



NEENAH PLAN COMMISSION

Tuesday, February 11, 2020

4:15 P.M.

HAUSER ROOM, City Administration Building

1. Approval of Minutes: December 12, 2019
2. Public Appearances (Ten minutes divided among those wishing to speak on topics pertinent to the Plan Commission)
3. Public Hearings:
 - a. Special Use Permit - 410 Walnut Street - Urban Farm
4. Action Items:
 - a. Special Use Permit - 410 Walnut Street - Urban Farm
 - b. Final Plat - Castle Oak VI Subdivision
5. Announcements and future agenda items:
 - a. Next Meeting: February 25, 2020

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If special accommodations are needed please contact the
Department of Community Development Office
at 886-6125 at least 24 hours in advance of the meeting.**

MINUTES OF THE NEENAH PLAN COMMISSION

Tuesday, December 10, 2019

4:15 p.m.

Present:

Mayor Dean Kaufert, Chairman	PRESENT	Gerry Kaiser, Director of Public Works	PRESENT	Nick Piergrossi, Vice Chairman	ABSENT
Kate Hancock-Cooke	ABSENT	Karen Genett	PRESENT		
Gerry Andrews	PRESENT	Ald. Jane Lang	PRESENT		

Also present:

Brad Schmidt, Deputy Director of Community Development	Cassandra Kohls, Administrative Assistant Community Development	Ald. Cari Lendrum
Lauri Asbury – Neenah School District	Betsy Ellenberger – Neenah School District	

Minutes: MSC Kaiser/Andrews to approve the November 26, 2019 meeting minutes. All Aye. Motion passed.

Public Appearances: None. Mayor Kaufert closed Public Appearances.

Public Hearings: None.

Betsy Ellenberger (Neenah School District) introduced herself to the Plan Commission. Mayor Kaufert explained Michelle Swardenski, School District President, will send an email to confirm the appointment of Betsy to Plan Commission. Mayor Kaufert spoke in favor of School Board representation on Plan Commission.

Action Items:

1. Final Plat - First Addition to Integrity Acres

Deputy Director Schmidt provided an overview. First Addition to Integrity Acres is located west of Liberty Heights and south of County Highway G. The proposed plat includes 27 single-family lots, each averaging 24,000 square feet. The development is consistent with the first phase. The final plat conforms to the preliminary plat and applies changes provided in review comment from the city. Integrity way ends east and west and dead ends on the west. Honor Street extends north and south. Sidewalks are planned along Integrity Way and Honor Street which will be located on the east side of the lots. Lots 34-37 have restricted access to County Highway G. Lot 37 includes a vision clearance area. Access along the west side of Honor Street is restricted without the city's approval. Two parcels to the west of the subject may develop in the future. A Development Agreement will be presented to Council next week.

Betsy Ellenberger (Neenah School District) inquired about a sidewalk along Respect Avenue. Deputy Director Schmidt explained that this was not part of the plan. At some point a trail will be located on the north end along County Highway G and on Wooden Shoe and County Highway G.

Mayor Kaufert inquired about Honor Street extending out to County Highway G. Deputy Director Schmidt explained that Honor Street met the minimum distance requirements from the intersection. The west portion functions as a driveway. The county requires a separation of 600 feet between driveways. The developer purchased this as an access point. Mayor Kaufert asked if the driveway will be brought up to street standards. Deputy Director Schmidt confirmed.

MSC Kaiser/Genett to recommend Common Council approve the Final Plat for the First Addition to Integrity Acres subdivision. All Aye. Motion passed.

Discussion Items:

1. Gravel Driveways

Deputy Director Schmidt explained that Ald. Lendrum raised the discussion at Common Council about requiring hard surface for driveways.

Ald. Lendrum spoke in favor of creating an ordinance requiring impervious material for driveways for any new construction. She clarified that her intent was not to require this when a home changed hands during a sale. She is looking for consistency with new builds. She explained Menasha has a similar process and it has been positive for the community.

Mayor Kaufert explained Habitat for Humanity has recently changed their policy to now include garages with new home construction. Driveways are not part of the programming.

Ald. Lendrum explained Habitat for Humanity offers interest free loans for new construction. Property owners will pay much less for impervious driveways or garages if this is included with the no-interest construction loan rather than if they wait and will be then paying full retail.

Deputy Director Schmidt explained staff could ask Ryan Roth if that is what the ordinance requires that they do.

