



PLAN COMMISSION

Wednesday, March 13, 2024 – 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

PUBLIC HEARING(S) AND/OR PUBLIC INFORMATION MEETINGS

- A. Public Hearing on proposed batch text amendments to the Town of Clayton Zoning Ordinance regarding definition and development of Self Storage within the Town of Clayton.
- B. Public Hearing on a Re-zoning Application submitted by Devin Nikodem on behalf of Marty & Suzette Nikodem Revocable Trust, et. al., to re-zone Tax ID #006-0095-01-03 (Winnegamie Dr). The application is to re-zone the listed parcel from R-1 (Rural Residential District) to R-3 (Two-family Residential District).
- C. Public Hearing on a Conditional Use Application submitted by Leif Bergstrom for a proposed pond residential accessory use located at 3130 Rose Moon Way, specifically described as Tax ID #006-0670-01-06.

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday February 14, 2024 Plan Commission Meeting

OPEN FORUM – Public comments addressed to the Plan Commission

Individuals properly signed in may speak directly to the Plan Commission on non-repetitive Planning and Zoning matters whether on or not on the agenda. Commentators must wait to be called, must speak from the podium, directing their comments to the Commission. 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 Commission’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 February 2024 Building Inspection Report

BUSINESS

- A. Review/Recommendation: Plan Commission review & recommendation on proposed batch text amendments to the Town of Clayton Zoning Ordinance regarding definition and development of Self Storage within the Town of Clayton.
- B. Review/Recommendation: Plan Commission review & recommendation on a Certified Survey Map (CSM) submitted by Chris Perrenault on behalf of Mary Alice

Eisch for approval of a CSM combining & reconfiguring Tax ID #006-0693 (Oakwood Ave), Tax ID #006-0694, Tax ID #006-0695 (Oakridge Rd), and Tax ID # 006-0696 into two (2) lots.

C. Review/Recommendation: Plan Commission review & recommendation on Resolution 2024-001 making a Recommendation to the Town Board of Supervisors regarding a Re-zoning application submitted by Devin Nikodem on behalf of Marty & Suzette Nikodem Revocable Trust, et. al., to re-zone Tax ID #006-0095-01-03 (Winnegamie Dr). The application is to re-zone the listed parcel from R-1 (Rural Residential District) to R-3 (Two-family Residential District).

D. Review/Recommendation: Plan Commission review & recommendation on a Conditional Use Application submitted by Leif Bergstrom for a proposed pond residential accessory use located at 3130 Rose Moon Way, specifically described as Tax ID #006-0670-01-06.

UPCOMING MEETING ATTENDANCE

- A. Plan Commission (6:30 pm start unless otherwise noted) - Apr 10; May 8; June 12
- B. Town Board (6:30 pm start unless otherwise noted) - March 20; Apr 3 & 17; May 1 & 15
- C. Annual Town Meeting - April 16
- D. Annual Reorganizational Meeting - April 17

ADJOURNMENT

Respectfully submitted,

Dick Knapinski
Plan Commission Chair

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 Plan Commission 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 Plan Commission 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: --

**TOWN OF CLAYTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Plan Commission of the Town of Clayton, Winnebago County, will hold a Public Hearing at 6:30 PM on Wednesday, March 13, 2024, in the Town Hall Meeting Room located at 8348 Hickory Ave, Larsen WI 54947. The purpose of the Public Hearing is to receive Public Comment regarding proposed batch text amendments to the Town of Clayton Zoning Ordinance requested by the Town Board of Supervisors. A summary of the proposed text amendments is as follows:

1. The text amendment prohibits Self Storage, as defined in the amendment, as a use under the Town of Clayton Zoning Code. If approved the text amendment would prohibit further development of Self Storage in the Town of Clayton.
2. If the text amendment is approved, existing Self Storage facilities will be subject to Chapter 13, Nonconformities of the Town of Clayton Zoning Code.
3. The text amendment corrects typographical errors to correct misnumbering of certain tables related to storage ordinances.

Copies of the text amendments are available at the Town Hall, or by contacting the Town Clerk at (920) 836-2007. All interested parties & any objections will be heard at the Public Hearing. If you cannot attend the Public Hearing, you may submit written comments to the Town Clerk before 4:00 P.M. on the date of the Public Hearing.

By: Kelsey Faust-Kubale, Clerk

Dated: February 23, 2024

Publish on: Wednesday February 28, 2024
and
Wednesday March 6, 2024

Post on or before February 28, 2024

**TOWN OF CLAYTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Plan Commission of the Town of Clayton, County of Winnebago will hold a Public Hearing at 6:30 PM on Wednesday, March 13, 2024, in the Town Office meeting room located at 8348 Hickory Ave, Larsen WI 54947. The purpose of the Public Hearing is to receive public comment regarding the following Re-zoning Application:

THE PETITIONER(s): Plan Commission Public Hearing on a Re-zoning application submitted by Devin Nikodem on behalf of Marty & Suzette Nikodem Revocable Trust, et. al., to re-zone Tax ID #006-0095-01-03 (Winnegamie Dr). The application is to re-zone the listed parcel from R-1 (Rural Residential District) to R-3 (Two-family Residential District).

Copies of the Re-zoning Application are available at the Town Hall, or by contacting the Town Clerk at (920) 836-2007. All interested parties and any objections to this request being granted will be heard at the Public Hearing. If you cannot attend the Public Hearing, you may submit written comments to the Town Clerk before 4:00 PM on the date of the Public Hearing.

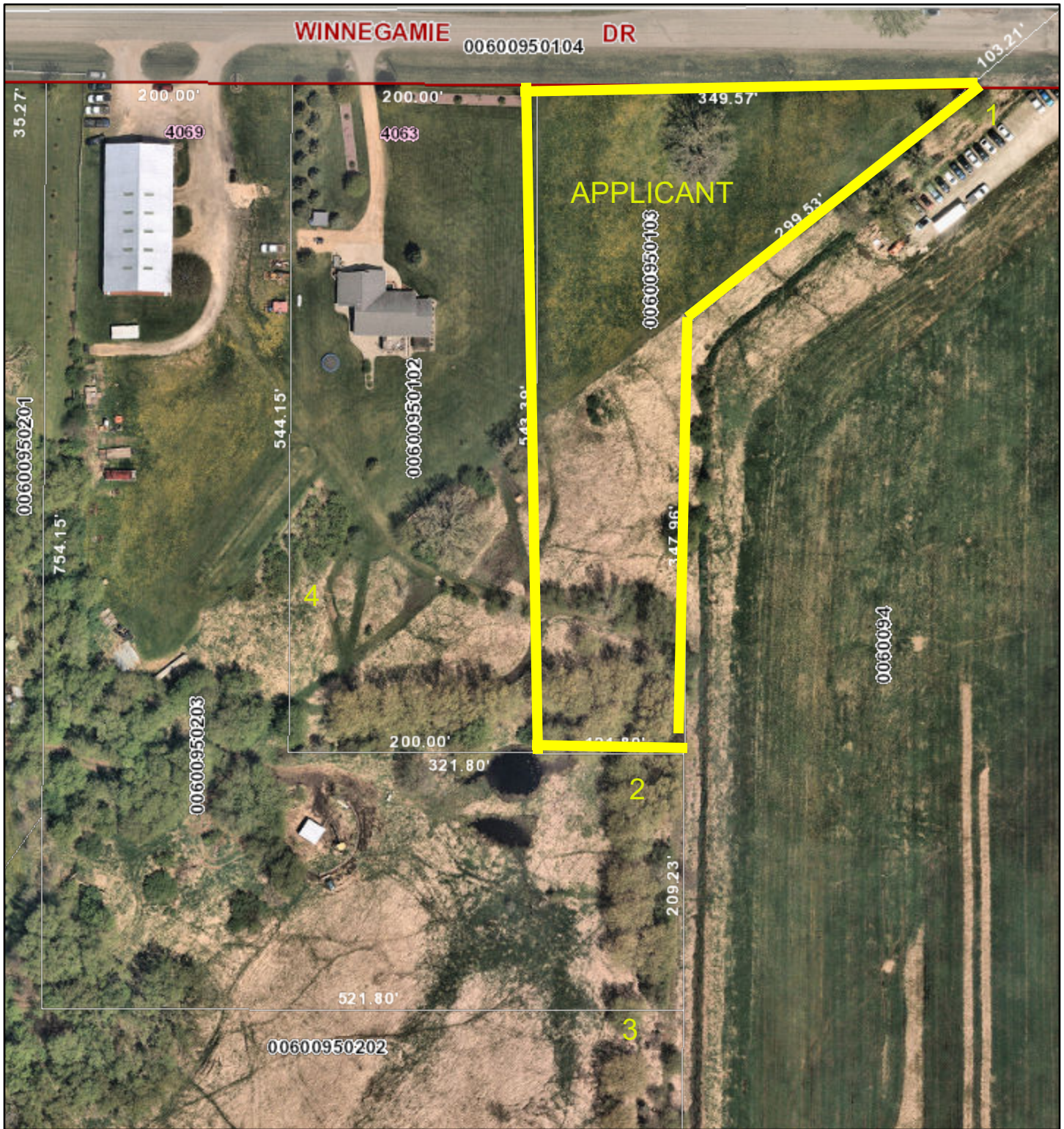
Dated this 23rd day of February, 2024
By: Kelsey Faust-Kubale, Clerk

Publish on Wednesday, February 28, 2024
and
Wednesday, March 6, 2024

Post on or before February 28, 2024

006-0095-01-03 Re-Zoning

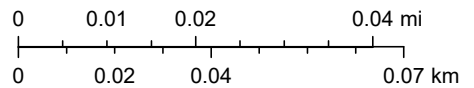
Item B.



2/22/2024, 2:40:48 PM

1:1,373

- Adjacent Counties
- Lakes, Ponds and Rivers
- Navigable Waterways
- Navigable - Permanent (unchecked)
- Navigable - Intermittent (unchecked)
- Navigable - Stream (unchecked)
- Navigable - Permanent (checked)
- Navigable - Intermittent (checked)
- Navigable - Stream (checked)
- Tax Parcel Boundary
- Road ROW



Winnebago County GIS, Nearmap, Imagery Date: April 2020

006-0095-01-03 Re-Zoning

Item B.



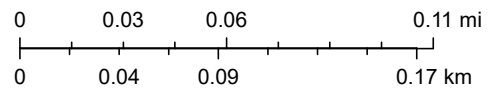
2/22/2024, 2:44:46 PM

1:4,514

- Tax Parcel Information
- County Boundaries
- PLSS Sections
- Monuments
- Section Corner

- Lot Dimension
- Acreage
- CSM Lot Number
- CSM Name
- Tax Key

- Streets
- LOCAL
- Highway Labels



**TOWN OF CLAYTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Plan Commission of the Town of Clayton will hold Public Hearings beginning at 6:30 pm on Wednesday, March 13, 2024 in the Town Office Meeting Room located at 8348 Hickory Ave, Larsen WI 54947. The purpose of the Public Hearing is to receive public comment regarding the following Conditional Use Application:

THE PETITIONER(S): Leif Bergstrom has submitted a Conditional Use Application for a proposed pond residential accessory use located at 3130 Rose Moon Way, specifically described as Tax ID # 006-0670-01-06.

Copies of the Conditional Use Application are available at the Town Hall, or by contacting the Town Clerk at (920) 836-2007. All interested parties and any objections to this request being granted will be heard at the Public Hearings. If you cannot attend the Public Hearings, you may submit written comments to the Town Clerk before 4:00 pm on the date of the Public Hearings.

Dated this 23rd day of February, 2024
Kelsey Faust-Kubale, Clerk

Publish Wednesday, February 28, 2024
and
Wednesday, March 6, 2024

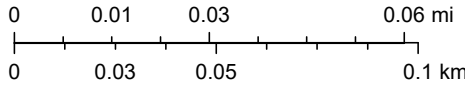
Post on or before February 28, 2024



2/22/2024, 3:26:19 PM

1:1,872

- Adjacent Counties
- Lakes, Ponds and Rivers
- Navigable Waterways
- Navigable - Permanent (unchecked)
- Navigable - Intermittent (unchecked)
- Navigable - Stream (unchecked)
- Navigable - Permanent (checked)
- Navigable - Intermittent (checked)
- Navigable - Stream (checked)
- Tax Parcel Boundary
- Road ROW
- Municipal Boundary



Winnebago County GIS, Nearmap, Imagery Date: April 2020



PLAN COMMISSION

Wednesday, February 14, 2024 at 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 Ketter
 Town Board Rep. Christianson

EXCUSED

Commissioner Dorow
 Commissioner Hopkins

STAFF

Administrator Wisnefske
 Clerk Faust-Kubale
 Code Administrator Kussow

PUBLIC HEARING(S) AND/OR PUBLIC INFORMATION MEETINGS

- A. Public Hearing on a Conditional Use Application submitted by Kunes Appleton Properties LLC for a proposed addition to the existing heavy vehicle sales and rental principal building located at 2615 West American Drive, specifically described as Tax ID #006-0341-01.

NO COMMENTS RECEIVED FROM PUBLIC - HEARING CLOSED AT 6:31 PM

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday January 10, 2024 Plan Commission Meeting

MOTION

Motion made by Commissioner Haskell, **Seconded** by Commissioner Nemecek to approve the Minutes of the Wednesday, January 10, 2024 Plan Commission Meeting as presented.

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

Motion carried 5-0.

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

CORRESPONDENCE

- A. Distribution of the December 2023 Building Inspection Report
- B. Distribution of the 2023 Annual Building Inspection Report
- C. Distribution of the January 2024 Building Inspection Report

BUSINESS

- A. Review/Recommendation: Plan Commission review & recommendation on a Conditional Use Application submitted by Kunes Appleton Properties LLC for a proposed addition to the existing heavy vehicle sales and rental principal building located at 2615 West American Drive, specifically described as Tax ID #006-0341-01.

MOTION

Motion made by Commissioner Ketter, **Seconded** by Commissioner Nemecek to postpone the Conditional Use Application submitted by Kunes Appleton Properties LLC until no later than August 31, 2024 due to non-compliance with the minimum standards of the Town's Zoning Ordinance as outlined in the 9 Issues & Outstanding Items described in the submitted Staff Memo:

1. Gravel outdoor camper display area does not comply with the 2017 Site Plan Approval & the 25 ft. outdoor setback display area setback requirement per Sec. 9.08-291.
2. Applicant did not provide Winnebago County and Wisconsin Department of Natural Resources (DNR) stormwater management and erosion control permits/approvals.
3. Applicant did not provide Wisconsin Department of Natural Resources (DNR) approval for wetland disturbance/filling.
4. The proposed exterior wall materials do not comply with the requirements of Attachment C for the Tier 1 architectural design zone (i.e., "Acceptable Exterior Building Materials" shall cover at least 75% of all exterior wall surfaces of the proposed addition).
5. Applicant did not provide specifications identifying compliance with the Solar Reflective Index (SRI) requirement for roofing material.
6. New overhead doors are proposed facing street yards (i.e., USH 10 & West American Dr.).
7. Applicant did not submit a landscape plan; the existing landscaping does not comply with the 2017 Site Plan Approval; and the existing landscaping does not comply with Attachment E for the proposed building addition and expansion of the outdoor display/storage area.
8. The refuse/recycling area and screening in compliance with Section 9.08-209 was not identified on or provided with the submitted plans.
9. Applicant did not provide specifications verifying the proposed exterior lighting is certified by the International Dark Sky Association (IDA),

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

Motion carried 5-0.

- B. Review/Recommendation: Plan Commission review & recommendation on a Site Plan Application submitted by Kunes Appleton Properties LLC for a proposed addition to the existing heavy vehicle sales and rental principal building located at 2615 West American Drive, specifically described as Tax ID #006-0341-01.

MOTION

Motion made by Commissioner Haskell, **Seconded** by Commissioner Nemecek to postpone the Suite Plan Application submitted by Kunes Appleton Properties LLC until no later than August 31, 2024 due to non-compliance with the minimum standards of the Town's Zoning Ordinance as outlined in the 9 Issues & Outstanding Items described in the submitted Staff Memo:

1. Gravel outdoor camper display area does not comply with the 2017 Site Plan Approval & the 25 ft. outdoor setback display area setback requirement per Sec. 9.08-291.
2. Applicant did not provide Winnebago County and Wisconsin Department of Natural Resources (DNR) stormwater management and erosion control permits/approvals.
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8. The refuse/recycling area and screening in compliance with Section 9.08-209 was not identified on or provided with the submitted plans.
9. Applicant did not provide specifications verifying the proposed exterior lighting is certified by the International Dark Sky Association (IDA),

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

Motion carried 5-0.

- C. Review/Discussion: Plan Commission review & discussion on a Concept Plan Review Application submitted by Scott Andersen on behalf of the Arden & June Schroeder Joint Revocable Trust, for a proposed Certified Survey Map (CSM) dividing/reconfiguring Tax ID #006-0035, Tax ID #0036-0033 (9457 State Rd 76), and Tax ID #006-1204-01 into two lots with a proposed road extension of Memory Lane.

DISCUSSION ITEM ONLY - NO ACTION TAKEN

UPCOMING MEETING ATTENDANCE

- A. Plan Commission (6:30 pm start unless otherwise noted) - March 13; Apr 10; May 8
- B. Town Board (6:30 pm start unless otherwise noted) - Feb 21; March 6 & 20; Apr 3 & 17

ADJOURNMENT

MOTION

Motion made by Commissioner Haskell, **Seconded** by Commissioner Nemecek to adjourn at 7:38 pm

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

Motion carried 5-0.

