



# PLAN COMMISSION

Wednesday, July 10, 2024 – 6:30 PM

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**Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947**

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## 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  
Commissioner Hopkins  
Town Board Rep. Christianson

### EXCUSED

Commissioner Dorow

### STAFF

Administrator Wisnefske  
Clerk Faust-Kubale  
Planner Jaworski  
Code Administrator Greenberg

## **PUBLIC HEARING(S) AND/OR PUBLIC INFORMATION MEETINGS**

- A. Plan Commission Public Hearing on a Conditional Use Application submitted by Jesse May for a proposed short-term rental accessory use on Tax ID #006-1708 addressed as 3623 Jadetree Terrace.

**NO PUBLIC COMMENT - HEARING CLOSED AT 6:32 PM**

- B. Plan Commission Public Hearing on a Conditional Use Application submitted by Rob & Carla Hackbarth for a proposed short-term rental accessory use on Tax ID #006-1496 addressed as 7980 Coleman Ridge.

**NO PUBLIC COMMENT - HEARING CLOSED AT 6:33 PM**

## **APPROVAL OF MINUTES**

- A. Approval of the Minutes of the Wednesday, June 12, 2024 Plan Commission Meeting

## **MOTION**

**Motion made** by Commissioner Nemecek, **Seconded** by Commissioner Ketter to approve the Minutes of the Wednesday, June 12, 2024 Plan Commission Meeting. **Voting Yea:** Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Ketter, Commissioner Hopkins, Town Board Rep. Christianson  
**Motion carried 6-0.**

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

### **CORRESPONDENCE**

- A. Distribution of the June 2024 Building Inspection Report
- B. Distribution of an article dated July 2, 2024, reporting on a short-term rental incident in Juneau County

### **BUSINESS**

- A. Review/Recommendation: Plan Commission review & recommendation on a Conditional Use Permit Application submitted by Jesse May for a proposed short-term rental accessory use on Tax ID #006-1708 addressed as 3623 Jadetree Terrace.

### **MOTION**

**Motion made** by Commissioner Haskell, **Seconded** by Commissioner Ketter to recommend approval of the Conditional Use Permit Application submitted by Jesse May with the following Conditions:

1. If only portions of the residence are proposed to be rented, the applicant should submit a floor plan identifying which portions of the residence will be rented to verify the single-family residence is not being converted to a duplex.
2. Applicant and Building Inspector coordinate an inspection of the residence with re-inspections to occur every 5 years.
3. Applicant obtain a Winnebago County Health Department License and keep that License active for the duration of the short-term rental activity.
4. Any applicant that maintains, manages, and/or operates a short-term rental facility for more than 10 nights each year obtain a Tourist Rooming House License from the State Department of Agriculture, Trade, and Consumer Protection (DATCAP).
5. All short-term rental activities shall occur within a single-family residential dwelling.
6. All structures require a one-time Conditional Use Permit as an accessory use to a single-family residential as the Principal Use.
7. A Conditional Use Permit for short-term rentals be transferable between property owners.
8. The operator of a short-term rental facility maintains the single-family dwelling as their principal residence during the time period when rooms are offered.
9. The exterior appearance of the building shall not be altered from its single-family appearance.
10. All signage shall conform with the standards identified in the Conditional Use Permit, those being that the sign shall not exceed four (4) square feet in area.
11. No food preparation or cooking shall be allowed in guest rooms.
12. Meals shall only be offered to overnight guests.

13. Rentals shall not exceed 29 consecutive days.

14. Rentals shall be limited to 180 days within any 365-day period.

15. All parking (homeowner and renters) for the facility shall occur on site. No street parking is allowed.

16. All local, state, and federal taxes must be filed with the appropriate agencies. Short-term rental facilities must comply with the provisions of Section 9.1 of the Town of Clayton Municipal Code pertaining to hotel and motel room tax.

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

**Motion carried 6-0.**

- B. Review/Recommendation: Plan Commission review & recommendation on a Conditional Use Permit Application submitted by Rob & Carla Hackbarth for a proposed short-term rental accessory use on Tax ID #006-1496 addressed as 7980 Coleman Ridge.

**APPLICANT WITHDREW APPLICATION PRIOR TO MEETING.  
DISCUSSION ITEM ONLY - NO ACTION TAKEN**

- C. Review/Recommendation: Plan Commission review & recommendation on a Certified Survey Map (CSM) Review Application submitted by Chris Perreault on behalf of Arden & Dorothy Eckstein for a proposed CSM dividing Tax ID #006-0572 (3960 Larsen Rd) into two (2) lots.

**MOTION**

**Motion made** by Commissioner Ketter, **Seconded** by Commissioner Nemecek to recommend approval of the CSM Review Application submitted by Chris Perreault on behalf of Arden & Dorothy Eckstein with the following Recommendations:

1. The surveyor's certificate shall be signed and sealed with the same revision dates on all pages.
2. All existing buildings and structures shall be added to the CSM.
3. The subdivider's address shall be added to the CSM.