CA

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Mayor Kaufert cautioned that this may hinder the amount of construction as Habitat for Humanity would not be building as many new homes.

Deputy Director Schmidt inquired about the enforceability. He explained in older neighborhoods with gravel driveways, parking on grass is typical. He would like to explore allowing existing gravel driveways to remain and be maintained but limiting expansion.

Ald. Lendrum raised concern about runoff with gravel driveways. She address Mayor Kaufert's concern about hindering Habitat's amount of new construction indicating Menasha has not seen a decrease in construction.

Member Genett indicated the State took away municipalities' ability to require updates such as this at the time of closing.

Ald. Lendrum inquired about the ability to install an asphalt pad next to gravel. Deputy Director Schmidt explained that this would be allowable.

Director Kaiser indicated the ordinance requires any gravel apron to be hard surfaced within a year of the redo of the street. As streets are redone, gravel aprons are eliminated.

Member Genett raised concern about driveway installations in larger portions of the front yards. She cited a property located on Henry St. She asked if this was allowable. Deputy Director Schmidt explained that this is currently allowable, however, some communities restrict that if it becomes an issue. The challenge is with smaller lots.

Ald. Lang questioned when an apron is installed before the street is finished. She was in favor of the gravel apron up until the point that the street was finished. At that point, a hard surface apron would be appropriate.

Member Andrews explained that Green Bay Habitat for Humanity requires garages. He spoke in favor of this as it eliminated outside storage. He questioned how to define alternative materials such as permeable pavers. Deputy Director Schmidt explained the ordinance includes anything that is not gravel.

Ald. Lendrum cited a property on Meadowview that has a gravel apron. She indicated this caused a concern from neighbors as they paid for the street assessment. Neighbors were concerned that the asphalt edges of the street would wear away over time from the gravel and would require repairs.

Director Kaiser indicated there would needs to be consideration for new buildings built 1 year after the road was constructed. There are no requirements for those driveway aprons to be hard surfaced.

Ald. Lendrum inquired about who would pay for the new apron. Director Kaiser explained the owner would pay.

Betsy Ellenberger (Neenah School District) inquired about garages being detached verses attached. If the property owner initially installs gravel until the street was constructed, who pays for that redo? She explained a lot of people wait to remove the gravel. This is an added cost for the prospective home buyer.

Director Kaiser explained gravel aprons must be removed within 1 year after the final street is installed. He further explained "final" means that curb and gutter and black top have been installed. This is not a requirement when there is just a temporary mat.

Mayor Kaufert asked if the Loan Assistance Fund would assist with driveway updates. Deputy Director Schmidt indicated he would look into that.

Betsy Ellenberger (Neenah School District) inquired about the number of gravel driveways. Deputy Director Schmidt indicated that our Code Enforcement officer is documenting this information.

Member Genett asked about the handling of calls due to parking on grass. Deputy Director Schmidt explained our Code Enforcement officer will perform an inspection, send a letter, perform a follow-up inspection, another letter would be sent, and then a citation would be issued.

Member Andrews inquired whether the code would consider design parameters. He referenced a chip driveway with solid stone borders.

Deputy Director Schmidt indicated he would work with Ald. Lendrum to create a draft of the ordinance and bring this back to Plan Commission and Public Services and Safety.

Mayor Kaufert indicated that there should be consideration to include materials that are good for the environment.

2. Garages

Deputy Director Schmidt explained that the necessity to require garages stemmed mostly from Habitat for Humanity construction. An ordinance to require garages could be developed.

Ald. Lendrum indicated that Habitat for Humanity fill in new construction does not fit with existing neighborhoods. She would like to see more rehabilitation of existing homes.

Announcements and Future Agenda Items:

Next Plan Commission meeting is scheduled for January 7, 2020.


Adjournment: The Commission adjourned its meeting at 4:50 P.M. MSC Kaiser/Andrews. All Aye.

Respectfully Submitted,



Cassandra Kohls
Administrative Assistant, Community Development



DATE: February 5, 2020
TO: Mayor Kaufert and Plan Commission
FROM: Brad Schmidt, AICP, Deputy Director 
RE: Special Use Permit – 410 Walnut Street – Urban Farm

Request

Phil Popour, is requesting a Special Use Permit to establish an urban farm located at 410 Walnut Street.

Consideration

The subject site is approximately 7,400 square feet in size and is currently undeveloped. The site was most recently used as an electric substation by WE Energies, however, the equipment was removed and the site decommissioned in 2018. The property is zoned M -2, Multi-Family Residence District.