Respectfully submitted,

Kelsey Faust-Kubale
Town Clerk

INTERMUNICIPAL REPORT FEBRUARY 2024 PERMITTING

DATE	PERMIT #	OWNER	ADDRESS	DESCRIPTION	CONTRACTOR	EST. PROJECT COST	PERMIT FEE	BLDING INSPECTOR FEE
TOWN OF CLAYTON PERMITS:								
2/12/2024	22-24-2B	TYLER VERHAGEN	8372 ST NORBERT	NSFD	GENERATION BLDGS	\$ 354,000.00	\$ 660.00	\$ 528.00
2/13/2024	23-24-2B	ALAN FRIGO	9349 HAWK VIEW	BASEMENT REMOD	SELF	\$ 25,000.00	\$ 400.00	\$ 320.00
2/13/2024	24-24-2E	ALAN FRIGO	9349 HAWK VIEW	REMOD ELECT	SELF	\$ 1,000.00	\$ 187.86	\$ 150.29
2/13/2024	24-24-2P	ALAN FRIGO	9349 HAWK VIEW	REMOD PLUMB	SELF	\$ 2,000.00	\$ 187.86	\$ 150.29
2/13/2024	25-24-2P	JENNIFER HIBBERT	2953 RIDGEWAY	REPLACE WATER HEATER	BLACK-HAAK	\$ 2,000.00	\$ 75.00	\$ 60.00
2/13/2024	26-24-2E	MICHAEL HOPKINS	2842 OAKRIDGE	SERVICE	BLACK-HAAK	\$ 3,000.00	\$ 75.00	\$ 60.00
2/13/2024	27-24-2H	CR FOCHS	2770 TOWN CT	COMMERCIAL HVAC	PALISADES HVAC	\$ 4,515.00	\$ 327.00	\$ 261.60
2/15/2024	28-24-2B	DARALD KASTEN	4894 FAIRVIEW	ADDN	SELF	\$ 75,000.00	\$ 382.84	\$ 306.27
2/15/2024	29-24-2B	KYLE GUSTAFSON	9346 BROAD MEADOW	NSFD	CYPRESS HOMES	\$ 650,000.00	\$ 882.68	\$ 706.14
2/27/2024	30-24-2B	JACOBS HOMES	2601 & 2603 ST THOMAS	NEW DUPLEX	JACOBS HOMES	\$ 400,000.00	\$ 1,027.76	\$ 822.21
2/27/2024	31-24-2E	JEFF HOUTS	7568 BLACK TOP WAY	NSFD ELECT	CR FOCHS	\$ 22,000.00	\$ 429.48	\$ 343.58
2/28/2024	32-24-2H	TINA SCHINDERLE	8194 GOLF COURSE	REPLACE FURNACE	BLACK-HAAK	\$ 8,000.00	\$ 75.00	\$ 60.00
2/28/2024	33-24-2H	CURTIS BALTZ	2560 E SHADY	REPLACE FURNACE	MODERN SHEET METAL	\$ 4,599.00	\$ 75.00	\$ 60.00
2/28/2024	34-24-2P	KYLE GUSTAFSON	9346 BROAD MEADOW	NSFD PLUMB	SBS PLUMING	\$ 30,000.00	\$ 423.48	\$ 338.78
2/28/2024	35-24-2E	CLAYTON DEVELOPMENT	2642&2644 PRINCETON	NEW DUPLEX ELECT	QUANTUM ELECT	\$ 20,000.00	\$ 476.04	\$ 380.83
2/28/2024	36-24-2E	CLAYTON DEVELOPMENT	2648&2650 PRINCETON	NEW DUPLEX ELECT	QUANTUM ELECT	\$ 20,000.00	\$ 476.04	\$ 380.83
TOTALS						\$ 1,267,114.00	\$ 5,501.04	\$ 4,400.83
TOWN OF WINNECONNE PERMITS:								
2/6/2024	4-24-2B	JON MCMURTRIE	5701 EAGLEVIEW	BASEMENT REMOD	DON SPRINGHETTI	\$ 180,000.00	\$ 282.00	\$ 225.60
2/7/2024	5-24-2E	PINNACLE PROPERTIES	6460 SUNSHINE HARBOUR	NSFD ELECT	COUNTRYSIDE ELECT	\$ 23,000.00	\$ 214.11	\$ 171.29
2/7/2024	6-24-2E	BRAD HIMSEL	5326 EVERBREEZE	NSFD ELECT	TETZLAFF ELECT	\$ 20,000.00	\$ 228.06	\$ 182.45
2/7/2024	7-24-2P	BRAD HIMSEL	5326 EVERBREEZE	NSFD PLUMB	QUANDT PLUMB	\$ 23,000.00	\$ 228.06	\$ 182.45
2/7/2024	8-24-2H	BRAD HIMSEL	5326 EVERBREEZE	NSFD HVAC	FONDY HVAC	\$ 18,000.00	\$ 228.06	\$ 182.45
2/7/2024	9-24-2B	TOM LANDRUM	5147 N HARBOUR	BASEMENT REMOD	SELF	\$ 10,000.00	\$ 116.00	\$ 92.80
2/7/2024	10-24-2E	TOM LANDRUM	5147 N HARBOUR	BASEMENT REMOD ELECT	SELF	\$ 1,000.00	\$ 55.80	\$ 44.64
2/26/2024	11-24-2B	AARON STEINBRENNER	6822 LAKESHORE	FOUNDATION REPAIR	AREA WATER PROOFING	\$ 15,590.00	\$ 50.00	\$ 40.00
2/26/2024	12-24-2E	TERI ALDERSON	6194 CLARK POINT	SOLAR INSTALL	ENDRIES SOLAR	\$ 13,500.00	\$ 60.00	\$ 48.00
2/28/2024	13-24-2B	JASON GARBISCH	6874 SUNSET TR	RAZE BOAT HOUSE	WALLY SCHMID EXCAVATING	\$ 4,600.00	\$ 40.00	\$ 32.00
2/28/2024	14-24-2P	PINNACLE PROPERTIES	6460 SUNSHINE HARBOUR	NSFD PLUMB	INTGRITY PLUMB	\$ 22,000.00	\$ 214.11	\$ 171.29
TOTALS						\$ 150,690.00	\$ 1,434.20	\$ 1,147.36

MEMORANDUM**Public Hearing A & Business Item A**

From: Administrator/Staff
To: Plan Commission
Re: Plan Commission Public Hearing on proposed batch text amendments to the Town of Clayton Zoning Ordinance regarding definition and development of Self Storage within the Town of Clayton.

AND

Plan Commission review & recommendation on proposed batch text amendments to the Town of Clayton Zoning Ordinance regarding definition and development of Self Storage within the Town of Clayton.

Town Chair Geise instructed Town Counsel at the January 17, 2024 Board meeting to draft and bring forward a text amendment to the Town Zoning Ordinance that would prohibit Self Storage as a use as defined in the amendment.

Because the process for text amendment outlined in the Town Zoning Ordinance requires it to first be presented to the Plan Commission, the Town Board is respectfully requesting the Commission to review the proposed text amendments and make a recommendation.

SUGGESTED MOTION

Motion to recommend approval of the text amendments to the Town of Clayton Zoning Ordinance as presented.

Respectfully Submitted,
Kelsey

13.0 TRANSPORTATION FACILITIES

- 13.01 **Airport** A place where airplanes, ultralights, helicopters, or similar aircraft may land and takeoff. This use may also include facilities for the housing and maintenance of the same and facilities for passenger ticket sales and accessory food service areas primarily intended for pilots and passengers.
- 13.02 **Bus storage facility** A place where buses are parked when not in use and may include administrative offices and a building for the storage, care, and maintenance of buses in the fleet.
- 13.03 **Mass transit terminal** A place where passengers can board mass transit. This use may include facilities for ticket sales and accessory food service areas primarily intended for passengers.
- 13.04 **Off-site parking lot** A place where motor vehicles associated with an offsite use may be parked for a short duration. It may be available to the public or reserved to accommodate parking for a specific purpose.
- 13.05 **Parking structure** A place where motor vehicles may be parked in a multi-level structure for a short duration. The term does not include underground parking.
- 13.06 **Park-and-ride lot** A designated place where people can park their motor vehicles for a short duration to board public transportation or to carpool or vanpool.
- 13.07 **Railroad line** A linear strip of land with rail tracks and auxiliary facilities for track operation such as signal bungalows. The term does not include passenger stations, freight terminals, loading platforms, train sheds, warehouses, car or locomotive maintenance shops, and switchyards. The term further does not include properties owned by a railroad company that are leased for use by others.
- 13.08 **Street** A surfaced travelway for motor vehicles that is located within an easement or right-of-way.



14.0 GENERAL STORAGE

- 14.01 **Bulk fuel storage** A place where liquid or compressed fuel products may be stored in bulk.
- ~~14.02 **Personal storage facility** A place where individual storage units are offered for rent, lease, sale, or other arrangement. The term includes a tract of land used to store motor vehicles and watercraft.~~
- 14.02 **Self Storage:** A use, place, or facility where the owner or tenant of the Goods or Property being stored retains the care, custody, and control of the Goods or Property. A Self Storage Facility shall include both inside and outside storage or combination of inside and outside storage. A Self Storage Facility, as defined above, shall include a facility whose primary function is the storage of Goods or other Property other than as a Public Warehouse, as defined and regulated under Wis. Stat. Ch. 99 Public Warehouses. Self Storage is a prohibited use.
 - 14.02.01 "Goods" means all things that are treated as movable for the purposes of storage or transportation.
 - 14.02.02 "Property" includes food; agricultural and commercial products, commodities or equipment; household furnishings; automobiles, boats, snowmobiles or other vehicles and conveyances; and all other items of a personal, family, household, agricultural, business or commercial nature.
- 14.03 **Truck terminal** A place where goods carried by motor transport are received and temporarily stored until transferred to another truck for delivery.
- 14.04 **Warehouse** A place where goods, merchandise, and other materials are temporarily stored for eventual shipment. The term includes moving and storage facilities. The term does not include bulk fuel storage.

Exhibit 8-1. Land use matrix – continued

	Review	Special Standards	Base Zoning District														
			A-1	A-2	R-1	R-2	R-3	R-4	R-8	P-I	B-1	B-2	B-3	M-1	I-1	I-2	
11 Government and Community Services - cont.																	
11.08 Correctional facility	ZP,SP	9.08-358	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-
11.09 Educational facility, pre-K through 12	ZP,SP	9.08-359	-	C	C	C	C	C	-	P	C	P	P	P	-	-	-
11.10 Educational facility, post-secondary	ZP,SP	9.08-360	-	-	-	-	-	-	-	P	C	P	P	P	C	-	-
11.11 Maintenance garage	ZP,SP	9.08-361	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-
11.12 Park	ZP,SP	9.08-362	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-
11.13 Public safety facility	ZP,SP	9.08-363	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-
11.14 Recreation trail [10]	-	9.08-364	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P
11.15 Worship facility [10]	ZP,SP	9.08-365	C	C	C	C	P	P	-	P	P	P	P	P	C	-	-
12 Telecommunications and Utilities [11]																	
12.01 Solar energy system	ZP,SP	9.08-371	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na
12.02 Stormwater management facility [1]	ZP	9.08-372	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12.03 Telecommunication facility, concealed [1]	ZP,SP	9.08-373	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12.04 Telecommunication facility, unconcealed [1]	ZP,SP	9.08-374	C	C	-	-	-	-	-	C	C	C	C	-	P	P	-
12.05 Utility installation, major [1]	ZP,SP	9.08-375	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P
12.06 Utility installation, minor [1]	ZP	9.08-376	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12.07 Utility maintenance yard	ZP,SP	9.08-377	-	C	-	-	-	-	-	C	-	-	-	-	-	P	P
13 Transportation																	
13.01 Airport	ZP,SP	9.08-381	-	C	C	C	-	-	-	C	-	-	-	-	P	P	-
13.02 Bus storage facility	ZP,SP	9.08-382	-	C	-	-	-	-	-	C	-	C	C	C	P	P	-
13.03 Mass transit terminal	ZP,SP	9.08-383	-	-	-	-	-	-	-	C	-	P	P	P	C	-	-
13.04 Off-site parking lot	ZP,SP	9.08-384	-	-	-	-	-	-	-	C	C	P	P	P	C	-	-
13.05 Parking structure	ZP,SP	9.08-385	-	-	-	-	-	-	-	C	-	-	P	P	C	-	-
13.06 Park-and-ride lot	ZP,SP	9.08-386	-	C	C	C	C	C	-	C	C	P	P	C	C	C	-
13.07 Railroad line [1]	-	9.08-387	C	P	P	P	P	P	P	C	P	P	P	P	P	P	P
13.08 Street [1]	-	9.08-388	C	P	P	P	P	P	P	C	P	P	P	P	P	P	P
14 General Storage																	
14.01 Bulk fuel storage	ZP,SP	9.08-401	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
14.02 Personal storage facility Intentionally Deleted																	
14.03 Truck terminal	ZP,SP	9.08-403	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
14.04 Warehouse	ZP,SP	9.08-404	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
15 Industrial Uses																	
15.01 Artisan shop	ZP,SP	9.08-411	-	C	-	-	-	-	-	-	C	C	P	P	P	C	-
15.02 Batching plant associated with a nonmetallic mine [12]	ZP,SP	9.08-412	C	C	-	-	-	-	-	-	-	-	-	-	C	C	-
15.03 Biofuels production plant	ZP,SP	9.08-413	C	C	-	-	-	-	-	-	-	-	-	-	-	-	C
15.04 Construction equipment repair	ZP,SP	9.08-414	-	-	-	-	-	-	-	-	-	-	C	-	P	P	-
15.05 Construction equipment sales and service	ZP,SP	9.08-415	-	-	-	-	-	-	-	-	-	-	C	-	P	P	-
15.06 Contractor yard	ZP,SP	9.08-416	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C
15.07 Industrial, heavy	ZP,SP	9.08-417	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
15.08 Industrial, light	ZP,SP	9.08-418	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
15.09 Nonmetallic mine [13]	ZP,SP	9.08-419	C	C	-	-	-	-	-	-	-	-	-	-	C	C	-
15.10 Salvage yard	ZP,SP	9.08-420	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C

continued on next page

9.08-212 Cold storage facilities

Inclusion of unheated storage facilities on a parcel are subject to Attachment C, Town of Clayton Architectural Design Standards, of this Chapter. The horizontal design of such facilities shall meet the requirements set forth in Attachment C.

9.08-213 ~~Personal storage facilities~~ Intentionally Deleted

~~(a) Special provisions for certain personal storage facilities. A personal storage facility when allowed in a commercial zoning district shall meet the following requirements:~~

- ~~(1) Roof. The roof shall have a minimum pitch of 4 and 12.~~
- ~~(2) Door adjacent to a residential district. No door providing access to a storage cubicle shall be located on the outer perimeter of the building when abutting a residential district or a planned development district with a residential component.~~
- ~~(3) Placement of doors on a single-loaded building. When a personal storage facility is single loaded (i.e., cubicle doors only on one side), the cubicle doors shall not face the outer perimeter of the site.~~
- ~~(4) Exterior material. At least 40 percent of the wall surface facing toward the outer perimeter of the site shall be brick, natural or cultured stone, decorative concrete block (e.g., ground face or split face), stucco, or a combination thereof.~~

9.08-214 to 9.08-230 Reserved

Sections - continued

<p>Series 11. Government and Community Services</p> <p>9.08-351 Administrative government center 9.08-352 Animal shelter 9.08-353 Cemetery 9.08-354 Civic use facility 9.08-355 Community center 9.08-356 Community cultural facility 9.08-357 Community garden 9.08-358 Correctional facility 9.08-359 Educational facility, pre-K through 12 9.08-360 Educational facility, post-secondary 9.08-361 Maintenance garage 9.08-362 Park 9.08-363 Public safety facility 9.08-364 Recreation trail 9.08-365 Worship facility</p> <p>Series 12. Telecommunications and Utilities</p> <p>9.08-371 Solar energy system 9.08-372 Stormwater management facility 9.08-373 Telecommunication facility, concealed 9.08-374 Telecommunication facility, unconcealed 9.08-375 Utility installation, major 9.08-376 Utility installation, minor 9.08-377 Utility maintenance yard</p>	<p>Series 13. Transportation Facilities</p> <p>9.08-381 Airport 9.08-382 Bus storage facility 9.08-383 Marina 9.08-384 Mass transit terminal 9.08-385 Off-site parking lot 9.08-386 Parking structure 9.08-387 Park-and-ride lot 9.08-388 Railroad line 9.08-389 Street</p> <p>Series 14. General Storage</p> <p>9.08-401 Boat yard Bulk fuel storage 9.08-402 Bulk fuel storage Intentionally Deleted 9.08-403 Personal storage facility Truck terminal 9.08-404 Truck terminal Warehouse 9.08-405 Warehouse not used</p> <p>Series 15. Industrial Uses</p> <p>9.08-411 Artisan shop 9.08-412 Batching plant 9.08-413 Biofuels production plant 9.08-414 Construction equipment repair 9.08-415 Construction equipment sales and rental 9.08-416 Contractor yard 9.08-417 Industrial, heavy 9.08-418 Industrial, light 9.08-419 Nonmetallic mine 9.08-420 Salvage yard</p> <p>Series 16. Solid Waste Facilities</p> <p>9.08-431 Composting facility 9.08-432 Recycling center 9.08-433 Solid waste landfill 9.08-434 Solid waste transfer station</p>
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Series 1. Agricultural Uses

9.08-231 Agriculture-related use

(a) **Generally.** An agriculture-related use shall not be located in, or adjacent to, an existing or platted residential subdivision. If such use is established prior to December 17, 2013, the adjoining lands may be platted for residential subdivisions after that date.

