

It is expected that a Quorum of the Board of Public Works, Park Board, Administration Committee, and/or Common Council may attend this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA
PLAN COMMISSION
Council Chambers
140 Main Street, Menasha**

**January 5, 2010
3:30 PM**

AMENDED AGENDA

A. CALL TO ORDER

B. ROLL CALL/EXCUSED ABSENCES

C. MINUTES TO APPROVE

1. [Minutes of the December 22, 2009 Plan Commission Meeting](#)

D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA

Five (5) minute time limit for each person

E. DISCUSSION

1. Annual Comprehensive Plan Review – Identification of Issues/Opportunities to be Considered and [Comprehensive Plan Sustainability Assessment](#)
2. [Dedication of Access Easements as Public Streets – Midway Crossings Development – Bob Drifka](#)

F. ACTION ITEMS

1. Driveway Easement Release – Natures Way
2. [Extraterritorial CSM – Town of Menasha – Appleton Road](#)

G. ADJOURNMENT

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
December 22, 2009
DRAFT MINUTES

A. CALL TO ORDER

The meeting was called was called to order at 3:35p.m. by Mayor Donald Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Ald. Benner and Commissioners Schmidt, Cruickshank and Sturm.

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Homan, DPW Radtke

OTHERS PRESENT: CDD Keil, Lonnie Pichler

C. MINTUES TO APPROVE

1. **Minutes of the November 17, 2009 Plan Commission Meeting**

Moved by Comm. Sturm, seconded by Comm. Cruickshank to approve the November 17, 2009 Plan Commission meeting minutes.

The motion carried.

D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA

1. No one spoke.

E. DISCUSSION

1. **WE Energies- Availability of Abby Substation Site**

CDD Keil reported that he had been contacted by a representative of WE Energies, who informed him that the use of the site as an electrical substation had been discontinued, and they no longer have a need for the site.

Commissioners discussed the size of the site and its relationship to neighboring properties. They also discussed potential uses for the site including park/dog park, stormwater management facilities, wind energy production, expansion of the adjacent wastewater treatment facility. Commissioner Sturm requested that this matter be advanced to the Park Board for its consideration. Staff is to evaluate the site's potential for stormwater management and explore what acquisition cost might be from WE Energies. Mayor Merkes will follow-up with Neenah- Menasha Sewerage Commission regarding their interest in the property.

2. **Annual Comprehensive Plan Review – Identification of Issues/Opportunities to be Considered**

CDD Keil distributed a draft Comprehensive Plan Sustainability Assessment worksheet prepared by Roger Kanitz from the Sustainability Board, and asked Commissioners to review its content and provide comments at the next Plan Commission meeting.

G. ACTION ITEMS

1. **Driveway Easement Release – Natures Way**

CDD Keil explained that this release was being sought by a builder who began construction of a home at 2008 Natures Way that encroaches on the easement. The driveway easement was granted in favor of the properties abutting it extending from Oneida Street eastward to the Appleton Water Treatment Plant site. City owned parcels, including parts of the Menasha Conservancy and the Meadows Substation contain portions of the easement. The easement is largely unneeded because these properties can be accessed from Natures Way street right

of way.

Commissioner's discussed a short segment of the easement on Outagamie County Airport Property and that a bike/pedestrian easement may be needed if the entire driveway easement is released. CDD Keil is to contact Outagamie County regarding obtaining a bike/pedestrian easement for that segment.

H. ADJOURNMENT

Moved by Comm. Schmidt, seconded by Comm. Sturm to adjourn at 4:25 p.m.

The motion carried.

Minutes respectfully submitted by Greg Keil, Community Development Director

Comprehensive Plan Sustainability Assessment

Element	Action	Reduce dependence upon fossil fuels, extracted underground metals and minerals.	Reduce dependence on chemicals and other manufactured substances that can accumulate in Nature.	Reduce dependence on activities that harm life-sustaining ecosystems.	Meet the present and future human needs fairly and efficiently.	Comments	References
Issues and Opportunities							
	1	Balance individual property rights with community interest and goals.				X	
	2	Minimize the impact of development on energy and natural resources.	X	X	X	X	Encourage long term sustainability considerations in all decisions using the cradle to grave system review in all aspects of development and city functional decisions.
	3	Develop sustainable vision for City of Menasha in conjunction with the findings from community surveys and visits.	X	X	X	X	Highlight alternatives in the Doty Island, Downtown, Shopko, and Eastern regions of the community.
	4	Conduct a community baseline survey based on current and projected needs in population age, numbers, income, etc...	X	X	X	X	
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Housing							
	1	Promote a positive image of the City of Menasha as a quality place to live.				X	

