

**VILLAGE OF FOX CROSSING
PLANNING COMMISSION MEETING
WEDNESDAY, JANUARY 19, 2022 @ 5:15 PM
MUNICIPAL COMPLEX - 2000 MUNICIPAL DRIVE**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES –October 20th, and December 8th, 2021

PUBLIC HEARING

OLD BUSINESS

None

NEW BUSINESS

1. CSM Jeff Martin
2. CSM Tim Hoger
3. CSM Neenah HS

OTHER BUSINESS

1. Development Activity Report

COMMUNICATIONS

Sustainability

PUBLIC FORUM: Non-Agendized Village Related Matters

Pursuant to WI Statutes 19.83(2) & 19.84(2), the public may present matters; however, they cannot be discussed or acted upon. Limited to ten minutes - non-repetitive matters.

ADJOURNMENT

If you have any questions, please call (920) 720-7105 for information. You may also access the staff recommendations on the website, www.foxcrossingwi.gov. From the main page, click "Meetings," then "Agendas." The recommendation is posted on the website the Thursday or Friday preceding the Plan Commission meeting.

PLEASE NOTE: It is possible that members of and possibly a quorum of Village Board members or other governmental bodies may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body other than the governmental body specifically referred to on the agenda above.

The Commission reserves the right to take up any item on the agenda at any time after the meeting commences.

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 Village Administration Office at (920) 720-7101.

A motion was made by Mr. Schiebe, seconded by Mr. Cox, to close the public hearing for the Reduced Setback Overlay District.

The motion carried 5-0.

2. Personal Storage Amendment

A motion was made by Mr. Zielinski, seconded by Mr. Cox, to open the public hearing for the Personal Storage Amendment.

The motion carried 5-0.

Director Dearborn said that the Village amended its ordinance not too long ago for personal storage buildings where they would have to include a commercial component if they are located within less than a mile of another personal storage facility. There are still areas where water and sewer does not reach, especially in the area near Belaire Road where the residences there are having failed well and septic systems. This amendment adds provision that if this area cannot get water and sewer yet, a private well and septic system can be installed but they are required to abandon that system and connect within a year when water and sewer becomes available. Installing holding tank could be an alternative and this amendment preserves the original provision.

Eric Omdel, 1887 Eagle Drive, said that he wants to purchase a piece of property and do a combination of commercial contractor type units and personal storage. The piece of property has not brought a lot of value and the code right now makes it impossible to move forward and for anyone to develop this property. He said he would be happy to meet the requirement for this ordinance but his preference would be to sign something that says he will connect to water and sewer when it becomes available without having to do well and septic. However, he would like holding tanks to be considered. He is in favor of this amendment or if there is an alternative path forward.

Director Dearborn said that when a new private home comes in, there is a specific provision that they have to connect when water and sewer becomes available. This is not the same but the Village does require a 10% provision.

Mr. Omdel clarified that the 10% provision requires that 10% of the development has to include a functionality that uses water and sewer.

Mr. Scheibe asked where the piece of property is that Mr. Omdel is trying to acquire.

Mr. Omdel explained it was off of County BB just east of CB and is 7 acres.

Director Dearborn added that there are currently two personal storages to the left of it already.

Ms. Romzek asked how far water and sewer is from the property.

Ms. Yang said that it stops at Secura coming from the south and it stops at Cold Spring coming from the east.

Mr. Jochman, 1250 Whippetree Lane, said that the systems by Belaire Court are failing. There are wetlands in the area and it is a hard piece of property to deal with because extending water and sewer would be very costly.

Mr. Cox asked about the mound system and more specifics about the property.

Ms. Romzek reminded everything that the amendment is a general amendment and not specific about this particular parcel.

Mr. Omdel added that he is not expecting to bring in a lot of fill and does intend to put in a stormwater pond.

Mr. Jochman asked that the wording for the amendment be changed to include holding tanks as an alternative which costs less than septic mound system.

Director Dearborn said the disadvantage of holding tanks is pumping it, but mound systems are very expensive.

A motion was made by Mr. Cox, seconded by Ms. Romzek, to close the public hearing for the Personal Storage Amendment.

The motion carried 5-0.

OLD BUSINESS

None

Jochman reclaimed the chair.

NEW BUSINESS

1. Reduced Setback Overlay District

Mr. Jochman said that this is something that has come up before and now this particular project needs it.

