

VILLAGE OF FOX CROSSING  
PLANNING COMMISSION MEETING  
Municipal Complex – Arden Tews Assembly Room  
Wednesday, April 20, 2022 5:15 PM  
Minutes

**CALL TO ORDER**

The Planning Commission meeting was called to order by Chairman Jochman at 5:15 p.m.

PRESENT: Chairperson: Chair Dennis Jochman & Vice Chair Aaron Sabel  
Commissioners: Mr. Tom Young  
Mr. Morris Cox  
Mr. Michael Scheibe,  
Ms. Tracy Romzek,  
Mr. James Zielinski

Staff: Community Development Director George Dearborn  
Associate Planner Daniel Dieck  
Village Manager Jeffery Sturgell

Other:

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES – April 20, 2022**

**MOTION:** Mr. Cox, seconded by Mr. Zielinski, to approve the meeting minutes of Wednesday, April 20, 2022.

Motion carried – 7-0-0-0.

**PUBLIC HEARING**

**1. Rezoning PDD Planned Development District Lot 11 Redtail Crossing**

**MOTION:** Mr. Cox, seconded by Mr. Zielinski to open the public hearing.

Motion carried 7-0-0-0.

Director Dearborn gave an overview to the project explaining that a Planned Development District is appropriate because there is a power line easement that runs through the property that does not allow for the proper lot size when dividing the property into two parcels for zero lot-line condos, leaving one side less than the 5,000 square foot minimum.

Chad Roberts of 969 Highland Park Road

Mr. Roberts asked how the rezoning of the property will affect his, and his neighborhood's property values and how this project would be allowed to be built prior to its rezoning, stating that the building is already completed. He felt that if the lot is too small for a duplex why was the duplex allowed to be built in the first place.

Director Dearborn stated that the lot meets all the requirements for a duplex. The developer built the duplex, but would now like to turn it into zero lot-line condos, and to do that, each unit needs a minimum lot size of 5,000 square feet, but because there is a 60 foot utility easement for a power line on the lot, it leaves one of the lots short of the 5,000 square foot minimum.

*Derrick Wilz of 959 Highland Park Road*

Mr. Wilz asked if this will be owner occupied or would it be allowed for renters and how will this affect his property values because there are no other duplexes on his side of the block.

Director Dearborn explained that zero lot-line condos would allow for home ownership, but wouldn't prevent an owner from renting out the condo. This use would be more positive to the neighborhood than a duplex because it creates two single family residences on the property.

*Jim Sehloff of Davel Engineering*

Mr. Sehloff stated he is the surveyor on this project and that they considered a number of options to make the 5,000 square foot lot size, but rezoning this property to PDD is the least impactful to the neighborhood. There are other zero lot-line condos in the area including across the street so there is no impact to the neighborhood. This is just a very unique lot that the builder considered many different options but this is the option he chose.

**MOTION:** Aaron Sabel, seconded by Tracy Romzek to close the public hearing.

Motion carried 7-0-0-0

**2. Rezoning A-2 to B-3 1822 Midway Rd.**

**MOTION:** Mr. Cox, seconded by Mr. Zielinski to open the public hearing.

Motion carried 7-0-0-0

Director Dearborn explained that this was part of a land exchange between Fox Crossing and the City of Menasha. This parcel has been vacant for an extended period time, prior to that it was a restaurant. The property was zoned commercially while in the City, when this was attached to the Village it reverted back to A-2 zoning which is not appropriate for this area. This rezoning is to align the property with the appropriate zoning which is B-3 as are properties to the North, to make this consistent for future development.

*Jared Schmidt of REL Engineering*

Mr. Schmidt said he was attending on behalf of the petitioner and is here to answer any questions. He stated that he agrees with Director Dearborn's assessment of the zoning that this cleans up any inconsistencies in the ordinance now that it is in the Village.

**MOTION:** Mr. Sabel, seconded by Ms. Romzek to close the public hearing.

Motion carried 7-0-0-0

**3. Rezoning A-2 to R-4 Clayton Ave. & East Shady Ln.**

Chairman Jochman recused himself due to his involvement with agenda item 3. Vice Chair Aaron Sabel assumed the Chair position, and officiated the Public Hearing.