The M-2 zoning district requires this use to obtain a special use permit. Each zoning district includes a list of Permitted Uses or uses allowed by right and Special Uses or uses that possess special characteristics or uniqueness which require thorough review of their location and configuration relative to the surrounding neighborhood. Specifically, the City's Zoning Code requires that the Plan Commission consider the following findings when deciding on a Special Use:

1. The use shall be compatible with the adjacent land uses so that the existing uses will not be depreciated in value and there will be no deterrents to development of vacant land.
2. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
3. The use shall be reasonably related to the overall needs of the City and to existing land use patterns.
4. The use will not cause traffic hazards or congestion.
5. The use shall have adequate utilities, access roads, drainage, and other necessary facilities.

The applicant is proposing to use the site as a private urban farm, however, there may be educational opportunities for the community. This will not be a community garden where the plots are leased or rented to the public. The site plan identifies that location of the garden beds and accessory structures. The applicant included a 10' x 20' greenhouse on the north property line, but would prefer a larger greenhouse measuring 12' x 20' x 7' and a small garden shed 12' x 12' in area. Additionally, the applicant is proposing a small solar panel array on the east property line. The solar array could be located on the roof

of shed if the shed is permitted. Compost bins would be located on the northeast corner of the property. Finally, the applicant would maintain the existing fence on the property and add a fence section along the front property line.

The proposed use of this site is consistent with the character of the surrounding residential neighborhood. Land north, south, west, and east includes single-family residences. The proposed urban farm is no different than any backyard garden that is permitted without any review by the City. The difference with this use is that it's the primary use of the site, not an accessory use. The proposed use will not increase traffic within the neighborhood and Staff is recommending that the applicant utilize public parking adjacent to the site as opposed to constructing on-site parking. At this point there will be no use of public utilities (water and sanitary sewer). All water usage will be from rain water collected on the site.

Recommendation

Plan Commission finds that the proposed use meets the findings of fact for a Special Use Permit (Sec. 26-48) and recommends Common Council approve a Special Use Permit for an urban farm located at 410 Walnut Street subject to the conditions of the Approval Letter.



City of Neenah Community Development
211 Walnut Street
Neenah WI 54956
Ph 920.886.6130

February 07, 2020

PHILIP POPOUR

308 DIVISION ST
NEENAH, WI 54956

RE: Urban Farm (Garden) Special Use Review (410 Walnut St) Status Approved

Dear PHILIP POPOUR:

We have completed our review of the plan identified above. The plan was approved per attached comments, if any. This letter is not to be construed as a zoning compliance, grading, building permit, certificate of occupancy, or a substitute for any permit or certificate required by any state or federal government entity.

Sincerely,

Brad Schmidt
Deputy Director of Community Development and Assessment
bschmidt@ci.neenah.wi.us
920-886-6126

Plan Review Comments

**Planning - Brad Schmidt -
bschmidt@ci.neenah.wi.us**

Approved

Review Comments:

There shall have no paved or graveled driveway/parking space. Parking is available adjacent to the property.

The proposed fence along Walnut Street shall not exceed 3 feet in height.

No outdoor lighting is permitted.

All structures, compost bins, water collection systems, and solar array shall meet the minimum setbacks as identified in the Zoning Code.

There shall be no signage on this property.

**Community Development - Chris Haese -
chaese@ci.neenah.wi.us**

Not Applicable

Review Comments:

**Inspections - Building Commercial - Brian Walter - 920-886-6131
bwalter@ci.neenah.wi.us**

Approved

Review Comments:

Rain water equipment, composting area and solar panel must follow current municipal rules for setbacks and enclosures.

410 Walnut Street








410 Walnut Street

1 inch = 20 feet



Garden beds = 

Flower beds = 

walk ways = 

- Each garden bed is 30" x 25' with a 18" walkway
- Rain barrels behind greenhouse collect water from the roof.
- Power from small solar station near back of Lot

URBAN FARM

Special use permit request

Submitted by:

Philip Popour

ppopour@gmail.com

920-256-9425

This request is to seek approval for a special use permit for the vacant lot located at 410 Walnut Street, the former WE Energies power station site. I am seeking permission to utilize the property for the use of urban agriculture. This project would establish the property as a market garden, growing a variety of fruits and vegetables. As an expansion of a small garden in my own backyard I hope to provide locally grown produce to be sold in the community. I practice beyond organic, natural farming techniques that use no chemicals, pesticides, or toxic products. With its close proximity to local restaurants, farmers markets, and the heart of downtown Neenah this can be done with very little impact to the environment and a low carbon footprint. I hope to share this project with the community as much as possible and work with other local businesses to bring us all closer together.

