

It is expected that a Quorum of the Joint Review Board, 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**

**November 3, 2015
3:30 PM**

AGENDA

- A. ROLL CALL/EXCUSED ABSENCES
- B. MINUTES TO APPROVE
 - 1. [Minutes of the October 20, 2015 Plan Commission Meeting](#)
- C. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA
Five (5) minute time limit for each person
- D. DISCUSSION
 - 1. None.
- E. ACTION ITEMS
 - 1. [Temporary Cul de Sac Easement Release – Woodcrest Heights Drive](#)
 - 2. [Temporary Cul de Sac Easement – Woodcrest Heights Drive](#)
- F. ADJOURNMENT

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
October 20, 2015
DRAFT MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:33 PM by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Ald. Benner, DPW Radtke (3:48PM), Commissioners Sturm, DeCoster and Schmidt.

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Cruickshank.

OTHERS PRESENT: CDD Keil, AP Englebert, Paul Klister (Commercial Horizons), Gary Zahringer (Martenson & Eisele), Mike Siewert (Martenson & Eisele), Jack Richeson (Martenson & Eisele), Theresa Lehman (Miron Construction), John Oates (Somerville), Neil Yunk (Somerville), Michael Hagens (Woodland Hills), Dave Schmalz (McMahon Associates).

C. MINUTES TO APPROVE

1. **Minutes of the October 6, 2015 Plan Commission Meeting**

Motion by Comm. Sturm, seconded by Comm. Schmidt to approve the October 6, 2015 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. None.

F. ACTION ITEMS

1. **Site Plan Review – Commercial Horizons – Festival Foods – Oneida Street and Midway Crossing (Parcel #'s 7-00052-13, 7-00052-14 and 7-00052-15)**

AP Englebert introduced the Site Plan for the proposed Festival Foods grocery store and noted that the lighting plan did not yet meet ordinance requirements. CDD Keil explained the need for a sidewalk to be incorporated into the site plan for pedestrian access. DPW Radtke informed the Plan Commission that he was still working with Martenson and Eisele to review the stormwater management plan.

Mayor Merkes inquired about the architectural materials. Theresa Lehman (Miron Construction) explained that the developer was working with Miron to use eco-friendly construction practices in their design. The concrete masonry units are made up of 40% recycled materials and sourced from a local company. CDD Keil indicated that the materials presented meet design requirements.

Motion by Comm. DeCoster, seconded by Ald. Benner to approve the Site Plan for Festival Foods with the following conditions:

- Staff approval of a new lighting plan.
- The addition of a sidewalk adjacent to the eastern boundary of the cross-access easement extending from the north property line to the pavement in front of the building and additionally from the south property line to the pavement in front of the building.
- Staff approval of the stormwater management plan.

The motion carried.

2. **Certified Survey Map – Oneida Street and Midway Crossing**

CDD Keil introduced the proposed CSM for the Oneida Street and Midway Crossing corridor. Paul Kliester (Commercial Horizons) explained there was a need to reconfigure the existing lots to accompany the Festival Foods development. CDD Keil stated that there is a need for a variance to the subdivision code to disallow construction of a cul-de-sac due to the cross-access easement provided to the public.

Motion by Comm. Sturm, seconded by DPW Radtke to approve the Certified Survey Map subject to the conditions described herein and to recommend approval of the variance to the subdivision code based on the following:

1. The variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located;
2. The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result

The approval of the Certified Survey Map is conditioned on the submittal of an ingress-egress easement to the benefit of the public as well as the relocation of a sidewalk easement to exist as a five foot easement along the north and west lot lines of Lot 3. The motion carried.

3. **Certified Survey Map – Oneida Street and Province Link**

AP Englebert explained the need for the CSM was to reconfigure the remaining lots in the Oneida Street and Province Link Corridor. CDD Keil explained that there is a need for a variance to the subdivision code to disallow construction of a cul-de-sac due to the cross-access easement provided to the public.

Motion by Comm. Sturm, seconded by DPW Radtke to approve the Certified Survey Map subject to the conditions described herein and to recommend approval of the variance to the subdivision code based on the following:

1. The variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located;
2. The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result

The approval of the Certified Survey Map is conditioned on the submittal of an ingress-egress easement to the benefit of the public as well as the relocation of a sidewalk easement to exist as a five foot easement along the west lot line of Lot 2. The motion carried.

4. **Certified Survey Map – Woodcrest Heights**

CDD Keil explained that there is a temporary easement for a cul-de-sac on Woodcrest Hills Drive that would allow for the City to construct a cul-de-sac if the street was terminated.

Motion by DPW Radtke, seconded by Comm. Schmidt to recommend approval of the Woodcrest Heights CSM. The motion carried.