**MOTION:** Mr. Scheibe, seconded by Mr. Cox to open the public hearing.

Motion carried 6-0-0-1 Recusal

Director Dearborn presented an overview stating that this rezoning complies with the future land use map and recommends approval.

*Shelby McCauley of 2571 East Shady Lane*

Ms. McCauley stated that their East property line will be shared with this new development, so she has some concerns and questions about this project. She is concerned that the road is not adequately sized for the amount of traffic this development will generate and speed of traffic in this area is high. Another concern is that their property already has flooding issues, so she is concerned this development will add to the flooding problem. She also anticipates families with children will be living in the apartments so safety is an issue and she is also concerned about children coming onto their property and asked about fencing.

Director Dearborn addressed the comments stating that this agenda item is for a rezoning and not a site plan or development review. There will be a site plan review by staff for this project and stormwater issues will be addressed as part of the review process. As for the road issues, the village does recognize that future road improvements will be needed in the area.

*Steve Bieda of Mau Associates*

Mr. Bieda introduced himself as representing the developer on this project and offered to answer any questions regarding the project.

**MOTION:** Ms. Romzek, seconded by Mr. Scheibe to close the public hearing.

Motion carried 6-0-0-1 Recusal

After vote, Chairman Jochman reclaimed the Chair from Vice Chair Sabel

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. Planned Development District Lot 11 Redtail Crossing**

Director Dearborn stated there was nothing more to add and offered to address any questions, adding that this rezoning is simply to allow for individual ownership of the units.

**MOTION:** Mr. Young, seconded by Ms. Romzek to approve the PDD Lot 11 as recommended by staff.

Motion carried 7-0-0-0

**2. Rezoning A-2 to B-3 1822 Midway Rd.**

Director Dearborn explained this is a land transfer between the City of Menasha and the Village of Fox Crossing this is a rezoning from A-2, which is the standard zoning that the property reverts to when attached into the Village. This is to change the zoning to B-3 which is the appropriate zoning for this property based on the current uses and zoning of the surrounding properties.

MOTION: Mr. Cox, seconded by Ms. Romzek to approve the rezoning from A-2 to B-3 with all staff recommendations.

Motion carried 7-0-0-0

**3. Rezoning A-2 to R-4 Clayton Ave & East Shady Ln**

Chair Jochman recused himself regarding this agenda item, therefore Vice Chair Sabel called for discussion.

Director Dearborn stated that this item is to rezone this property to R-4 as identified by the future land use and has nothing do with approving any project on this property.

The Commissioners acknowledged the concerns of the neighbors which will be addressed as part of the site plan review process.

MOTION: Mr. Cox, seconded by Mr. Scheibe to approve the rezoning as recommended by staff.

Motion carried 6-0-0-1 Recusal

After vote Chairman Jochman reclaimed the Chair from Vice Chair Sabel.

**4. Habitat CSM Tayco Rd**

Director Dearborn stated that this item has been postponed until the meeting in May.

MOTION: Mr. Sabel, seconded by Mr. Scheibe to postpone this item until the May meeting.

Motion carried 7-0-0-0

**OTHER BUSINESS**

1. Development Activity Report

Director Dearborn reviewed the Development Activity Report and was asked by the Commissioners to break out the values of the Neenah High School in future reports.

**COMMUNICATIONS**

1. Sustainability Committee Report

Director Dearborn shared that an Electronic Recycling event is scheduled for April 30<sup>th</sup> to be held at the municipal complex from 8 am – 12 pm. The Village will also be participating in support of No-Mow May through Resolution allowing residents to forego mowing their lawn through the month of May to protect pollinators.

**PUBLIC FORUM**

Nothing

**ADJOURN**

At 6:09 p.m., MOTION: Mr. Scheibe, seconded by Ms. Romzek to adjourn.

Motion carried 7-0-0-0

Planning Commission **April 20, 2022** Minutes

Respectfully submitted,

Daniel Dieck, Associate Planner

**Note:** These minutes are not considered official until acted upon at an upcoming meeting; therefore, are subject to revision.