2	Preserve, rehabilitate, and stabilize the city's existing housing stock and residential neighborhoods.			X	X	Encourage compact development near desired centers of shopping, transportation, parks and civic activity.	
3	Create a diverse base of housing opportunities appropriate for all segments of the population.				X		
4	Maintain an adequate supply of sites for single family housing in desirable locations to meet current needs and projected growth.				X		
5	Maintain an adequate supply of sites for multi-family housing in desirable locations to meet current needs and projected growth.				X		
6	Increase enforcement of housing and building code standards to ensure that every housing unit is decent, safe, sanitary, and secure.				X		
7	Create affordable home ownership opportunities for low and moderate income residents.				X		
8	Maintain an adequate supply of affordable rental housing for low and moderate income residents.				X		
9	Maintain an adequate supply of affordable housing for senior and special need households.				X		
10	Create new housing opportunities in close proximity to the downtown.			X	X		
11	End housing discrimination in the City of Menasha.				X		
12	Work to remove covenants/codes that restrict low energy sustainable practices.	X			X	Examples are restrictions to hanging laundry outdoors or longer no mow lawns and such.	
13	Develop and encourage community home improvement initiatives for energy efficiency.	X			X	Encourage economical home heating and electrical neighborhood development programs. Work to get citizens information related to wise home energy improvement programs.	

Transportation							
1	Provide a safe, efficient, and cost effective transportation system for the movement of people and goods.				X	Review community network to prioritize and redirect transportation to promote community walkability and accessibility.	
2	Support and promote the development and use of multiple modes of transportation.				X	Model good practices in city owned equipment.	
3	Incorporate energy conservation principles in transportation facility design and services.	X			X	Support use of electric/hybrid vehicles and the infrastructure for biking and walking access across community.	
4	Look to design transportation connectivity into the entire community network.				X		
5	Maintain and enhance transportation for elderly/needly in community that are without cars or unable to drive.	X			X	Bus and related alternative services are needed.	
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Utilities and Community Facilities							
1	Provide high quality and cost effective community facilities and services that meet existing and projected future needs.				X		
2	Ensure proper treatment of wastewater to protect public health, groundwater quality, and surface water quality while meeting current and future needs.			X	X		
3	Promote stormwater management practices in order to reduce private and public property damage and to protect water quality.			X	X	Strive to promote home water gardening development to minimize need for water retention ponds to recharge our water basin. Develop codes to encourage the minimization of hard surfaces on-site that impend water infiltration.	
4	Ensure that the water supply for the community has sufficient capacity, is in compliance with drinking water quality standards and regulations, and is available to meet present and future needs.				X		

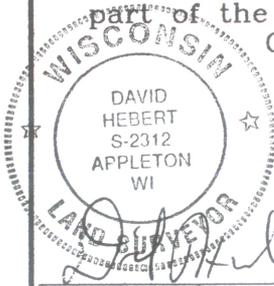
	5	Promote effective solid waste disposal and recycling services and systems that protect the public health, natural environment, and general appearance of land uses within the community.			X	X	Encourage proper home/community composting of food scraps, plant materials, along with recycling through \$ incentives to reduce landfill costs.	
	6	Maintain and enhance recreational opportunities in the community.			X	X	Encourage reconnection with local nature parks and related water features.	
	7	Ensure the provision of reliable, efficient, and well-planned utilities to adequately serve existing and future development.				X		
	8	Encourage improved access to health care facilities and child care.				X		
	9	Provide a level of police, fire, and emergency services that meets present and future needs.				X		
	10	Promote quality schools and access to educational opportunities.				X		
	11	Reduce the long-term costs and environmental impact of municipal facilities and operations.	X		X	X		
	12	Strive to keep energy costs for home and business low and sustainable.	X			X	Encourage community wide renewable energy and related efforts.	
Ag, Natural and Cultural Resources								
	1	Support the agricultural resources of the county and region.			X			
	2	Maintain, preserve, and enhance the city's natural resources.			X			
	3	Mitigate impacts of development and land management practices on surface waters.			X		Limit chemical addition to lawns/parks harmful to ground water.	
	4	Preserve natural features like woodlands, wetlands, floodplains, shorelands, and open spaces in order to maintain and enhance community green space.			X	X	Encourage a return to the "tree city" by planned planting of native trees of the right size and type to suit the sites, noting their impact on carbon footprint reduction and community appearance.	