5. **Preliminary Plat Review – Lake Cottage Estates**

CDD Keil introduced the preliminary plat for Lake Cottage Estates. Commissioners discussed the following:

- Setbacks for Wetland Protective Areas
- The width of Lake Cottage Court and fire truck access
- Lot dimensions and front yard widths
- Stormwater management plan and maintenance of the stormwater pond
- Need for the demarcation of a recreational trail on the plat

- Need for a variance from Subdivision Ordinance Street Design Standards for minimum street width, cul-de-sac right-of-way radius, and inside curb radius.

No action was taken.

H. ADJOURNMENT

Motion by Ald. Benner, seconded by Comm. DeCoster to adjourn at 4:35 PM. The motion carried.

Minutes respectfully submitted by AP Englebert.

**TEMPORARY CUL DE SAC
EASEMENT RELEASE**

FOR AND IN CONSIDERATION OF THE SUM OF ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, CITY OF MENASHA (RELEASEES) DOES HEREBY GRANT THE RIGHT TO RELEASE A TEMPORARY CUL DE SAC EASEMENT WITHIN AN EASEMENT AS DESCRIBED BELOW:

THE EASEMENT TO BE RELEASED IS LEGALLY RECORDED AS DOCUMENT NO. 442984, DESCRIBED AS:

PART OF THE SOUTHWEST 1/4, SECTION 8, TOWN 20 NORTH, RANGE 18 EAST, CITY OF MENASHA, CALUMET COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 01 DEGREES 05 MINUTES 55 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 592.78 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 725.10 FEET TO THE POINT OF BEGINNING; THENCE 314.16 FEET ALONG AN ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET, WITH A CHORD WHICH BEARS SOUTH 78 DEGREES 45 MINUTES 39 SECONDS EAST, 60.00 FEET; THENCE NORTH 78 DEGREES 45 MINUTES 39 SECONDS WEST, 60.00 FEET TO THE POINT OF BEGINNING. CONTAINING 10,984 SQUARE FEET (0.252 ACRES).

Record and return to:
Martenson & Eisele, Inc.
1377 Midway Road
Menasha, WI 54952

Parcel Identification Number: Part of 7-0084-000

THE LOCATION OF THE EASEMENT TO BE RELEASED HEREIN DESCRIBED IS SHOWN ON THE REFERENCE DRAWING MARKED "EXHIBIT A" AND MADE A PART HEREOF.

IN WITNESS WHEREOF, THE CITY OF MENASHA, SAID RELEASEE HAS CAUSED THESE PRESENTS TO BE SIGNED

THIS _____ DAY OF _____, 2015.

SIGNATURE

PRINT NAME & TITLE

STATE OF WISCONSIN)

) ss

_____ COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2015, THE ABOVE-NAMED, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