I wish to be completely transparent in my operations and intended use of the property at 410 Walnut Street. I have also attached responses to the guidelines of request for special use permit Sections 26-49. I understand that some of these are very basic responses and will require further explanation as concerns arise. I assure you I have put a lot of effort and thought into in depth answers to these questions and many more. Growing food in an urban environment comes with a great deal of rewards, but also poses a large amount of challenges. To overcome these challenges I will attempt to explain some of the basic systems and practices that will be used and put in place. These include but are not limited to; starting plants and season extension, water needs, garden waste, electrical needs, and building structures.

In order to grow the greatest quality produce possible requires the use of practices that most individuals may be unfamiliar with and may seem out of place in an urban environment. In our WI climate we have a very short growing season, in order to extend this season, extension practices must be put in place. These include starting plants in a greenhouse and covering crops with row covers.

To get an early start plants must be started weeks and sometimes months ahead of in ground planting in a controlled environment. In this case a small greenhouse/nursery that will serve multiple purposes throughout the season.



I purchased this 12 x20 greenhouse from Wittenburg Highschool to help them raise money to purchase a new larger greenhouse. (yes it needs to be cleaned)

Once outdoor planting takes place comes the next phase in season extension. This involves covering up the plants in the ground with lightweight fleece called row covers that are supported on small wire hoops. These row covers serve many purposes including, frost protection, shading on very hot days, pest protection and helping to eliminate the need for harmful chemicals used in most vegetable production. They are also great at keeping squirrels out when seeding crops directly in the soil until they get established.

Examples of the placement of row covers (left)





Example of row cover over crops along side stakes for cucumber plants(above)

To provide the water needed to irrigate the crops I intend to do my best to utilize solely rain and the collection of rainwater. The rain water would be collected from rain gutters on the greenhouse, also from a purpose built rainwater collection unit that could be freestanding. The water will be stored in large tanks and pumped throughout the property by means of an irrigation pump. These tanks would be comprised of IBC totes that are readily available and locally sourced. To power the pump and any other small energy requirements on the property a small array of solar panels will be placed on the back of the property.

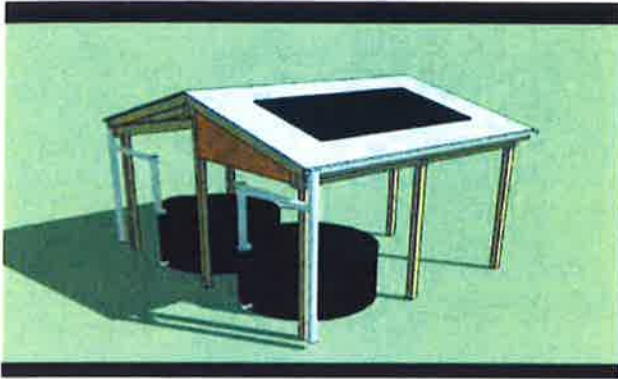


IBC tote(left)



These totes can be easily hidden on the property

Basic design of a rain collection roof with Solar panel and water storage tanks. This whole system can be integrated onto a Garden shed roof and therefore be even more practical in its placement and usage. (see additional photo examples below)



All properties produce environmental waste in the form of grass clippings, tree branches, fall leaves and annual flower debris. My goal is to turn all this waste into a nutrient rich compost to help feed the soil and the plants and help achieve a closed loop waste system. For this a small composting area would be setup in the northeast corner of the lot. This would be a contained system and maintained regularly.



While I understand the purpose of the municipal codes and the function they serve in the community, I would like to additionally request a leniency on the limitations of accessory structures. The existing code relates to accessory buildings and their allowable square footage and quantity based on the size of the primary dwelling. So I am requesting in addition to the placement of the greenhouse, the allowance for a small garden shed of 12ft x 12ft. This would be placed at the back of the lot and serve multiple functions, including storage for tools and equipment, a second means of rain water collection, and a housing for the solar storage system. As the proposed use of this lot is not conventional in anyway, it does not conform to the guidelines of normal municipal codes. Most city lots in Neenah contain a primary dwelling, detached garage, and a garden shed. The placement of the non permanent greenhouse and the shed fall well below the normal square footage of most city lot structures. The appearance of this shed would be constructed in such a way as to conform to the surrounding homes and not be an eyesore.