Director Dearborn clarify that this is just an amendment, not specifically creating an overlay for the specific district. No one has applied for anything yet.

A motion was made by Mr. Scheibe, seconded by Mr. Cox, to approve the Reduced Setback Overlay District.

The motion carried 5-0.

Mr. Jochman recused himself and the chair is assumed by Mr. Scheibe.

2. Personal Storage Amendment

Director Dearborn discussed whether a holding tank could be included in this amendment. He said a septic system is preferred but there are areas that would be difficult to put in a raised system. He said that holding tanks could be acceptable in this situation with a personal storage.

A motion was made by Ms. Romzek, seconded by Mr. Cox, to approve the Personal Storage Amendment.

The motion carried 5-0.

Mr. Jochman assumed the Chair.

OTHER BUSINESS

1. Development Activity Report

Director Dearborn said that there were four single-family homes, two duplexes, and now up to three commercial buildings. There is a total of 35 single-family homes for this year. This year is well above for single-family but last year had more commercial. Construction values are less by \$10 million but the Neenah school has not come in yet. School is just construction value and not taxable value. There should be another multi-family coming soon on West American Drive.

COMMUNICATIONS

1. Sustainability Committee Report

Director Dearborn said that the Electronic Recycling event happened. There was a discussion on Community Gardens and wrapping up the season. Recycling and Stormwater materials were handed out at the Electronic Recycling event.

Mr. Zielinski asked about the fee for the Electronic Recycling event.

Ms. Romzek clarified that the company "Recycling That Stuff" are the people who does the most work at the events and it is their vehicles that are hauling those things away.

PUBLIC FORUM

ADJOURNMENT: A motion was made by Mr. Cox, seconded by Mr. Scheibe to adjourn.

The motion carried 5-0.

Mr. Sabel lost the on line connection.

6:03 p.m.
Plan Commission
October 20th, 2021 Minutes
Farrah Yang, *Recording Secretary*

VILLAGE OF FOX CROSSING
PLANNING COMMISSION MEETING
Municipal Complex – Arden Tews Assembly Room
Wednesday, December 8th, 2021 at 5:15 PM

Minutes

CALL TO ORDER

The Planning Commission meeting was called to order by Chairman Jochman at 5:17 p.m.

PRESENT: Chairperson: Chair Dennis Jochman & Vice Chairman Aaron Sabel
Commissioners: Mr. Tom Young
Mr. Morris Cox
Mr. James Zielinski
Ms. Tracy Romzek
Excused: Mr. Michael Scheibe
Staff: Community Development Director George Dearborn
Deputy Clerk Chantel Kasriel
Village Manager Jeffrey Sturgell
Village President Dale Youngquist

Other:

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – October 20th, 2021

Chairman Jochman noted that there are errors in the minutes. His suggestion was to table the minutes until the next meeting to allow time for the errors to be fixed.

MOTION: Mr. Sabel, seconded by Ms. Romzek to table the meeting minutes of Wednesday, October 20th, 2021 until next meeting.

Motion carried 6-0-0-1

PUBLIC HEARING

Chairman Jochman recused himself due to his involvement with all three items and observed from the audience. Vice Chairman Aaron Sabel assumed the Chair position, and officiated the Public Hearing.

1. Tax Increment District #5

MOTION: Ms. Romzek, seconded by Mr. Cox to open the public hearing.

Motion carried 5-0-1-1

Director Dearborn gave an overview of the Project Plan for the TID. He explained how the property was acquired from the town of Clayton in a settlement. The village has tried marketing it for an extended period of time, with no success. A developer offered to purchase the land with the incentive of using a TID. The Developer plans to build 200 residential units at the southwest corner of Clayton Avenue and East Shady Lane. This project would potentially increase the Village's value by \$20 million. Director Dearborn then introduced the Village's financial advisor, Brad Viegut of Robert W. Baird & Co.

Mr. Viegut reviewed the economic feasibility analysis for the TID, outlining the anticipated revenues and expenditures. He reported the anticipated timing of construction to begin in 2022 with a completion date in 2027. He also noted that the developer incentives are only paid if the development is there. By 2039 all expenditures would be recovered and the TID would close. Ultimately, Mr. Viegut stated that the TID was financially viable. After Mr. Viegut's presentation, Vice Chair Sabel opened the Public Hearing.

