

WHEREAS, the Town Board of the Town of Clayton adopted Ordinance 2026-001 on January 21, 2026, amending the Town of Clayton Comprehensive Plan 2040 (the “**Comprehensive Plan**”) to expand the Town’s general zoning authority over shoreland areas (the “**Prior Amendment**”); and

WHEREAS, following adoption of Ordinance 2026-001, a review of the Comprehensive Plan as amended identified three errors requiring correction: (a) a subject-verb agreement defect in the amendment to Chapter 8, page 7, introduced by Section 2 of Ordinance 2026-001; (b) the reproduction of pre-existing, unamended Comprehensive Plan text in the amendment to Chapter 11, page 30, made by Section 4 of Ordinance 2026-001; and (c) unfilled drafting placeholders in the amendment to Appendix F made by Section 6 of Ordinance 2026-001; and

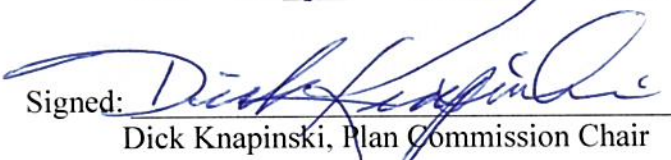
WHEREAS, a corrective amendment to the Comprehensive Plan (the “**Amendment**”) is needed to correct those errors and ensure the Comprehensive Plan accurately reflects the intent of the Town Board as expressed in the Prior Amendment; and

WHEREAS, a public hearing was held on August 12, 2026 (the “**Public Hearing**”) wherein the Town Plan Commission discussed the corrective Amendment attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, by adopting this resolution, the Plan Commission recommends that the Town Board of Supervisors (the “**Board**”) adopt the Amendment, thereby correcting the Comprehensive Plan as described herein; and

NOW THEREFORE BE IT RESOLVED by the Town of Clayton Plan Commission that the Plan Commission hereby recommends that the Board adopt the Amendment.

Vote: Yes 6 No: 0 Absent: 1 Abstain: 0

Signed: 
Dick Knapinski, Plan Commission Chair

Date: 8/12/2026

Attest: 
Kelsey Faust-Kubale, Town Clerk

Date: 8/12/2026

EXHIBIT A

ORDINANCE 2026-[NUMBER]
 AN ORDINANCE CORRECTING THE AMENDMENTS TO THE TOWN OF
 CLAYTON COMPREHENSIVE PLAN 2040 MADE BY ORDINANCE 2026-001

WHEREAS, the Comprehensive Plan 2040 (the “**Comprehensive Plan**”) for the Town of Clayton, County of Winnebago, State of Wisconsin (the “**Town**”) was amended by Ordinance 2026-001, adopted by the Town Board on January 21, 2026, to expand the Town’s general zoning authority over shoreland areas (the “**Prior Amendment**”); and

WHEREAS, following adoption of the Prior Amendment, a review of the Comprehensive Plan as amended identified three errors requiring correction: (a) a subject-verb agreement defect in the amendment to Chapter 8, page 7, introduced by Section 2 of the Prior Amendment; (b) the reproduction of pre-existing, unamended Comprehensive Plan text in the amendment to Chapter 11, page 30, made by Section 4 of the Prior Amendment; and (c) unfilled drafting placeholders in the amendment to Appendix F made by Section 6 of the Prior Amendment; and

WHEREAS, this corrective amendment to the Comprehensive Plan (this “**Amendment**”) is necessary to correct those three errors and ensure the Comprehensive Plan accurately reflects the intent of the Town Board as expressed in the Prior Amendment; and

WHEREAS, following a public hearing on _____, 2026, the Town Plan Commission passed a resolution whereby it recommended the adoption of this Amendment by the Town Board, as demonstrated by the Plan Commission Resolution attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, all public notice and hearing requirements set forth in Wis. Stat. § 66.1001(4) have been satisfied with respect to this Amendment, including publication, posting, and the conduct of a public hearing before the Plan Commission; and

NOW THEREFORE BE IT ORDAINED that the Town Board of the Town of Clayton, Winnebago County, does hereby approve and adopt the Amendment to the Comprehensive Plan as described herein.