(b) **Long-term use.** This use shall be located in an area that is planned to remain commercially viable for agricultural land uses over the long term.

(c) **Setbacks.** All buildings, structures, and outdoor storage areas shall be located at least 100 feet from all side and rear property boundary lines.

9.08-378 to 9.08-380 Reserved**Series 13. Transportation Facilities****9.08-381 Airport**

All buildings, outdoor airplane or helicopter storage areas, and other activity areas shall be located at least 100 feet from the perimeter of the airport property.

9.08-382 Bus storage facility

Outdoor storage areas and other activity areas shall be located at least 50 feet from a property in a residential zoning district and 25 feet from a property in a commercial or mixed-use zoning district.

9.08-383 Mass transit terminal

The primary access to a mass transit terminal shall be off of a road classified as a collector or a higher classification as depicted on the zoning map or a supplemental map.

9.08-384 Off-site parking lot

(a) **Access requirements.** The primary access to an off-site parking lot shall be off of a road classified as a collector or a higher classification as depicted on the zoning map or a supplemental map.

(b) **Cut-through traffic.** Access and vehicular circulation shall be designed so as to discourage cut-through traffic.

9.08-385 Parking structure

Snow chutes shall be placed in a location causing the least amount of impact on surrounding properties.

9.08-386 Park-and-ride lot

The primary access to a park-and-ride lot shall be located in close proximity to a road classified as a collector or a higher classification as depicted on the zoning map or a supplemental map.

9.08-387 Railroad line

No special standards apply to railroad lines.

9.08-388 Street

No special standards apply to streets.

9.08-390 to 9.08-400 Reserved**Series 14. General Storage****9.08-401 Bulk fuel storage**

No special standards apply to bulk fuel storage.

9.08-402 ~~Personal storage facility~~ Intentionally Deleted

~~(a) **Minimum lot area.** The lot on which a personal storage facility is located shall be at least one acre in size.~~

~~(b) **Access.** The access to a cubicle shall not open directly onto a public road right-of-way.~~

~~(c) **Surfacing of travelways.** Driveways, interior aisles, and walkways shall be concrete or asphaltic concrete, except as may be allowed in this subsection. Consistent with the procedures and requirements of article 7 of this chapter, the Plan Commission may allow gravel surfaces as a special exception and require, as a condition of approval, additional buffer yard and landscaping requirements deemed necessary to provide adequate screening between this use and adjoining properties.~~

~~(d) **Storage of prohibited substances.** No cubicle shall be used to store explosives, toxic substances, hazardous materials, or radioactive materials.~~

~~(e) **Uses.** Only uses that are accessory to storage shall occur. No portion of the site shall be used for fabrication, repair, or any similar use or for human habitation.~~

~~(f) **Design.** The personal storage facility shall be designed so as to minimize adverse visual impacts on nearby properties. The color, exterior materials, and orientation of proposed buildings and structures shall complement existing and anticipated development in the surrounding area. A personal storage facility in a commercial zoning district shall meet the special architectural requirements in division 8 of this article.~~

~~(g) **Fencing of outdoor storage area.** An area used for outdoor storage of operational vehicles, watercraft, and the like shall be enclosed by a security fence.~~

~~(h) **Setback of outdoor storage area.** Outdoor storage areas shall comply with the building setback standards for the zoning district in which the use is located.~~

9.08-403 Truck terminal

(a) **Setback of outdoor storage area.** Outdoor storage areas and other activity areas shall be located at least 100 feet from a property in a residential zoning district.

(b) **Control of fugitive dust.** As part of the building, site, and operation plan review process, the control of fugitive dust generated by this use shall be addressed.

9.08-404 Warehouse

(a) **Setback of outdoor storage area.** Outdoor storage areas and other activity areas shall be located at least 100 feet from a property in a residential zoning district.

(b) **Control of fugitive dust.** As part of the building, site, and operation plan review process, the control of fugitive dust generated by this use, if any, shall be addressed.

9.08-406 to 9.08-410 Reserved

Series 15. Industrial Uses

9.08-411 Artisan shop

When an artisan shop is located in a commercial or mixed-use zoning district, all materials and activities, except loading and unloading, shall be conducted entirely within the confines of a building.

9.08-412 Batching plant associated with a nonmetallic mine

(a) **Prerequisite use.** A batching plant in this instance shall only be allowed as an ancillary use to a nonmetallic mine that was previously approved under this chapter.

(b) **Setback requirements.** A batching plant shall be located at least 300 feet from a property in a residential zoning district and 200 feet from a property in a commercial or mixed-use zoning district.

(c) **Termination of approval.** If the zoning administrator determines that the nonmetallic mine with which the batching plant is associated is permanently closed, the administrator shall follow the procedure outlined in article 7 of this chapter relating to termination of the approval.

Exhibit 11-1. Parking standards – continued

11.0	Government and Community Services	Minimum Vehicle Spaces
11.01	Administrative government center	1 space for each 300 square feet of gross floor area
11.02	Animal shelter	1 space for each 600 square feet of gross floor area; plus 1 space for each employee on the largest work shift
11.03	Cemetery	1 space for each 250 square feet of gross floor area or 1 space for each 4 seats at maximum capacity, whichever is greater; plus 1 space for each employee on the largest work shift
11.04	Civic use facility	1 space for each 250 square feet of gross floor area or 1 space for each 4 patrons at maximum capacity, whichever is greater; plus 1 space for each employee on the largest work shift
11.05	Community center	1 space for each 250 square feet of gross floor area or 1 space for each 4 patrons at maximum capacity, whichever is greater; plus 1 space for each employee on the largest work shift
11.06	Community cultural facility	1 space for each 250 square feet of gross floor area or 1 space for each 4 patrons at maximum capacity, whichever is greater; plus 1 space for each employee on the largest work shift
11.07	Community garden	1 space for each 10,000 square feet of land available for production
11.08	Correctional facility	1 space for each 10 residents for visitation; plus 1 space for each employee on the largest work shift
11.09	Educational facility, pre-K through 12	0.5 spaces for each (K-8) classroom; 1 space for each 8 students (grades 9-12) at design capacity; plus 1 space for each employee on the largest work shift
11.10	Educational facility, post-secondary	0.5 spaces for each student during the largest class attendance period; plus 1 space for each employee on the largest work shift
11.11	Maintenance garage	1 space for each employee on the largest work shift
11.12	Park	1 space for each 3 patrons at the peak use period
11.13	Public safety facility	1 space for each 500 gross square feet of office area; 1 space for each employee on the largest work shift; plus 1 space for each vehicle normally parked on the premises
11.14	Recreation trail	On-site parking not required
11.15	Unspecified public use	Determined on a case-by-case basis
11.16	Worship facility	1 space for each 4 patrons at maximum capacity; plus 1 space for each employee on the largest work shift
12.0	Telecommunications and Utilities [6]	
12.01	Solar energy system	1 space for each employee on the largest work shift
12.02	Stormwater management facility	On-site parking not required
12.03	Telecommunication facility, concealed	1 space
12.04	Telecommunication facility, unconcealed	1 space
12.05	Utility installation, major	1 space for each on-site employee on the largest work shift
12.06	Utility installation, minor	1 space, although the zoning administrator may grant a waiver
12.07	Utility maintenance yard	1 space for each employee on the largest work shift
13.0	Transportation	
13.01	Airport	Determined on a case-by-case basis
13.02	Bus storage facility	1 space for each employee on the largest work shift
13.03	Marina	1 space for each 2 boat slips
13.04	Mass transit terminal	1 space for each 100 square feet of gross floor area devoted to a passenger waiting area; plus 1 space for each 300 square feet of gross floor area devoted to offices
13.05	Off-site parking lot	On-site parking not required
13.06	Parking structure	On-site parking not required
13.07	Park-and-ride lot	On-site parking not required
13.08	Railroad line	On-site parking not required
13.09	Street	On-site parking not required
14.0	General Storage	
14.01	Boat yard Intentionally Deleted	1 space for each employee on the largest work shift
14.02	Bulk fuel storage	1 space for each employee on the largest work shift
14.03	Personal storage facility Intentionally Deleted	1 space for each 50 rental units when an office is provided, plus 1 space for each employee on the largest work shift
14.04	Truck terminal	1 space for each employee on the largest work shift; plus 1 space for each fleet vehicle parked on site
14.05	Warehouse	1 space for each employee on the largest work shift; plus 1 space for each fleet vehicle parked on site

continued on next page

MEMORANDUM

Business Item B

From: Administrator/Staff
 To: Plan Commission
 Re: Plan Commission review & recommendation on a Certified Survey Map (CSM) submitted by Chris Perrenault on behalf of Mary Alice Eisch for approval of a CSM combining & reconfiguring Tax ID #006-0693 (Oakwood Ave), Tax ID #006-0694, Tax ID #006-0695 (Oakridge Rd), and Tax ID # 006-0696 into two (2) lots.

Please find the below comments from Code Administrator Kussow:

After review of the attached 2-lot CSM combining/reconfiguring PIN 006-0693, 006-0694, 006-0695, and 006-0696 into two lots, I have the following comments:

1. The subject parcels are located in the Town's General Agriculture (A-2) District.
2. Portions of the subject parcels are located in the "shorelands" and Winnebago County's General Agriculture (A-2) District.
3. There are intermittent "navigable" streams on PIN 006-0693, 006-0695, and 006-0696; There is a "navigable" pond on PIN 006-0695.
4. There are mapped wetlands on PIN 006-0694 and 006-0695.
5. There is no mapped floodplain on the subject property.
6. The subject parcels are not located in Outagamie County Airport Zoning or an Airport Height Limitation Zone.
7. The subject parcels are not located in a Sewer Service Area or Sanitary District.
8. The existing use of the subject parcels is agricultural cropland.
9. Portions of the subject parcels in the Oakwood Ave right-of-way are proposed to be dedicated as a street dedication.
10. The applicable minimum lot requirements for the A-2 District are as follows:
 - a. Minimum Lot Size: 5 acres
 - b. Minimum Lot Width: 200 ft.
 - c. Minimum Road Frontage: 200 ft.

The proposed lots comply with the minimum lot requirements for the A-2 District.
11. The CSM complies with all requirements of the Town Zoning Ordinance and Town Subdivision Ordinance.

It is Code Administrator Kussow's opinion that the CSM may be approved as proposed.

SUGGESTED MOTION

Motion to recommend approval of the CSM combining & reconfiguring the listed Tax ID #'s as proposed.

Respectfully Submitted,
 Kelsey



Certified Survey Map Review Application
(Submit 15 copies of Drawings)

Mail: 8348 CTR "T" - Larsen, WI 54947
Phone - 920-836-2007 Fax - 920-836-2026
Email - toc@new.rr.com Web Page - www.townofclayton.net

Property Owner (s): Mary Alice Fisch - Trustee of 2 Trusts

Address/Zip: 5345 Ann St., Larsen, WI 54947

Phone: 920-428-4007 Fax: _____ E-Mail: malice@boku.net

Applicant: Chris Perseault

Check: Architect Engineer Surveyor Attorney Agent

Address/City/Zip: 615 N. Lyncadale Dr., Appleton, WI 54914

Phone: 920-731-4168 Fax: 920-731-5623 E-Mail: chris@clse.pro

Describe the reason for the Certified Survey Map: Resplitting 4 parcels into 2 parcels

Survey Specifics:

No. of Lots: 2 Total Acreage: 132.9 Tax Key No.: 0060635, 0060636
0060633, 0060634

Legal Description: _____

Zoning: A-2

Surveyor: Same as applicant Registration No.: 2243

Address/City/Zip: _____

Phone: _____ Fax: _____ E-Mail: _____

I certify that the attached drawings are to the best of my knowledge complete and drawn in accordance with all Town of Clayton codes.

Applicant Signature: _____ Date: _____

For Town Use Only
See Fee Schedule

Fee: _____	Acct No: _____	Receipt: _____	Date: _____
Date Rec'vd Complete: _____	By: _____	Applic. No.: _____	
Review Meeting _____	History _____		
C.S.M. is: Approved _____	Approved with Condition _____	Denied _____	
Comments: _____			

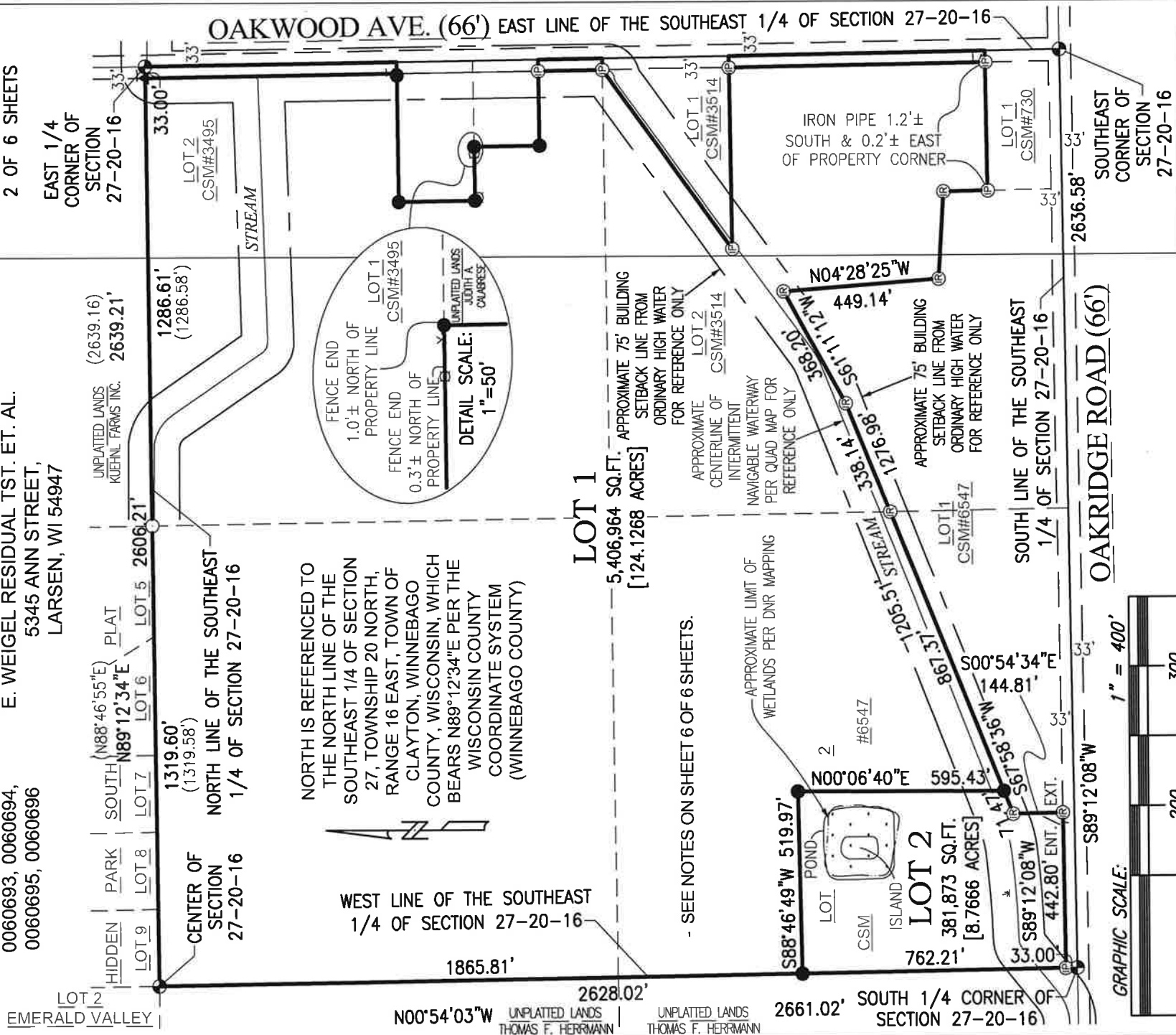
Notes: Please notify utility companies regarding your proposed development. CSM approval does not constitute approval of a building permit or any required approval of a highway connection permit. CSM & Fee must be submitted 10 working days prior to meeting.

CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 6547 AS RECORDED IN DOCUMENT NO. 1576067, ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3495 AS RECORDED IN DOCUMENT NO. 945085 AND PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3514 AS RECORDED IN DOCUMENT NO. 947468, LOCATED IN AND BEING PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND ALL OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 27, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

OWNER(S) OF RECORD:

TAX PARCEL NO.(S): MARY ALICE EISCH LIV. TST. & JOACHIM
 0060693, 0060694, E. WEIGEL RESIDUAL TST. ET. AL.
 0060695, 0060696 5345 ANN STREET,
 LARSEN, WI 54947



SEE DETAIL ON SHEET
2 OF 6 SHEETS

EAST 1/4
CORNER OF
SECTION
27-20-16

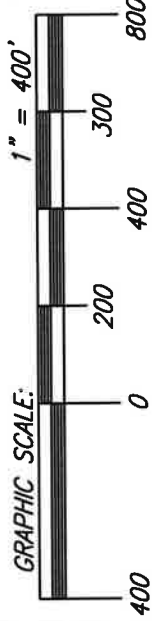
NORTH IS REFERENCED TO
THE NORTH LINE OF THE
SOUTHEAST 1/4 OF SECTION
27, TOWNSHIP 20 NORTH,
RANGE 16 EAST, TOWN OF
CLAYTON, WINNEBAGO
COUNTY, WISCONSIN, WHICH
BEARS N89°12'34"E PER THE
WISCONSIN COUNTY
COORDINATE SYSTEM
(WINNEBAGO COUNTY)

NORTH IS REFERENCED TO
THE NORTH LINE OF THE
SOUTHEAST 1/4 OF SECTION
27, TOWNSHIP 20 NORTH,
RANGE 16 EAST, TOWN OF
CLAYTON, WINNEBAGO
COUNTY, WISCONSIN, WHICH
BEARS N89°12'34"E PER THE
WISCONSIN COUNTY
COORDINATE SYSTEM
(WINNEBAGO COUNTY)

WEST LINE OF THE SOUTHEAST
1/4 OF SECTION 27-20-16

LOT 1
5,406,964 SQ.FT.
[124.1268 ACRES]

LOT 2
381,873 SQ.FT.
[8.7666 ACRES]



- LEGEND:
- = 1 1/2" X 18" O.D. ROUND IRON PIPE SET, WEIGHING 1.13 LBS. PER LIN. FT.
 - ⊙ = 3/4" SOLID ROUND IRON REBAR FOUND
 - ⊚ = 1 1/2" SOLID ROUND IRON REBAR FOUND
 - ⊛ = 1 1/2" O.D. ROUND IRON PIPE FOUND
 - ▲ = RAILROAD SPIKE SET
 - ✦ = UNDELINEATED WETLAND < 2 AC.
 - ⊠ = T-POST
 - ⊡ = EXISTING BERTNSEN MONUMENT
 - () = RECORDED AS BEARING OR DISTANCE
 - X- = EXISTING FENCE

CHRISTOPHER E. PERREAULT, PLS-2249 DATED
 CAROW LAND SURVEYING CO., INC.
 615 N. LYNDALE DR., APPLETON, WI 54912
 N5841 STATE HIGHWAY 47-55, SHAWANO, WI 54166
 PHONE: (920)731-4168
 42312.29 DATED: 01/28/2024
 DRAFTED BY: AW

SHEET 1 OF 6 SHEETS

Item B.

CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 6547 AS RECORDED IN DOCUMENT NO. 1576067, ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3495 AS RECORDED IN DOCUMENT NO. 945085 AND PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3514 AS RECORDED IN DOCUMENT NO. 947468, LOCATED IN AND BEING PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND ALL OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 27, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.



UNPLATTED LANDS
KOEHL FARM INC.

UNPLATTED LANDS
JAMES G. SCHULTZ

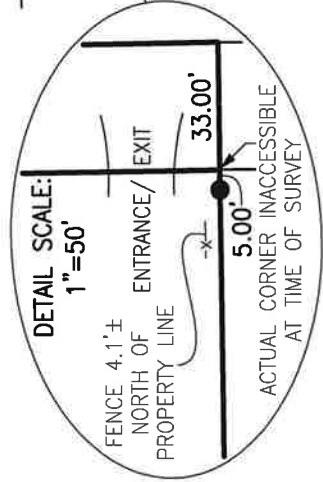
UNPLATTED LANDS
JAMES G. SCHULTZ

UNPLATTED LANDS
JAMES G. SCHULTZ

UNPLATTED LANDS
JULIE A. AND RYAN R. BEHM

UNPLATTED LANDS
KAREN K. AND THOMAS F. FRANCAIT

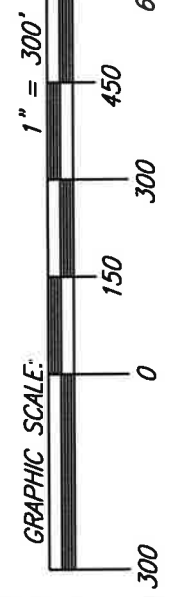
- SEE NOTES ON SHEET
6 OF 6 SHEETS.



NORTH IS REFERENCED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN, WHICH BEARS S00°50'38"E PER THE WISCONSIN COUNTY COORDINATE SYSTEM (WINNEBAGO COUNTY)

LEGEND:

- = 1 1/2" X 18" O.D. ROUND IRON PIPE SET, WEIGHING 1.13 LBS. PER LIN. FT.
- ⊙ = 3/4" SOLID ROUND IRON REBAR FOUND
- ⊗ = 1 1/2" O.D. ROUND IRON PIPE FOUND
- ▲ = RAILROAD SPIKE SET
- = T-POST
- ⊕ = EXISTING BERTINSEN MONUMENT
- () = RECORDED AS BEARING OR DISTANCE
- x- = EXISTING FENCE



CHRISTOPHER E. PERREAULT, PLS-2249 DATED
CAROW LAND SURVEYING CO., INC.
615 N. LYNDALE DR., APPLETON, WI 54912
N5841 STATE HIGHWAY 47-55, SHAWANO, WI 54166
PHONE: (920)731-4168
A2312.29 DATED: 01/28/2024
DRAFTED BY: AW

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BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 6547 AS RECORDED IN DOCUMENT NO. 1576067, ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3495 AS RECORDED IN DOCUMENT NO. 945085 AND PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3514 AS RECORDED IN DOCUMENT NO. 947468, LOCATED IN AND BEING PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼, PART OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ AND ALL OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ AND ALL OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼, ALL IN SECTION 27, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, CHRISTOPHER E. PERREAULT, PROFESSIONAL WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 6547 AS RECORDED IN DOCUMENT NO. 1576067, ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3495 AS RECORDED IN DOCUMENT NO. 945085 AND PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3514 AS RECORDED IN DOCUMENT NO. 947468, LOCATED IN AND BEING PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼, PART OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼, ALL IN SECTION 27, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 27; THENCE N00°54'03"W, 33.00 FEET ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SECTION 27 TO THE NORTH LINE OF OAKRIDGE ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING N00°54'03"W, 2628.02 FEET ALONG SAID WEST LINE TO THE CENTER OF SECTION 27; THENCE N89°12'34"E, 2639.21 FEET ALONG THE NORTH LINE OF THE SOUTHEAST ¼ OF SECTION 27 TO THE EAST 1/4 CORNER OF SECTION 27.; THENCE S00°50'38"E, 731.34 FEET ALONG THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 27 TO THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3495; THENCE S89°12'22"W, 400.00 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF SAID LOT 1; THENCE S00°50'38"E, 225.00 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID LOT 1; THENCE N89°12'22"E, 154.00 FEET ALONG SAID SOUTH LINE TO AN EAST LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3495; THENCE S00°50'38"E, 190.00 FEET ALONG SAID EAST LINE TO A NORTH LINE OF SAID LOT 2; THENCE N89°12'22"E, 246.00 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 27; THENCE S00°50'38"E, 184.00 FEET ALONG SAID EAST LINE TO A NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3514; THENCE S89°12'22"W, 33.00 FEET ALONG SAID NORTH LINE TO A NORTHWESTERLY LINE OF SAID LOT 1; THENCE S53°41'27"W, 637.75 FEET ALONG SAID NORTHWESTERLY LINE TO THE SOUTH LINE OF SAID LOT 1; THENCE N89°09'22"E, 552.43 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 27.; THENCE S00°50'38"E, 742.54 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 730; THENCE S89°12'08"W, 400.00 FEET ALONG SAID NORTH LINE TO AN EAST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6547; THENCE N00°50'38"W, 128.20 FEET ALONG SAID EAST LINE TO A NORTH LINE OF SAID LOT 1; THENCE N86°28'44"W, 250.35 FEET ALONG SAID NORTH LINE TO AN EAST LINE OF SAID LOT 1; THENCE N04°28'25"W, 449.14 FEET ALONG SAID EAST LINE TO THE NORTHERLY LINE OF SAID LOT 1; THENCE S61°11'12"W, 368.20 FEET ALONG SAID NORTHERLY LINE; THENCE S67°58'36"W, 1276.98 FEET ALONG SAID NORTHERLY LINE TO THE WEST LINE OF SAID LOT 1; THENCE S00°54'34"E, 144.81 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF OAKRIDGE ROAD; THENCE S89°12'08"W, 442.80 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF MARY-ALICE EISCH, 5345 ANN ST., LARSEN, WI 54947.

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED AND THE DIVISION OF THAT LAND.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCE OF WINNEBAGO COUNTY.

CHRISTOPHER E. PERREAULT, PLS-2249 DATE
CAROW LAND SURVEYING & ENVIRONMENTAL
615 N. LYNNDALE DRIVE, APPLETON, WI, 54914
N5841 S.T.H. "47-55", SHAWANO, WI 54166
PHONE: (920)731-4168
A2312.29 (RFR) 1-26-2024 REV. 2/29/2024

CERTIFIED SURVEY MAP NO.

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 6547 AS RECORDED IN DOCUMENT NO. 1576067, ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3495 AS RECORDED IN DOCUMENT NO. 945085 AND PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3514 AS RECORDED IN DOCUMENT NO. 947468, LOCATED IN AND BEING PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼, PART OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼, PART OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ AND ALL OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼, ALL IN SECTION 27, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

OWNER'S CERTIFICATE:

AS OWNER (S), I (WE) HEREBY CERTIFY THAT I (WE) CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. I (WE) ALSO CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR 236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: TOWN OF CLAYTON AND WINNEBAGO COUNTY.

WITNESS THE HAND AND SEAL OF SAID OWNER (S) THIS _____ DAY OF _____, 20____.

BY: MARY ALICE EISCH LIVING TRUST

MARY ALICE EISCH, TRUSTEE

STATE OF WISCONSIN)
)SS

COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20____, THE ABOVE NAMED PERSON (S) TO ME KNOWN TO BE THE PERSON (S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

OWNER'S CERTIFICATE:

AS OWNER (S), I (WE) HEREBY CERTIFY THAT I (WE) CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. I (WE) ALSO CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR 236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: TOWN OF CLAYTON AND WINNEBAGO COUNTY.

WITNESS THE HAND AND SEAL OF SAID OWNER (S) THIS _____ DAY OF _____, 20____.

BY: JOACHIM E. WEIGEL RESIDUAL TRUST

MARY ALICE EISCH, TRUSTEE

STATE OF WISCONSIN)
)SS

COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20____, THE ABOVE NAMED PERSON (S) TO ME KNOWN TO BE THE PERSON (S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

CHRISTOPHER E. PERREAULT, PLS-2249 DATE
CAROW LAND SURVEYING & ENVIRONMENTAL
615 N. LYNNDALE DRIVE, APPLETON, WI, 54914
N5841 S.T.H. "47-55", SHAWANO, WI 54166
PHONE: (920)731-4168
A2312.29 (RFR) 1-26-2024 REV. 2/29/2024

CERTIFIED SURVEY MAP NO. _____

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NOTES:

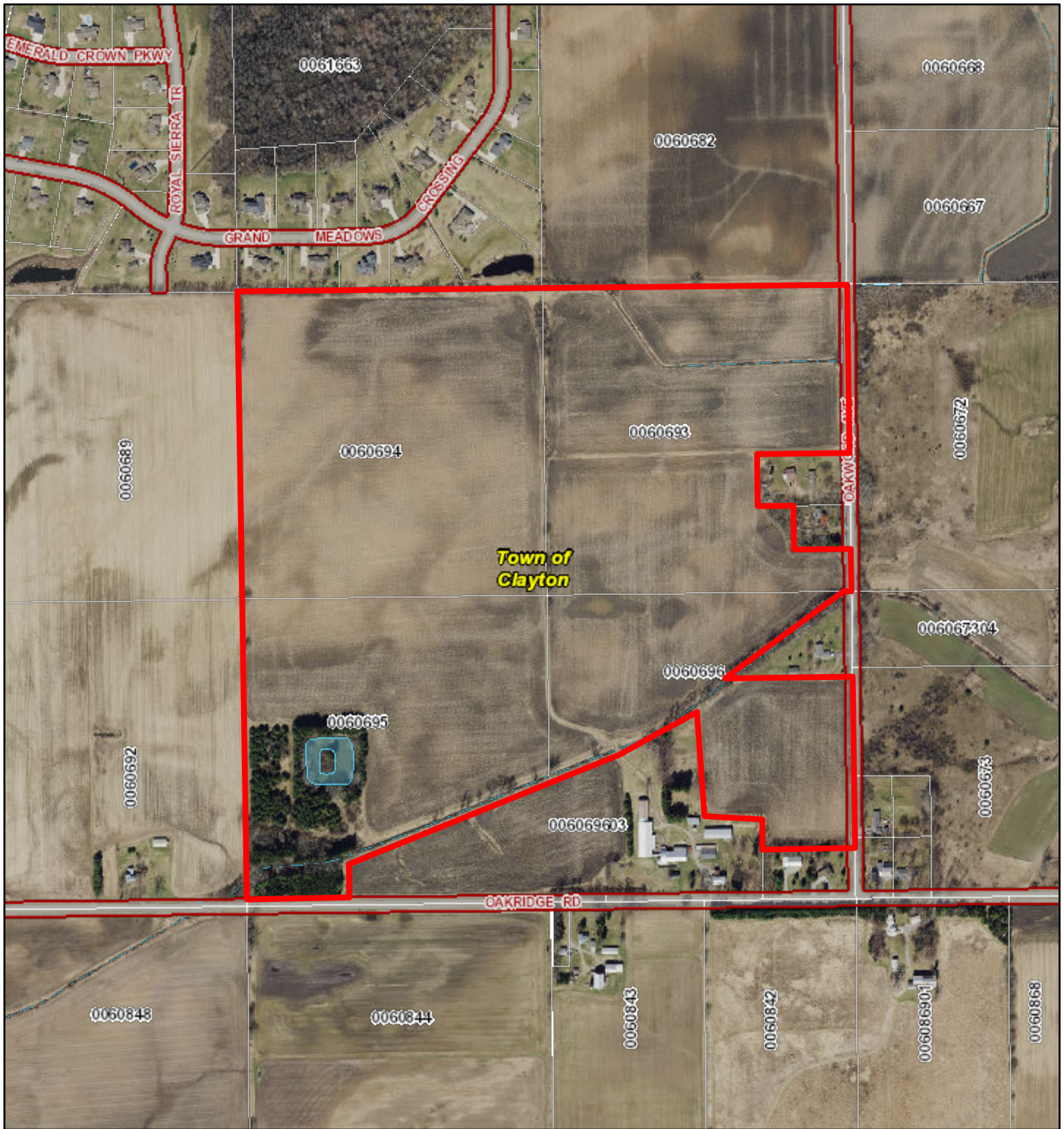
- THE LOT(S) SHOWN ON THIS MAP ARE LOCATED IN THE SPECIAL WELL CASING PIPE DEPTH AREA("SWCPDA"). THE "SWCPDA" HAS BEEN ESTABLISHED DUE TO NATURALLY OCCURRING ARSENIC CONTAMINATION PROBLEMS AFFECTING WELLS IN THIS AREA. ANYONE PLANNING ON DRILLING A WELL WITHIN THE "SWCPDA" SHALL, PRIOR TO ANY DRILLING, CONSULT THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, OR A DRILLING PROFESSIONAL, TO DETERMINE HOW TO COMPLY WITH THE PROVISIONS OFS. NR 812.12(3) OF THE WISCONSIN ADMINISTRATIVE CODE.
- THE ORDINARY HIGH WATER MARK SETBACK IS NOT BASED ON AN OFFICIAL DETERMINATION AND PRIOR TO ANY BUILDING, AN OFFICIAL DETERMINATION OF THE ORDINARY HIGH WATER MUST BE MADE BY THE WINNEBAGO COUNTY ZONING DEPARTMENT OR OTHER AUTHORIZED PERSON. ALSO ALL BUILDING SETBACKS AND OTHER LAND USE REQUIREMENTS SHOULD BE VERIFIED BY THE TOWN OF CLAYTON AND WINNEBAGO COUNTY ZONING OFFICE PRIOR TO ANY CONSTRUCTION OR OTHER LAND USE ACTIVITY.
- PRIOR TO ANY CONSTRUCTION CONTACT THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES OR WINNEBAGO COUNTY TO DETERMINE THE NAVIGABILITY OF THE WATERWAY.
- ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1 OF THE STATE CONSTITUTION.
- THE LOCATION OF THE APPROXIMATE ORDINARY HIGH WATER MARK SHALL BE THE POINT ON THE BANK OF A NAVIGABLE STREAM OR ON THE SHORE OF A LAKE UP TO WHICH THE PRESENCE AND ACTION OF SURFACE WATER IS SO CONTINUOUS AS TO LEAVE A DISTINCTIVE MARK BY EROSION, DESTRUCTION OF TERRESTRIAL VEGETATION, OR OTHER EASILY RECOGNIZED CHARACTERISTICS.
- THE LOT(S) CREATED IN THIS CERTIFIED SURVEY MAP ARE ADJACENT TO PROPERTY THAT, AS OF THE DATE OF THIS DOCUMENT, ARE BEING USED FOR AGRICULTURAL PURPOSES. SOME INDIVIDUALS BELIEVE THAT THE ACTIVITIES ASSOCIATED WITH THE AGRICULTURAL USE CONSTITUTE A NUISANCE OR CONFLICT WITH THEIR QUIET ENJOYMENT OF THEIR PROPERTY. THIS STATEMENT IS INTENDED TO PROVIDE THIRD PARTIES WITH A NOTICE THAT AGRICULTURAL ACTIVITIES MAY EXIST ON THE ADJACENT PROPERTY.

