



AGENDA

VILLAGE OF LITTLE CHUTE PLAN COMMISSION MEETING

PLACE: Little Chute Village Hall – Village Board Room

DATE: Monday, September 11, 2023

TIME: 6:00 p.m.

Virtually attend the September 11th Plan Commission meeting at 6 PM by following the link here:

Join Zoom Meeting

<https://us06web.zoom.us/j/81660472086>

Meeting ID: 816 6047 2086

Dial by your location: +1 312 626 6799 US (Chicago)

A. Call to Order

B. Roll Call

C. Public Appearance for Items Not on the Agenda

1. Approval of Minutes from the Plan Commission Meeting of August 14th, 2023
2. Discussion/Recommendation – Extraterritorial Review Final Plat for Oak Creek
3. Discussion/Action – Gravel Parking lot and Dumpster 215 Allegiance Ct
4. Items for Future Agenda
5. Adjournment

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made with as much advance notice as possible to the Clerk's Office at 108 West Main Street, (920) 423-3852 September 7, 2023

MINUTES OF THE PLAN COMMISSION MEETING OF AUGUST 14, 2023

Call to Order

The Plan Commission meeting was called to order at 6:00 PM by President Vanden Berg

Roll Call

PRESENT: President Vanden Berg

Jim Moes

Bill Van Berkel

Larry Van Lankvelt

Kent Taylor

EXCUSED: Todd Verboomen

STAFF PRESENT: Dave Kittel, Beau Bernhoft

Public Appearance for Items Not on the Agenda

None

Approval of Minutes from the Plan Commission Meeting of July 10, 2023

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to approve the Plan Commission Meeting Minutes of July 10, 2023.

All Ayes – Motion Carried

Public Hearing – Conditional Use 323 W North Ave.

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Enter Into Public Hearing

All Ayes – Motion Carried

Director Kittel stated that all notices were mailed and posted in the Times Villager for this hearing. The request is to run and operate a small business with dumpsters and trailers that will be available for rent. The dumpsters will be used at a different locations. The current zoning is Commercial Highway surrounding the property with Industrial to the Eastern portion of the property and Residential across the street. Commissioner Moes asked how the trucks would be cleaned and stored. Mr. Tromello stated that the trucks would be stored there and they would be taken to the car wash to clean. Jim Nenning who lives across the street stated he is opposed to it as there are wild animals and brush, a retention pond and the issues it may create with traffic. Joan Hauser of 509 Miami Circle was also opposed and is concerned about the animals and rodents.

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Exit the Public Hearing.

All Ayes – Motion Carried

Discussion/Action – Conditional Use 323 W North Ave.

Commissioner Moes thinks this would be a better fit in an Industrial District and it does not fit in with the Commercial Highway principle uses.

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Deny the Request as Submitted.

4 Ayes, 1 Nay (President Vanden Berg) Motion Carried

Public Hearing – Conditional Use 500 Moasis Drive

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Enter Into Public Hearing

All Ayes – Motion Carried

Director Kittel stated that all notices were mailed and posted in the Times Villager for this hearing. The Village of Kimberly is seeking a conditional use for a temporary municipal services building. The Village is working with a consultant to ensure the HVAC is up to code. Staff has reviewed the request and has no concerns.

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Exit the Public Hearing

All Ayes – Motion Carried

Discussion/Action – Conditional Use 500 Moasis Drive

Greg Ulman, the Public Works Director for the Village of Kimberly stated it will be housed with a mechanic and vehicles and some vehicles (possibly 8) will be parked outdoors. They plan on utilizing it for two years or less.

Moved by Commissioner Moes to Approve the Conditional Use with the following conditions: No Vehicles other than personal vehicles parked closer than 30 feet to the road, no parking on grass area, for 36 months.

All Ayes – Motion Carried

Public Hearing – Conditional Use 1100 W Main Street

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Enter Into Public Hearing

Director Kittel stated that all notices were mailed and posted in the Times Villager for this hearing. Previously, this property had a conditional use for automotive repair. The property is in the process of being sold and the new owner is out working on the property and has installed some temporary fencing. The new owners will do automotive sales and repair. Director Kittel stated he has not received any concerns and does not foresee the same issues and some of the vehicles have already been removed.

