

8348 Hickory Ave
Larsen, WI 54947

May 24, 2023

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To Whom it May Concern:

The Board of Supervisors of the Town of Clayton conditionally approved your Preliminary Plat submission at their Wednesday, May 17, 2023 meeting. Please find below the conditions that must be satisfied within the Final Plat submission:

1. Town Board allow for fee in lieu of land dedication pursuant to Section 7.10.08 (4)(b) of the Town of Clayton Subdivision Ordinance.

The subdivider accepts the fee in lieu of land dedication.

2. Detailed street, sanitary sewer, and water main plans and profiles shall be submitted to and approved by the Town Engineer and Town of Clayton Sanitary District #1, and Village of Fox Crossing, as applicable, prior to Final Plat approval by the Town and prior to commencing construction.

- a. The Town Engineer may require that borings and soundings be made in designated areas to ascertain subsurface soil, rock, and water conditions, including depth to bedrock and depth to groundwater table.

A geotechnical report including soil borings has been provided to the Town of Clayton. Information regarding subsurface soil and water conditions is included in the report.

- b. Marlo Dr, Princeton Dr, and St Norbert Dr must comply with the Town's minimum road design standards as per the Town's Minimum Road Design Standards Policy/Ordinance.

See response under 2c.

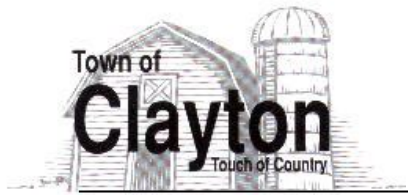
- c. If requested by the subdivider, the Town Board allow for an exception/variance to the minimum road design standards for all platted roads, except Marlo Dr, Princeton Dr, and St Norbert Dr, to be constructed with 4 inches total asphalt pavement (2.25" binder layer & 1.75" surface layer), 12 inches total gravel base (6 Inches of 3" B.A.D. & 6 Inches of ¾" B.A.D.), and geogrid, subject to: 1) The subdivider conducting soil borings and providing the Town a detailed geotechnical report with design calculations proving the proposed road design is suitable for the site; and 2) The subdivider providing the Town an irrevocable financial commitment to cover the cost of road failure if road failure were to occur within 25 years after construction.

In response to conditions 2b. and 2c. above, the developer hired a licensed Geotechnical Engineer (ECS Midwest, LLC) to provide pavement section recommendations based on their subsurface exploration and laboratory testing (Geotechnical Report and 30-year pavement design supplemental letter previously sent to the Town Administrator). ECS Midwest's recommendation for a 30-year design includes 4.5 inches total asphalt pavement (2.25" binder layer & 2.25" surface layer), 12 inches total gravel base, and no geogrid. Based on ECS Midwest's recommendations for the residential subdivision, the subdivider is requesting a variance to the minimum road design standards for all platted roads within the

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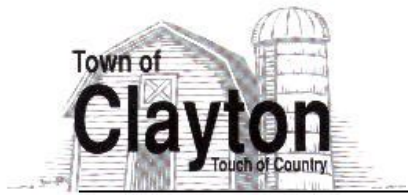
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subdivision. The subdivider is requesting that all platted roads be constructed with 4 inches total asphalt pavement (2.25" binder layer & 1.75" surface layer), 12 inches total gravel base (6 Inches of 3" B.A.D. & 6 Inches of ¾" B.A.D.), and geogrid. In comparison with ECS' 30-year design, the proposed road has 0.5 inches less asphalt but includes geogrid.