	5	Maintain a quality workforce to strengthen businesses and maintain a high standard of living.				X		
	6	Support and pursue opportunities to increase and diversity the city's tax base.				X		
	7	Establish city wide web-shopping services to widen the reach of city businesses across the valley.	X			X		
	8	Develop walkability of business districts/centers, changing codes to permit sustainable compact development to occur.	X		X	X	Modify codes so stores can share parking and increase density for better consumer accesibility.	
	9	Establish green building codes with local businesses to foster reuse of recycled and discarded materials for the benefit of local companies in job creation.	X	X	X	X		
Intergov Cooperation								
	1	Foster mutually beneficial intergovernmental relations with the other units of government.	X	X	X	X	Share and exchange sustainable codes and practices between communities and businesses with the use of mutually accessible web-site links.	
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Land Use								
	1	Provide for a compatible mix of land uses within the city.				X		
	2	Given limited land space of community, encourage sustainable compact development density congruent with current and future housing needs.	X	X	X	X		
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Implementation							
1	Promote consistency between plan recommendations, ordinances, and other land use regulations.				X		
2	Educate community on the needs and value of sustainable practices to the long term health of the community.				X		
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Certified Survey Map

All of Lot 2 of Certified Survey Map 1939, part of Lot 1 of Certified Survey Map 1872, all of Lot 1 of Certified Survey Map 1692, all of Lot 1 of Certified Survey Map 486, all of Outlot 1 of Certified Survey Map 1620, part of Lot 1 of Certified Survey Map 1123 and part of the West 1/2 of the Northwest 1/4 of Section 7, T20N, R18E, City of Menasha, Calumet County, Wisconsin



