

**TOWN OF NEENAH
Plan Commission
Regular Meeting Agenda**

DATE: MONDAY, January 15, 2024

TIME: 7:00 p.m.

LOCATION: 1600 Breezewood Lane, Neenah WI 54956

The meeting will be held in person with an option to join virtually.

Meeting ID: 842 0459 5330 / Passcode: 859437 / Phone (312)626-6799

Zoom Link: <https://us02web.zoom.us/j/84204595330?pwd=Mjg0cHZkRDh0K1VyWFJMemVVaFRNUT09>

1. Call Meeting to Order / Pledge of Allegiance.
2. Public Forum
3. Approve Meeting Minutes from November 20, 2023 Plan Commission Meeting
4. Input/Discussion/Action:
 - a. Resolution 2024-01 - Certified Survey Map, Woodenshoe Rd
Applicant: Randall Averbek and Sally Liebhauser
James and Jacqueline Revocable Trust
Location of Premises Affected: 7074 Woodenshoe Road
7050 Woodenshoe Road
Tax Parcel No: 010-008903
010-0089
5. New Business
6. Old Business
7. Future Meetings / Agenda Items
 - a. Next Plan Commission Meeting Monday, February 19, 2024.
8. Adjourn

Closed Session Contemplated: **NO**

Respectfully Submitted,



Ellen Skerke
Administrator-Clerk-Treasurer
January 10, 2024

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Town Clerk at 725-0916

A quorum of Town Board, Sanitary Commissions or other committees may attend, but no official action will be taken by them.

Notice was posted on January 10, 2024 at www.townofneenah.com and Town of Neenah Municipal Building, 1600 Breezewood Lane,

TOWN OF NEENAH PUBLIC HEARING AND PLAN COMMISSION MEETING

Monday, November 20, 2023

Held at Town of Neenah Municipal Building, 1600 Breezewood Lane and offered via Zoom.

Present for Plan Commission: Plan Commission Chair Pete Weyenberg, Commissioner Jody Andres, , Commissioner Jeremy Kwiatkowski, Commissioner Russel Meerdink, and Commissioner Don Nussbaum.

Present for Plan Commission via Zoom: Commissioner Joshua Lautenschlager

Excused: Commissioner Brett Armstrong

Also Present: Randy and Kim Alessandrini, Steve and Macy Seegers, Jeff Bernice, Carol and Lowell Kempfert, Penny Lancaster, Ray Pawlick, Town Board Supervisor James Weiss, and Administrator-Clerk-Treasurer Ellen Skerke.

Also Present Via Zoom: Angie Dempewolf, Carrie Sturn, 2 guests, and Deputy Clerk-Treasurer Vicki Boushele

Plan Commission Chair Pete Weyenberg called the Public Hearing to order at 7:00 p.m. Pledge of Allegiance was recited.

Public Hearing for Zoning Map Amendment

<i>Applicant:</i>	<i>SEEGERS, STEVE</i>
<i>Agent:</i>	<i>SEEGERS, STEVE, PATRON PROPERTIES LLC</i>
<i>Location of Premises Affected:</i>	<i>1730 OAKRIDGE ROAD</i>
<i>Tax Parcel No:</i>	<i>010-029807</i>
<i>Current Zoning:</i>	<i>R-1 Rural Residential</i>
<i>Proposed Zoning:</i>	<i>I-1 Light Industrial</i>
<i>Legal Description:</i>	<i>Being part of the NE 1/4 of the NE 1/4 of Section 30, Township 20 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin.</i>
<i>Explanation:</i>	<i>Applicant is requesting a zoning change from R-1 (Rural residential district) to I-1 (Light industrial district).</i>

The Following Comments were made at the Public Hearing:

- S. Seegers, owner of 1740 Oakridge Road provided a brief history of the property and current use. He purchased the property several years ago, improved the buildings including the shop at 1740 Oakridge Road. Currently he has an electrical company, Schmidt Electric leasing the space and running their electrical business out of the structure. Winnebago County Zoning indicated the only option for operating a business out of this location was to rezone as light industrial. S. Seegers stated he would rather see a conditional use permit to allow the property to remain residential. He owns 10 acres in that area and does not know what the future for the entire 10 acres looks like right now.
- S. Seegers stated on the 7-acre parcel he recently purchased, he is having fill brought in, he has documentation from the DNR from when the previous owner owned the property that allows approximately 7/8th of the property to be filled in. The property has challenges, high

wires, wetlands, pipeline . He does not know what all these setbacks will be so he is not sure what the future use will be.