Moved by Commissioner Moes, seconded by Commissioner Van Lankvelt to Exit the Public Hearing
All Ayes – Motion Carried

Discussion/Action – Conditional Use 1100 W Main Street

No additional comments were made.

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Approve the Conditional Use with the following conditions: 6 foot tall sight tight fence in front area, no parking on unpaved area, up to 8 cars for sale in front of the building on property not over property line.

All Ayes – Motion Carried

Public Hearing – Variance Request 147 W Greenfield Dr

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to Enter Into Public Hearing.

All Ayes – Motion Carried

Director Kittel stated this is for a variance for a pool and patio edition. He stated that all notices were mailed and posted in the Times Villager for this hearing. This variance covers two items; one is a lot coverage item over 35% of lot coverage and a set back item of the patio being attached to the home.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to Exit the Public Hearing.

All Ayes – Motion Carried

Discussion/Action - Variance Request 147 W Greenfield Dr

Commissioner Moes stated he is in support of this request as the possible effects on neighbors will be minimal and not great enough to overrule the need for this request.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to Approve the Variance Request for 147 W. Greenfield Dr.

All Ayes – Motion Carried

Public Hearing – Conditional Use 1805 E Main St.

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Enter the Public Hearing.

Director Kittel stated this request is for the old Wisconsin Savings Bank. He stated that all notices were mailed and posted in the Times Villager for this hearing. The area is currently zoned Commercial Shopping District and a Conditional Use is needed for a dental clinic at this location. Steve Frassetto, the agent provided insight on this request and that all work needed is internal.

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Exit the Public Hearing.

All Ayes – Motion Carried

Discussion/Action – Conditional Use 1805 E Main St.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to Approve the Conditional Use provided they ensure ADA Compliance with parking lot is met.

All Ayes – Motion Carried

Discussion/Recommendation – Founders Estate

Founders Estate is located off Patriot Drive and the Preliminary Plat was approved with one requirement from the Plan Commission to have a note attached about the double frontages which states properties with frontage on more than one public road are potentially subject to special assessments on all road frontages. Staff has reviewed plans and detail and recommend approval. Letter were mailed out to property owners on Elm for the date of the final approval.

Moved by Commissioner Moes, seconded by Commissioner Van Lankvelt to review and approve the plat Subject to an approval and review by Village Legal Counsel regarding all requirements to meet code and standards.

All Ayes – Motion Carried

Discussion – Fence Heights

There are a handful of properties that are adjacent to industrial developments in the Village and with some of the changes going on at the sites residents are wanting to put up higher fences than 6 feet. Due to the number of requests for variances they are looking at potentially changing our fence height requirements that abut up to industry zones up to 10 ft instead of 6 ft in the rear yard or side but not the front yard. Commissioner Van Berkel asked what happens if they have 2 sides as fences are not allowed. Commissioner Moes suggested a sight tight fences and no security fences are allowed and will not apply to setbacks. The Plan Commission

would like to have a future public hearing regarding this.

Moved by Commissioner Moes, seconded by Commissioner Van Berkel to Set a Public Hearing With the Village Board.

All Ayes – Motion Carried

Items for Future Agenda

None

Adjournment

Moved by Commissioner Moes seconded by Commissioner Van Lankvelt to Adjourn the Plan Commission Meeting at 6:58 p.m.