DAVID
HEBERT
S-2312
APPLETON
WI

Northwest Corner
Section 7-20-18
Survey spike

David Hebert RLS

Date

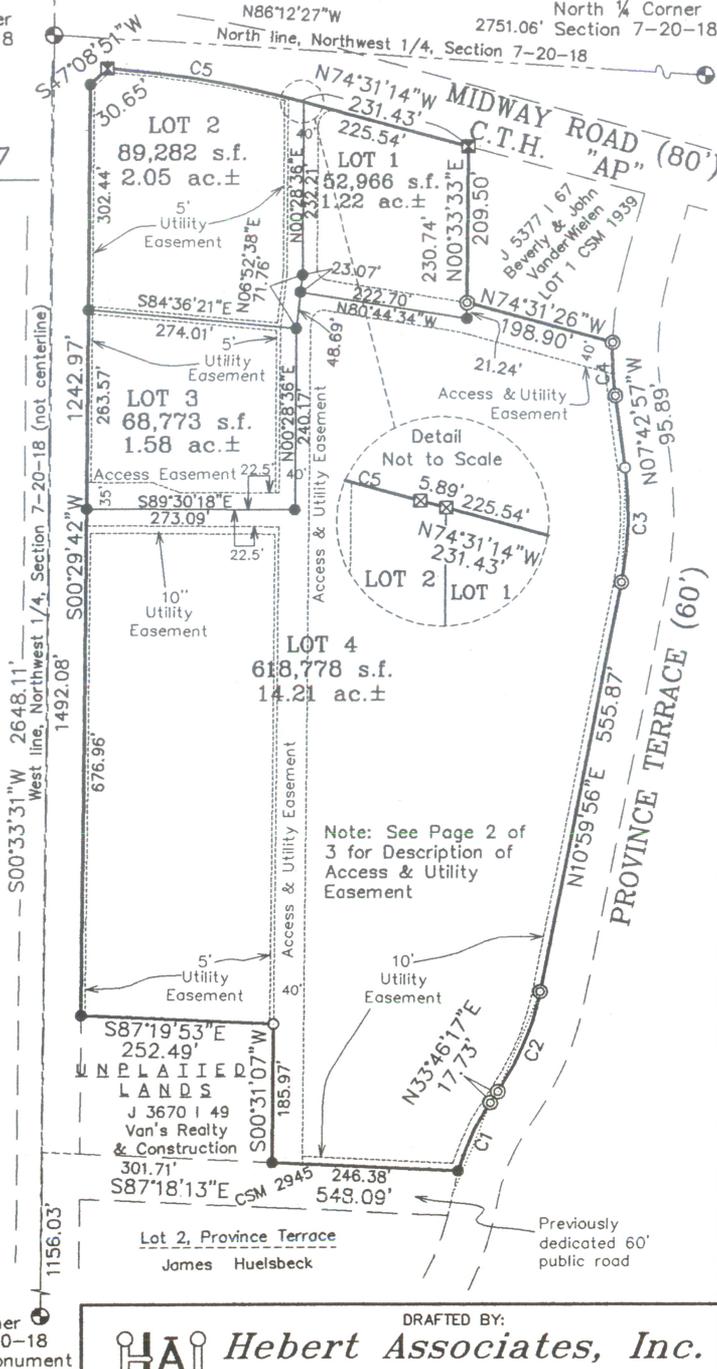
2-21-07

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	330.00'	100.79'	17°30'00"	N25°01'17"E	100.40'
C2	370.00'	147.06'	22°46'21"	N22°23'07"E	146.09'
C3	470.00'	153.52'	18°42'53"	N01°38'30"E	152.83'
C4	430.00'	70.65'	09°24'49"	N03°00'30"W	70.57'
C5	1315.01'	256.78'	11°11'17"	N80°06'52"W	256.37'

North is referenced to the West line of the Northwest 1/4, Section 7, T20N, R18E, and is assumed to bear S00°33'31"W



ONEIDA STREET / U.S.H. "10" (width varies)



Note: See Page 2 of 3 for Description of Access & Utility Easement

LEGEND

- ⊙ = Government corner
- = Set 3/4" x 18" iron rebar
Wt. = 1.502 lbs/lf
- ⊠ = Set chisel X
- = Found 3/4" iron rod
- ⊙ = Found 1" iron pipe
- ⊠ = Found chisel X

West 1/4 Corner
Section 7-20-18
Bertsen monument

SCALE: 1"=200'



Hebert Associates, Inc.
Land Surveying • Soil Testing • Engineering Systems

1110 W. Wisconsin Ave.
Appleton, WI 54914

920-734-8373
Fax: 920-734-3968

SURVEYOR'S CERTIFICATE

I, David M. Schmalz, Wisconsin Registered Land Surveyor S-1284, certify that I have surveyed, divided and mapped a part of the Northeast 1/4 of the Northeast 1/4, Section 11, Township 20 North, Range 17 East, Town of Menasha, Winnebago County, Wisconsin containing 58,252 square feet (1.337 acres) of land and described as follows:

Commencing at the Northeast corner of said Section 11; Thence N89°28'14"W (recorded as S89°37'08"W & S89°40'W), 60.01 feet (recorded as 60.0') along the North line of the Northeast 1/4 of said Section 11 to the Northerly extension of the West right-of-way line of Appleton Road (S.T.H. "47"); Thence S00°16'43"E (recorded as S01°11'22"E & S01°39'E), 421.31 feet (recorded as 423.5 feet) along said Northerly extension and said West right-of-way line of Appleton Road (S.T.H. "47") to the Point of Beginning; Thence N89°25'21"W (recorded as S89°40'W), 150.00 feet; Thence S00°16'43"E (recorded as S01°11'22"E & S01°39'E), 242.60 feet to the start of a 1700.08 foot radius curve to the right; Thence 145.80 feet along the arc of said curve with a chord distance of 145.76 feet which bears S02°10'42"W; Thence S89°26'22"E (recorded as N89°40'E & East), 150.33 feet to said West right-of-way line and the start of a 1850.06 foot radius curve to the left; Thence 148.03 feet along the arc of said curve with a chord distance of 147.99 feet which bears N02°00'49"E; Thence N00°16'43"W (recorded as N01°11'22"W & N01°39'W), 240.36 feet along said West right-of-way line to the Point of Beginning.

I further certify that this map is a correct representation of the exterior boundary lines of the lines of the land surveyed and the division of that land, and that I have complied with Section 236.34 of the Wisconsin Statutes, the Winnebago County and the Town of Menasha Subdivision Ordinances in surveying, dividing and mapping the same.

Given under my hand and seal this 15TH day of DECEMBER, 2009.

David M. Schmalz
 David M. Schmalz, Reg. WI Land Surveyor S-1284



LEGEND

- - 3/4" x 24" ROUND IRON REBAR WEIGHING 1.5 lbs./lineal ft. SET
- - 1" IRON PIPE FOUND
- ✂ - 3/4" ROUND STEEL REBAR FOUND
- ⊕ - CERTIFIED LAND CORNER WINNEBAGO COUNTY
- () - RECORDED BEARING AND/OR DISTANCE
- S.F. - SQUARE FEET

CURVE	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING	ARC LENGTH
C1	1850.06'	04°35'04"	147.99'	N 02°00'49" E	148.03'
C2	1700.08'	00°02'07"	1.05'	S 04°37'03" W	1.04'
C3	1700.08'	04°52'43"	144.71'	S 02°09'38" W	144.76'
C4	1700.08'	04°54'50"	145.76'	S 02°10'42" W	145.80'

CERTIFICATE OF PLANNING AGENCY:

Pursuant to the Land Subdivision Requirements of Winnebago County, Wisconsin, all the requirements for approval have been fulfilled. This minor Subdivision was approved by the Winnebago County Planning and Zoning Committee.

Authorized Signature Date

Printed Name Date



-THIS CSM IS ALL OF TAX PARCEL No.s: 008033701 & 008033703

-THE PROPERTY OWNERS OF RECORD ARE: A&W RESTAURANTS, INC & 1151 MIDWAY ROAD, LLC

-THIS PROPERTY IS CONTAINED WHOLLY WITHIN LANDS DESCRIBED IN DOCUMENT No.s 1485049 & 1315352

CERTIFICATE OF TREASURERS

I, being the duly elected, qualified and acting Treasurer, do hereby certify that in accordance with the records in my office there are no un-paid taxes or un-paid special assessments on any of the lands included in this Certified Survey Map as of:

Town Treasurer Date
Myra Piergrossi

County Treasurer Date
Mary Krueger

CERTIFICATE OF TOWN BOARD

We hereby certify that the Town of Menasha Board of Supervisors adopted Resolution No. _____ at the regular meeting of _____, approving the Certified Survey Map with/without conditions as stated in the resolution.

Town Chairperson Date
Arden Tews

Town Clerk Date
Karen J. Backman

COMMON COUNCIL RESOLUTION

Resolved, this Certified Survey Map is hereby approved by the City of Menasha Common Council on this _____ day of _____, 20____.

Mayor Dated
Donald Merkes

City Clerk Dated
Deborah Galeazzi

OWNER'S CERTIFICATE--PARCEL ID 008033703

1151 Midway Road LLC, As Owners, We hereby certify that we caused the land described on this map to be surveyed, divided and mapped as represented on this map. Dated this _____ day of _____, 20____.

Peter J. Jungbacker, Manager

State of Wisconsin)
_____)ss
_____ County)

Personally appeared before me on the _____ day of _____, 20____, the above named person(s) to me known to be the person(s) who executed the foregoing instrument, and acknowledged the same.

Notary Public

_____ County, _____

My commission expires _____

OWNER'S CERTIFICATE--PARCEL ID 008033701

A&W Restaurants, Inc, As Owners, We hereby certify that we caused the land described on this map to be surveyed, divided and mapped as represented on this map. Dated this _____ day of _____, 20____.

Authorized Signature

Authorized Signature

Printed Name

Printed Name

State of Wisconsin)
_____)ss
_____ County)

Personally appeared before me on the _____ day of _____, 20____, the above named person(s) to me known to be the person(s) who executed the foregoing instrument, and acknowledged the same.

Notary Public

_____ County, _____

My commission expires _____



12-15-2009