- C. Sturn, 1570 Deerwood commented that she agrees with the concept of a conditional use permit. She does not support rezoning to light industrial not knowing what the future of all the property holds.
- Jeff Bernice, 1758 Oakridge place stated he opposed to the rezone to light industrial, he does not want to live among light industrial properties. He is not opposed to the current business, just to rezoning to light industrial.
- Penny Lancaster, 1798 Oakridge Place is opposed to the rezone to light industrial, this request might be one small parcel, but once rezoned, makes it easier for it to keep moving and rezone the large 7-acre parcel.
- Ray Paulik, 1749 Oakridge place spoke in opposition to the change in zoning. He is not opposed to the current electrical business operating at that location.
- Lowell Kempfert, 1768 Oakridge Place spoke in opposition to the rezone, not opposed to the current business. He questioned if a Conditional Use Permit would serve the purpose of allowing the business to remain in the location.

Having no one else interested in speaking, Chair P. Weyenberg closed the Public Hearing at 7:25 p.m.

Plan Commission Meeting

Plan Commission Meeting was called to order at 7:25 p.m.

Approve September 18, 2023, Plan Commission Meeting Minutes

Motion: J. Andres / D. Nussbaum to approve.

Motion carried by voice vote. R. Meerdink and J., Kwiatkowski abstained.

Chair P. Weyenberg introduced new Plan Commission member Jeremy Kwiatkowski. J. Kwiatkowski shared a brief explanation of his interest to become involved with the Town, he spoke with Town Chairman Schmeichel and landed on joining the Plan Commission. He looks forward to the opportunity.

Input/Discussion/Action

Zoning Map Amendment

Resolution 2023-34 – Zoning Map Amendment,

Applicant:	Seegers, Steve
Agent:	Seegers, Steve Patron Properties
Location of Premises Affected:	1730 Oakridge Road
Tax Parcel No:	010-029807

- P. Weyenberg gave a brief history of the property in question, this parcel in question along with the surrounding properties totaling 10 acres was owned by one individual, he lived there, the other buildings were his shop, warehouse, storage etc. When it was sold, Mr. Seegers has done a considerable amount of work to clean it up . There is a triplex on one parcel, a new single-family home on another parcel and this building that houses the electrical company on the middle lot.
- P/ Weyenberg understands why R-1 – Residential zoning is not 100% accurate and understands why I-1- Light Industrial is not 100% accurate.
- P. Weyenberg stated there is Light Industrial in the area, kitty-corner to this lot, other properties are residential.

Zoom intrusion, Zoom shut down Commissioner Josh Lautenschlager was no longer in the meeting.

- J. Andres stated the Future Land Use map calls for this parcel to be residential, a zoning change requires us to go against the Future Land Use Map or change the Future Land Use map.
- D. Nussbaum spoke of the CB corridor just east of this property has many areas that are light industrial.
- R. Meerdink spoke about how we manage this so the current business can continue to operate. Is this parcel grandfathered in? If the building was built in 1973 and has operated in this manner since then, it will depend on when County Zoning came into existence. The current code cannot take away the land use that was already in existence. The current use may be legitimate without a rezone.
- P/ Weyenberg stated that would be a question for the Town Attorney to answer.
- R. Meerdink suggested the Commission gather more information before making a decision. Was the current building in place and allowed prior to County Zoning came into existence? If not, someone at the County allowed this building to be built.
- J. Andres stated that he does not see this Commission approving the request to change zoning to I-1 regardless of what those answers are. The question in front of the Commission is if the property should be rezoned to I-1.
- P. Weyenberg discussed a few options for action on this item , 1) Commission can table until the next meeting to gather more information, 2) Commission can deny and pass along to the Town board to make a decision.
- P. Weyenberg allowed L. Kempfert to speak, L. Kempfert stated what the property was sold, the property was cleaned up and the current use is no different than the use by the previous owner.

Motion: J. Andres / J. Kwiatkowski to deny the Zoning Amendment Request.
Motion carried 5:0:0.

