

*****TOWN OF MENASHA*****
PLANNING COMMISSION MEETING
WEDNESDAY, JUNE 10, 2009 at 5:15 PM
MUNICIPAL COMPLEX - 2000 MUNICIPAL DRIVE

CALL TO ORDER: Chairperson Bellmer called the Planning Commission Meeting of June 10, 2009 to order at 5:15 p.m.

PRESENT: Chairperson: Alvin Bellmer
Commissioners: Dennis Jochman, Terry Buck, Kris Koeppe, Aaron Sabel,
Michael VanDyke, Thomas Wroblewski

Staff: George Dearborn, Community Development Director;
Ria Hull, Associate Planner

ALSO PRESENT: Nick Vande Hey, McMahon; Alex Potts; Melvin Schultz;
Helen Young; and Tom Young

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – May 13, 2009

A motion was made by Mr. Van Dyke, seconded by Mr. Sabel, to approve the minutes of May 13, 2009.

The motion carried – 7-0.

COST BENEFIT ANALYSIS:

Mr. Dearborn said that the cost-benefit for May is negative due to the fact that all new development has been exclusively single-family.

	<i>Cost or Benefit of New Development</i>			
	<i>May 2009</i>			
	<i>This Month</i>		<i>To Date</i>	
	<i>Value</i>	<i>Cost/Benefit</i>	<i>Value</i>	<i>Cost/Benefit</i>
One & Two Family Dwellings	\$873,000	(\$603.68)	\$2,200,506	(\$1,521.65)
Multiple Family Dwellings	\$0	\$0.00		\$0.00
Commercial/Industrial Development	\$0	\$0.00	\$0	\$0.00
Total	\$873,000	(\$603.68)	\$2,200,506	(\$1,521.65)

NEW ITEMS OF BUSINESS:

Item 1 – Action and Recommendation on Stormwater Alternatives to the Town Board

Mr. Dearborn said that, for the purposes of this item, the Planning Commission is serving as both the Public Advisory Body for the MS4 Permit and as the Planning Commission for making a

recommendation to the Town Board. He said that the main issue in these Alternatives is whether the ponds can be in-stream or have to be out-of-stream. He said that town staff recommend Alternative 4.

Nick Vande Hey, from McMahon, said that the Town wants to move quickly because of stimulus funding that is available. He said that we want to influence the DNR's permitting process with this alternatives analysis; we want them to know which alternative the Town prefers. He said that Alternative 4 is the most cost effective.

Chair Bellmer asked what the concerns are with the in-stream ponds in general and in the Town in particular.

Mr. Vande Hey said that McMahon made contact with the DNR and they said that in-stream ponds affect fish and wildlife populations because they alter the condition of the streams by doing things like increasing the water temperature. He said that some of these effects would be mitigated, however, by planting wetland plants around the pond to shade and cool the water.

Chair Bellmer asked what fisheries we have in the area that would be affected.

Mr. Vande Hey said that carp and northern pike are in the area, but carp are not desirable anyway.

Mr. Dearborn said that town staff recommend Alternative 4 not because we aren't concerned about wildlife and fisheries, but because we are very aware that the difference in cost is dramatic between the in-stream and out-of-stream ponds. He said increased costs to the Town will result in increased costs to the residents.

Mr. Jochman said that we have to be fiscally responsible and that he would endorse Alternative 4.

Mr. Koeppe asked what happens if the Town endorses Alternative 4 and the DNR does not approve it.

Mr. Vande Hey said then they would have to bring the alternatives back to the Plan Commission for another review.

A motion was made by Mr. Jochman, seconded by Chair Bellmer, to endorse as the Public Advisory Body, and to recommend to the Town Board as the Planning Commission, Alternative 4 because it is fiscally responsible and it allows the Town to meet the 40% total suspended solids reduction requirement by 2013.

The motion carried – 7-0.

Item 2 – Winnebago Town-County Zoning Ordinance Text Amendment – Renewable Energy

Mr. Dearborn introduced the item. He said that the Town has passed a resolution endorsing the principles of sustainability and has declared itself a 20x25 community (20% renewable energy by 2025). He said that being able to use wind and solar power will help the Town meet these goals. He said that the county is trying to restrict the use of wind power.

