

*****TOWN OF MENASHA*****
PLANNING COMMISSION MEETING
WEDNESDAY, FEBRUARY 17, 2010 at 5:15 PM
MUNICIPAL COMPLEX - 2000 MUNICIPAL DRIVE

CALL TO ORDER: Chairperson Bellmer called the Planning Commission meeting of February 17, 2010 to order at 5:15 p.m.

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

Staff: George Dearborn, Community Development Director
Ria Hull, Associate Planner
Mike Kading, Parks and Recreation Director

ABSENT: Thomas Wroblewski

ALSO PRESENT: Dennis Gerhart, Town of Menasha Supervisor; Tom Walsh, Activate Fox Cities; Dave Schmalz, McMahon; Joe Nemecek; and Melvin Schultz

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – January 20, 2010

A motion was made by Mr. VanDyke, seconded by Mr. Buck, to approve the minutes of January 20, 2010.

The motion carried – 6-0-1.

COST BENEFIT ANALYSIS:

Mr. Dearborn said that the cost/benefit is negative for January’s one single-family home. He said that he believes that commercial development will be up this year from last, but that single-family homes will still most likely exceed commercial.

<i>Cost or Benefit of New Development</i>				
<i>January 2010</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	\$255,000	(\$176.33)	\$255,000	(\$176.33)
Multiple Family Dwellings	\$0	\$0.00	\$0	\$0.00
Commercial/Industrial Development	\$0	\$0.00	\$0	\$0.00
Total	\$255,000	(\$176.33)	\$255,000	(\$176.33)

NEW ITEMS OF BUSINESS:

Item 1 - Preliminary Plat – Lakeshore Manor - Ken Syring

Mr. Dearborn introduced the item. He said that the Town and City jointly purchased the land from Ken Syring for a stormwater detention pond. He said that there is an agreement with Mr. Syring to develop the rest of the land not being used for the pond as a single-family subdivision. He said that the City and Town are funding the preparation of the plat and that the preliminary plat is the first stage in the approval process for a new subdivision. He said that the stormwater for the new subdivision will be covered with the detention pond, but that there are some drainage issues on Tayco that need to be taken care of separately. He said that the Park Commission will most likely recommend fees in lieu of land dedication. He also said that there will be a Developer's Agreement in place before the final plat is approved.

Dave Schmalz, from McMahan, appeared and answered questions about the 60' grading area. He said that Mr. Syring wanted the 60' grading area so that the houses could have look-out basements and the option of walk-out basements.

Chair Bellmer asked whether drainage and grading was reviewed prior to issuing building permits.

Mr. Dearborn said yes.

Chair Bellmer said that we just want to make extra sure that the grading is correct in case some of the houses have walk-out basements.

Mr. Schmalz agreed and said that we will also have to decide whether to allow accessory structures within the grading area.

A motion was made by Mr. Jochman, seconded by Chair Bellmer, for approval of the 8-lot Preliminary Plat for Lakeshore Manor with the following conditions:

1. The Park Commission shall provide their recommendation of fees in lieu of parkland dedication.
2. A Developer's Agreement between the Town of Menasha and the applicant shall be drafted and accepted by both parties.
3. A Stormwater Management and Erosion Control Plan shall be filed with the Department of Community Development.
4. All other City, County and State requirements for the approval of this preliminary plat are complied with.

The motion carried – 6-0-1.

Mr. Dearborn said that this then goes forward to the Town Board and is acted upon by the City and the County. He said that it will come back as a Final Plat in a few months.

Item 2 - Approval of Improvements in the Vacated Foster Street ROW

Mr. Dearborn said that the right-of-way for Foster Street was vacated back in 1979 with a provision retaining an easement for utilities. He said that there was a provision added to this easement that any structures or improvements placed in the easement must obtain permission from the Town before they are erected or installed. He said that now there is a proposal to put a parking lot in the easement, which needs approval from the Town.

Mr. Schmalz, from McMahon, said that there will be no structures, just a parking lot. He said that we are looking to the Town to amend the right-of-way vacation so that every improvement in the easement does not have to come before the Town Planning Commission and Board for approval.

Mr. Sabel asked why this language was put in to this particular easement.

Mr. Dearborn said that he did not know and that it is not normal easement language.

A motion was made by Mr. Jochman, seconded by Chair Bellmer, to approve use of the easement in the vacated Foster Street right-of-way with the following conditions:

1. Any improvements within this easement shall be limited to parking and landscaping.
2. Repair of any damage to any improvements within this easement caused by any utility work, including the addition of utilities, will not be repaired or compensated by the utility conducting the work within this easement.

The motion carried – 6-0-1.

Item 3 - Discuss Proposed Outagamie County Airport Overlay Extension

Mr. Dearborn said that the Outagamie County Airport Overlay Adhoc Committee has again begun meeting to discuss the possibility of extending the overlay into Winnebago County. He said that the effort got abandoned in the past because there was so much opposition. He said that in the past overlay proposal, people would not have been allowed to rebuild their homes if they were within the overlay and they were destroyed. He said that that language is being revised to allow for rebuilding if it is in the same footprint as the old building. He also said the committee is discussing the issue of stormwater detention ponds and birds.

Chair Bellmer asked who the lead player is in this effort.

Mr. Dearborn said that the FAA gives the airport authority to create overlays, but that they have to go through the County to do it.

Joe Nemecek appeared to voice his concern about the proposed overlay extension. He said that he has had experience trying to develop in overlay zones and it is very difficult if not impossible to do so. He asked how the approval process works and if people would have to go to

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Outagamie County for permits in the overlay zone. He also questioned the right that Outagamie County has to approve or deny permits for projects in Winnebago County.

Chair Bellmer said it's clear that the airport can invoke this on the Town because we are not incorporated, but it's unclear how the process works exactly.

Mr. Nemecek also said that planes don't even necessarily follow the overlay paths when taking off and landing. He said that we have to be very cautious about this and protect our developable land.

Mr. Jochman said that he concurred with Mr. Nemecek.

Chair Bellmer asked what happens when we get our own zoning; he asked where people will go to get permits.

Mr. Dearborn said that he hopes the Town would be able to administer the overlay zone so people would only have to come here and not go to Outagamie County.

OTHER BUSINESS:

Item 1 - Highway 47 Alternate Transportation Corridor

Mike Kading, Parks and Recreation Director, gave a presentation on the Hwy 47 Alternate Transportation Corridor. He said that Activate Fox Cities was created to help residents be more active and healthy. The group became a clearinghouse for ideas and this alternate transportation corridor along Hwy 47 is one of them. He said that the group is looking for support of the concept from the Town and the Cities of Neenah, Menasha and Appleton so that when the opportunity for funding becomes available there is a plan in place.

A motion was made by Mr. Jochman, seconded by Mr. VanDyke, to accept the Hwy 47 Alternate Transportation Corridor alignment as presented.

The motion carried – 6-0-1.

Mr. Dearborn said that this alternate transportation corridor will be built into our Comprehensive Plan when we rewrite it.

Item 2 - Development Status and Building Permits

Mr. Dearborn said that one single-family home permit was issued in January. He said that he has hopes that we will see more development this year than last.

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COMMUNICATIONS:

Sustainability Committee

Mr. Dearborn said that the Sustainability Committee is going through The Natural Step. He said that the Town is working on an energy audit, on waste reduction, and on a green procurement policy for the municipal complex.

Report on Status of County Zoning Ordinance Rewrite

There was discussion about creating a Zoning Board of Appeals.

ADJOURNMENT:

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

The motion carried.

6:45 p.m.

Ria Hull
Recording Secretary