

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**

**March 8, 2016  
3:30 PM**

**AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
  - 1. [Minutes of the February 2, 2016 Plan Commission Meeting](#)
- D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA  
Five (5) minute time limit for each person
- E. CORRESPONDENCE
  - 1.
- F. DISCUSSION
  - 1.
- G. ACTION ITEMS
  - 1. [Site Plan Review – 835 W Valley Road – Alpha Prime](#)
  - 2. [Basis of Denial of Special Use Permit – 2035 Manitowoc Road](#)
- H. ADJOURNMENT

**CITY OF MENASHA**  
**Plan Commission**  
**Council Chambers, City Hall – 140 Main Street**  
**February 2, 2016**  
**DRAFT MINUTES**

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*3:30 PM – Informal Public Hearing Regarding the Proposed Special Use Permit 1435 Oneida Street – Parcel #7-00052-11*

Mayor Merkes opened the public hearing at 3:35PM

No one spoke.

The hearing was closed at 3:36PM

**A. CALL TO ORDER**

The meeting was called to order at 3:38 PM by Mayor Merkes.

**B. ROLL CALL/EXCUSED ABSENCES**

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, DPW Radtke, Ald. Benner, and Commissioner Sturm.

PLAN COMMISSION MEMBERS EXCUSED: Commissioners Cruickshank, Schmidt, and DeCoster.

OTHERS PRESENT: CDD Keil, AP Englebert, Dan Gueths (2035 Manitowoc Rd), and Mark Vanlandghen (1125 Warsaw St, Appleton).

**C. MINUTES TO APPROVE**

1. **Minutes of the January 19, 2016 Plan Commission Meeting**

Motion by Comm. Sturm, seconded by Ald. Benner to approve the January 19, 2016 Plan Commission meeting minutes. The motion carried.

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

1. No one spoke.

**E. CORRESPONDENCE**

1. **Dan Gueths Letter Dated 12-28-2015**

Dan Gueths inquired as to the reason why his previous Special Use Permit application for automotive sales was denied. Commissioner Sturm replied that the Plan Commission denied the permit because of unfavorable outcomes associated with a Special Use Permit that permitted automotive sales on a parcel that had another primary use, similar to what was being proposed in this instance.

**F. DISCUSSION**

1. None.

**G. ACTION ITEMS**

1. **Special Use Permit Application – 1435 Oneida St – Festival Foods Business Center Sign**  
AP Englebert introduced the proposed Business Center Sign for Festival Foods. He explained that in addition to municipal standards there are private easements and covenants governing the location and ownership of the proposed sign. DPW Radtke stated the sign does not pose an issue with vision clearance for vehicular traffic. Ald. Benner inquired about the height of the sign and the electrical service to the sign.

Motion by Mayor Merkes, seconded by Ald. Benner to recommend approval of the Special Use Permit for the Business Center Sign at 1435 Oneida Street with the finding that the sign will serve multiple tenants on a common development site and that the tenants on the sign be limited to those located on parcels numbered #7-00052-14, #7-00052-15, #7-00052-17. The recommendation is based on the condition that parcel #7-00052-15 will not have an additional freestanding sign on the Oneida Street frontage. The motion carried.

2. **Property Acquisition for Province Terrace Trail Extension – Petrie & Convenience Store Investments, LLC Properties, Oneida St./STH 114**

CDD Keil informed the Plan Commission that the City of Menasha has retained CORRE, Inc. to perform real estate acquisition and engineering for an extension of the Province Terrace Trail. A segment of the proposed trail is currently owned by two private entities. The consultant has completed negotiations on one parcel and is nearing completion on the second. Staff is now seeking authorization to proceed with the purchase of the properties. Motion by Ald. Benner, seconded by Comm. Sturm to recommend approval of property acquisition of the Petrie and Convenience Store Investments, Inc. parcels for the Province Terrace Trail Extension. The motion carried.