CHRISTOPHER E. PERREAULT, PLS-2249 DATE
CAROW LAND SURVEYING & ENVIRONMENTAL
615 N. LYNNDALE DRIVE, APPLETON, WI, 54914
N5841 S.T.H. "47-55", SHAWANO, WI 54166
PHONE: (920)731-4168
A2312.29 (RFR) 1-26-2024 REV. 2/29/2024

SHEET 6 OF 6 SHEETS











Eisch CSM - Aerial Map 1

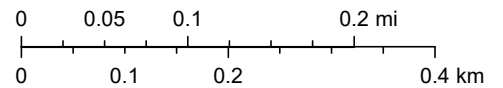
Item B.



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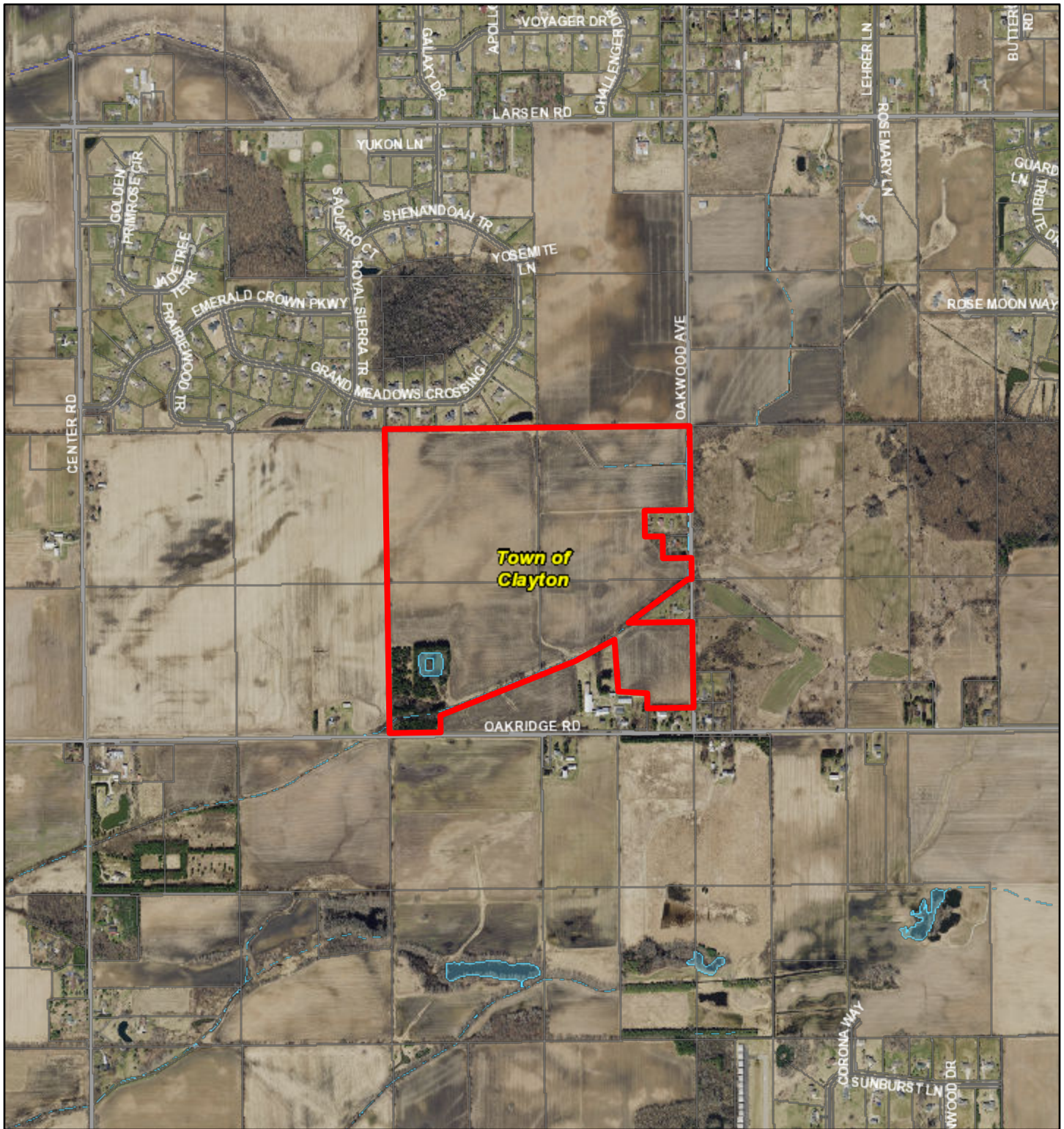
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|---|--|
|  Adjacent Counties |  Navigable - Permanent (checked) |
|  Lakes, Ponds and Rivers |  Navigable - Intermittent (checked) |
| Navigable Waterways | |
|  Navigable - Permanent (unchecked) |  Tax Parcel Boundary |
|  Navigable - Intermittent (unchecked) |  Road ROW |
|  Navigable - Stream (unchecked) |  Municipal Boundary |



Winnebago County GIS, Imagery Date: April 2020

Eisch CSM - Aerial Map 2

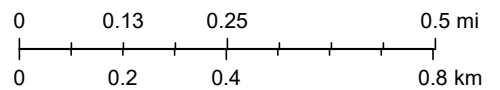
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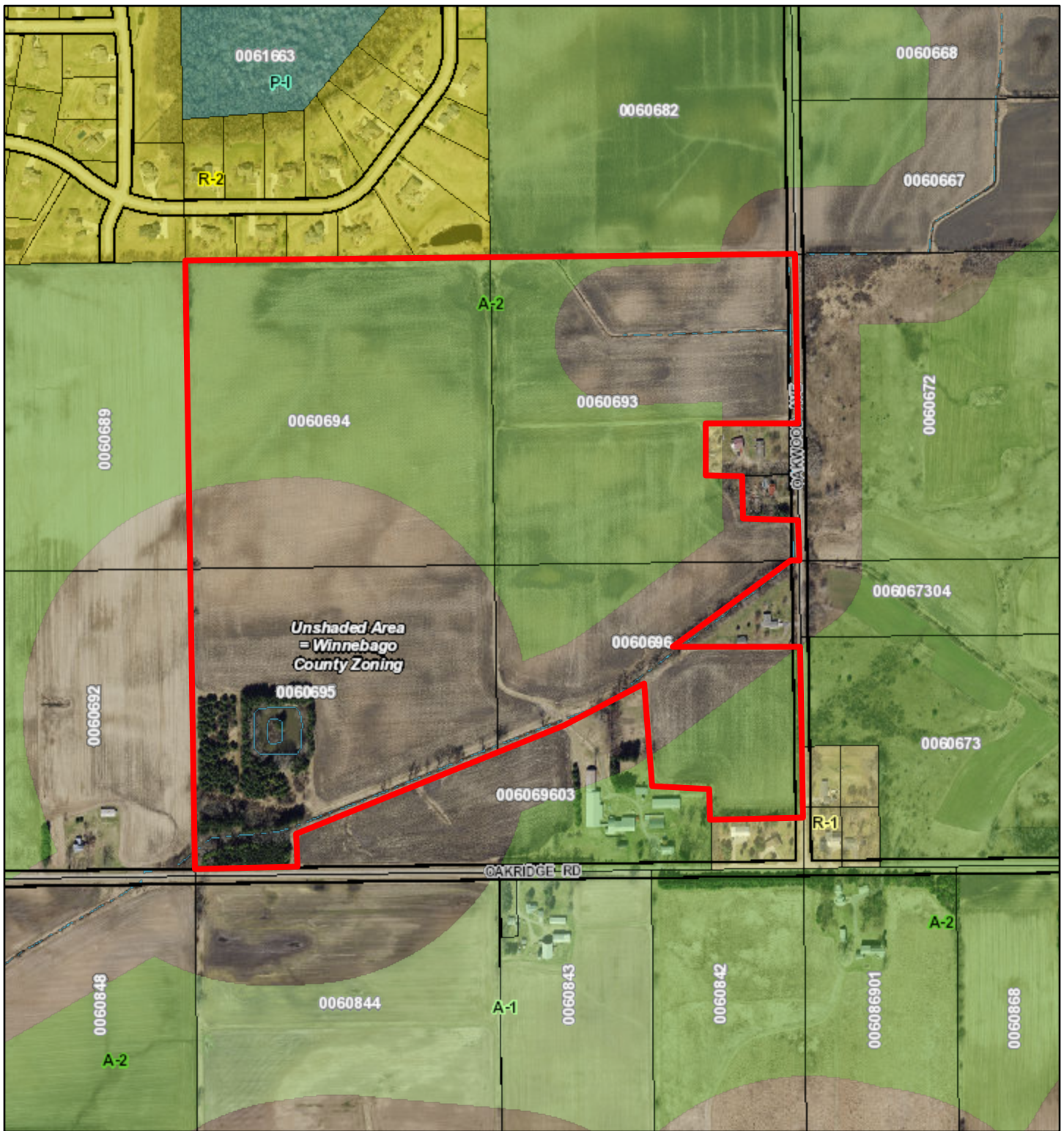
- | | |
|--------------------------------------|------------------------------------|
| Adjacent Counties | Navigable - Intermittent (checked) |
| Lakes, Ponds and Rivers | Navigable - Stream (checked) |
| Navigable Waterways | Tax Parcel Boundary |
| Navigable - Permanent (unchecked) | Local Road |
| Navigable - Intermittent (unchecked) | County Road |
| Navigable - Stream (unchecked) | State Road |
| Navigable - Permanent (checked) | US Highway |



Winnebago County GIS, Imagery Date: April 2020

Eisch CSM - Town Zoning Map

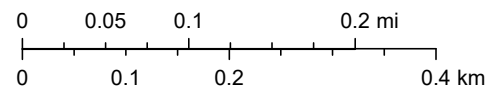
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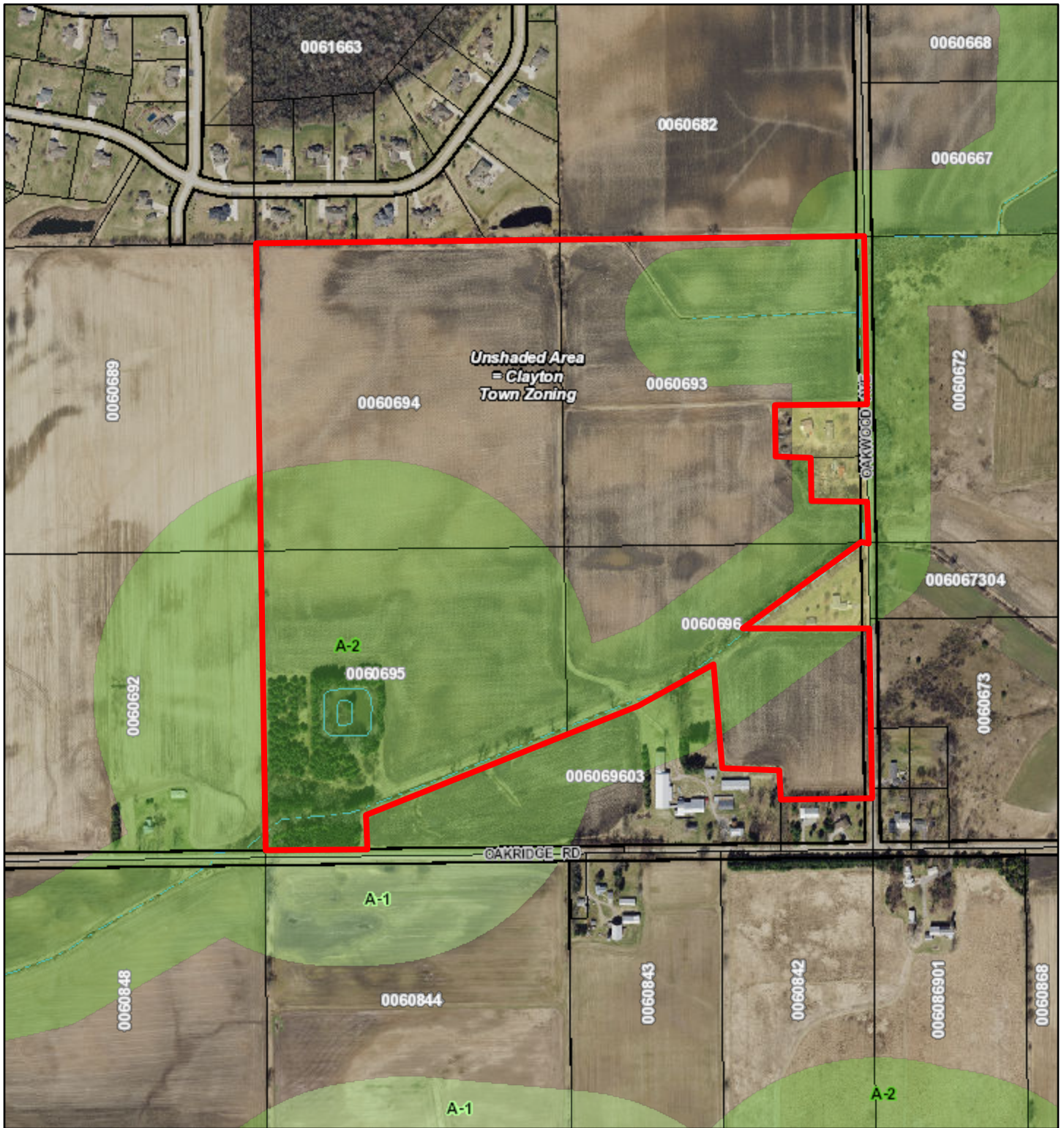
- | | |
|-------------------------------|--------------------------------------|
| District Code / Description | R-8 - Manufactured Housing Community |
| A-1 - Agribusiness | PDD - Planned Development |
| A-2 - General Agriculture | B-1 - Local Service Business |
| R-1 - Rural Residential | B-2 - Community Business |
| R-2 - Suburban Residential | B-3 - General Business |
| R-3 - Two-Family Residential | P-I - Public Institutional |
| R-4 - Multifamily Residential | I-1 - Light Industrial |



Winnebago County GIS, Imagery Date: April 2020

Eisch CSM - County Zoning/Shorelands Map

Item B.



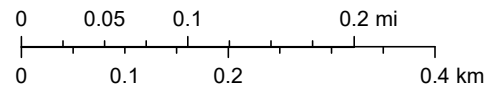
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District Code/Description

- R-1 - Rural Residential
- R-2 - Suburban Residential
- R-3 - Two-Family Residential
- R-4 - Multi-Family Residential
- R-8 - Manufactured/Mobile Home Community
- PDD - Planned Development District

- B-1 - Local Service
- B-2 - Community Business
- B-3 - General Business
- I-1 - Light Industrial
- I-2 - Heavy Industrial
- A-1 - Agribusiness
- A-2 - General Agriculture



Winnebago County GIS, Imagery Date: April 2020

Eisch CSM - Streams, Pond, & Wetland Map

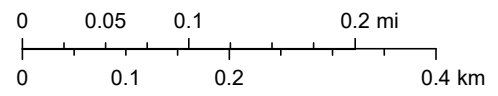
Item B.



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- | | |
|------------------------------|--------------------------------------|
| Wetland Areas | Project Review Area |
| Wetland | Surface Water Drainageway District |
| Open Water Wetland | Tax Parcels |
| Wetland Features | Navigable Waterways |
| Undelineated Wetland < 2 Ac. | Navigable - Permanent (unchecked) |
| Dammed pond | Navigable - Intermittent (unchecked) |
| Excavated pond | |



Winnebago County GIS, Imagery Date: April 2020

MEMORANDUM

Public Hearing B & Business Item C

From: Administrator/Staff
 To: Plan Commission
 Re: Plan Commission Public Hearing on a Re-zoning application submitted by Devin Nikodem on behalf of Marty & Suzette Nikodem Revocable Trust, et. al., to re-zone Tax ID #006-0095-01-03 (Winnegamie Dr). The application is to re-zone the listed parcel from R-1 (Rural Residential District) to R-3 (Two-family Residential District).

AND

Plan Commission review & recommendation on Resolution 2024-001 making a Recommendation to the Town Board of Supervisors regarding a Re-zoning application submitted by Devin Nikodem on behalf of Marty & Suzette Nikodem Revocable Trust, et. al., to re-zone Tax ID #006-0095-01-03 (Winnegamie Dr). The application is to re-zone the listed parcel from R-1 (Rural Residential District) to R-3 (Two-family Residential District).