Adopted this ____ day of _____, 2026

 Russ D. Geise, Town Chair

Attest:

 Kelsey Faust-Kubale, Clerk

1. **Authority.** This Amendment constitutes an exercise of the Town's authority granted by Wis. Stat. § 66.1001, and the adoption thereof complies with the procedures provided in Wis. Stat. § 66.1001(4).
2. **Effect of the Amendment.** This Amendment corrects three drafting errors in the amendments to the Comprehensive Plan made by the Prior Amendment. No new zoning authority is created or modified by this Amendment. The substantive expansion of the Town's general zoning authority over shoreland areas was fully effected by the Prior Amendment, which remains in force as corrected hereby. Except as expressly provided herein, all terms and provisions of the Comprehensive Plan, as previously amended, are and will remain in full force and effect and are hereby ratified and confirmed.
3. **Amendment.** The Comprehensive Plan is hereby amended as follows (for clarity, all text appearing in bold reflects changes from the original Comprehensive Plan, whether made by this Amendment or by Ordinance 2026-001; unbolded text is reproduced verbatim from the original Comprehensive Plan):

Section 1. That the amendment to Chapter 8, page 7, Section "Wetlands," paragraph 4, made by Section 2 of Ordinance 2026-001, is hereby corrected and restated in its entirety as follows:

A complex set of regulations by various local, state, and federal agencies places numerous limitations on the development and use of wetlands and shoreland. **The Town's Zoning Code and** Chapter 27 of the Winnebago County Zoning Code **describe** permitted uses of wetlands provided there is no filling, flooding, tiling, draining, ditching, dredging, or excavating, some of which include development of silviculture, hiking, fishing, trapping, harvesting of wild crops, and the cultivation of agricultural crops. The Wisconsin Department of Natural Resources regulates the placement of structures and other alterations below the ordinary high water mark of navigable streams, lakes, and wetlands. The Corps of Engineers has authority over the placement of fill materials in virtually all wetlands associated with waters of the United States. The U.S. Department of Agriculture incorporates wetland preservation criteria into its crop price support program. Prior to placing fill or altering wetland resources, the appropriate agencies should be contacted to receive authorization.

Section 2. That the amendment to Chapter 11, page 30, Section "Zoning Ordinance," made by Section 4 of Ordinance 2026-001, is hereby corrected and restated in its entirety as follows:

Zoning Ordinance. Zoning has long been recognized as a fundamental tool in implementing a comprehensive plan, specifically the intentions of the Future Land Use Plan. The Town of Clayton took a significant step toward providing more local control over land use decisions by removing town wide zoning control through Winnebago County. On December 17, 2013, the Town developed and adopted The Town of Clayton Zoning Code of Ordinances. It should be noted that, **while the Town holds general zoning control over**

shoreland areas (300' of a navigable stream and 1,000' from a lake or impoundment), Winnebago County maintains shoreland overlay zoning control over such areas.

Section 3. That the Comprehensive Plan 2040 Amendments table in Appendix F, as amended by Section 6 of Ordinance 2026-001, is hereby corrected to reflect the following row in place of the row as adopted:

Version	Date	Description
1.0	January 21, 2026	Expansion of plan zoning control to encompass shoreland areas. Ordinance 2026-001

Plan Commission

Roll Call Vote Tally

Meeting Date: August 12, 2026

Agenda Item: Plan Commission review & consideration of Resolution 2026-010 Making a Recommendation to the Town Board of Supervisors regarding a Comprehensive Plan Amendment submitted by the Town of Clayton, for a proposed amendment to the Comprehensive Plan 2040 to correct drafting errors in the amendments made by Ordinance 2026-001, adopted January 21, 2026: (a) a subject-verb agreement defect in the amendment to Chapter 8, page 7; (b) the reproduction of unamended text in the amendment to Chapter 11, page 30; and (c) unfilled drafting placeholders in the Appendix F amendment table.

Motion by: BH

Second by: NN

MOTION: Motion to approve Resolution 2026-010 recommending approval / denial of the Comprehensive Plan Amendment.

