

**CITY OF MENASHA**  
**Plan Commission**  
**Council Chambers, City Hall – 140 Main Street**  
**March 7, 2017**  
**MINUTES**

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**A. CALL TO ORDER**

The meeting was called to order at 4:01 PM by Mayor Merkes.

**B. ROLL CALL/EXCUSED ABSENCES**

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Ald. Benner, EA Gordon, and Commissioner Sturm.

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

OTHERS PRESENT: CDD Buck, PP Englebert, Ald. Zelinski, Ald. Collier, Ald. Taylor, Tim Lenth (Your Daily Grind), Bill Becher (103 Main Street), Kathleen Nudelbacher (3486 Rosenberry Ct), and Tom Nudelbacher (3486 Rosenberry Ct).

**C. MINUTES TO APPROVE**

1. **Minutes of the February 21, 2017 Plan Commission Meeting**

Motion by Comm. Sturm, seconded by Ald. Benner, to approve the February 21, 2017 Plan Commission meeting minutes as presented. The motion carried.

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

1. No one spoke.

**E. ACTION ITEMS**

1. **No Build Easement – 208 Main Street (Pedestrian Walkway)**

CDD Buck introduced the No Build Easement for 208 Main Street. Property owners from 204 Main Street (Your Daily Grind) wish to install a window on the east façade of their building. Since their building lies on a property line, they are unable to install the window while providing adequate fire separation in accordance with state building codes. Regulations require a distance of 10 feet adjacent to a wall opening to be unoccupied by another building. Since the city owns property constituting the 10 foot area, the property owners are unable to provide that distance. They are now requesting a No Build Easement which would provide a legal means of securing a fire separation distance on adjacent property.

The No Build Easement as presented is revocable by the city at any time for any reason provided a written notice is served to the property owner six months before expiration of the easement. The easement would require the city to abstain from erecting a permanent building, garage, or shed in the 10 foot fire separation area. Tim Lenth (Your Daily Grind) stated that he would like language added that restricts the city's ability to terminate the easement to when the city builds a structure or when the city sells the property.

Commissioners discussed the following:

- Building code requirements for fire separation
- Language and terms of the easement
- Future plans for the walkway including potentially serving alcohol
- Timeline of approvals for the window and building plans

Commissioners suggested that the city attorney review the easement language and potential amendment. Motion by EA Gordon, seconded by Comm. Sturm, to recommend approval of the No Build Easement – 208 Main Street. The motion carried.

**F. DISCUSSION**

1. **Pedestrian Walkway – General Discussion**

This item was discussed as part of E(1).

**G. ADJOURNMENT**

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

*Minutes respectfully submitted by PP Englebert.*