Please find the below comments from Code Administrator Kussow:

Property Information Specific to Tax ID # 006-0420:

1. Specific Site Location: The subject property is 2.02 acres and located adjacent to the east of the property addressed 4063 Winnegamie Dr.
2. Additional applicable property information not included in the Parcel Profile Report is described below:
 - a. The subject property is currently located in the Town's Rural Residential (R-1) District.
 - b. Portions of the subject property are located in floodplain (Zone A), which are also considered "shorelands" and subject to shoreland zoning.
 - c. The portions of the subject property in the floodplain/shorelands are currently located in Winnebago County's Rural Residential (R-1) District.
 - d. There are no navigable streams on the subject property.
 - e. The subject property is not subject to airport zoning.
 - f. There is a mapped wetland in the southern portion of the property per the Winnebago County Hydrologic Viewer.
 - g. The subject property is not located in a sewer service area or sanitary district.
 - h. The Town Comprehensive Plan/Future Land Use Map identifies the future land use category/designation of the subject property as "Agriculture/Rural".
3. Zoning of Surrounding Properties:
 - a. North: Village of Greenville, Outagamie County, is adjacent to the north; Village's RR (Rural Residential) and GC (General Commercial) Districts
 - b. South: A-2 (General Agriculture) District
 - c. East: A-2 (General Agricultural) District
 - d. West: A-2 (General Agricultural) District

Application Details:

Devin Nikodem on behalf of Marty & Suzette Nikodem Revocable Trust, et. al., is petitioning to rezone Tax ID #006-0095-01-03 (Winnegamie Dr) from R-1 (Rural Residential District) to R-3 (Two-family Residential District). The applicant is petitioning to rezone the property for the purpose of constructing a duplex on the subject property. Per the submitted application, the applicant is proposing to live in one half of the duplex and rent out the other half. Duplexes (i.e., "two-family building, 2 units" land use) is not an allowed land use in the current R-1 District, but is a Permitted Use in the proposed R-3 District.

Comprehensive Plan Considerations:

- The Future Land Use Map of the Town Comprehensive Plan classifies this parcel as being in the “Agriculture/Rural” future land use category and the Tier 3 development tier.
- “Agriculture/Rural” Future Land Use Category Description:
The Agriculture/Rural district exists to continue the accommodation of the Town’s agricultural activities. These rural lands are used for a variety of crops and other agricultural purposes and are planned to continue throughout the life of the Plan with minimal changes in land use. In general, the Agriculture/Rural district shall:
 - Accommodate existing and new forms of agriculture such as organic farms and farms that provide fresh produce to local stores, restaurants, and individuals, as well as hobby farms.
 - Allow for the production of renewable energy, per the Solar Energy System Overlay (see separate discussion and map).
 - Accommodate rural residential uses only within the limits of the Tiered Development System housing allocations, preferably on existing lots of record.
- Tier 3 Development Tier Characteristics & Provisions:
 - *“Working Lands” (agriculture, forestry, subsistence farming)*
 - *Right to Farm*
 - *Mining*
 - *Natural Areas*
 - *Renewable Energy Opportunities*
 - *CSM Land Divisions Only – No Subdivisions.*
 - 5% of new housing is allocated for Tier 3 through the year 2040. The Comprehensive Plan states: *The Plan Commission will likely use “new lot creation” to measure and monitor where and how much new housing is allowed within each Tier. Hence, **new homes on existing lots of record would not count toward the allocation limits, but they would still be tracked for informational purposes. Multi-unit residential developments will also be tracked as more than one unit can exist on a single lot of record.***
- Relevant Goals, Strategies, & Recommendations:
 - Goal 2.1: *Accommodate changing resident demographics in terms of housing, services, and economic needs.*
 - Strategy 2.1.1: *Shape new development to better accommodate the needs of an aging population.*
 - Goal 3.1: *Provide for a range of new housing types that meet the needs of the Town’s future population.*
 - Goal 3.3: *Ensure that the Town’s development regulations account for aspects of housing affordability.*

It is Staff’s opinion that the proposed rezoning from R-1 to R-3 is generally consistent with the Comprehensive Plan, particularly since the subject property is an existing lot of record.

Staff Comments, Basis of Decision, and Staff Recommendation:

Staff Comments:

It is staff’s opinion that:

1. The proposed rezoning from R-1 to R-3 is generally consistent with the Comprehensive Plan, particularly since the subject property is an existing lot of record; and
2. The proposed rezoning may be approved as proposed.

Basis of Decision:

The Plan Commission, in making its recommendation, and the Town Board, in making its decision, shall consider the following factors:

1. whether the amendment is consistent with the Town's comprehensive plan, including any future land use maps or similar maps;
2. the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and
3. any other factor not specifically or generally listed, but deemed appropriate by the Plan Commission or Town Board of Supervisors given the particular circumstances.

Staff Recommendation:

Staff recommends approval of the Re-zoning Application to re-zone Tax ID #006-0095-01-03 (Winnegamie Dr) from R-1 (Rural Residential District) to R-3 (Two-family Residential District).

SUGGESTED MOTION

*Motion and **ROLL CALL** to approve Resolution 2024-001 Recommending the Re-zoning of Property from the R-1 (Rural Residential District) to the R-3 (Two-family Residential District).*

Respectfully Submitted,
Kelsey

TOWN OF CLAYTON
PLAN COMMISSION RESOLUTION # 2024-001
RE-ZONING OF TAX ID #006-0095-01-03

The Plan Commission for the Town of Clayton has recommended [] Approval [] Denial of the following Rezoning:

Owner: Marty & Suzette Nikodem Revocable Trust, et. al.

Applicant: Devin Nikodem

Location: E of the property addressed 4063 Winnegamie Dr, Neenah, WI 54956

Legal Description: Being a part of the Northeast ¼ of the Northwest ¼, and the Northwest ¼ of the Northwest ¼, Section 4, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, Wisconsin.

Parcel Number: The property is known as Tax ID # 006-0095-01-03

Explanation: Applicant is requesting a Zoning Change from R-1 (Rural Residential District) to the R-3 (Two-family Residential District)

Town Findings:

1. The Town does have an adopted land use plan
2. The proposed zoning change does comply with the Town’s adopted Land Use Plan.
3. The proposed zoning change is consistent with the Town’s pending Future Land Use Plan.
4. The proposed zoning change is consistent with the existing land use pattern

Signed: _____
Dick Knapinski, Plan Commission Chair

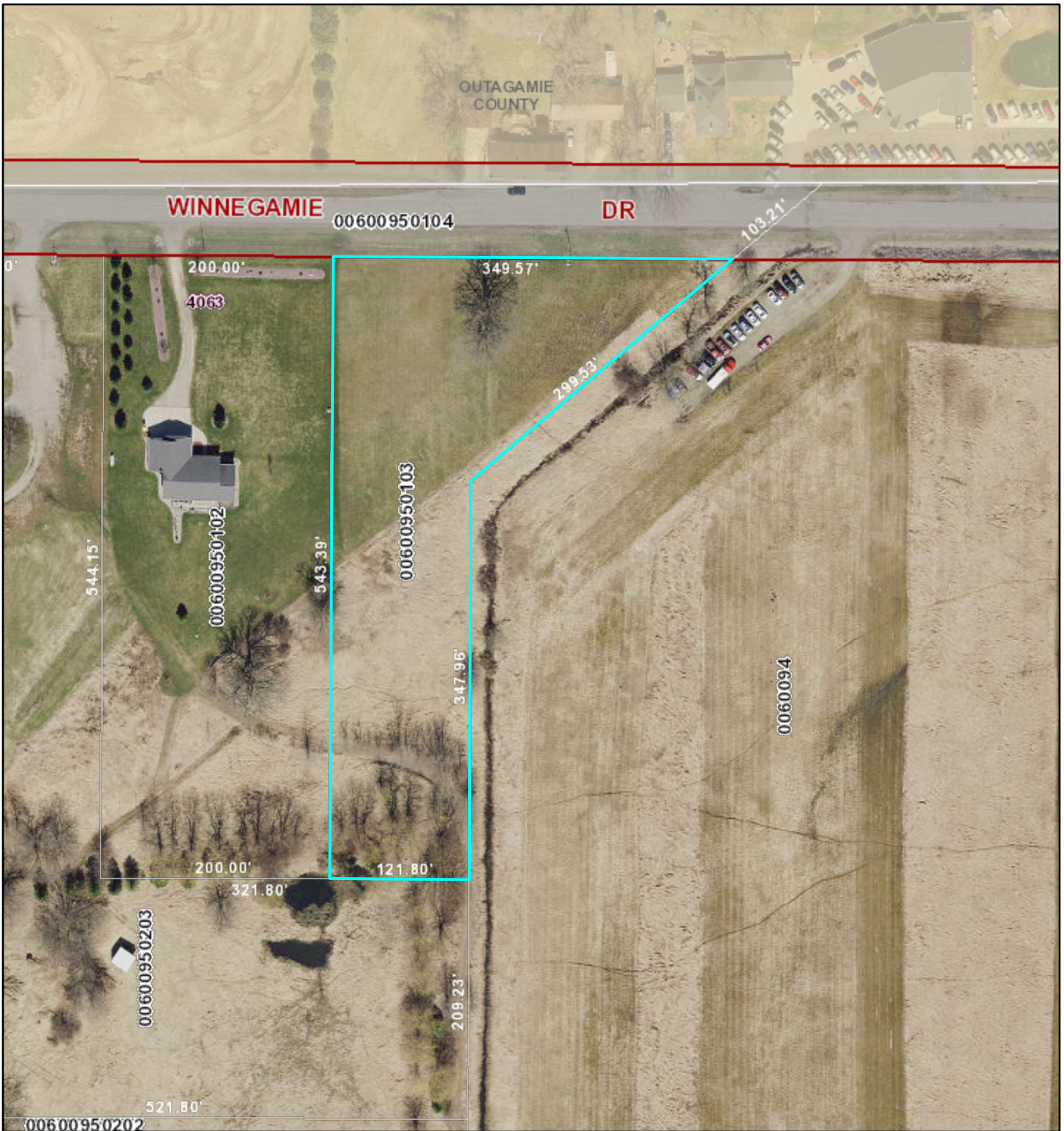
Date:

Attest: _____
Kelsey Faust- Kubale, Town Clerk

Date:

Nikodem Rezoning - Aerial Map 1

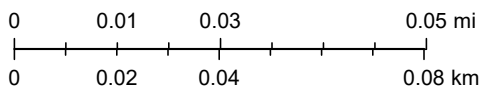
Item C.



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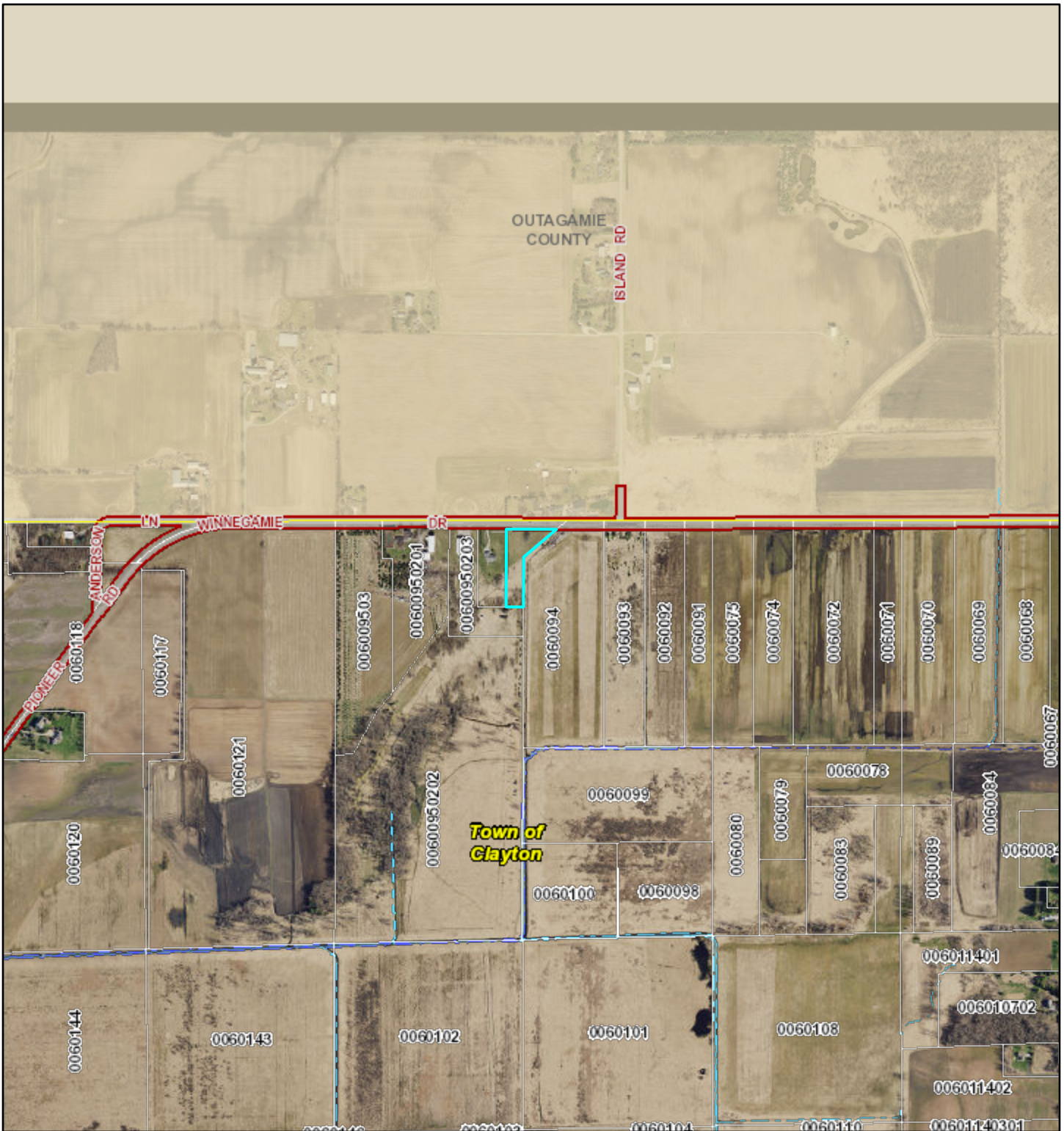
- Adjacent Counties
- Lakes, Ponds and Rivers
- Navigable Waterways
- Navigable - Permanent (unchecked)
- Navigable - Intermittent (unchecked)
- Navigable - Stream (unchecked)
- Navigable - Permanent (checked)
- Navigable - Intermittent (checked)
- Navigable - Stream (checked)
- Tax Parcel Boundary
- Road ROW



Winnebago County GIS, Imagery Date: April 2020

Nikodem Rezoning - Aerial Map 2

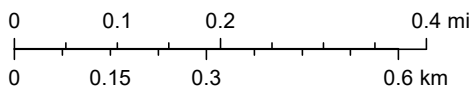
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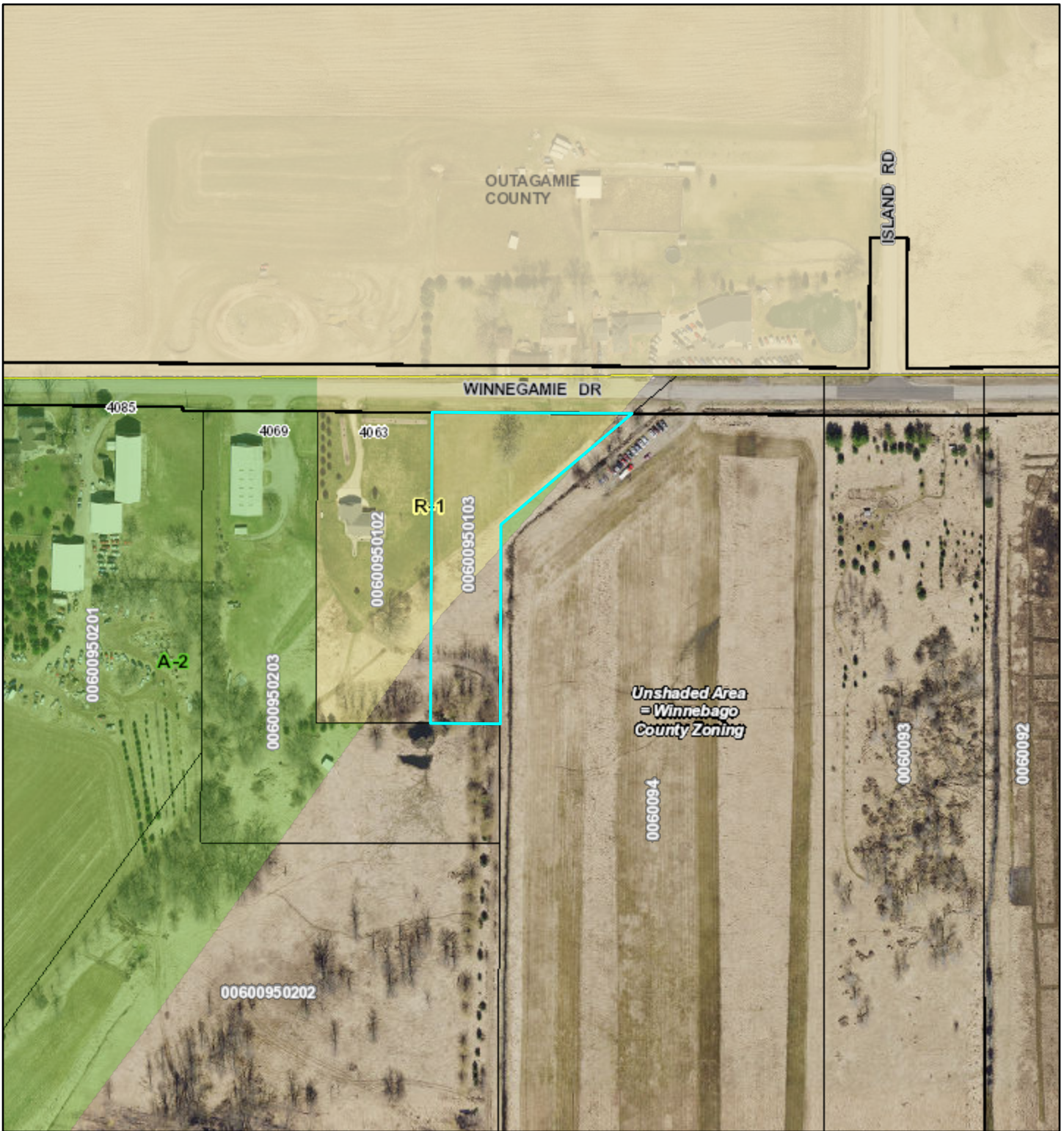
- Adjacent Counties
- Lakes, Ponds and Rivers
- Navigable Waterways
- Navigable - Permanent (unchecked)
- Navigable - Intermittent (unchecked)
- Navigable - Stream (unchecked)
- Navigable - Permanent (checked)
- Navigable - Intermittent (checked)
- Navigable - Stream (checked)
- Tax Parcel Boundary
- Road ROW
- Municipal Boundary



Winnebago County GIS, Imagery Date: April 2020

Nikodem Rezoning - Town Zoning Map

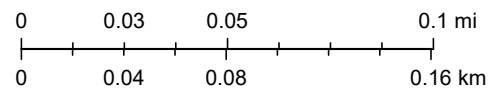
Item C.



