

MEMORANDUM

Business Item A

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission review & recommendation on a Certified Survey Map (CSM) Review Application submitted by Davel Engineering & Environmental Inc. on behalf of Galen Drews for a proposed land division reconfiguring Tax ID #006-0599 (3113 County Rd II), Tax ID #006-0600, and Tax ID #006-0602, into two lots.

Below are the Staff Comments provided by Code Administrator Greenberg:

After review of the proposed Certified Survey Map to redivide Tax IDs 006-0600, 006-0599, and 006-0602 into two lots, I have the following comments:

1. The subject parcels have frontage on Oakwood Ave. (Class 2 road) and County Hwy II.
2. There are approximately 118 acres subject to the CSM and no remnant lands are being created.
3. The subject parcels are located within a DNR Special Well Casing Pipe Depth Area.
4. The DNR surface water data viewer identifies a navigable stream running through the subject lands.
5. The subject parcels are in Tier 2 of the Town's Land Use plan and in the Residential – Single and Duplex categories.
6. Town Zoning Requirements – The CSM complies with the minimum lot size and dimensional requirements for unsewered lots in the A-2 District as follows:

	Required	Proposed	Does it comply?
<u>Minimum Lot Area:</u>	5 acs.	Lot 1: 114+/- acs. Lot 2: 5.01 acs.	Yes (All Lots)
<u>Minimum Lot Width</u>	200 ft.	Lot 1: 1,300 ft.+/- Lot 2: 589.83 ft.	Yes (All Lots)
<u>Minimum Road Frontage</u>	200 ft.	Lot 1: 1,180 ft.+/- (Oakwood) Lot 1: 1,982 ft.+/- (CTH II) Lot 2: 589.83 ft.	Yes (All Lots)

7. Assuming all existing buildings are to remain on Lot 2. The CSM does not comply with the maximum accessory building floor area for residential uses as follows:

	Required	Proposed	Does it comply?
<u>Maximum Accessory Building Floor Area (Residential)</u>	3,242 sq. ft. +/-	7,000 sq. ft. (approx.)	No [1]

[1] Pursuant to the procedures and requirements contained in Article 7 of the Zoning Code, the Zoning Administrator may allow more than the specified floor area when one or more of the accessory buildings on a lot are designated as a Rural Accessory Building.

8. The WDNR Surface Water Data Viewer identifies a number of wetlands on Lot 1.
9. The Town's right-to-farm note has not been placed on the CSM.
10. Land within the established right of way of Oakwood Ave., is being dedicated for road purposes and appears consistent with dedication requirements.

Staff Recommendations:

It is Code Administrator Greenberg's opinion that the CSM may be approved, subject to the following conditions:

1. Subject to a determination by the Zoning Administrator that the current accessory buildings on Lot 2 meet the standards to be designated as Rural Accessory Buildings, pursuant to Article 7, Division 14 of the zoning code.
2. The surveyor should provide a separate sheet or inset of Lot 2 on a larger scale.
3. Per Sec 7.10.11(6)(a) the wetlands shown on the Winnebago County GIS, or field-delineated wetlands shall be identified on the CSM, including the source of the information.
4. All road dedications shall be identified as "Dedicated to the public for roadway purposes".
5. Per WI s. 236.34 (1m)(a) the surveyor's seal shall be signed sealed and dated on all pages.
6. The following note shall be placed on the CSM: "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."
7. Unless the Ordinary High-water Mark elevations of any navigable waterways are identified on the CSM, the following notes shall be added:
 - The Ordinary High-Water Mark is not based on an official determination and prior to any building, an official determination of the Ordinary High-Water Mark 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 land-altering activities.
 - The location of the approximate Ordinary High-water Mark shall be the point on the bank of a navigable stream or 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.

8. The right-to-farm language shall be added to the CSM.
9. The following well casing note shall be added: "Lot created in the document area located in the Special Well Casing Pipe Depth Area. This area has been established due to naturally occurring Arsenic contamination problems in this area affecting many wells. Individuals who plan on drilling a well should consult with the Wisconsin Department of Natural Resources, or a drilling professional, to determine how to comply with the provisions of s. NR 812.12(3) of the Wisconsin Administrative Code."

SUGGESTED MOTION

Motion to recommend approval of the CSM submitted by Davel Engineering & Environmental Inc. on behalf of Galen Drews with the 9 listed Staff Recommendations & Conditions.

Respectfully Submitted,
Kelsey