Nick Gebert of 1920 Bridgeview Drive

Mr. Gebert stated he is concerned with the Village having to help finance the development of multifamily housing. He expressed that if the Village is having to invest money into the project, it may not be economically viable to build them. He suggested that the Village spend more time on other issues such as making sure the residents don't see a 40% increase in water rates. He also noted that when the Village is discussing the sell and development of land, it should be done in public and not behind closed doors. He stated the public has a right to know what is being done with public land and tax dollars.

Steve Krueger of 1270 Frances Way

Mr. Krueger explained that he did not agree with the location and purpose of the TID. He expressed that TIDs were created to help with growth in blighted areas. He feels as though this development will not help with economic growth, being that it is on the fringe the Village. He suggests that a TID would have better use in an area such as the eastside where there are dilapidated properties and a need for economic growth.

Alvin Bellmer of 2529 W. Palisades Drive

Mr. Bellmer inquired about the other Village TIDs and asked how they were performing. He also requested an explanation of the \$1.5 million in municipal infrastructure funds that were listed in the Project Plan.

Director Dearborn stated that the other TIDs were performing well and are on schedule except for TID #4 which was never developed. Director Dearborn explained that the funds in question, are a standard practice of all TIDs. The funds are placed in the Project Plan to conduct infrastructure improvements that may be necessary.

Village President Dale Youngquist 1325 Prairie Lake Circle

President Youngquist followed up on some of the questions and comments made. He also gave an overview of why a TID was being used.

Michael Prince of 2647 East Shady Lane

Mr. Prince stated that he is a neighbor to the property and requests the developer and Village be respectful of them living next door. He also asks that they keep in mind the landscape and location when designing the building. Mr. Prince also expressed the need road improvement in the area and suggests that the Town of Clayton is already making improvements to the south. He noted that the Town of Clayton is also building apartments in this area so this TID seems consistent with other developments in the area.

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

Motion carried 5-0-1-1

2. Overlay District for Parcel #12104710101

MOTION: Ms. Romzek, seconded by Mr. Young to open the public hearing.

Motion carried 5-0-1-1

Director Dearborn gave a brief overview of the applicants request to create a Reduced Setback Overlay District. He explained, without these updates the building would most likely be torn down.

CJ Snyder

Mr. Snyder is purchasing the building and has a desire to put a facade on the front of the building to improve the appearance of building from the highway. He also plans to update and move the sign 2ft higher to make it more visible.

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

Motion carried 5-0-1-1

3. Rezoning of Parcel #1214813

MOTION: Ms. Romzek, seconded by Mr. Cox to open the public hearing.

Motion carried 5-0-1-1

Director Dearborn gave an overview of the applicants request to rezone parcel #1214813 from Suburban Medium Density Residential to Mixed-Use. The current owner of this property also owns the two parcels just north of this parcel. The applicant intends to purchase parcel #1214813 and build flex space condominiums on the property.

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

Motion carried 5-0-1-1

OLD BUSINESS

None

NEW BUSINESS

1. Tax Increment District #5

The Commissioners began deliberations. Commissioner Zelinski, Commissioner Young, Commissioner Romzek and Vice Chairman Sabel all commented and asked for clarification on a few things. Village Manager Sturgell, Village President Youngquist, Director Dearborn, President Jochman and the Developer Mike Coppens all helped answer questions they had.

MOTION: Mr. Young, seconded by Ms. Romzek to approve as submitted.

Motion carried 4-1-1-1

2. Overlay District for Parcel #12104710101

MOTION: Mr. Zelinski, seconded by Mr. Cox to approve as submitted.

Motion carried 5-0-1-1

3. Rezoning of Parcel #1214813

MOTION: Mr. Cox, seconded by Mr. Zelinski to approve as submitted.

Motion carried 5-0-1-1

4. CSM – 1403 Ridgeway Drive

Chairman Jochman assumed Chair position.

MOTION: Mr. Cox, seconded by Mr. Young to approve as submitted.

Motion carried 6-0-0-1

OTHER BUSINESS

1. Development Activity Report

Director Dearborn reviewed the Development Activity Report and answered a couple questions that were asked by the Commissioners.

COMMUNICATIONS

None

PUBLIC FORUM

Nothing

ADJOURN

At 6:57 p.m., **MOTION:** Mr. Sabel seconded by Ms. Romzek to adjourn.