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District Code / Description	Color	District Code / Description	Color
A-1 - Agribusiness	Light Green	R-8 - Manufactured Housing Community	Light Brown
A-2 - General Agriculture	Green	PDD - Planned Development	Red
R-1 - Rural Residential	Yellow	B-1 - Local Service Business	Light Purple
R-2 - Suburban Residential	Light Orange	B-2 - Community Business	Medium Purple
R-3 - Two-Family Residential	Orange	B-3 - General Business	Dark Purple
R-4 - Multifamily Residential	Dark Orange	P-I - Public Institutional	Light Cyan
		I-1 - Light Industrial	Grey



Winnebago County GIS, Imagery Date: April 2020

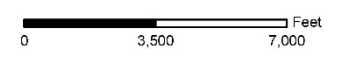
Village of Greenville

Town of Clayton Winnebago County Future Land Use (2040) Tier 3



- Agriculture/Rural
 - Conservation/Greenspace
 - DNR Property
 - Working Lands
 - Residential - Single and Duplex
 - Medium and High Density Residential
 - Neighborhood Center Mixed Use
 - Business
 - Business Park
 - Gateway Commercial & Retail
 - Light Industrial, Warehousing, and Distribution
 - Utilities and Public Facilities
 - Parks and Recreation
 - Abandoned Landfill Site
 - Open Water/Pond/Lake
 - Non-Metallic Mining Sites
 - Other Non-Metallic Mining Sites
- Other Features**
- Cities, Towns, & Villages
 - Sections
 - Parcels
 - Airport Zoning
 - Town of Clayton Sanitary District #1
 - Roads
 - Future Roads
 - Recreation Trails
 - Navigable Waterways
 - Commercial Gateways

Community Infrastructure Architecture
 Environmental Services
 900-472-7372
 www.cedarcorp.com
 Green Bay • Menomonie • Madison • Cedarburg



This base map was created with data from Winnebago County Planning Department who assumes no liability for the accuracy of this data and any use or misuse of its content is the responsibility of the user. Changes were made by Cedar Corporation under the direction of the Town of Clayton.

Map Created: November 30, 2022 - Updated: July 6, 2023

Nikodem Rezoning - Co Zoning/Shoreland Map

Item C.

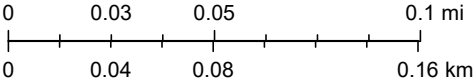


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District Code/Description

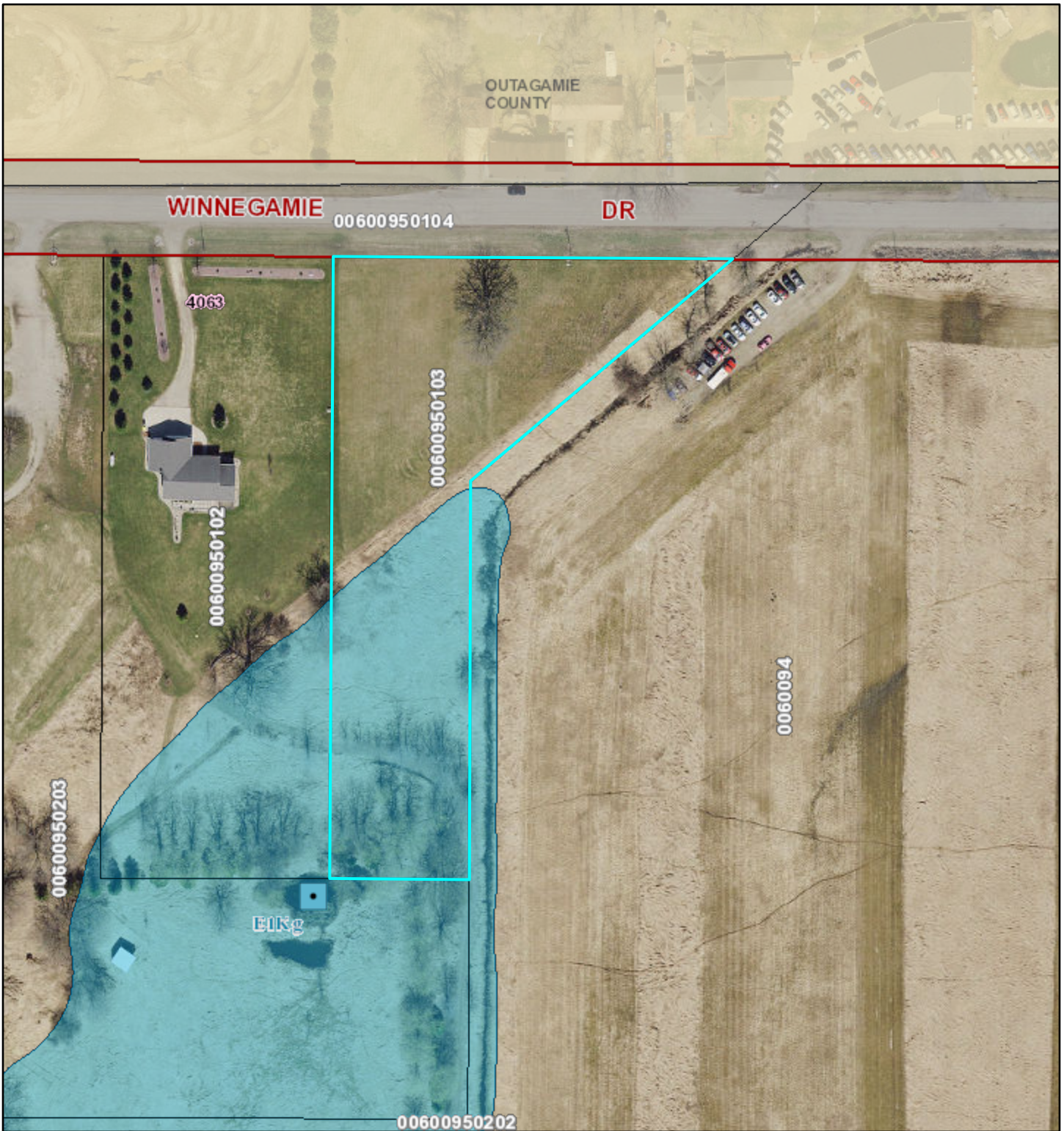
- R-1 - Rural Residential
- R-2 - Suburban Residential
- R-3 - Two-Family Residential
- R-4 - Multi-Family Residential
- R-8 - Manufactured/Mobile Home Community
- PDD - Planned Development District
- B-1 - Local Service
- B-2 - Community Business
- B-3 - General Business
- I-1 - Light Industrial
- I-2 - Heavy Industrial
- A-1 - Agribusiness
- A-2 - General Agriculture



Winnebago County GIS, Imagery Date: April 2020

Nikodem Rezoning - Wetland Map

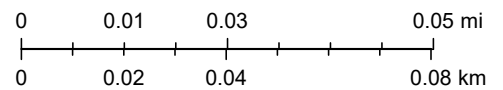
Item C.



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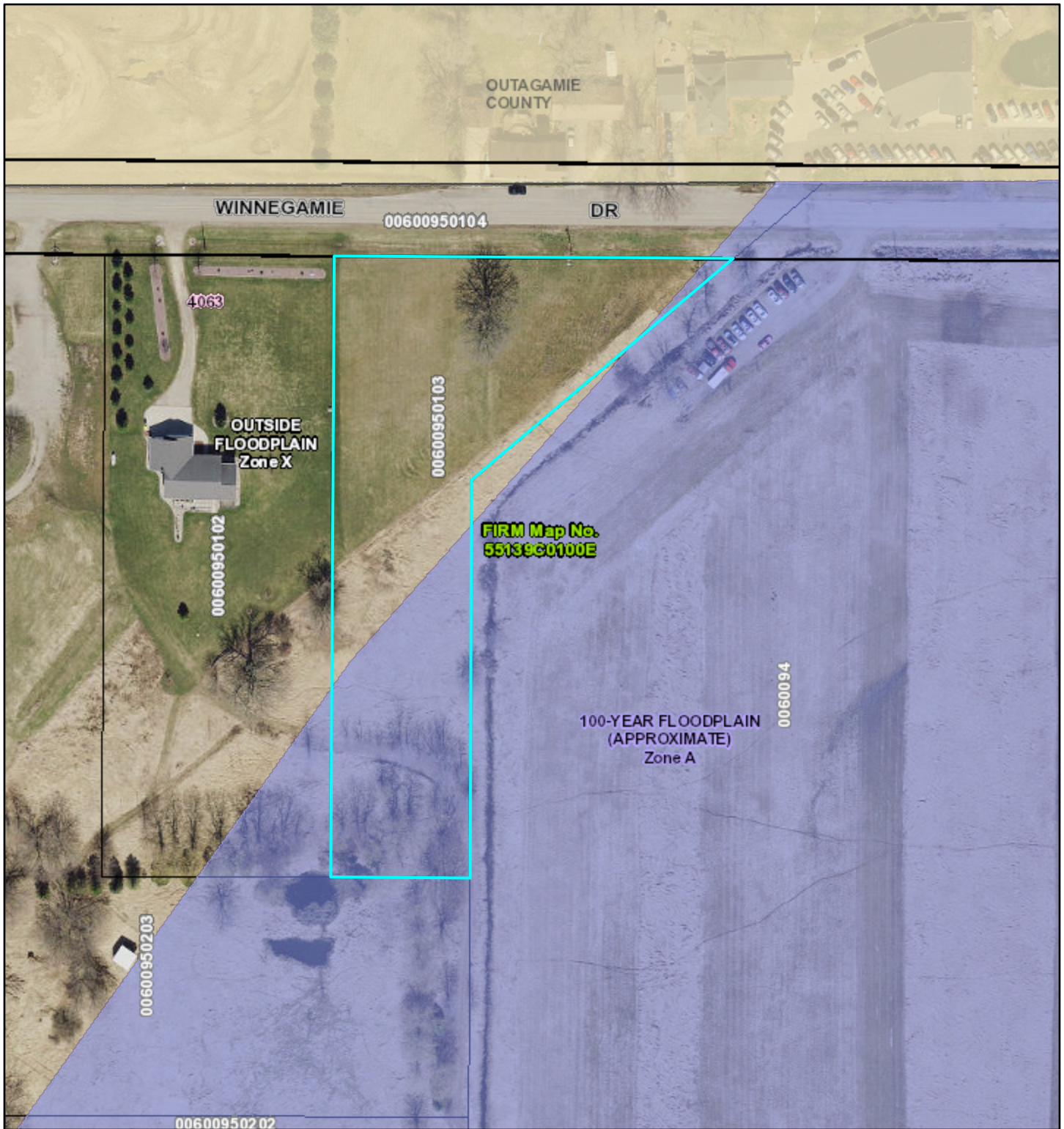
- | | |
|------------------------------|--------------------------------------|
| Wetland Areas | Project Review Area |
| Wetland | Surface Water Drainageway District |
| Open Water Wetland | Tax Parcels |
| Wetland Features | Navigable Waterways |
| Undelineated Wetland < 2 Ac. | Navigable - Permanent (unchecked) |
| Dammed pond | Navigable - Intermittent (unchecked) |
| Excavated pond | Navigable - Stream (unchecked) |



Winnebago County GIS, Imagery Date: April 2020

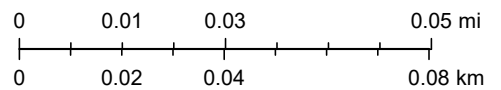
Nikodem Rezoning - Floodplain Map

Item C.



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- | | |
|--------------------------|--|
| Flood Determinations | Designation |
| Flood Determination Area | Floodway (Zone AE) |
| FEMA Flood Hazard Zones | 100-Year Floodplain (Zone AE) |
| FIRM Map Panel | Approximate 100-Year Floodplain (Zone A) |
| Tax Parcels | 500-Year Floodplain (Zone X) |
| FIRM Map Panel | Outside Floodplain (Zone X) |

Winnebago County GIS, Imagery Date: April 2020

MEMORANDUM

Public Hearing C & Business Item D

From: Administrator/Staff
 To: Plan Commission
 Re: Plan Commission Public Hearing on a Conditional Use Application submitted by Leif Bergstrom for a proposed pond residential accessory use located at 3130 Rose Moon Way, specifically described as Tax ID #006-0670-01-06.

AND

Plan Commission review & recommendation on a Conditional Use Application submitted by Leif Bergstrom for a proposed pond residential accessory use located at 3130 Rose Moon Way, specifically described as Tax ID #006-0670-01-06.

Please find the below comments from Code Administrator Kussow:

Property Information Specific to Tax ID # 006-0670-01-06:

1. Specific Site Location: The subject site is addressed 3130 Rose Moon Way, located at the western end of Rose Moon Way.
2. Additional applicable property information not included in the Parcel Profile Report is described below:
 - a. The subject property is located in the Town's Suburban Residential (R-2) District.
 - b. There are no wetland or floodplain concerns.
 - c. No portion of the subject property is located within shoreland and therefore, the subject property is not subject to Winnebago County zoning jurisdiction.
 - d. The subject property is not subject to Outagamie County Airport Zoning.
 - e. The subject property is not located in any sanitary district or sewer service area.
3. Zoning of Surrounding Properties:
 - a. North: A-2 (General Agriculture District)
 - b. South: A-2 (General Agriculture District)
 - c. East: R-2 (Suburban Residential District)
 - d. West: A-2 (General Agriculture District)

Application Details:

The applicant is proposing an 11,230 sq. ft. (37,711 cu. ft.) private pond on the subject property. The subject property is a residential lot containing a single-family residence. The proposed pond is located north of the residence, in the northeast corner of the subject property. The parcels adjacent to the north, south, and west are vacant and agricultural cropland. The parcel adjacent to the east is a residential lot containing a single-family residence.

Per email correspondence from the applicant, the pond is not intended to be used for swimming and is intended for aesthetic purposes only. Ponds which are not used for swimming are not required to comply with the Town Swimming Pool Ordinance requirements (i.e., perimeter fence is not required).

Special Standards for Principal Land Uses:

Special standards for the "pond" accessory use are found in Sec. 9.08-472, which states: "Ponds shall comply with the Town of Clayton's ordinance for artificial ponds."

The proposed pond plans were reviewed by Matt Stephan, P.E, Cedar Corporation, for compliance with the Town's Pond Ordinance (Town Ordinance 2022-002). Per Matt Stephan's review, **the proposed pond plans comply with the Town's Pond Ordinance and are approvable as proposed.**

Staff Comments, Basis of Decision, and Staff Recommendation, & Suggested Conditions:

Staff Comments:

The proposed pond complies with all Town Zoning Ordinance and Town Pond Ordinance requirements.

Basis of Decision:

Conditional Use:

The Town, in making its decision, shall consider the following factors:

1. the size of the parcel on which the proposed use will occur;
2. the presence of and compatibility with other uses on the subject property;
3. the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);
4. effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
5. the suitability of the subject property for the proposed use;
6. effects of the proposed use on the natural environment;
7. effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
8. effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
9. any other factor that relates to the purposes of this chapter as set forth in s. 9.01-5 and other sections as may apply.

Staff Recommendation & Suggested Conditions:

Staff recommends approval of the conditional use permit.

The following are possible conditions of approval that may be relevant:

1. The project shall comply with all applicable local, state, and federal codes/ordinances. Applicant should be aware that a Winnebago County stormwater management/erosion control permit may be required for this project. It is the applicant's responsibility to comply with any applicable Winnebago County permit/approval requirements and obtain any required Winnebago County permits/approvals prior to commencing construction.
2. 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.

SUGGESTED MOTION

Motion to recommend approval of the Conditional Use Application submitted by Leif Bergstrom with the two (2) Staff Recommendations & Conditions outlined in the Staff Memo.