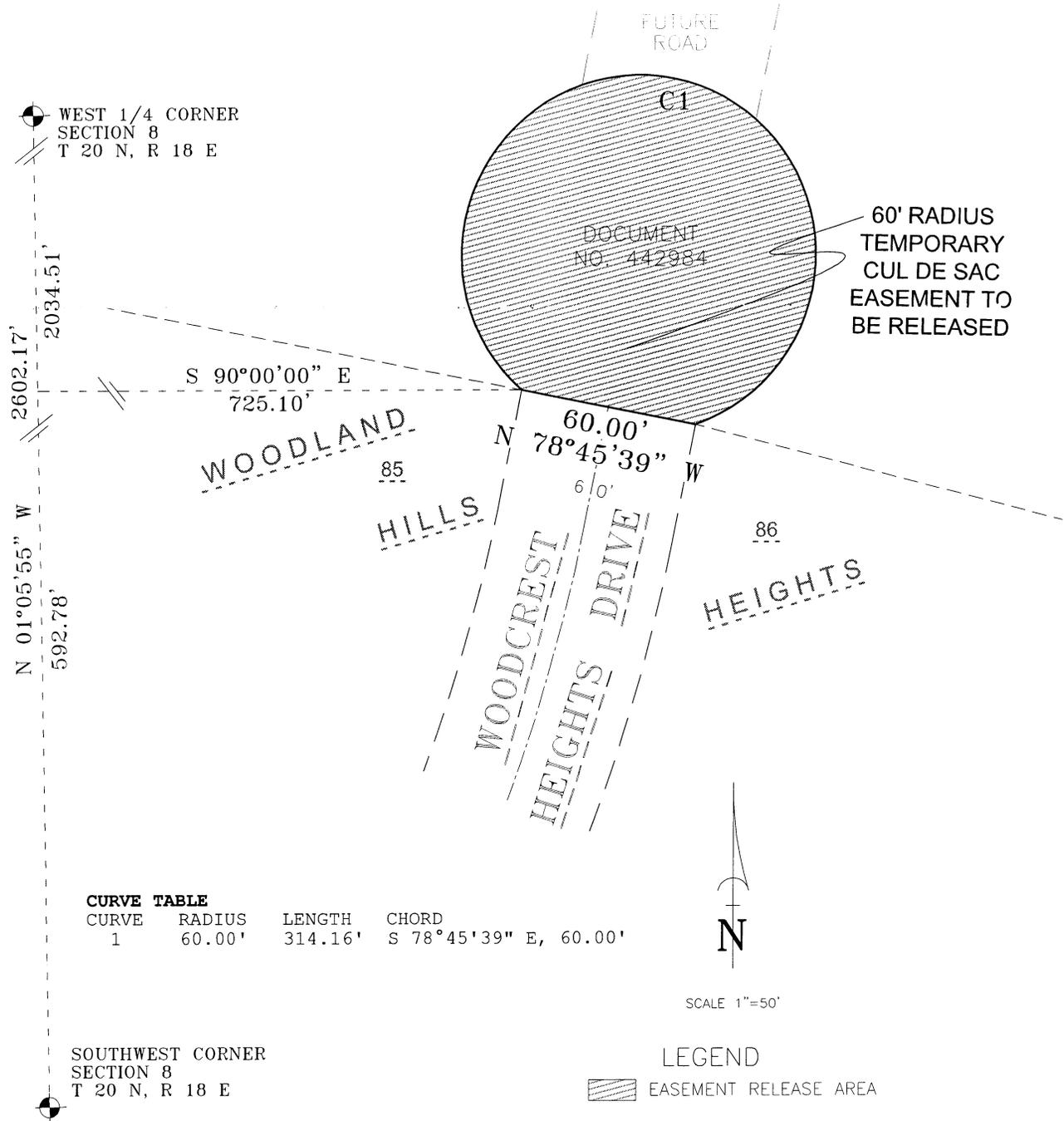
NOTARY PUBLIC, STATE OF WISCONSIN

MY COMMISSION EXPIRES _____

EXHIBIT "A"

RELEASE OF TEMPORARY CUL DE SAC EASEMENT

PART OF THE SOUTHWEST 1/4, SECTION 8, TOWN 20 NORTH, RANGE 18 EAST,
CITY OF MENASHA, CALUMET COUNTY, WISCONSIN



CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD
1	60.00'	314.16'	S 78°45'39" E, 60.00'

SCALE 1"=50'

LEGEND
 EASEMENT RELEASE AREA

Martenson & Eisele, Inc.



1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 1-0719-001
FILE 1-0719-001EoseRel.dwg
THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar

TEMPORARY CUL DE SAC EASEMENT

THIS EASEMENT, MADE BY

WOODLAND DEVELOPMENTS, LLC, GRANTOR

CALUMET COUNTY, WISCONSIN
GRANTS A TEMPORARY CUL DE SAC EASEMENT TO

CITY OF MENASHA, GRANTEE

FOR AND IN CONSIDERATION OF THE SUM OF ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION FOR THE PURPOSE OF CONSTRUCTING, INSTALLING, REPAIRING AND MAINTAINING A TEMPORARY CUL DE SAC WITHIN THE FOLLOWING DESCRIBED EASEMENT AND AS DEPICTED ON THE ATTACHED "EXHIBIT A":

PART OF THE SOUTHWEST 1/4, SECTION 8, TOWN 20 NORTH, RANGE 18 EAST, CITY OF MENASHA, CALUMET COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 00 DEGREES 04 MINUTES 09 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 707.03 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 737.25 FEET TO THE POINT OF BEGINNING; THENCE 314.07 FEET ALONG AN ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET, WITH A CHORD WHICH BEARS NORTH 84 DEGREES 33 MINUTES 52 SECONDS EAST, 60.08 FEET; THENCE 52.16 FEET ALONG AN ACRD OF A CURVE TO THE RIGHT HAVING A RADIUS OF 530.00 FEET, WITH A CHORD WHICH BEARS SOUTH 00 DEGREES 07 MINUTES 46 SECONDS WEST, 52.14 FEET; THENCE NORTH 52 DEGREES 06 MINUTES 34 SECONDS WEST, 75.63 FEET TO THE POINT OF BEGINNING. CONTAINING 12,563 SQUARE FEET (0.288 ACRES).

Record and return to:
Martenson & Eisele, Inc.
1377 Midway Road
Menasha, WI 54952

Parcel Identification Number: Part of 7-0084-000

IN WITNESS WHEREOF, THE SAID GRANTOR HAS CAUSED THESE PRESENTS TO BE SIGNED

THIS _____ DAY OF _____, 2015.