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

**Motion carried 6-0.**

- D. Review/Recommendation: Plan Commission review & recommendation on a Certified Survey Map (CSM) Review Application submitted by McMahon Associates Inc, on behalf of Clayton Development Group, LLC to establish zero lot lines for the planned Twin Homes to be located on Tax ID #006-1805 (2642 and 2644 Princeton Dr) & Tax ID #006-1806 (2648 and 2650 Princeton Dr).

**MOTION**

**Motion made** by Commissioner Ketter, **Seconded** by Commissioner Nemecek to recommend approval of the CSM Review Application submitted by McMahon Associates Inc, on behalf of Clayton Development Group, LLC with the following Recommendations:

1. Dwelling units in a Twin Home shall be subject to a joint cross-access and maintenance agreement as approved by the Zoning Administrator. The written agreement required by Chapter 9.08-256 of the Zoning Ordinance shall be recorded with each lot in the office of the Register of Deeds for Winnebago County.
2. The surveyor's certificate shall be signed and sealed with the same revision date on all pages.
3. The required side yard and rear yard notes be removed.

**Voting Yea:** Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Ketter, Commissioner Hopkins, Town Board Rep. Christianson  
**Motion carried 6-0.**

- E. Review/Recommendation: Plan Commission review & recommendation on a Preliminary Plat Review Application submitted by Davel Engineering on behalf of Jacobs Design Homes LLC for a Condominium Plat affecting Tax ID #006-1802 (2601 and 2603 St Thomas Ln).

**MOTION**

**Motion made** by Town Board Rep. Christianson, **Seconded** by Commissioner Nemecek to recommend approval of the Preliminary Plat Review Application submitted by Davel Engineering on behalf of Jacobs Design Homes LLC with the following Recommendations:

1. The specific references to the areas identified as "unit" and "limited common element" are unclear and shall be revised and/or clarified. Unit labels shall be placed on top of the respective features.
2. The North / South line bisecting the plat is unclear and shall be removed or clarified. A Condo Plat cannot be utilized to divide lands.
3. Right to Farm language shall be added to the plat per the Town's Subdivision Ordinance.

**Voting Yea:** Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Ketter, Commissioner Hopkins, Town Board Rep. Christianson  
**Motion carried 6-0.**

- F. Review/Recommendation: Plan Commission review & recommendation on a Preliminary Plat Review Application submitted by McMahon Associates on behalf of Clayton Development Group LLC, for approval of revisions to Scholar Ridge Estates Plat, dividing Tax ID #006-0618-01 (Marlo Ave / St Norbert Dr) & Tax ID #006-0632 into 106 lots intended for a combination of two-family residential & single-family residential uses.

**MOTION**

**Motion made** by Commissioner Nemecek, **Seconded** by Commissioner Haskell to recommend approval of the Preliminary Plat Review Application submitted by McMahon Associates on behalf of Clayton Development Group LLC with the following Recommendations:

1. Environmental Corridor setback provisions shall be noted on the plat.

2. Stormwater management plans are required to be provided to the Town in conjunction with Winnebago County requirements. This shall include drainage, grading, storm sewer plans and profile drawings prior to final plat approval.
3. Drainage easement restrictions, and grading & drainage notes shall be noted on the plat prior to final plat approval.
4. Detailed road, sanitary sewer, and water main plans and profile drawings shall be provided to the Town for review prior to final plat approval.
5. Boundary amendment to Clayton Sanitary District #1 is required prior to final plat approval.
6. Road dedications shall be explicitly stated on the plat, and ownership and intended use of all outlots shall be stated on the plat prior to final plat approval.
7. Existing zoning on the adjacent lots are incorrect and should be corrected prior to final plat approval.
8. Right to Farm language shall be added to the plat prior to final plat approval.
9. Since there are no longer any wetlands within the plat boundary, the wetlands reference should be removed from the legend prior to final plat approval.
10. Per WI Chapter 236, the exact width of the drainage easement running with the intermittent stream must be noted on the plat prior to final plat approval.
11. Prior to final plat submittal, documentation shall be provided to the Town indicating the drain tile, intake structure, and multiple rock wall / dam structures identified in the WDNR navigability letter have been removed and/or adequately addressed.

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

**Voting Nay:** Commissioner Ketter

**Motion carried 5-1.**

#### **UPCOMING MEETING ATTENDANCE**

- A. Plan Commission (6:30 pm start unless otherwise noted) - Aug 14; Sept 11; Oct 9
- B. Town Board (6:30 pm start unless otherwise noted) - July 17; Aug 7 & 21; Sept 4 & 18

#### **ADJOURNMENT**

##### **MOTION**

**Motion made** by Commissioner Haskell, **Seconded** by Commissioner Nemecek to adjourn at 7:39 pm.

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

**Motion carried 6-0.**

Respectfully submitted,

Kelsey Faust-Kubale  
Town Clerk