Motion carried 6-0-0-1

Respectfully submitted,

Chantel M. Kasriel, Deputy Clerk

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

PLANNING COMMISSION MEMO

Date: January 7, 2022
 To: Village Planning Commission Members
 From: George L. Dearborn Jr., AICP Director of Community Development
 RE: Agenda Item #1 – Certified Survey Map for Jeff Martin bonded by Gmeiner Rd and Carlton Ave.

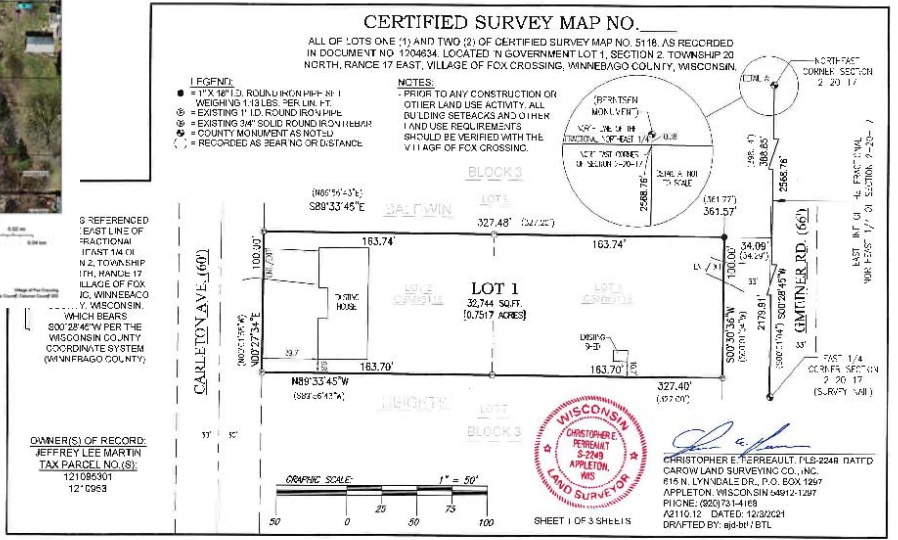
Overview

The applicant Jeff Martin is requesting a CSM to combine the two lots that he owns into one. The current western parcel fronts on Carlton Avenue and the eastern parcel fronts on Gmeiner Road and the back up to each other. The attached map shows the current parcel configuration and the proposed CSM combining the two lots. Although it is desirable to retain the two smaller lots for future affordable housing, it is still not inappropriate to allow this combination. The previous home located on the parcel fronting on Gmeiner Road was torn down a few years ago and a new home was constructed on the parcel fronting on Carlton Avenue.

Staff Recommendation

Staff recommends approval of Certified Survey Map with the following conditions:

1. All taxes must be paid prior to recording the Certified Survey Map
2. A copy of the recorded CSM must be given to the Village's Department of Community Development



PLANNING COMMISSION MEMO

Date: January 7, 2022
 To: Village Planning Commission Members
 From: George Dearborn, AICP Director of Community Development
 RE: Agenda Item #2 – Certified Survey Map for Hoger and Socha at Millbrook Drive and Nennig Road

Overview

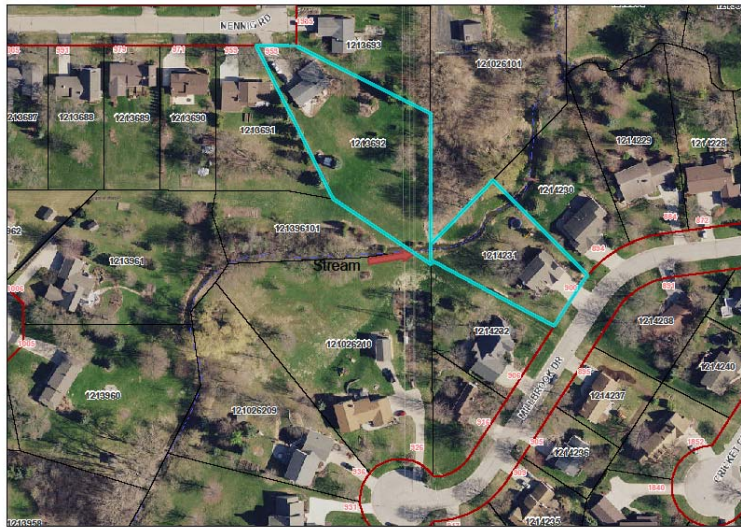
The applicants Randy and Pat Socha and Tim and Amanda Hoger are requesting a CSM to adjust property lines on their two properties. The current southern property line of parcel number 1213692 incorporates a portion of a navigable stream. This property line modification will move the property line of this parcel to the north and add the navigable stream to parcel 1214231 for the convenience of both property owners.