3. Detailed drainage, grading, storm sewer, and stormwater management plans and profiles shall be submitted to the Town Engineer for review and comment prior to Final Plat approval by the Town. Detailed drainage, grading, storm sewer, and stormwater management plans and profiles have been submitted to the Town of Clayton for review.
4. All permits and approvals required by the Wisconsin Department of Natural Resources and Winnebago County for stormwater management and erosion control shall be obtained prior to commencing construction. WDNR permits have been applied for and are pending approval. Permit approval letters shall be supplied to the Town of Clayton prior to commencing construction.
5. The Wisconsin Department of Natural Resources jurisdictional determination/wetland exemption or Individual Permit for wetland disturbance shall be obtained prior to Final Plat approval by the Town and prior to commencing construction. Wetland permits have been applied for and are pending approval. Permit approval letters shall be supplied to the Town of Clayton prior to commencing construction.
6. All permits and approvals required by the Wisconsin Department of Natural Resources, Town of Clayton, Village of Fox Crossing, and Town of Clayton Sanitary District #1 for sanitary sewer, water main, and street construction shall be obtained prior to Final Plat approval by the Town. Plans have been submitted to the Town of Clayton and Fox Crossing Utilities for review. WDNR sanitary and water extension permits have been submitted and are pending approval.
7. The subdivider shall execute a Public Improvement Agreement with the Town of Clayton, Village of Fox Crossing, and Town of Clayton Sanitary District #1, and provide requisite financial security for all public improvements prior to Town approval and as a condition of Town approval of the Final Plat. Parts of this are included in the Developer's agreement. What is required of the subdivider to move forward with the Public Improvement Agreement?
8. A boundary amendment to the Town of Clayton Sanitary District #1, adding Tax ID # 006-0632 to the sanitary district, shall be approved and executed prior to Final Plat approval by the Town of any Final Plat including/dividing Tax ID #006-0632. Phase 1 of Scholar Ridge Estates does not include Tax ID# 006-0632. A boundary amendment shall be executed prior to the Final Plat including Tax ID# 006-0632. What is required by the Town of Clayton to move forward with the boundary amendment?
9. Written confirmation of the extraterritorial rights of both City of Neenah and the Village of Fox Crossing over the subject property shall be submitted to the Town. See attached Intermunicipal agreement between The Town of Clayton and The Village of Fox Crossing. According to Section IV (Extraterritorial Jurisdiction), there shall be a ten year moratorium



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on the Village's exercise of extraterritorial zoning authority and plat approval authority within the Town of Clayton. Correspondence with the Village of Fox Crossing is also attached.

The applicant is currently waiting on a response from the City of Neenah regarding extraterritorial rights. Correspondence with the City of Neenah will be provided to the Town of Clayton as soon as it is available.

10. Applicant is eliminating Lot #53 from the plat due to the intermittent stream.
Lot #53 has been eliminated from the plat.

11. Subdivider shall explore a pedestrian solution throughout the plat in addition to the public trail on Marlo Dr.

As a part of the subdivision, the subdivider has incorporated the public trail along Marlo Drive, extending the full length of the property. This allows access from the north end of the property all the way to the south end via trail. Eventually, this will also be able to tie into the development extending directly to the south, which can provide safe trail access from County Road II to Larsen Road. As a part of our design, all lots have quick and easy access to reach this public trail. We have given additional considerations to items such as green space, space for children to wait for the school bus, space for children and families to play in the subdivision, etc. As the end buyer of the apartment complex, we have designated an area where the children can line-up and wait for the school bus pickup in our apartment community. Additionally, there is 10 acres of green space within the apartment community that can be used as a shared location for recreational use, and for areas for the families and children to play. The combination of the public trail extending throughout the full length of the subdivision, designated area for school bus pickup, and green space for the development to use creates a solution for pedestrian traffic, recreational use, and safety for the families of the neighborhood.

12. Review from Clayton Protective Services Department, Town of Clayton Public Works Department, US Postal Service, and Winnebago County for items including, but not limited to, public safety access, plowing access, method of postal service, future development along County Rd II with respect to the proposed trail. The subdivider shall be responsible for construction of the public trail along/within the County Rd II right-of-way.

d. How is the applicant going to comply with Fire Code IFC D107 (adopted by the Town) requiring accesses?

As a part of the initial conceptual layout and preliminary plat, the applicant dedicated 6 stub streets (2 stub streets in Phase 1) that are intended to be tied into future development in the Town of Clayton. Due to the Winnebago County Highway Department requirements, a second public access route would not be allowed along County Road II. The State has reviewed the preliminary plat, and no comments or concerns regarding accesses have been brought to our attention.

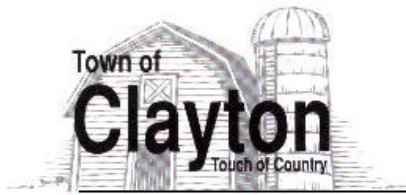
e. How is the applicant going to comply with Fire Department Access and Water Supply NFPA1-18.2.3.3 Multiple Access Roads? More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.

See response under 12d.

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- f. How is the applicant going to handle the snow management within the plat?
The rural road section allows for snow storage within roadside ditches. Additionally, temporary snow storage easements have been added at the end of all stub streets within the plat.

- g. How is the applicant working with USPS to address postal servicing?
Applicant to provide correspondence to the Town regarding postal servicing.
Waiting to hear back from USPS regarding the need for mailbox clusters.

If you have any questions, please feel free to reach out via email or phone.

Kelly Wisnefske
Town Administrator