Commissioner Vote:	Aye	Nay	Abstain
4 Chair Knapinski	<u>1</u>	<u> </u>	<u> </u>
5 Commissioner Nemecek	<u>1</u>	<u> </u>	<u> </u>
6 Commissioner Haase	<u>1</u>	<u> </u>	<u> </u>
1 Commissioner Haskell	<u>1</u>	<u> </u>	<u> </u>
2 Commissioner Ketter	<u>1</u>	<u> </u>	<u> </u>
X Commissioner Sleik	<u>EXCUSED</u>		
3 Rep. Christianson	<u>1</u>	<u> </u>	<u> </u>

ORDINANCE 2026-005
AN ORDINANCE CORRECTING THE AMENDMENTS TO THE TOWN OF
CLAYTON COMPREHENSIVE PLAN 2040 MADE BY ORDINANCE 2026-001

WHEREAS, the Comprehensive Plan 2040 (the “**Comprehensive Plan**”) for the Town of Clayton, County of Winnebago, State of Wisconsin (the “**Town**”) was amended by Ordinance 2026-001, adopted by the Town Board on January 21, 2026, to expand the Town’s general zoning authority over shoreland areas (the “**Prior Amendment**”); and

WHEREAS, following adoption of the Prior Amendment, a review of the Comprehensive Plan as amended identified three errors requiring correction: (a) a subject-verb agreement defect in the amendment to Chapter 8, page 7, introduced by Section 2 of the Prior Amendment; (b) the reproduction of pre-existing, unamended Comprehensive Plan text in the amendment to Chapter 11, page 30, made by Section 4 of the Prior Amendment; and (c) unfilled drafting placeholders in the amendment to Appendix F made by Section 6 of the Prior Amendment; and

WHEREAS, this corrective amendment to the Comprehensive Plan (this “**Amendment**”) is necessary to correct those three errors and ensure the Comprehensive Plan accurately reflects the intent of the Town Board as expressed in the Prior Amendment; and

WHEREAS, following a public hearing on August 12, 2026, the Town Plan Commission passed a resolution whereby it recommended the adoption of this Amendment by the Town Board, as demonstrated by the Plan Commission Resolution attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, all public notice and hearing requirements set forth in Wis. Stat. § 66.1001(4) have been satisfied with respect to this Amendment, including publication, posting, and the conduct of a public hearing before the Plan Commission; and

NOW THEREFORE BE IT ORDAINED that the Town Board of the Town of Clayton, Winnebago County, does hereby approve and adopt the Amendment to the Comprehensive Plan as described herein.

Adopted this ____ day of _____, 2026

Russ D. Geise, Town Chair

Attest:

Kelsey Faust-Kubale, Clerk

1. **Authority.** This Amendment constitutes an exercise of the Town's authority granted by Wis. Stat. § 66.1001, and the adoption thereof complies with the procedures provided in Wis. Stat. § 66.1001(4).
2. **Effect of the Amendment.** This Amendment corrects three drafting errors in the amendments to the Comprehensive Plan made by the Prior Amendment. No new zoning authority is created or modified by this Amendment. The substantive expansion of the Town's general zoning authority over shoreland areas was fully effected by the Prior Amendment, which remains in force as corrected hereby. Except as expressly provided herein, all terms and provisions of the Comprehensive Plan, as previously amended, are and will remain in full force and effect and are hereby ratified and confirmed.
3. **Amendment.** The Comprehensive Plan is hereby amended as follows (for clarity, all text appearing in bold reflects changes from the original Comprehensive Plan, whether made by this Amendment or by Ordinance 2026-001; unbolded text is reproduced verbatim from the original Comprehensive Plan):

Section 1. That the amendment to Chapter 8, page 7, Section "Wetlands," paragraph 4, made by Section 2 of Ordinance 2026-001, is hereby corrected and restated in its entirety as follows:

A complex set of regulations by various local, state, and federal agencies places numerous limitations on the development and use of wetlands and shoreland. **The Town's Zoning Code and** Chapter 27 of the Winnebago County Zoning Code **describe** permitted uses of wetlands provided there is no filling, flooding, tiling, draining, ditching, dredging, or excavating, some of which include development of silviculture, hiking, fishing, trapping, harvesting of wild crops, and the cultivation of agricultural crops. The Wisconsin Department of Natural Resources regulates the placement of structures and other alterations below the ordinary high water mark of navigable streams, lakes, and wetlands. The Corps of Engineers has authority over the placement of fill materials in virtually all wetlands associated with waters of the United States. The U.S. Department of Agriculture incorporates wetland preservation criteria into its crop price support program. Prior to placing fill or altering wetland resources, the appropriate agencies should be contacted to receive authorization.

