

TOWN OF HORTONIA  
OUTAGAMIE COUNTY, WISCONSIN

Town of Hortonia Plan Commission  
Minutes of Meeting  
Town of Hortonia Town Hall  
April 20, 2022  
12:30 p.m.

1. Call meeting to order by Chairman J Wiesner, Clerk confirmed public notice.
2. Town Attorney gave an overview of agenda; reviewed procedures for review and action on rezone, conditional use permit, and site plan (which is not being considered at this meeting); and reviewed standards for decisions on rezone and conditional use permit. Without any objections Public Hearings for both items would be held at the same time. (No objections from the floor)
3. Public hearings on application of JRSCE Holdings, LLC for a rezone from split C-1/R-1 zoning to full C-1 zoning for the 14.31-acre property known as Tax Parcel No. 120059001; and application of JRSCE Holdings, LLC for a conditional use permit to operate an industrial business incubator at the same property.
  - a. Presentation of applications by applicant. -Owner Ryan Richeson gave background on his project and what he had planned for the property. Ultimately proposed project would be established to make spaces available for business owners just starting out and who may not have the capital to invest in their own property and construction projects.
  - b. Public comments in support of applications: None
  - c. Public comments in opposition to applications: 4 residents spoke and 2 letters were submitted- concerns brought up included compatibility with adjacent and nearby existing residential uses, issues concerning adequacy of existing access to the property via a private easement, increases in traffic to the property from the numerous businesses located within the incubator, noise impacts and disturbances in the area from the increase in use of the property, excessive density of commercial uses on the property; and impacts on property values
  - d. Other public comments: Dean Steingraber of Outagamie County Highway Dept spoke on the possibility of an access to Hwy 15 directly from the property and said that the State would not grant any new access. When the county took over Hwy 15 they would have to re-evaluated on a case by case basis and it would depend on if the State handed over their exclusive rights to access administration.

- e. Response to comments by applicant: Jack Richeson (Engineer for applicant) spoke about the zoning on the property being mixed and the understanding that the preference from the town would be to “fix” or avoid that by establishing all commercial zoning. He said they checked with the State and because the State purchased all access to Hwy 15 it would be unlikely that they would be granted access even when county took over the Road.

Heather Maclin (attorney for applicant) spoke about the Town Zoning Administrator’s previous comments on the project, the preference for a single zoning designation on the property, the relevancy or irrelevancy of the dispute over the easement access to the property, the proposed property access on the site plan, and the need for decisions to be based on ordinance standards.

- f. Motion to Close public hearing made by Craig Cwiklowski, 2<sup>nd</sup> by Jules Zuehlsdorf-hearing closed.

Discussion and questions were asked by the Planning commission members. Following the closure of the public hearing, the Town Attorney provided a summary of the comments during the public hearing. The Plan Commission began with a discussion of the rezone application and focused on whether rezone approval or denial would be consistent with the comprehensive plan, and whether a rezone is suitable for this property at this time. The Town’s Zoning Administrator provided his opinion that either approval or denial of the rezoning could be consistent with the comprehensive plan. The Commission also discussed issues involving the compatibility of the rezone with existing residences in the area and concerns about access. Regarding access, the Commission referenced the comments from Mr. Steingraber regarding the unlikelihood of a future new access being approved at the property and decided that the Commission should proceed on the assumption that the only access to the project would be the existing easement. The Commission discussed whether the existing easement will be adequate to provide access to the incubator project.

Following this discussion, the Commission reviewed the Town’s Future Land Use Map and requested that the Town Zoning Administrator prepare a report providing more detail on the rezone and consistency requirement.

PC members decided to table final recommendations until they can review the report.

Next meeting set for May 5<sup>th</sup> at 12:30 pm.

Motion to Adjourn made by Jules Zuehlsdorf, 2<sup>nd</sup> by Craig Cwiklowski.

Meeting adjourned- 2:14pm