MICHAEL H. HAGENS, MEMBER

CARL A. BOWERS, MEMBER

STATE OF WISCONSIN)

) ss

COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2015, THE ABOVE-NAMED, TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

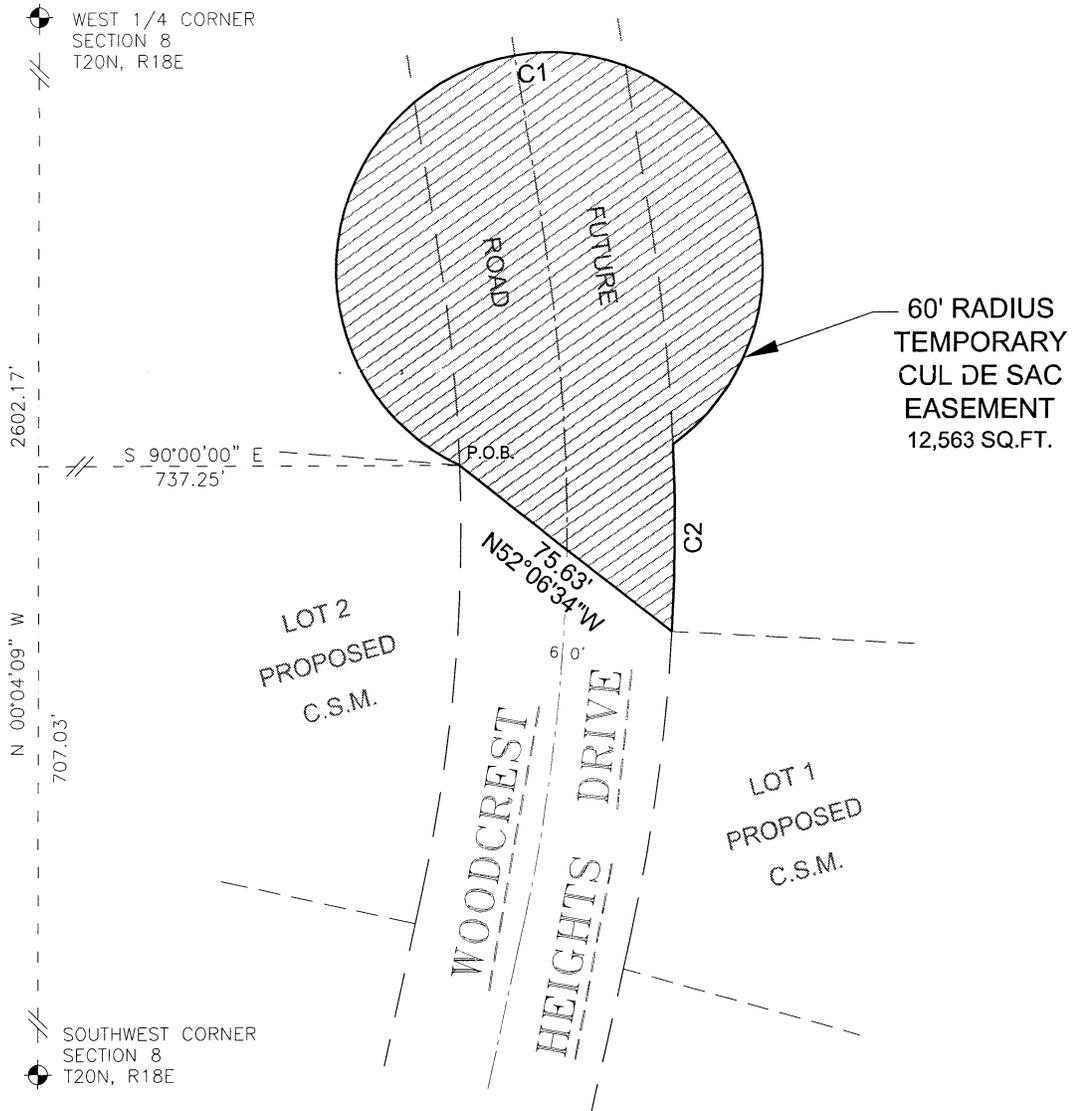
NOTARY PUBLIC, STATE OF WISCONSIN

MY COMMISSION EXPIRES _____

EXHIBIT "A"

TEMPORARY CUL DE SAC EASEMENT

PART OF THE SOUTHWEST 1/4, SECTION 8, TOWN 20 NORTH, RANGE 18 EAST,
CITY OF MENASHA, CALUMET COUNTY, WISCONSIN



LEGEND
 EASEMENT AREA

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD
1	60.00'	314.07'	N 84°33'52" E, 60.08'
2	530.00'	52.16'	S 00°07'46" W, 52.14'

SCALE 1"=50'

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Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 1-0719-002
FILE 1-0719-002TempCulEase.dwg
THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar