

**TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
PLANNING COMMISSION MINUTES
July 12, 2023
Algoma Town Hall, 15 N. Oakwood Road, Oshkosh, WI 54904**

The Planning Commission meeting was called to order by Chair Clark at 6:00 p.m.

The following members were present: Petey Clark, Dan Martin, Ethan Firgens, Kyle Kehoe, and Ben Szilagyi.

The following members were excused: Linda Kollmann and Mark Thompson.

The following staff member was also present: Administrator Richard Heath

On a motion by Member Martin and seconded by Member Kehoe, passed on a voice vote, the minutes from the April 12, 2023 meeting were approved.

Chair Clark reviewed the proposed new Certified Survey Map for Parcel 002-0373 for Property Owner DRJ Farm, LLC and principal owner Ron Miller. The current parcel is 20.03 acres and zoned A-2 ETZ. Mr. Miller intends to subdivide the parcel and separate the residential portion comprised of 1.1 acres noted as Lot 1 on the CSM from the larger agriculture parcel consisting of 18.7 acres and shown as Lot 2 on the CSM. The new residential lot will have 247' of frontage on Clairville Road.

Mr. Heath stated that since this parcel in the City of Oshkosh's Extraterritorial Zoning area the joint City/Town Extraterritorial Zoning Committee may need to approve the CSM. Mark Lyons, Planning Services Director for the City of Oshkosh, explained in an email to Mr. Heath on July 6, 2023 that the newly created Lot could create a new CSM comprised of Lot 2 and Parcel 002-0375 also owned by Mr. Miller to meet the city's ordinance requirements. Jeff Nau, Associate Planner for the City of Oshkosh, explained in an email to Mr. Heath on July 7, 2023 that the CSM could go to the Town's Plan Commission first for review and approval, if the owner is willing to combine their other lot with the rest of the agriculture land.

Mr. Heath asked Mr. Miller if had received that same information from the City of Oshkosh staff, and he responded that he did not get that information. Mr. Miller was confused as to why he would need to create a new CSM combining the proposed Lot 2 and Parcel 002-0375. Mr. Miller's surveyor stated he had talked to Jeff Nau, and Mr. Nau was confused as to why Mr. Heath would be asking the question of combining Lot 2 with Parcel 002-0375. Mr. Heath responded that he received that information directly from Mr. Lyons and Mr. Nau on that same email. Chair Clark stated that despite the confusion on the city's ordinance, the Planning Commission can approve the CSM and let the Joint City/Town ETZ Committee review and approve it, if city staff deem that step is necessary.

On a motion by Member Martin and seconded by Member Firgens, passed on voice vote, the Planning Commission recommends to the Town Board the approval of the Certified Survey Map for Parcel 002-0373 for property owner DJR Farm, LLC. The CSM will be on the July 19, 2023 Town Board Agenda.

Chair Clark addressed the next agenda item which is the rezoning of Parcels 002-0161 and 002-0161-01 from A-2 to R-2. The parcels are owned by Steve Kratz. Chair Clark noted that the rezoning to R-2 and the proposed construction of low-density housing are consistent with the Town's Future Land Use Map

approved in December 2020. The Commission members were all in agreement that the rezoning of the parcels was consistent with the Town's future plans for that area.

On a motion by Member Szilagyi and seconded by Member Kehoe, passed on voice vote, the Planning Commission recommends to the Town Board the approval of rezoning of Parcels 002-0161 and 002-0161-01 from A-2 to R-2. The rezoning request will be on the July 19, 2023 Town Board Agenda. The rezoning of these two parcels will be on Winnebago County's Planning and Zoning Committee Public Hearing scheduled for July 25, 2023.

The discussion continued for Agenda Items 6 and 7. Chair Clark explained that Item 6 was the Certified Survey Maps for Parcel 00002-0161 to create three residential lots along the north side of Duchess Lane and item 7 was a Certified Survey Map for Parcel and 002-0161-01 to create three residential lots along the south side of Duchess Lane. Chair Clark opened by stating that she had some issues with this CSM and draft map of how the remaining portion of the parcel is to develop. She added that there is not enough information to know where ditches and stormwater infrastructure will be located. Eric Hoffman was in attendance to explain the CSM and the draft map. Mr. Hoffman is intending to purchase both parcels from Mr. Kratz and build homes on them. He would like to get both CSMs approved, so he can begin to build homes on the lots yet this year and would prepare a complete site plan later. He further noted that it will take several thousand dollars to have the site and drainage plans prepared by an engineering firm and did not want to spend the money at the outset. Kyle Kehoe asked Mr. Hoffman how long would it would take before he could draft and submit a site plan for the Planning Commission members to review. Mr. Hoffman estimated that it would take 4-6 months to prepare the plan.

Chair Clark explained that CSM for Parcel 002-0161 can be included in this conversation since it has the same impact as the CSM for the north side of Duchess Lane and function together. She said that not having a full plan in place noting the location of the ponds, ditches, and drainage easements is problematic because there are so many existing drainage problems throughout the Town due to poor planning in the past. She added that marrying a new development with existing developments have had ongoing drainage problems, including in Lakevista. Mr. Hoffman agreed that water from one home cannot be drained on to another property. Mr. Hoffman added that the Town should not worry about drainage because the county has laws about him dumping water on to neighboring properties to which Mr. Szilagyi responded that laws are broken quite frequently and he knows this because he is a prosecutor and he says it is better to address the issue before it is a problem. Mr. Heath stated that the Winnebago County Planning and Zoning Department staff have been largely absent with oversight of Lakevista Estate, and the county staff has to be prompted to go out and monitor the development, note any problems, and issue notices for corrections.

Ethan Firgens stated that the CSMs could be approved as presented but additional information is needed to make a decision. Kevin Mraz, Algoma Sanitary District Director, was asked about water and sewer utilities located in the area. Mr. Mraz stated water and sewer is available in this area and four of the six proposed lots have lines already stubbed to them. He explained that whatever the Town approves the sanitary district can service it.

Rich Heath spoke about the other residential development proposed to the west near Pierce Lane and Cider Avenue and all of that runoff will flow through this new development south of Duchess Lane. He explained that the entire area needs to have a cohesive drainage plan to avoid problems that are seen in other parts of Algoma. Mr. Hoffman said that his final plans would have all of that information on them. Ben Szilagyi agreed with what other members were stating that more information is needed before a

final recommendation to the Town Board can be made and that starting with these lots may be problematic to the adjacent homes. Mr. Hoffman explained that he plans to build a cul-du-sac on the south end of Parcel 002-0161 to avoid the wetlands on the south end of the parcel. Chair Clark asked Mr. Hoffman if the parcel to the south of 002-0161 will also be zone R-2 for homes. Mr. Hoffman said that homes are to be built on that parcel as well in the future.

Dan Martin noted that when Lakevista Estates was proposed the entire development was mapped with all of the lots, utilities, stormwater infrastructure, drainage patterns, etc. for the Planning Commission members to review and make comments. Despite having the detailed maps and plans, there was still a great deal of misinformation and upset residents. He added that in this case, the members are to approve these two CSMs without a full site plan to consider, so when residents ask us what is the plan, we respond it is still being worked out. Mr. Martin said that is not a good answer and likely to cause residents to come out against any more development in that area. Mr. Hoffman asked what does he needs to do to get these CSMs approved? Chair Clark said she would like to see a more comprehensive plan noting everything we discussed at this meeting. The other members agreed they want to see a more detailed plan. Mr. Hoffman said he could have something ready for next week's Town Board meeting. Mr. Heath responded saying there is no rush, and it is important to do it right and be transparent with the public. He added that the next Planning Commission is on August 9, 2023, and that would give you time to prepare a more comprehensive plan for the members to review. Mr. Hoffman said he would get something drafted for that meeting.

On a motion by Member Martin and seconded by Member Szilagyi, passed on voice vote, the Planning Commission recommended combining Agenda Items 6 and 7 and tabling them for now in order to gather additional information for the August 9, 2023 Planning Commission meeting.

On a motion by Member Kehoe and seconded by Member Szilagyi, passed on a voice vote, the Planning Commission adjourned at 7:06 p.m.

Respectfully submitted,
Richard Heath
Administrator