Certified Survey Map

Resolution 2023-35 - Certified Survey Map, Larsen Road

Applicant: Rosenfeldt, Thomas and Deborah

Location of Premises Affected: 1326 Larsen Road, Neenah, WI 54956

Tax Parcel No: 010-031001

- Angie Dempewolf joined the meeting via phone.
- A. Dempewolf explained that her parents own the 9+ acre lot and are gifting her 2 acres to build a home.

- P. Weyenberg reviewed the CSM, a 9-acre lot is being divided into to 2 lots, 7 acres and 2 acres.

Motion J. Andres / R. Meerdink to approve the CSM for 1326 Larsen Road.
Motion carried by voice vote.

New Business

- D. Nussbaum suggested the Clerk contact Winnebago County Sherrif's Office regarding the zoom issue, request that they monitor the next few Zoom meetings. E. Skerke stated she would follow up with the County Clerk's Office for recommendations for Zoom meeting security.

Old Business

- None

Next regularly scheduled Plan Commission Meeting, Monday December 18, 2023, at 7:00 p.m.

Adjourn

Motion: D. Nussbaum / J. Andres to adjourn.
Motion carried. Meeting Adjourned at 7:46 pm

Respectfully submitted,



Ellen Skerke
Administrator-Clerk-Treasurer

Approved: DRAFT – Pending Approval

**TOWN OF NEENAH
WINNEBAGO COUNTY, WISCONSIN
RESOLUTION 2024-01**

**RESOLUTION APPROVING CERTIFIED SURVEY MAP
FOR 7050 WOODENSHOE ROAD AND 7074 WOODENSHOE ROAD
WINNEBAGO COUNTY PLANNING AND ZONING CSM Log # 6350**

WHEREAS, Winnebago County Planning and Zoning submitted CSM Log # 6350 for Town review, as attached as Exhibit 1; and

WHEREAS, on January 15, 2024, the Town of Neenah Plan Commission held a meeting on a Certified Survey Map (CSM) filed by Carow Land Surveying Co. Inc on behalf of property owners James Jones Revocable Trust, Jacqueline Jones Revocable Trust, Randal Averbeck and Sally Liebhauser to define new lot lines for 7050 Woodenshoe Road and 7074 Woodenshoe Road as described on the attached CSM in the Town of Neenah, Winnebago County Planning and Zoning CSM Log # 6350; and

WHEREAS, at the meeting, the Plan Commission recommended approval of the above mentioned CSM; and

NOW THEREFORE BE IT RESOLVED that the Town Board approves the CSM for 7050 Woodenshoe Road and 7074 Woodenshoe Road , County Planning and Zoning CSM Log # 6350.

FURTHER RESOLVED that The Town Chairman, or his representative, and Town Administrator-Clerk-Treasurer are authorized to sign the above mentioned CSM.

Dated this 22nd day of January 2024.

TOWN OF NEENAH

By: _____
Robert Schmeichel,
Town Chairperson

Attest:

Ellen Skerke,
Town Administrator-Clerk-Treasurer

CERTIFIED SURVEY MAP NO. _____

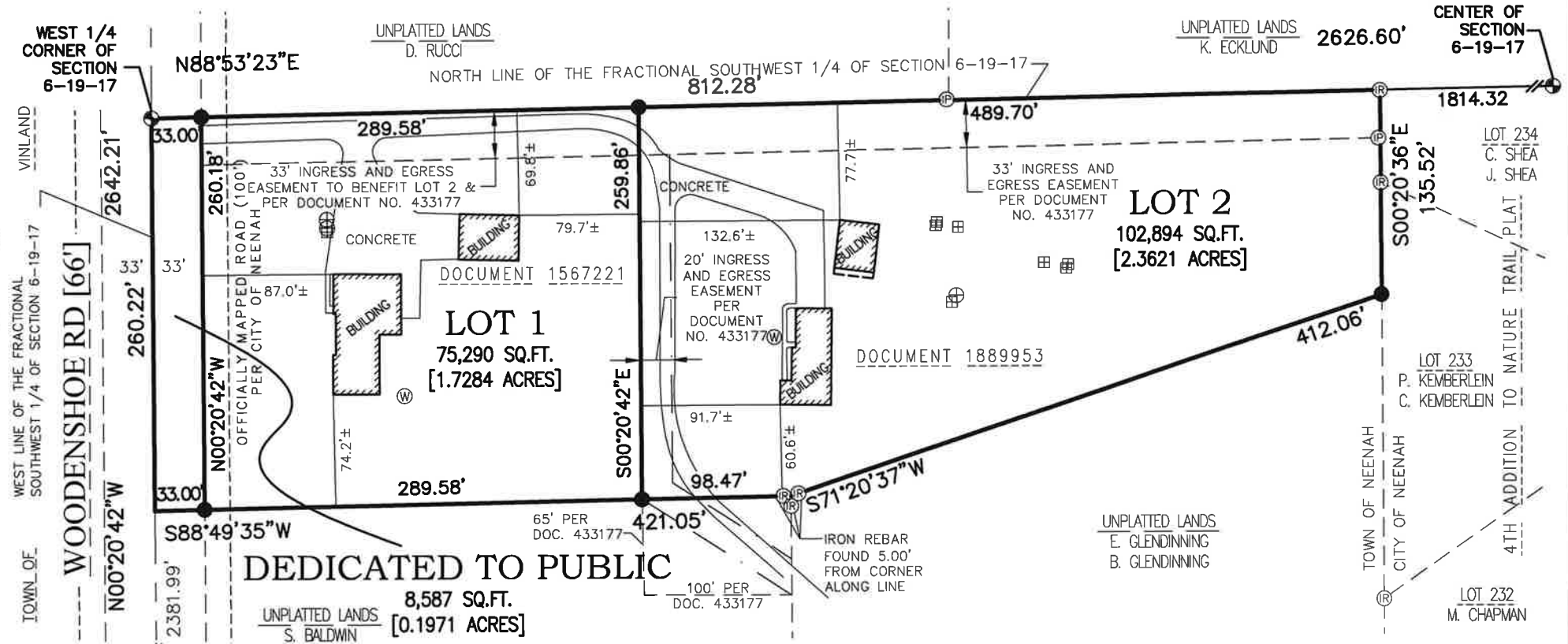
OWNER(S) OF RECORD:
 RANDALL ALLEN AVERBECK
 SALLY ANN LIEBHAUSER
 JAMES D JONES REVOCABLE TRUST
 JACQUELINE J JONES REVOCABLE TRUST
 PARCEL NO.(S):
 0100089 010008903

BEING PART OF THE NORTHWEST 1/4 OF THE FRACTIONAL
 SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 NORTH, RANGE 17
 EAST, TOWN OF NEENAH, WINNEBAGO COUNTY, WISCONSIN.

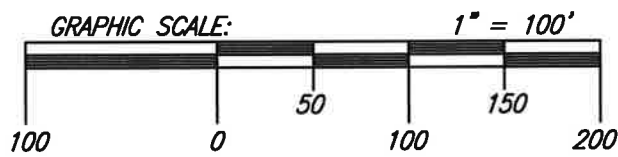
NORTH IS REFERENCED TO THE
 NORTH LINE OF THE FRACTIONAL
 SOUTHWEST 1/4 OF SECTION 6,
 TOWNSHIP 19 NORTH, RANGE 17
 EAST, TOWN OF NEENAH,
 WINNEBAGO COUNTY, WISCONSIN,
 WHICH BEARS N88°53'23"E PER THE
 WISCONSIN COUNTY COORDINATE
 SYSTEM (WINNEBAGO COUNTY)

NOTES:

- PRIOR TO ANY CONSTRUCTION OR OTHER LAND USE ACTIVITY, ALL BUILDING SETBACKS AND OTHER LAND USE REQUIREMENTS SHOULD BE VERIFIED WITH THE TOWN OF NEENAH AND WINNEBAGO COUNTY
- FIELD SURVEY WAS COMPLETED ON 11/1/23
- SECTION BREAKDOWN ON RECORD AT THE WINNEBAGO COUNTY SURVEYOR'S OFFICE.