Staff Recommendation

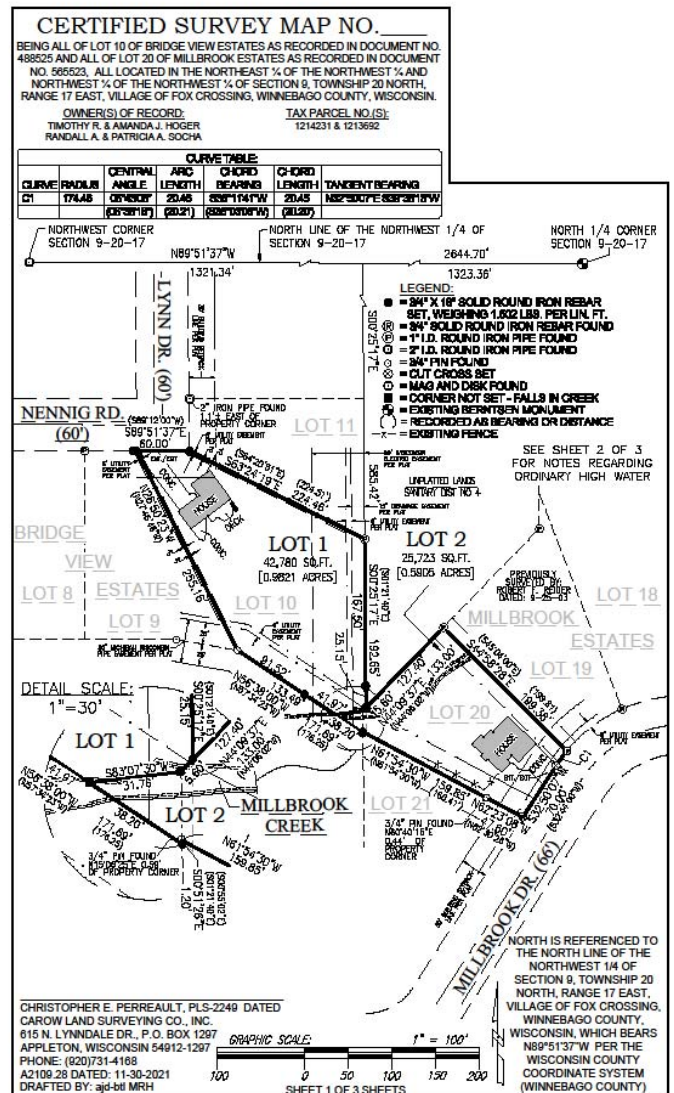
Staff recommends approval of Certified Survey Map with the following conditions:

1. All taxes must be paid prior to recording the Certified Survey Map
2. A copy of the recorded CSM must be given to the Village's Department of Community Development

Fox Crossing Online GIS Map



1/17/2022, 2:21:11 PM
 Fox Crossing Municipal Boundary
 Road ROW
 Parcels - Fox Crossing



PLANNING COMMISSION MEMO

Date: January 7, 2022
 To: Village Planning Commission Members
 From: George L. Dearborn Jr., AICP Director of Community Development
 RE: Agenda Item #3 – Certified Survey Map for Neenah High School

Overview

The applicant, Neenah Schools, is requesting a three lot CSM to adjust the property lines to minimize the sanitary sewer connection fee (SSC) which is based on the area to be developed. This CSM reduces the developed area for the school to 56.74 acres from the current 160.9 acres. The SSC fee is based on the total developed acres and is calculated at \$1700 per acre thus reducing the fee from \$273,530 to \$94,458. The new lot 2 is the area to be developed. The remaining lots will remain undeveloped. If any or all of the remaining lots are to be developed in the future then an additional SSC fee shall be required.