All Ayes – Motion Carried

VILLAGE OF LITTLE CHUTE

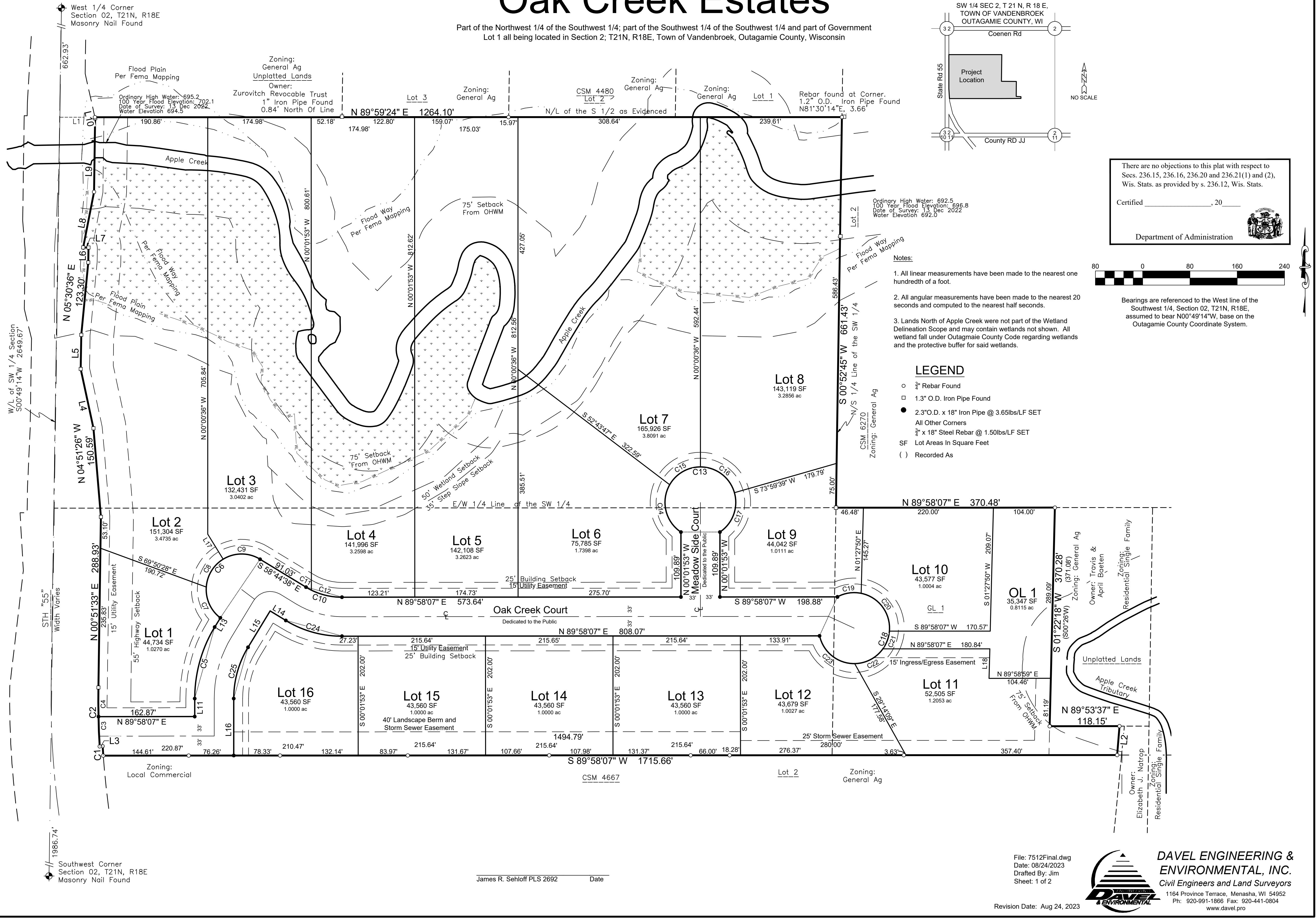
By: _____
Michael Vanden Berg, Village President

Attest: _____

Laurie Decker, Village Clerk

Oak Creek Estates

Part of the Northwest 1/4 of the Southwest 1/4; part of the Southwest 1/4 of the Southwest 1/4 and part of Government Lot 1 all being located in Section 2, T21N, R18E, Town of Vandenbroek, Outagamie County, Wisconsin



Oak Creek Estates

Part of the Northwest 1/4 of the Southwest 1/4; part of the Southwest 1/4 of the Southwest 1/4 and part of Government Lot 1 all being located in Section 2; T21N, R18E, Town of Vandenbroek, Outagamie County, Wisconsin

Surveyor's Certificate

I, James R. Sehloff, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Town of Vandenbroek and Outagamie County, and under the direction of PHH Investment Company, owners of said land, I have surveyed divided and mapped Oak Creek Estates; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is part of the Northwest 1/4 of the Southwest 1/4; part of the Southwest 1/4 of the Southwest 1/4 and part of Government Lot 1 all being located in Section 2; T21N, R18E, Town of Vandenbroek, Outagamie County, Wisconsin, containing 1,519,614 Square Feet (34.8855 Acres) of land described as follows:

Commencing at the West corner of Section 2, thence along the West line of the Southwest 1/4, S00°49'14"W, 662.93 feet; thence, S89°59'24"W, 59.23 feet to the East right of way line of State Highway 55 said point also being the point of beginning; thence, N89°59'24"E, 1264.10 feet to the East line of the Northwest 1/4 of the Southwest 1/4; thence, along said East line, S00°52'45"W, 661.43 feet to the Northwest Corner of Lot 1; thence, along the North line of said Government Lot 1, N89°58'07"E, 370.48 feet; thence, S01°22'18"W, 370.28 feet; thence, N89°53'37"E, 118.15 feet; thence, S04°37'07"W, 1715.66 feet to said Easterly right of way line of State Highway 55; thence, along said East right of way line, 16.01 feet along the arc of a curve to the right with a radius of 1347.39 feet and a chord of 16.01 feet which bears N03°42'08"W; thence, continuing along said East right of way line, S86°38'17"W, 5.00 feet; thence, continuing along said East right of way line, 99.64 feet along the arc of a curve to the right with a radius of 1352.39 feet and a chord of 99.62 feet which bears N01°15'05"W; thence, continuing along said East right of way line, N00°51'33"E, 288.93 feet; thence, continuing along said East right of way line, N04°51'26"W, 150.59 feet; thence, continuing along said East right of way line, N12°05'37"W, 102.61 feet; thence, continuing along said East right of way line, N05°30'26"E, 123.41 feet; thence, continuing along said East right of way line, N00°51'33"E, 25.00 feet; thence, continuing along said East right of way line, N89°08'27"W, 8.97 feet; thence, continuing along said East right of way line, N11°03'47"E, 95.80 feet; thence, continuing along said East right of way line, N00°51'33"E, 124.90 feet; thence, continuing along said East right of way line, N12°36'48"W, 1.64 feet to the point of beginning, subject to all easements and restrictions of record.

Given under my hand this _____ day of _____, 20_____.

James R. Sehloff, Wisconsin Professional Land Surveyor No. S-2692

Owner's Certificate of Dedication

PHH Investment Company, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as the property owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

PHH Investment Company, does further certify this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Outagamie County Planning and Zoning Committee
Town of Vandenbroek
Village of Little Chute
Department of Administration

Dated this _____ day of _____, 20_____.

In the presence of: PHH Investment Company

Managing Member _____ Date _____

Print Name _____

State of Wisconsin

County ss

Personally came before me this _____ day of _____, 20_____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

My Commission Expires _____

Notary Public, Wisconsin

Utility Easement Provisions

An easement for electric, natural gas, and communications service is hereby granted by

PHH Investment Company, Grantor, to:

Wisconsin Electric Power Company and Wisconsin Gas, LLC, Wisconsin corporations doing business as We Energies, Grantee,
SBC, Grantee,
TDS Metrocom, Grantee
and
Time Warner Cable, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, theron, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

PHH Investment Company

Managing Member _____ Date _____

Print Name _____

Town Board Approval Certificate

Resolved, that the plat of Oak Creek Estates in the Town of Vandenbroek, Outagamie County, PHH Investment Company, owner, is hereby approved by the Town Board of the Town of Vandenbroek.

Jason Wiegand _____ Date _____
Town Chairman

I hereby certify that the foregoing is a copy of a resolution adopted by the Town Board of the Town of Vandenbroek.

Cory Swedberg _____ Date _____
Town Clerk

Treasurer's Certificate

We, being the duly elected, qualified and acting Treasurer's of the Town of Vandenbroek and Outagamie County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this plat.

Town Treasurer _____ Date _____

County Treasurer _____ Date _____

Village of Little Chute Approval (Extraterritorial)

Resolved, that the plat of Oak Creek Estates in the Town of Vandenbroek, Outagamie County, PHH Investment Company, owner, is hereby approved by the Village Board of the Village of Little Chute.

Michael Vanden Berg _____ Date _____
Village President

I hereby certify that the foregoing is a copy of a resolution adopted by the Village Board of the Village of Little Chute.

Laurie Decker _____ Date _____
Village Clerk

County Planning Agency Approval Certificate

Resolved, that the plat of Oak Creek Estates in the Town of Vandenbroek, Outagamie County, PHH Investment Company, owner, is hereby approved by Outagamie County.