CHRISTOPHER E. PERREAULT, PLS-2249 DATED
 CAROW LAND SURVEYING CO., INC.
 615 N. LYNNDAL DR., APPLETON, WI 54914
 N5841 STATE HIGHWAY 47-55, SHAWANO, WI 54166
 PHONE: (920)731-4168
 A2310.26 DATED: 12/22/23
 DRAFTED BY: NJO



- LEGEND:**
- = 1 1/8" X 18" ROUND IRON PIPE SET, WEIGHING 2.17 LBS. PER LIN. FT.
 - Ⓡ = 3/4" SOLID ROUND IRON REBAR FOUND
 - Ⓢ = 1" I.D. ROUND IRON PIPE FOUND
 - ⊞ = SEPTIC VENT
 - ⊕ = SEPTIC TANK
 - Ⓜ = WELL
 - = EXISTING BERNTSEN MONUMENT

CERTIFIED SURVEY MAP NO. _____

BEING PART OF THE NORTHWEST ¼ OF THE FRACTIONAL SOUTHWEST ¼ OF SECTION 6, TOWNSHIP 19 NORTH, RANGE 17 EAST, TOWN OF NEENAH, WINNEBAGO COUNTY, WISCONSIN.

SURVEYOR’S CERTIFICATE:

I, CHRISTOPHER E. PERREAULT, PROFESSIONAL WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED PART OF THE NORTHWEST ¼ OF THE FRACTIONAL SOUTHWEST ¼ OF SECTION 6, TOWNSHIP 19 NORTH, RANGE 17 EAST, TOWN OF NEENAH, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST ¼ CORNER OF SAID SECTION 6; THENCE N88°53’23”E, 812.28 FEET ALONG THE NORTH LINE OF THE FRACTIONAL SOUTHWEST ¼ OF SECTION 6 TO AN EAST LINE OF LAND DESCRIBED IN DOCUMENT NO. 1567221; THENCE S00°20’36”E, 135.52 FEET ALONG SAID EAST LINE AND THE EAST LINE OF LANDS DESCRIBED IN DOCUMENT NO. 1889953 TO THE SOUTH LINE OF SAID LANDS; THENCE S71°20’37”W, 412.06 FEET ALONG SAID SOUTH LINE; THENCE S88°49’35”W, 421.05 FEET ALONG SAID SOUTH LINE AND THE SOUTH LINE OF LANDS DESCRIBED IN DOCUMENT NO. 1567221 TO THE WEST LINE OF THE FRACTIONAL SOUTHWEST ¼ OF SECTION 6; THENCE N00°20’42”W, 260.22 FEET ALONG SAID WEST LINE TO THE WEST ¼ CORNER OF SECTION 6 AND THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF RANDY AVERBECK, 7074 WOODENSHOE RD., NEENAH, WI 54956.

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED AND THE DIVISION OF THAT LAND.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCE OF WINNEBAGO COUNTY AND THE TOWN OF NEENAH.

CHRISTOPHER E. PERREAULT, PLS-2249 DATED
CAROW LAND SURVEYING CO., INC.
615 N. LYNNDALE DR., APPLETON, WI 54914
N5841 S.T.H. “47-55”, SHAWANO, WI 54166
PHONE: (920)731-4168
A2310.26 (RFR) 12-22-2023

NOTES:

- (1) THIS CSM IS ALL OF TAX PARCEL NO. (S): 0100089 & 010008903.
- (2) THE PROPERTY OWNER (S) OF RECORD IS (ARE): JAMES D. & JACQUELINE J. JONES REVOCABLE TRUST, RANDALL ALLEN AVERBECK AND SALLY ANN LIEBHAUSER.
- (3) THE CSM IS WHOLLY CONTAINED WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENT (S): DOCUMENT NO.S: 1567221 AND 1889953.

COUNTY PLANNING AND ZONING COMMITTEE APPROVAL:

PURSUANT TO THE WINNEBAGO COUNTY SUBDIVISION ORDINANCE, ALL REQUIREMENTS FOR APPROVAL HAVE BEEN FULFILLED. THIS CERTIFIED SURVEY MAP WAS APPROVED THIS _____ DAY OF _____, 20 ____.

CHAIRPERSON, WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE.

TOWN BOARD CERTIFICATE:

WE HEREBY CERTIFY THAT THIS CERTIFIED SURVEY MAP WAS APPROVED AND ACCEPTED BY THE TOWN BOARD OF THE TOWN OF NEENAH ON THE _____ DAY OF _____, 20 ____.

TOWN CHAIRMAN

TOWN CLERK