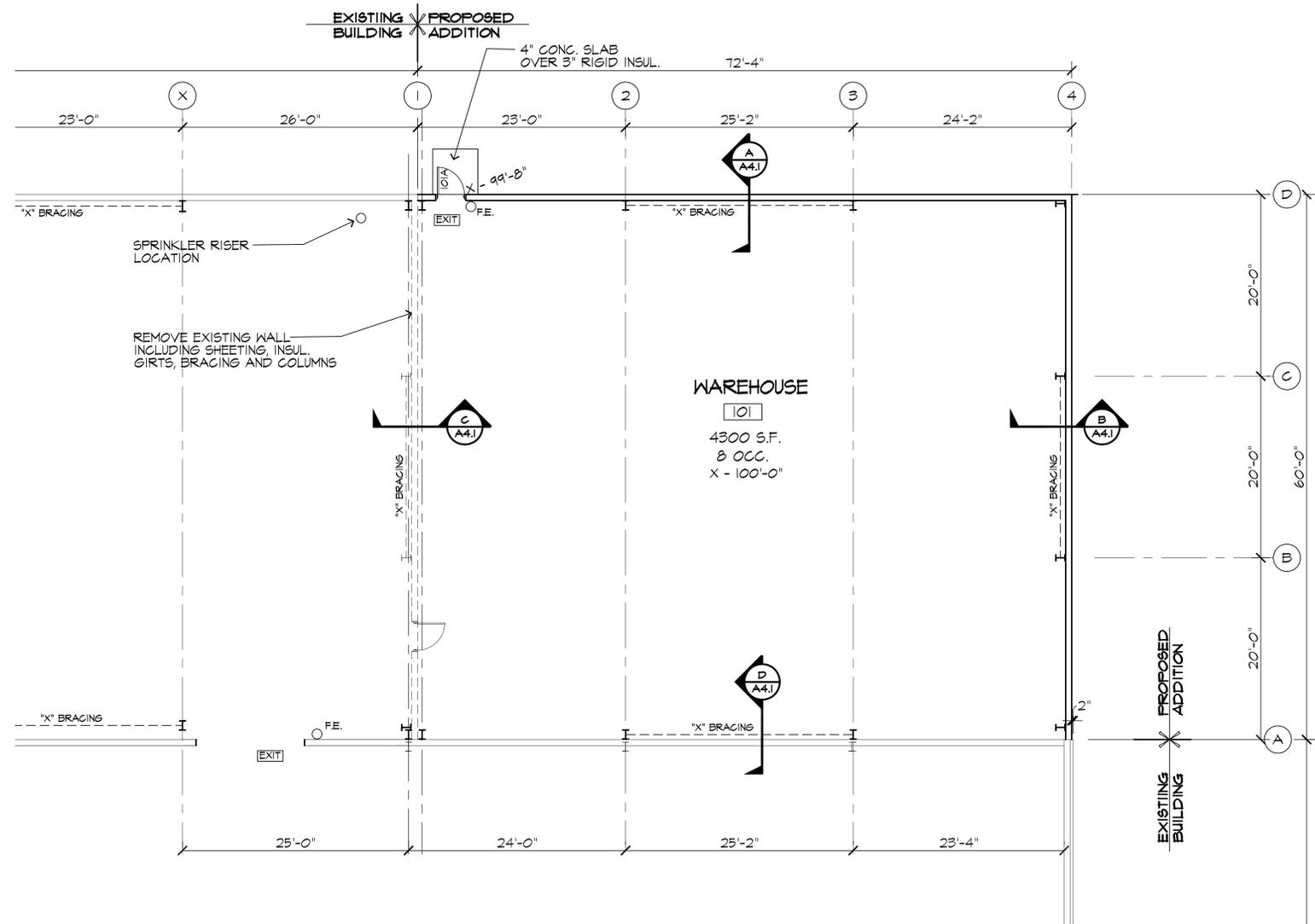
**H. ADJOURNMENT**

Motion by Ald. Benner, seconded by DPW Radtke to adjourn at 4:24 PM. The motion carried.