County Zoning Administrator _____ Date _____

This Final Plat is contained wholly within the property described in the following recorded instruments:

the property owner of record: PHH Investment Company
Recording Information: Doc 2283710
Parcel Number(s): 200004800; 200004903 & 200005200

There are no objections to this plat with respect to
Sects. 236.15, 236.16, 236.20 and 236.21(1) and (2),
Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____
Department of Administration

CURVE TABLE							
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	1347.39'	N 03°42'08" W	16.01'	16.01'	0°40'51"	N 04°02'33" W	N 03°21'43" W
C2	1352.39'	N 01°15'05" W	99.62'	99.64'	4°13'17"	N 03°21'44" W	N 00°51'34" E
C3	1352.39'	N 02°17'43" W	50.35'	50.36'	2°08'00"	N 03°21'44" W	N 01°13'43" W
C4	1352.39'	N 00°11'05" W	49.28'	49.29'	2°05'17"	N 01°13'43" W	N 00°51'34" E
C5	233.00'	N 15°36'45" E	125.66'	127.23'	31°17'15"	N 00°01'53" W	N 31°15'22" E
C6	60.00'	N 34°07'33" E	119.85'	182.49'	174°15'39"	N 53°00'17" W	S 58°44'38" E
C7	60.00'	N 24°29'37" W	57.28'	59.71'	57°01'19"	N 53°00'17" W	N 04°01'03" E
C8	60.00'	N 31°17'49" E	55.00'	57.13'	54°33'33"	N 04°01'03" E	N 58°34'36" E
C9	60.00'	N 89°54'59" E	62.41'	65.64'	62°40'46"	N 58°34'36" E	S 58°44'38" E
C10	117.00'	S 74°23'15" E	63.10'	63.89'	31°17'15"	S 58°44'38" E	N 89°58'07" E
C11	117.00'	S 61°15'28" E	10.26'	10.27'	5°01'40"	S 58°44'38" E	S 63°46'18" E
C12	117.00'	S 76°54'05" E	53.16'	53.62'	26°15'35"	S 63°46'18" E	N 89°58'07" E
C13	60.00'	N 89°58'07" E	66.00'	307.11'	293°15'58"	N 56°39'52" W	S 56°36'06" W
C14	60.00'	N 13°20'14" W	82.34'	90.74'	86°39'16"	N 56°39'52" W	N 29°59'24" E
C15	60.00'	N 59°59'24" E	60.00'	62.83'	60°00'00"	N 29°59'24" E	N 89°59'24" E
C16	60.00'	S 53°00'29" E	72.22'	77.50'	74°00'15"	N 89°59'24" E	S 16°00'21" E
C17	60.00'	S 20°17'52" W	71.05'	76.03'	72°36'27"	S 16°00'21" E	S 56°36'06" W
C18	60.00'	S 24°44'08" W	72.69'	298.91'	285°26'22"	N 62°00'57" E	N 12°32'41" W
C19	60.00'	N 81°46'24" E	40.56'	41.38'	39°30'54"	N 62°00'57" E	S 78°28'09" E
C20	60.00'	S 36°51'37" E	79.69'	87.15'	83°13'05"	S 78°28'09" E	S 04°44'56" W
C21	60.00'	S 20°12'05" W	31.97'	32.36'	30°54'19"	S 04°44'56" W	S 35°39'14" W
C22	60.00'	S 62°23'51" W	54.00'	56.01'	53°29'15"	S 35°39'14" W	S 89°08'29" W
C23	60.00'	N 51°42'06" W	75.77'	82.01'	78°18'50"	S 89°08'29" W	N 12°32'41" W
C24	183.00'	S 74°23'15" E	98.69'	99.93'	31°17'15"	S 58°44'38" E	N 89°58'07" E
C25	167.00'	N 15°36'45" E	90.06'	91.19'	31°17'15"	N 00°01'53" W	N 31°15'22" E

LINE TABLE		
Line	Bearing	Length
L1	S 89°59'24" W	59.23'
L2	S 04°37'06" W	49.15'
L3	S 86°38'17" W	5.00'
L4	N 12°05'37" W	102.61'
L5	N 00°51'33" E	57.78'
L6	N 00°51'57" E	25.11'
L7	N 89°08'27" W	8.97'
L8	N 11°03'47" E	95.80'
L9	N 00°01'53" E	124.90'
L10	N 12°36'46" W	1.64'
L11	N 00°01'53" W	30.47'
L13	N 31°15'22" E	18.30'
L14	S 58°44'38" E	

