



"In the Spirit of Town Government"

**TOWN OF BUCHANAN, OUTAGAMIE COUNTY, WI
NOTICE OF PLAN COMMISSION MEETING
JULY 12, 2021 AT 7:00 P.M.
BUCHANAN TOWN HALL, N178 COUNTY RD N, APPLETON, WI 54915**

- 1) **CALL MEETING TO ORDER:** Erdmann called the meeting to order at 7:00 p.m.
- 2) **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.
- 3) **ROLL CALL & VERIFY PUBLIC NOTICE:** Public notice verified. Commissioners present – Erdmann, Kavanaugh, Schultz, Coenen, Lamers, Jensema, and Sprangers. Also present was Administrator Mahoney and Clerk/Treasurer Sieracki. Members of the public were also in attendance.
- 4) **PUBLIC FORUM:** No one spoke.
- 5) **MINUTES TO APPROVE:**
 - a) June 14, 2021 Plan Commission Minutes

Motion by Coenen/Schultz to approve the Minutes of the June 14, 2021 Plan Commission meeting as presented. Motion passed 7 to 0 by voice vote.

6) PUBLIC HEARINGS: NONE

7) APPLICATIONS FOR APPROVAL/DENIAL:

- a) Application for CSM (#2021-06): Applicant Steve De Jong, Meridian Surveying, LLC, on behalf of Nexgen Real Estate Investment Group, Inc. Parcel number 030 078700 known as N199 Main St, Appleton approximately 1.17 acres; Certified Survey Map Creating Two Lots. – For Approval/Denial.

Administrator Mahoney stated that the proposed application meets the following Town Code requirements for land division and zoning.

- The proposed land division appears compliant with Town Code §460 – Subdivision of Land.
- The proposed land division appears compliant with Wisconsin State Statutes Ch. 236.
- The proposed land division appears compliant with Outagamie County Ordinance.
- The current zoning district for all current parcels is RSF – Residential Single Family (§525-24).
 - The proposed Lots 1 & 2 meet the minimum dimensions for current zoning RSF district per §525-24.E(1a): Lot area 10,000 square feet per dwelling; lot width 90 feet; front yard 25 feet; side yards 6 feet each; rear yard 25 feet.

The proposed land division does appear consistent with the Town's Comprehensive Plan.

The Commission discussed the wetlands on the property. Commissioner Kavanaugh was wondering why the applicant wasn't present to answer questions.

Motion by Sprangers/Coenen to approve CSM 2021-06 as presented. Motion passed 6 to 1 by voice vote with Erdmann dissenting.

8) UNFINISHED BUSINESS:

- a) ATV/UTV ordinance updates:
 - i. Update on information from Outagamie County on surrounding county routes – For Discussion Only.

This item was combined with the next item during the meeting.

- ii. Recent Outagamie County ATV-UTV ordinances – For Discussion Only.
Administrator Mahoney mentioned that at the June 14, 2021 Plan Commission meeting the Plan Commission requested examples of recent ATV-UTV ordinances passed by other local governments in Outagamie County.

The following ordinances were available for the Plan Commission to review:

Town of Black Creek, approved October 12, 2020
Town of Cicero, adopted April 8, 2021
Town of Bovina, adopted June 10, 2021

These ordinances appear to be very similar and in accordance with State Statute §23.33 (as advised by Michael Biese at the June 14, 2021 Plan Commission meeting). There may be some differences/modifications to the State Statutes in the “Conditions” section. The Town of Bovina ordinance also outlines the process and procedures for the use and operation of ATV and UTVs.

The Town currently has an ATV-UTV ordinance based on State Statute 23.33 with some variations.

The Plan Commission discussed. Hours of operation, age, and speed are a few items that vary between the above ordinances. Once a subcommittee is formed, those items will be reviewed.

- iii. Consider forming ATV-UTV Subcommittee of Plan Commission members – For Discussion and Possible Action.

Administrator Mahoney stated that the Plan Commission should consider forming a subcommittee of at least three (3) Plan Commission members to work on proposing ATV-UTV routes and an ordinance to be considered by the Plan Commission for possible recommendation to the Town Board, including but not limited to:

- Identifying possible ATV-UTV routes
- Estimated costs for implementation and maintenance
- Operational and administrative needs
- Drafting ordinance language
- County permitting process as necessary

The following commissioners volunteered to form a subcommittee: Joe Coenen, Jon Lamers, and Mike Jensema. They will meet with Administrator Mahoney to discuss the goals for the group. Once the above items are established, the subcommittee will present its findings to the Town Board.

The Plan Commission discussed.

9) NEW BUSINESS:

- a) Town incorporation information and process – For Discussion Only.

Administrator Mahoney mentioned that at the June 14, 2021 Plan Commission meeting the Plan Commission requested information on the process of incorporation for the Town of Buchanan.

Mahoney stated that she has been looking into that process and some preliminary information has been provided by the Town’s Planning & Zoning consultant Eric Fowle, Cedar Corp.

Incorporation of the Town into a Village would eliminate future possibilities of annexation by neighboring incorporated communities. That being said, the incorporation process is lengthy and perhaps tenuous.

There is a substantial amount of information that must be prepared for submittal to WDOA, a good example of which can be found in Greenville’s recent petition for incorporation.

Several of the recent incorporation attempts by communities in the Fox Valley (Fox Crossing, Harrison, and Greenville) initially tried to incorporate their entire (then) Town boundaries. These attempts failed due to the review standards that are applied. Each community ended up submitting modified petitions to incorporate their “core” areas and then some utilized the annexation process to bring in the remainder of the rural portions of their Town. Mahoney stated that the same challenges and outcomes would exist for the Town of Buchanan. The Town’s “core” area (essentially all lands west of Wis 55) may likely meet the incorporation standards, but embarking on the process and completing a petition is the only way to know for sure. In addition, there are plenty of chances for neighboring municipalities to engage (and object) within this process, so doing some bridge-building early on is always recommended.

The article “Wisconsin Villages Come in All Shapes and Sizes” gave some good historical information and statistics on incorporation and illustrates the challenge of determining if the Town would meet the standards for incorporation prior to going through the formal petition process.

The Town will likely need to allocate resources to pursue this endeavor including consultant costs, Staff time and required fees. Administrator Mahoney is researching options and will present them to the Town Board as part of upcoming strategic planning and budget processes.

The Plan Commission discussed. Administrator Mahoney will contact Bill Forrest to clarify what research has already been done. Mahoney also pointed out that the Town of Clayton has recently been denied incorporating into a Village. Mahoney will continue to investigate options.

10) PROJECT UPDATES/CORRESPONDENCE: NONE

11) COMPREHENSIVE PLAN 2040 UPDATE: NONE

12) FUTURE AGENDA ITEMS:

Future meeting agenda/discussion items and possible action for future Plan Commission meetings include ATV/UTV’s, Boundary Agreements and Incorporation.

13) ADJOURN: *Motion by Schultz/Lamers to adjourn at 8:08 p.m. Motion carried 7 to 0 by voice vote.*

Other Future Meetings:

July 20, 2021 Town Board Meeting 7:00 p.m.
July 22, 2021 Board of Appeals 7:00 p.m.
August 5, 2021 Stormwater Utility Meeting 7:00 p.m.

Cynthia Sieracki, Clerk
Drafted: July 15, 2021

Motion to Approve: Lamers/Jensema Vote: 7 to 0 Dated: 8/09/2021