*Minutes respectfully submitted by AP Englebert.*







ENLARGED FLOOR PLAN  
 1/8" = 1'-0"

1	1/16/13	RELEASED FOR CONSTRUCTION
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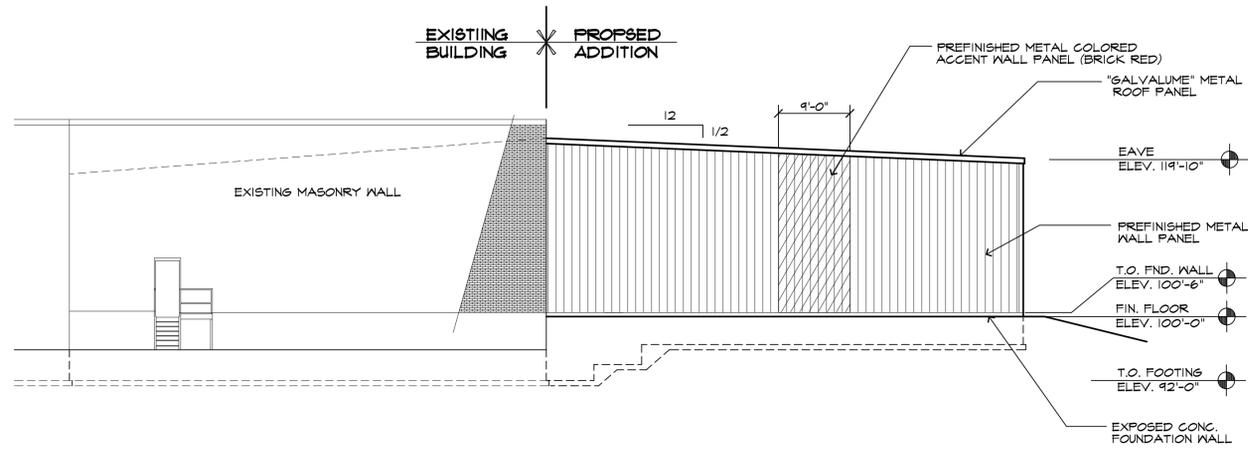
**Building Creations, LLC**  
 Design / Build and General Contractor  
 W. 3326 Schroeder Road  
 Appleton, WI 54913  
 Ph. (920) 862-5541

**FISHER & ASSOCIATES, LLC**  
 Architects / Planners  
 819 CEDARS STREET DE PERE, WISCONSIN  
 fisherandassociatesllc.com

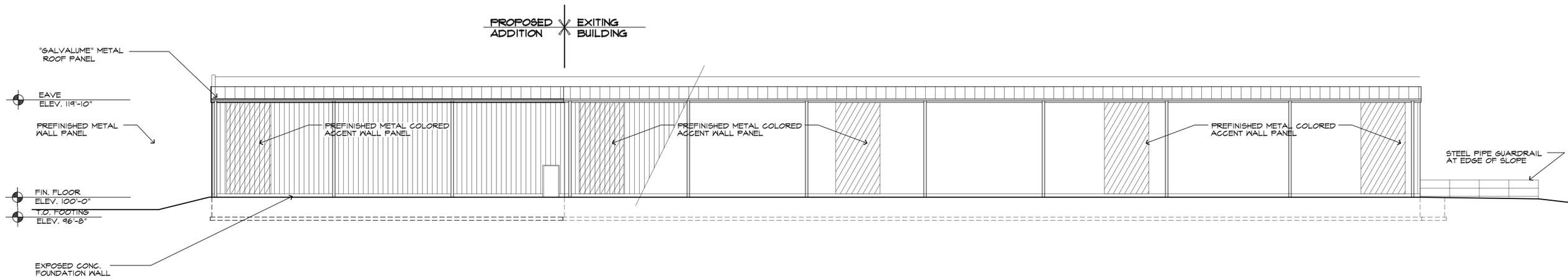
**PROJECT:**  
 PROPOSED BUILDING ADDITION FOR:  
**Alpha Prime, Inc**  
 835 West Valley Road  
 MENASHA, WISCONSIN

<b>DRAWN BY:</b>	R.F.
<b>CHK'D BY:</b>	R.F.
<b>JOB NUMBER:</b>	16004
<b>DATE:</b>	2/22/16