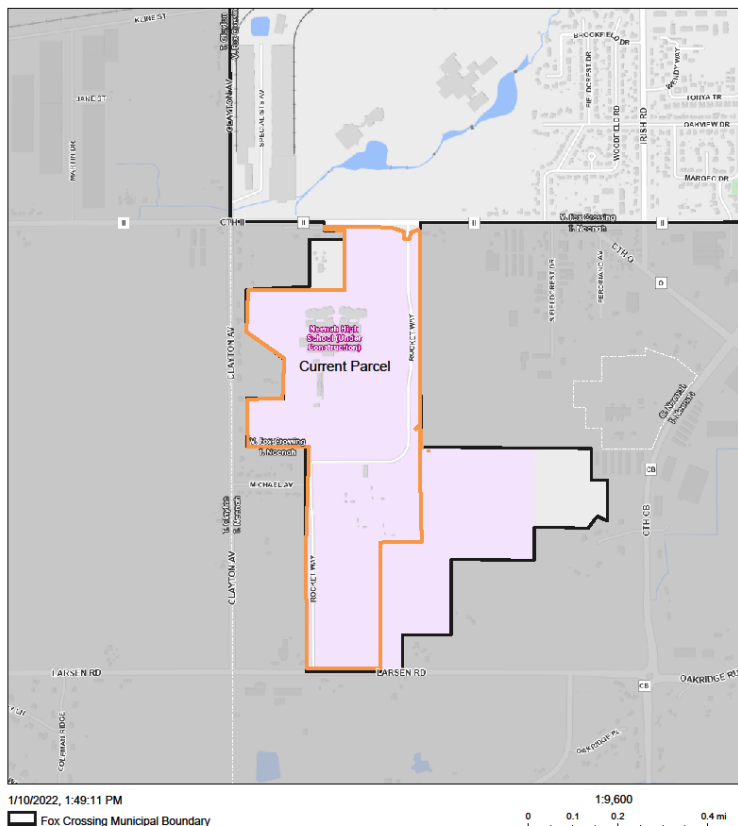
All of the three lots meet the Villages land division regulations.

Staff Recommendation

Staff recommends approval of Certified Survey Map with the following conditions:

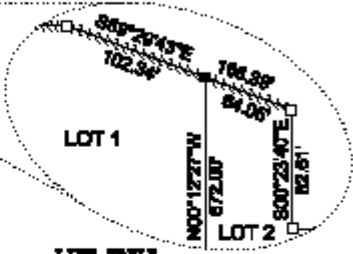
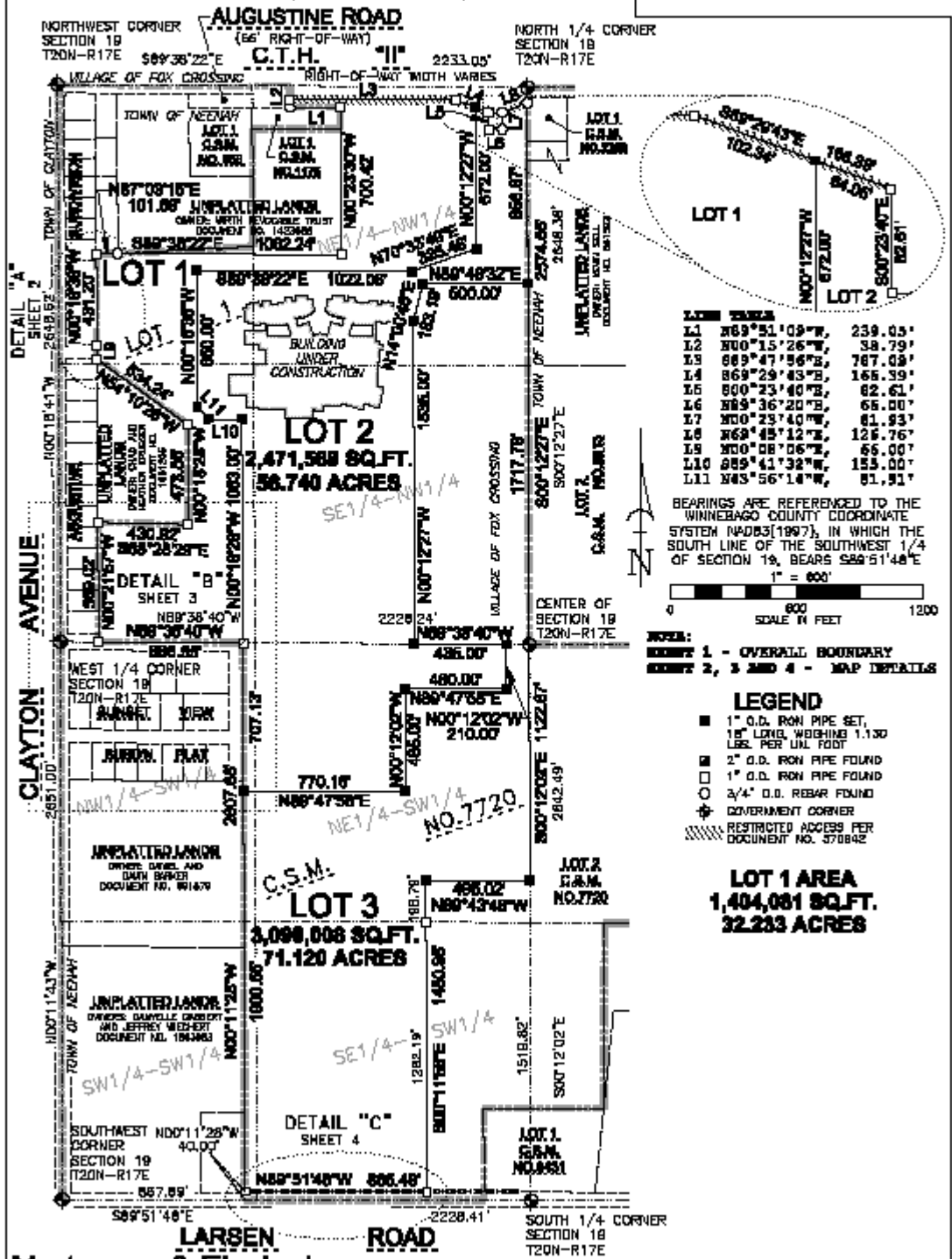
1. The normal conditions are that all taxes and fees be paid prior to recording the CSM. In this case, there are not taxed since the property owned by the Neenah School District, which is tax, exempt. Any outstanding fees however must be paid.
2. A copy of the recorded CSM must be given to the Village's Department of Community Development