Section 2. That the amendment to Chapter 11, page 30, Section "Zoning Ordinance," made by Section 4 of Ordinance 2026-001, is hereby corrected and restated in its entirety as follows:

Zoning Ordinance. Zoning has long been recognized as a fundamental tool in implementing a comprehensive plan, specifically the intentions of the Future Land Use Plan. The Town of Clayton took a significant step toward providing more local control over land use decisions by removing town wide zoning control through Winnebago County. On December 17, 2013, the Town developed and adopted The Town of Clayton Zoning Code of Ordinances. It should be noted that, **while the Town holds general zoning control over**

shoreland areas (300' of a navigable stream and 1,000' from a lake or impoundment), Winnebago County maintains shoreland overlay zoning control over such areas.

Section 3. That the Comprehensive Plan 2040 Amendments table in Appendix F, as amended by Section 6 of Ordinance 2026-001, is hereby corrected to reflect the following row in place of the row as adopted:

Version	Date	Description
1.0	January 21, 2026	Expansion of plan zoning control to encompass shoreland areas. Ordinance 2026-001

EXHIBIT A
PLAN COMMISSION RESOLUTION

MEMORANDUM

Business Item A

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of Resolution 2026-006 regarding proposed text amendments affecting the Winnebago County Chapter 16 of the Winnebago County General Code.

Please see the comments below from Code Administrator Kamke:

Overall, it's positive news about long-overdue changes to legitimize judgement calls made by department staff over the years. Where the existing code would have prohibited things, but practicality demanded flexibility, allowances were made under the assumption the code would be updated. This appears to be that update. I have some opinions on changes that I'd like to see them make to the proposed language, but there are minimal ways in which the proposed ordinance text will impact the Town's operations.

They discussed the topic briefly at the July 13 P&Z Committee meeting. Man Caves was called out because the code as it exists today requires each unit of that condo to have a full system, including in-ground treatment component (drain field), since the soil profile there would accept wastewater effluent for treatment. Holding tanks are only allowed as a 'system of last resort', and technically the parcel had no soil limitations that would have prohibited a mound or at-grade system for each unit. However, the parcel's use aligns better for holding tanks to serve each unit; trying to have one massive system drain field that each unit's tank pumps to would be a nightmare for maintenance and figuring out responsibility. I believe the County made a code-conflicting decision to allow holding tanks for each of these units, choosing to side with reality; the changes proposed here would realign those (good!) decisions with code requirements/allowances.

I recall that Coralee and/or Tom already check with the County for the issuance of sanitary permits before the Town issues your own building permits for new construction, so I will verifying with you if that check also happens for additions and rebuilds, since that is called out as required as well.

There's some vague language about if a POWTS exists for a structure within an area that will become served by public sewer service, establishing timelines for connection to sewer service after an order is issued. The language doesn't indicate which jurisdiction is responsible for issuing or enforcing the order though. If you know details on how that works within Clayton's Sanitary District #1, I'd like to discuss and learn about that. I still think the County could add clarifying language, but there may be industry knowledge that I'm just not aware of yet that would explain this vagueness.

The last part of direct Town impact is a definition of "Waters of the State" that they are taking word for word from statute (Ch 281.01(18)). What this means is that if there is a human health hazard caused by a POWTS, likely being the discharge of wastewater

from a failed or compromised system, and that discharge is impacting **ANY** type of surface or ground water, it is under the jurisdiction of the County to issue abatement orders and enforce compliance. My previous understanding of 'state waters' was just those that were both natural and accessible to the public. The definition within the County POWTS ordinance is much larger and appears to include stormwater retention ponds and other artificial waterbodies as well:

““Waters of the state” includes those portions of Lake Michigan and Lake Superior within the boundaries of this state, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within this state or its jurisdiction.”

SUGGESTED MOTION(S):

*Motion **AND ROLL CALL** to approve Resolution 2026-006 regarding proposed text amendments affecting the Winnebago County Chapter 16 of the Winnebago County General Code.*

If you have any questions about this information, please feel free to call or e-mail me.

Respectfully Submitted
Kelsey

RESOLUTION 2026-006
Town Board of the Town of Clayton, Winnebago County, WI

RE: Petition of the Winnebago County Planning and Zoning Committee for the proposed code text amendment changes affecting the Winnebago County Chapter 16 of the Winnebago County General Code

DESCRIPTION OF SUBJECT SITE:

Owner(s) of Property: NA
Applicant(s): Winnebago County Planning & Zoning Committee
Location of Premises: N/A

EXPLANATION:

Submitted application is to repeal and re-create the Winnebago County Private On-Site Wastewater Treatment Systems (POWTS), Chapter 16 of the Winnebago County General Code.