**A1.1**



**NORTH ELEVATION**  
3/32" = 1'-0"



**WEST ELEVATION**  
3/32" = 1'-0"

NO.	REVISIONS:

Building Creations, LLC  
 Design / Build and General Contractor  
 W. 3326 Schrodeder Road  
 Appleton, WI 54913  
 Ph: (920) 882-5541



FISHER & ASSOCIATES, LLC  
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 96 CEDARS STREET DE REBE W 5415  
 PH: (920) 532-4444  
 rfishe@fisherandassociatesllc.com

PROJECT:  
 PROPOSED BUILDING ADDITION FOR  
**Alpha-Prime, Inc**  
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 MENASHA, WISCONSIN

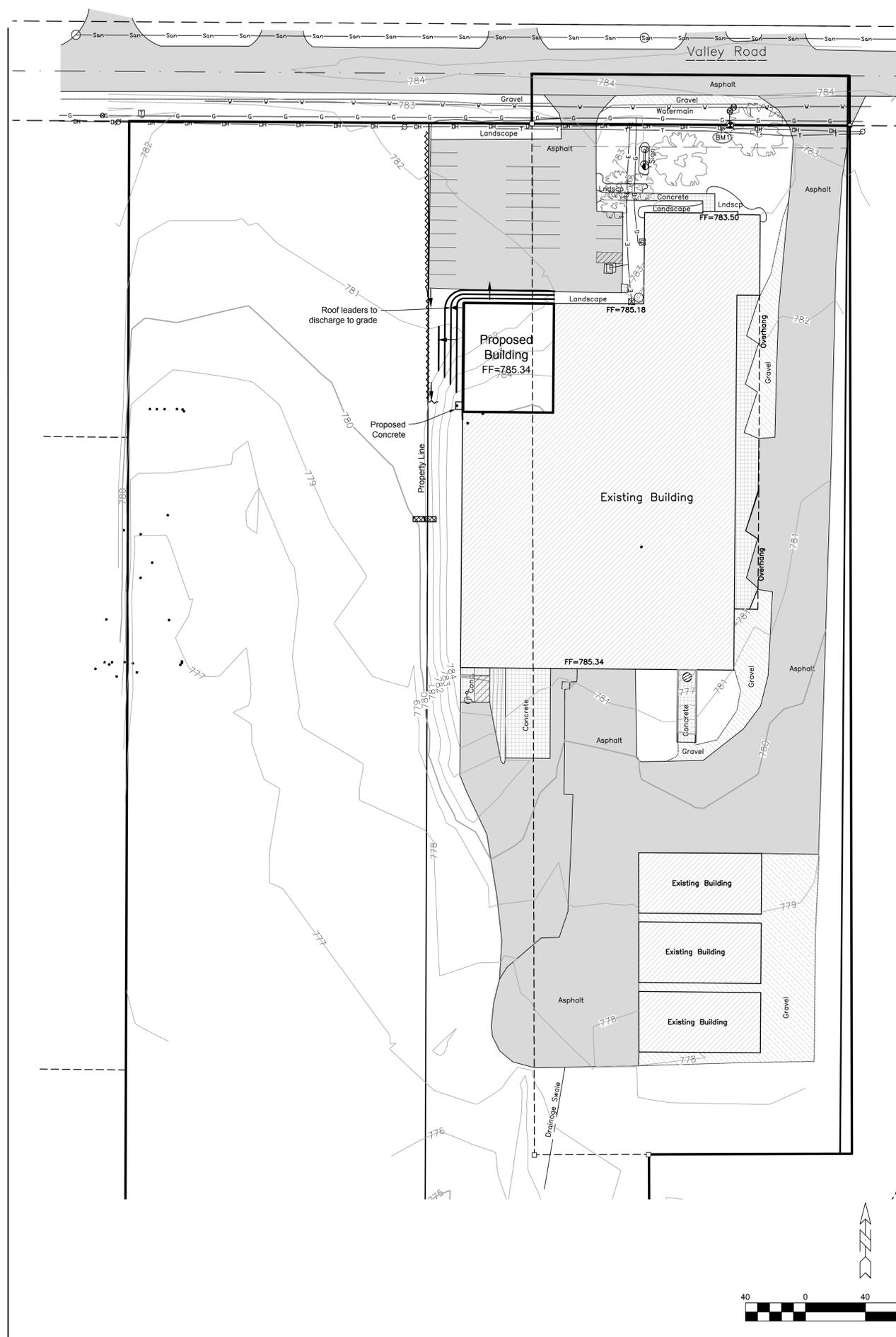
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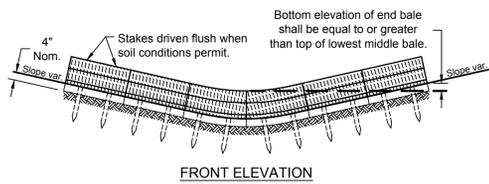
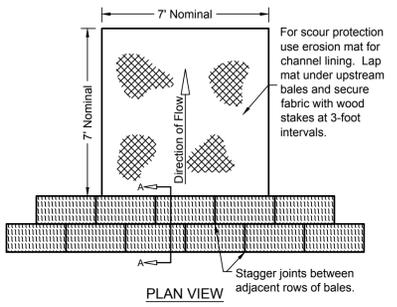
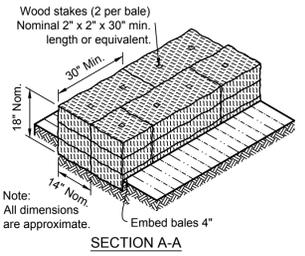
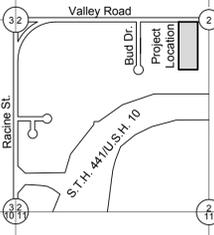
DATE:  
 2/22/16



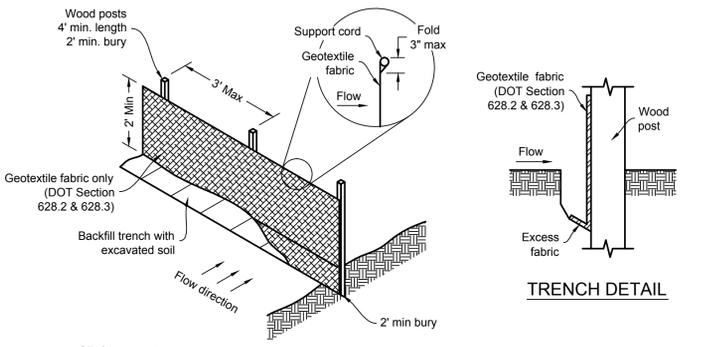
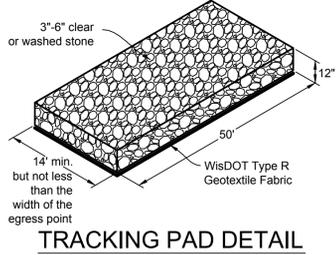


**LOCATION MAP**

SW 1/4 SEC 2, T 20 N, R 17 E,  
CITY OF MENASHA  
WINNEBAGO COUNTY, WI



**STRAW BALE BARRIER**



**Silt fence notes:**

- Detail of construction not shown on this drawings shall conform to criteria set by authorities having jurisdiction and by DNR Technical Standard 1056.
- When possible, the silt fence should be constructed in an arc or horseshoe shape with the ends pointing upslope to maximize both strength and effectiveness.
- Attach the fabric to the posts with wire staples or wooden lath and nails.
- 8'-0" post spacing allowed if a woven geotextile fabric is used.
- Trench shall be a minimum of 4" wide and 6" deep to bury and anchor the geotextile fabric. Fold material to fit trench and backfill and compact trench with excavated soil.
- Geotextile fabric shall be reinforced with an industrial polypropylene netting with a maximum mesh spacing of 3/4" or equal. A heavy-duty nylon top support chord or equivalent is required.
- Steel posts shall be studded "tee" or "u" type with a minimum weight of 128 lbs/lineal foot (without anchor). Pin anchors shall be a minimum size of 4" diameter or 1 1/2" x 3 1/2", except wood posts for geotextile fabric reinforced with netting shall be a minimum size of 1 1/8" x 1 1/8" oak or hickory.