Fox Crossing Online GIS Map



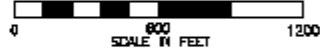
CERTIFIED SURVEY MAP NO. _____

LOT 1 OF CERTIFIED SURVEY MAP NO. 772D, BEING PART OF THE SOUTHWEST 1/4, SOUTHWEST 1/4, NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHWEST 1/4; ALL OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, PART OF THE SOUTHWEST 1/4, NORTHWEST 1/4 AND NORTHEAST 1/4 OF THE NORTHWEST 1/4; ALL IN SECTION 18, TOWNSHIP 2D NORTH, RANGE 17 EAST, VILLAGE OF FOX CROSSING, WINNEBAGO COUNTY, WISCONSIN.



LINE	BEARING	DISTANCE
L1	S89°51'09\"	239.03'
L2	S00°15'26\"	38.79'
L3	S89°47'56\"	767.03'
L4	S89°29'43\"	165.39'
L5	S00°23'40\"	82.61'
L6	S89°36'20\"	65.00'
L7	S00°23'40\"	81.93'
L8	S89°45'12\"	129.76'
L9	S00°08'06\"	55.00'
L10	S89°41'32\"	153.00'
L11	S43°56'14\"	81.91'

BEARINGS ARE REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM NAD83(1997), IN WHICH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 18, BEARS S89°51'48\"



NOTES:
 SHEET 1 - OVERALL BOUNDARY
 SHEETS 2, 3 AND 4 - MAP DETAILS

LEGEND

- 1" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.30 LBS. PER LIN. FOOT
- 2" O.D. IRON PIPE FOUND
- 1" O.D. IRON PIPE FOUND
- 3/4" O.D. REBAR FOUND
- ⊕ GOVERNMENT CORNER
- //// RESTRICTED ACCESS PER DOCUMENT NO. 570882

LOT 1 AREA
 1,404,061 SQ.FT.
 32.233 ACRES

Martenson & Eisele, Inc.

1877 Midway Road
 Menasha, WI 54952
 www.martenson-eisele.com
 info@martenson-eisele.com
 920.791.0261 1.800.236.0881

Planning
 Environmental
 Surveying
 Engineering
 Architecture

PROJECT NO. 1-0300-016
 FILE 1-0300-016aem.dwg SHEET 1 OF 5
 THIS INSTRUMENT WAS DRAFTED BY: A.Sedler