The entire code will be redlined and a few examples of some of the changes will be:

1. Update/clean up outdated code references & language. Example: COMM (Department of Commerce) no longer exists and is now the Department of Safety & Professional Services (DSPS).
2. Restructure the entire code and add definitions for further clarity. Example: Defining Wastewater, Blackwater & Graywater.

Allow Holding Tanks for certain small-scale commercial/industrial activities which produce an estimated wastewater flow of less than 100 gallons per day. Example: Personal Storage Facilities - "Man Caves".

RESOLVED, by the Town Board of the Town of Clayton, Winnebago County, Wisconsin, that the above indicated proposed amendment(s) to the Winnebago County Chapter 16, of the Winnebago County General Code, be and the same is hereby

[] APPROVED [] DISAPPROVED

Signed: _____

TOWN FINDINGS (REASONS):

- 1.
- 2.
- 3.

I, Kelsey Faust-Kubale, Town Clerk of the above-named town, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Town Board of the Town of Clayton.

DATED THIS ____ DAY OF _____, 2026.

Winnebago County Planning and Zoning Department

Item A.

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE August 25, 2026

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Text Code Amendment which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a Public Hearing on August 25, 2026 at 6:30 PM in Susan T. Ertmer Conference Room 120 of the David Albrecht Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the Public Hearing may appear in person or via Microsoft Teams using the information below. A direct link to the Microsoft Teams Meeting is available on the Winnebago County Meetings and Agenda calendar on the above indicated date.

Microsoft Teams Meeting Information Link: <https://winnebagoowwi.portal.civicclerk.com/>
Select the Agenda PDF on the meeting date and Click "Join Meeting Now"

For further detailed information concerning this notice, contact the Winnebago County Zoning office, where the application is available for viewing.

INFORMATION ON TEXT CODE AMENDMENT REQUEST

Application No.: 26-TA-002

Applicant: WINN CTY PLANNING AND ZONING COMMITTEE

Agent: WINN CTY ASST ZONING ADMINISTRATOR DANIEL LEFEBVRE

Location of Premises: N/A

Tax Parcel No.: N/A

Explanation: Submitted application is to repeal and re-create the Winnebago County Private On-Site Wastewater Treatment Systems (POWTS), Chapter 16 of the Winnebago County General Code. The entire code will be redlined and a few examples of some of the changes will be:

1. Update/clean up outdated code references & language. Example: COMM (Department of Commerce) no longer exists and is now the Department of Safety & Professional Services (DSPS).
2. Restructure the entire code and add definitions for further clarity. Example: Defining Wastewater, Blackwater & Graywater.
3. Allow Holding Tanks for certain small-scale commercial/industrial activities which produce an estimated wastewater flow of less than 100 gallons per day. Example: Personal Storage Facilities - "Man Caves".

INITIAL STAFF REPORT

Explanation: Submitted application is to repeal and re-create the Winnebago County Private On-Site Wastewater Treatment Systems (POWTS), Chapter 16 of the Winnebago County General Code.

II. Geographic Background Information

A. Property Owner(s): N/A

B. Applicant(s) Name: Winnebago County Planning & Zoning Committee
Agent: Daniel Lefebvre, Assistant Zoning Administrator

C. Location: N/A

I. Section Reference

Winnebago County Private On-Site Wastewater Treatment Systems (POWTS), Chapter 16 of the Winnebago County General Code.

MEMORANDUM

Business Item B

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of an Application for a Temporary Class "B" license by Central Wisconsin Auto Collectors for an event to be held August 23, 2026.

These licenses are issued for a one-day event and follow similar guidelines to permanent license applications. The applicants will need to provide an operator who is licensed in the Town. As of this writing, two applications have been received and were previously listed on the agenda for this meeting.

SUGGESTED MOTION(S):

Motion to approve the application submitted by Central Wisconsin Auto Collectors and grant a Temporary Class "B" license for an event to be held on August 23, 2026.

If you have any questions about this information, please feel free to call or e-mail me.

Respectfully Submitted
Kelsey