**SILT FENCE INSTALLATION**

**LEGEND**

<ul style="list-style-type: none"> <li>—DH— Overhead Electric Lines</li> <li>—San— Sanitary Sewer</li> <li>—Sto— Storm Sewer</li> <li>—E—E— Underground Electric</li> <li>—G—G— Underground Gas Line</li> <li>—T—T— Underground Telephone</li> <li>—W—W— Water Main</li> <li>—F—F— Fence - Steel</li> <li>—VL—VL— Wetlands</li> <li>—T—T— Treeline</li> <li>—R—R— Railroad Tracks</li> <li>—C—C— Culvert</li> <li>—800— Index Contour</li> <li>—750— Intermediate Contour</li> <li>—608— Proposed Storm Sewer</li> <li>—608— Proposed Sanitary Sewer</li> <li>—608— Proposed Watermain</li> <li>—608— Proposed Contour</li> <li>—608— Proposed Swale</li> <li>—608.73— Proposed Culvert</li> <li>—608.73 TW— Proposed Silt Fence</li> <li>—608.73 TW— Prop. Drainage Direction</li> <li>—608.73 TW— Proposed Ditch Check</li> <li>—608.73 TW— Proposed Tracking Pad</li> </ul>	<ul style="list-style-type: none"> <li>○ Sanitary MH / Tank / Base</li> <li>○ Clean Out / Curb Stop / Pull Box</li> <li>○ Storm Manhole</li> <li>○ Catch Basin / Yard Drain</li> <li>○ Hydrant</li> <li>○ Utility Valve</li> <li>○ Utility Meter</li> <li>○ Utility Pole</li> <li>○ Guy Wire / Pump</li> <li>○ Electric Pedestal</li> <li>○ Electric Transformer</li> <li>○ Telephone Pedestal</li> <li>○ Gas Regulator</li> <li>○ Ex Spot Elevation</li> <li>○ Proposed Storm Manhole</li> <li>○ Proposed Curb Inlet</li> <li>○ Prop. Catch Basin / Yard Drain</li> <li>○ Proposed Endwall</li> <li>○ Proposed Rip Rap</li> <li>○ Prop. Flowline Spot Elev.</li> <li>○ Prop. Top of Walk Elev.</li> <li>○ Existing Grade</li> <li>○ Proposed Inlet Protection</li> <li>○ Type of Inlet Protection</li> </ul>	<ul style="list-style-type: none"> <li>▽ Sign / Guard Post</li> <li>○ Post / Large Rock</li> <li>○ Flag Pole</li> <li>○ Deciduous Tree</li> <li>○ Coniferous Tree</li> <li>○ Bush / Hedge</li> <li>○ Slump</li> <li>○ Marsh</li> <li>○ Soil Boring</li> <li>○ Benchmark</li> <li>○ Asphalt Pavement</li> <li>○ Concrete Pavement</li> <li>○ Gravel</li> </ul>
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**NOTES:**

- Existing utilities shown are indicated in accordance with available records and field measurements. The contractor shall be responsible for obtaining exact locations & elevations of all utilities, including sewer and water from the owners of the respective utilities. All utility owners shall be notified by the contractor 72 hours prior to excavation. Contact Digger's Hotline (1-800-242-8511) for exact utility locations.
- The Contractor shall verify all staking and field layout against the plan and field conditions prior to constructing the work and immediately notify the Engineer of any discrepancies.
- Silt fence shall be installed at the toe of all newly constructed fill slopes and shall be maintained until slope vegetation is established. Silt fence shall be installed prior to site grading. Sediment barrier shall consist of silt fencing, hay bales, sediment eels, or sediment logs as shown in the detail. Sediment barrier can be eliminated if a 25' wide buffer of existing dense vegetation exists on the lot between the disturbed ground and property line.
- If trucks need to leave existing pavements, stone access shall be provided to the construction site. Tracking of mud on existing streets shall be cleaned up daily.
- Vegetation beyond slopes shall remain.
- The contractor shall minimize the area disturbed by construction as the project is constructed. Disturbed areas shall be seeded as soon as final grade is established. Contractor shall replace topsoil and then seed, fertilize and mulch all lawn areas within 1 week of topsoil placement.
- Contractor shall remove all excess materials from the site. Earthwork contractors shall verify topsoil depth.
- All sediment and erosion control devices and methods shall be in accordance with the Wisconsin DNR Technical Standards.
- The contractor shall make weekly inspections and inspections within 1 day of any rainfall exceeding 0.5 inches of the sediment and erosion control devices throughout construction. The contractor shall repair or maintain erosion control devices as necessary. The inspection reports shall be made available to the owner at the end of the construction or upon demand during construction.
- Downspouts shall discharge over a minimum 20 foot long pervious surface in good condition graded at less than 3% to meet the definition of "disconnected".
- Disturbed area for this project is 6,900 sf. New Impervious area is 4,300 sf.

**BENCHMARKS** (USGS per Town of Menas)

- BM 1 Fire Hydrant, Tag Bolt  
NE cor Deerpark Ave and CTH  
Elev 0.00
- BM 2 Fire Hydrant, Tag Bolt  
±580' E of BM 1, N R/W Deerpark

**DRAINAGE, GRADING, & EROSION CONTROL PLAN**



**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
CIVIL ENGINEERING CONSULTANTS  
1811 Racine Street Menasha, WI 54952  
Ph: 920-991-1866 Fax: 920-830-9595  
www.davel.pro

1	11/06/13	For Construction
2	11/13/13	Approved For Construction

**BUILDING CREATIONS, LLC**  
Design / Build and General Contractor  
W. 3326 Schroeder Road  
Appleton, WI 54911  
Ph: (920) 882-1541

**FISHER & ASSOCIATES, LLC**  
Architects / Planners  
P.O. BOX 5000, MENASHA, WI 54950  
Ph: (920) 532-9189 Fax: (920) 532-9119  
fisher@fisherandassociates.com

**PROJECT:**  
PROPOSED BUILDING ADDITION FOR  
**Alpha-Prime, Inc**  
835 West Valley Road  
MENASHA, WISCONSIN

**DRAWN BY:**  
**CHK'D BY:**  
JRD  
**JOB NUMBER:**  
4132enr.dwg  
**DATE:**  
2/15/16

**C1.1**

REVISIONS:





**Memorandum**

TO: Plan Commission  
From: Greg Keil, CDD *GK*  
Date: March 3, 2016  
RE: Denial of Special Use Permit for Parcel #7-00012-00 (2035 Manitowoc Road)

On December 22, 2015 the Plan Commission took action to recommend to the Common Council that the Special Use Permit for the above referenced property be denied. The Common Council approved the denial of the Special Use Permit at its January 4, 2016 meeting. Since that time the applicant, Daniel Gueths and his legal counsel requested that a reason(s) be stated as to why the Special Use Permit was denied. While such reasoning was discussed it was not included in the motion to recommend denial of the Special Use Permit, nor did the Common Council action specify a reason(s) for the denial.

In conferring with the City Attorney it appears that there should have been findings or other rationale presented as part of the Plan Commissions recommendation to deny the permit. At this juncture it is the recommendation of the Community Development Department Staff and City Attorney that the Plan Commission make findings in support of its action and that those findings be presented to the Common Council for its consideration and endorsement. Issues that were articulated pertaining to the proposed Special Use Permit included the following:

- That expanding the commercial use of the property conflicts with the predominant residential property use in the vicinity of the site.
- That the site plan that accompanied the Special Use Permit Application did not comprehensively address conditions on the site that are deemed to have a detrimental effect on the property including: the deteriorating condition of the building and paving, the continuance of outdoor storage on the premises, the presence of dead trees and otherwise unkempt vegetation on the south side of the property.
- That granting the Special Use Permit would perpetuate a use deemed to be deleterious to the neighborhood.

It is my recommendation that the Plan Commission create a motion that includes the above referenced and/or other rationale supporting the Plan Commission's basis for recommending denial of the Special Use Permit, and that such recommendation be forwarded to the Common Council for its consideration.