Mr. Dearborn said that the main concern staff has with the county ordinance amendment is that commercial, industrial and municipal properties would only be allowed to put up wind energy systems if the system is 100 kW or less. He said that the town has looked into a 140 kW wind system. He also said that the ordinance should include criteria and a timeframe for the County Sheriff's Department review of the wind systems. He said that the county's ordinance amendment may not even be legal because the state has statutes prohibiting overly restrictive regulations on renewable energy. He also said that the Town has its own ordinance which more fairly regulates wind energy. He said that town staff recommend denial of the ordinance amendment.

Chair Bellmer said that he doesn't know why the county wants to amend their ordinance now when they are in the process of rewriting the entire thing anyway.

Mr. Koeppe said that having the Sheriff's Department review the placement of wind turbines is sort of strange.

Mr. Jochman said that since the State is creating legislation to deal with wind farms, this county ordinance amendment should be postponed.

A motion was made by Mr. Jochman, seconded by Mr. VanDyke, to deny the amendment to the Winnebago Town-County Zoning Ordinance dealing with Commercial and Non-Commercial Wind Farms and Solar Energy, as proposed.

The motion carried – 7-0.

Mr. Dearborn suggested that one or two Planning Commission members attend the Winnebago County Planning Commission meeting where they will be dealing with this item.

Item 3 – CSM – Cold Spring Pond Property

Mr. Dearborn introduced the item. He said that this is a CSM that will allow the Town to acquire some property from McMahon and Fox Valley Workforce Development Board in order to build Cold Spring Pond. The CSM will also create a new saleable parcel to the south of the Cold Spring Pond. He said that staff recommend approval.

Chair Bellmer said that the Town thanks McMahon and Fox Valley Workforce Development for the land.

A motion was made by Chair Bellmer, seconded by Mr. Sabel, to approve the CSM for 1424 Cold Spring Road, 1401 McMahan Drive, and 1445 McMahan Drive with the following condition:

1. All taxes and assessments shall be paid prior to the Town affixing signatures on the Certified Survey Map.

The motion carried – 7-0.

Mr. Jochman asked how the Town was going to deal with other businesses that benefit from the construction of this pond.

Mr. Dearborn said that when there is development on land that benefits from Cold Spring Pond, then the Town will ask the developer to pay into the pond. If they don't pay into the pond, they will have to construct their own stormwater facilities.

Item 4 – Discussion and Potential Action on the Fox-Wisconsin Heritage Parkway Project

Mr. Dearborn introduced the item. He said that the Town received a request from the East Central Wisconsin Regional Planning Commission and the Friends of the Fox to obtain support for the creation of the Fox-Wisconsin River Heritage Parkway. He said that the designation as a Heritage Parkway would help to preserve the river corridor, highlight the important cultural aspects of the corridor, and obtain funding for projects.

Helen Young, 1415 Westwood Drive, said she was hired by Friends of the Fox to help gather support for the project. She said that this parkway is very important environmentally and culturally to the Town. She said that the Friends of the Fox and the East Central Wisconsin RPC have been working for a long time to put together a strong case to present to the National Parks Service for the creation of the Heritage Area.

Chair Bellmer said that the feasibility study was very impressive. He said that he has no objections. He said that it would be a good way to coordinate efforts to protect the rivers.

Ms. Young said that some people have expressed concern that this will affect how they can use their properties along the river, but that is not the case. She said that the Heritage Area designation in no way affects people's property rights and it will not impact how any of the land can be used.

Mr. Dearborn said that the regulations will stay the same as they are now along rivers and Shoreland.

Tom Young, 1415 Westwood Drive, said that he uses the Fox River extensively and that it is a very significant part of the area's environmental and cultural resources. He said that he urges the Plan Commission's support.

A motion was made by Chair Bellmer, seconded by Mr. Jochman, to endorse the project and sign a letter of support to be sent to the National Parks Service for the creation of the Fox-Wisconsin Heritage Parkway.

The motion carried – 7-0.

DEVELOPMENT REPORT:

Mr. Dearborn said that we are behind last year in commercial development, but we've had decent amounts of single-family. He said, overall, values are below last year.

COMMUNICATIONS:

There was no June Sustainability Committee meeting.

Mr. Dearborn said that we have phosphorus-free fertilizer yard signs available at Town Hall for anyone who wants them. He said that the Town is trying to promote the use of phosphorus-free fertilizer because phosphorus pollutes surface water and creates algae blooms in the lakes.

ADJOURNMENT:

A motion was made by Chair Bellmer, seconded by Mr. Jochman, to adjourn.

The motion carried.

6:20 p.m.

Ria Hull
Recording Secretary