Respectfully Submitted,
Kelsey

Conditional Use Application

Town of Clayton Town Hall
 8348 Hickory Ave
 Larsen, WI 54947
 Phone: 920-836-2007
 Email: clerk@claytonwinnebago.wi.gov
 Website: https://www.townofclayton.net/



Property Owner(s)

Name Leif Bergstrom

Street Address 3130 Rose Moon Way

City Neenah State WI Zip Code 54956

Phone 920-574-6131

E-mail leif.bergstrom@bergstromauto.com

Applicant:

Check: Architect: _____ Engineer: _____ Surveyor: _____ Attorney: _____ Agent: _____ Owner: _____

Name: (same)

Address: _____ Zip Code: _____

Phone: _____ E-Mail: _____

Describe the reason for the Conditional Use: Construct a pond

Conditional Use Specifies:

Number of Lots: 1 Total Acreage: 2.932 Tax Key #: 00606700106

Legal Description: Lot 1 of Certified Survey Map 8012 being part of the Southeast 1/4 of the Northwest 1/4, Section 26, T20N, R16E

Current Zoning: R-2 SUBURBAN RESIDENTIAL DISTRICT

I certify that the attached drawings are to the best of my knowledge complete and drawn in accordance with all Town of Clayton codes.

Applicant Signature: [Signature] Date: 2/4/24

For Town Use Only

Fee (see Town Fee Schedule)

Fee: _____ Check #: _____ Receipt: _____ Date: _____

Date Received Complete: _____ By: _____ CUP #: _____

Review Meetings - Plan Comm _____ Town Board _____

Newspaper Publication Dates: _____ & _____ Posting Date: _____

300ft Neighborhood Notice Distribution: _____

Conditional Use is: Approved Denied

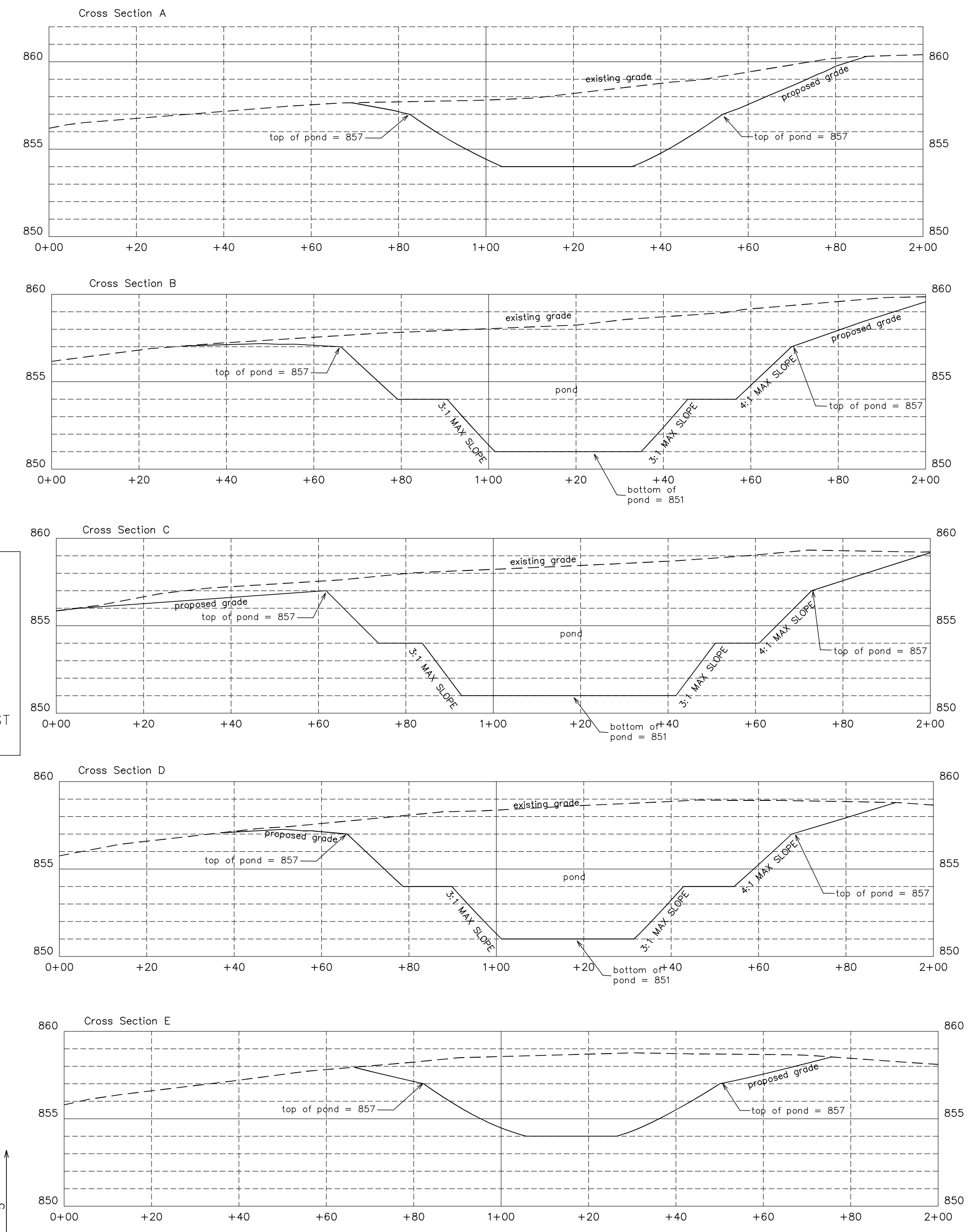
Comments: _____

Notes: 1. Please notify utility companies regarding your proposed development. 2. A Conditional Use approval does not constitute approval of a building permit or any required approval of a highway connection permit. 3. A Conditional Use Application & Fee must be submitted 30 working days prior to meeting.

Lot 1 of Certified Survey Map 8012 being part of the Southeast 1/4 of the Northwest 1/4, Section 26, T20N, R16E, Town of Clayton, Winnebago County, Wisconsin



SOIL TYPE AT POND: KEWAUNEE SILT LOAM HYDROLOGIC GROUP "D" DEPTH TO GROUND WATER: >6'-8" POND TO BE CONSTRUCTED BY EXCAVATING FROM EXISTING SURFACE. THEREFORE, NO EMBANKMENT WILL BE CONSTRUCTED. POND OVERFLOW WILL BE TO THE NORTHWEST AT CROSS SECTION C.



EROSION CONTROL REQUIREMENTS

- All items included in these requirements are incorporated as part of the Erosion Control Plan. All erosion control Best Management Practices (BMPs) listed below will be installed in accordance with the WI-DNR Technical Standards... 1. Perimeter Erosion Controls... 2. Tracking... 3. Stockpiles... 4. Dewatering... 5. Temporary Site Stabilization... 6. Temporary Grading Practices for Erosion Control... 7. Seeding... 8. All erosion control BMPs shall remain in place until 70% vegetation has been established.



Hebert Associates, Inc. Land Surveying 1110 W. Wisconsin Ave. Appleton, WI 54914

For: Leif Bergstrom 3130 Rose Moon Way Neenah, WI. 54956

REVISIONS

Table with 3 columns: No., Date, by. Row 1: 1, 2-3-24, DH. Row 2: 2, 2-22-24, DH.

DATE: 1-23-24 DRAWN BY: A.S. / DH SCALE: 1"=20'

SITE PLAN EROSION CONTROL PLAN

SHEET NUMBER: 1 of 1 DRAWING NUMBER: 23002A02

Bergstrom Pond CUP App - Aerial Map 1

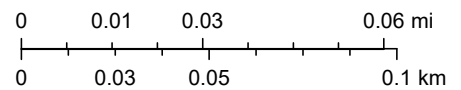
Item D.



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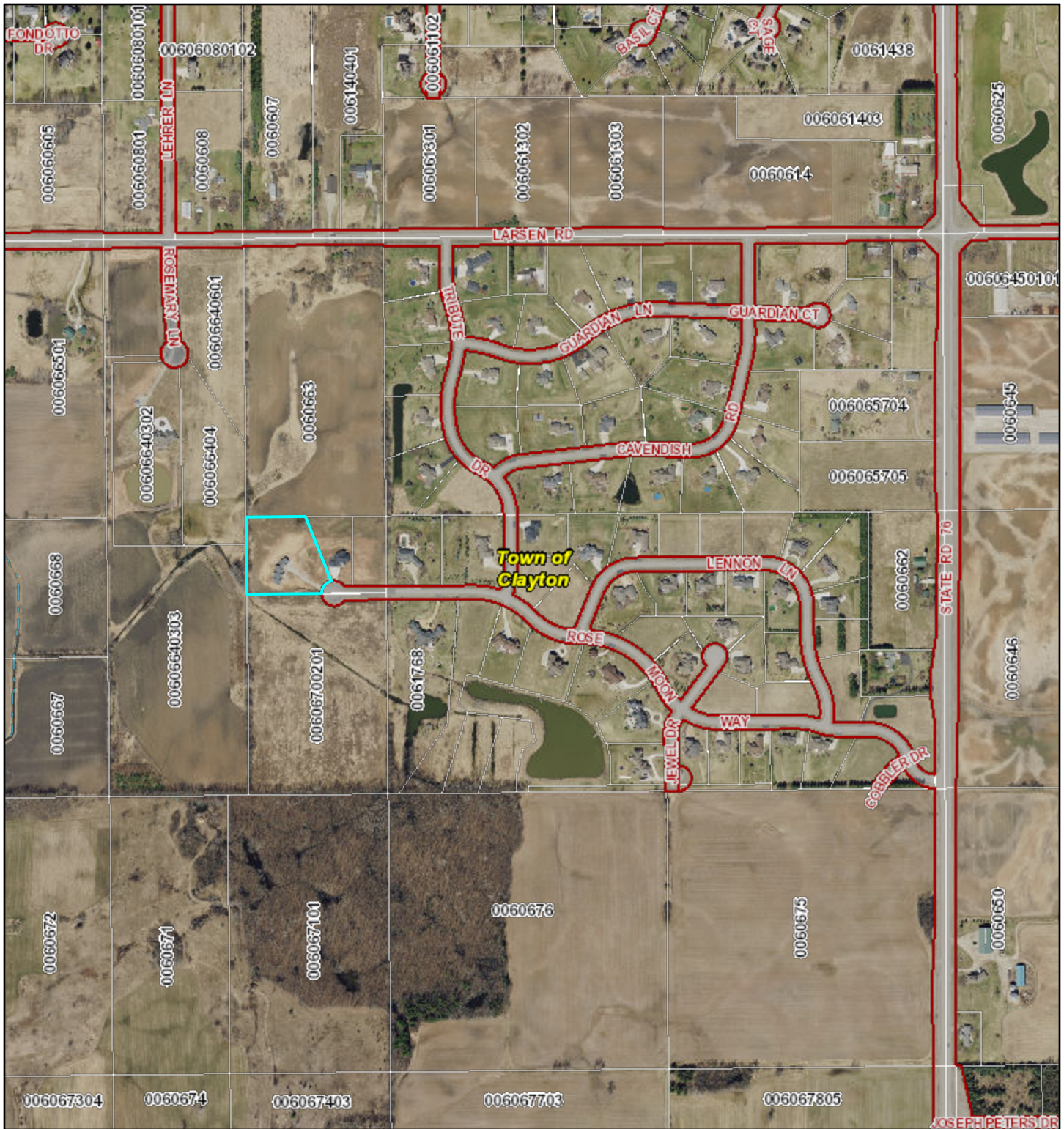
- | | |
|--------------------------------------|------------------------------------|
| Adjacent Counties | Navigable - Permanent (checked) |
| Lakes, Ponds and Rivers | Navigable - Intermittent (checked) |
| Navigable Waterways | Navigable - Stream (checked) |
| Navigable - Permanent (unchecked) | Tax Parcel Boundary |
| Navigable - Intermittent (unchecked) | Road ROW |
| Navigable - Stream (unchecked) | Municipal Boundary |



Winnebago County GIS, Imagery Date: April 2020

Bergstrom Pond CUP App - Aerial Map 2

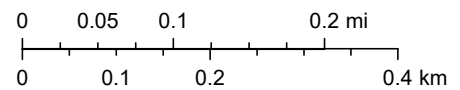
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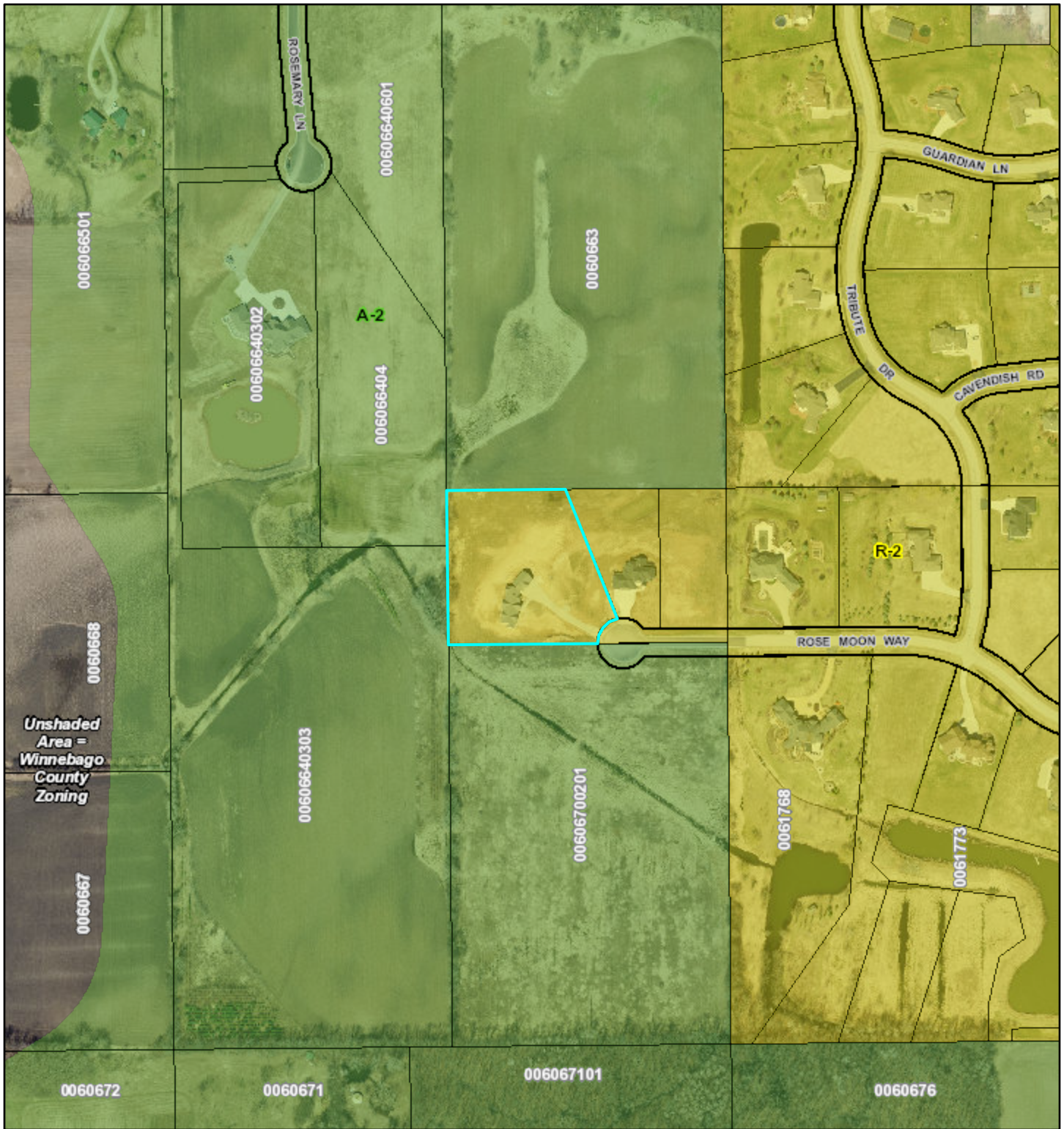
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|--------------------------------------|------------------------------------|
| Adjacent Counties | Navigable - Permanent (checked) |
| Lakes, Ponds and Rivers | Navigable - Intermittent (checked) |
| Navigable Waterways | Navigable - Stream (checked) |
| Navigable - Permanent (unchecked) | Tax Parcel Boundary |
| Navigable - Intermittent (unchecked) | Road ROW |
| Navigable - Stream (unchecked) | Municipal Boundary |



Winnebago County GIS, Imagery Date: April 2020

Bergstrom Pond CUP App - Town Zoning Map

Item D.



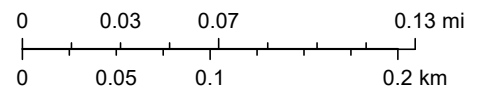
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1:4,027

District Code / Description

- A-1 - Agribusiness
- A-2 - General Agriculture
- R-1 - Rural Residential
- R-2 - Suburban Residential
- R-3 - Two-Family Residential
- R-4 - Multifamily Residential

- R-8 - Manufactured Housing Community
- PDD - Planned Development
- B-1 - Local Service Business
- B-2 - Community Business
- B-3 - General Business
- P-I - Public Institutional
- I-1 - Light Industrial



Winnebago County GIS, Imagery Date: April 2020