Example of a shed with both rainwater collection and solar power generation(left)

As you can see there is a lot of upfront setup involved in getting to a fully functioning market garden. Not unlike a normal construction project things take some time to take shape and are not always representative of the final result. To get to this point, dirt will

need to be moved, fencing installed, garden beds laid out and accessories built and put in place i.e. greenhouse, rainwater system, solar power. Things may not appear in total order at first, but I promise the end result will be a wonderful addition to the community. I have done my best to represent this in a basic site map drawing that only shows a 2-dimensional view of a multi-dimensional project.

I hope to have answered or explained most of the concerns that are present with this request for special use permit, and am more than willing to answer many more. Thank you for your consideration on this matter and I look forward to the outcome, no matter what it is.



Example garden shed design (above)

My own garden in the early spring of 2019



Sec. 26-48. - How determined.

(1)The use shall be compatible with adjacent land uses so that existing uses will not be depreciated in value and there will be no deterrents to development of vacant land

As there is no vacant land surrounding the immediate area bordering the property no impact should be had on development. The property has now remained vacant for an extended period of time, and the use of the property as an urban farm should have no impact on the property values of the surrounding properties.

(2)The use shall have an appearance that will not have an adverse effect upon adjacent properties

The prior use of the property as a power sub-station for We Energies and now a fallow empty lot has much to be desired in terms of curb appeal. Transforming the lot into an urban agricultural space will bring an abundance of vegetation to the lot in a practical & oasis like setting with great improvements on the respects to curb appeal.

(3)The use shall be reasonably related to the overall needs of the City and to existing land use patterns

While the majority of the neighboring properties are homes and municipal buildings the proposed use of the property falls in line with the ever growing demand for locally sourced fruits and vegetables. This property would provide a low carbon footprint way to successfully provide fresh organic foods to our local community. While also offering the potential for being a stepping stone towards providing education within the community, to where their local foods come from and how they are grown.

(4)The use will not cause traffic hazards or congestion

As the space is dedicated to growing produce it won't be a physical business location in the practical sense, so very little additional traffic will be imposed on the area. With its close proximity to an abundance of public parking any parking needs should be easily met.

(5)The use shall have adequate utilities, access roads, drainage and other necessary facilities.

The goal of this project is to be completely self-sustaining in the needs of utilities. Providing water needs by way of rain water collection and relying on nature. The growth of abundant vegetation will also have a positive impact on water run-off from the property bringing it to near zero. By not relying on the city water system great improvements can be made to the soil and the environment. The small amount of electrical needs can be easily met with a small amount of solar energy. Since no formal building will be constructed the need for sewer connection is not needed.

Sec. 26-49. - Special conditions.

(1)Increasing the required lot size or yard dimension

Lot size will remain the same

(2)Limiting the height, size or location of buildings

Requesting permission of use of a small greenhouse with measurements of 12'x20'x7' and a small garden shed of 12'x12'

(3)Controlling the location and number of vehicle access points

No additional access is needed, by utilization of the existing off street driveway with no formal driveway on property.

(4)Increasing the street width

Not Needed

(5)Increasing the number of required off-street parking spaces

Not required

(6)Limiting the number, size, location or lighting of signs

Only the use of a small homemade wooden sign would be used if allowed

*(7)Requiring additional fencing, screening, landscaping or other facilities to protect adjacent or **nearby property***




Use of the existing 5ft vinyl fence with the addition of a decorative street facing fence with an access gate with a height of 4 feet. A short row of rabbit fencing would be attached at ground level to the existing vinyl fencing.

410 Walnut Street



1 inch = 10 feet




Garden beds = 
Flower beds = 
walk ways = 

- Each garden bed is 30' x 25' with a 18" walkway
- Rain barrels behind greenhouse collect water from the roof.
- Water from small solar station near back of lot



MEMORANDUM

DATE: February 5, 2020
TO: Mayor Kaufert and Members of Plan Commission
FROM: Brad Schmidt, AICP, Deputy Director 
RE: Final Plat Review, Castle Oak VI

Request/Background

The Department of Community Development and Assessment has received a final plat for the Castle Oak Subdivision Phase 6 (Castle Oak VI). The first phase of the Castle Oak subdivision was platted in 2004, while the second and third phases were platted in 2007 and 2009 respectively. The fourth phase was platted at the end of 2014, while the fifth phase was platted in 2017. The proposed plat conforms to the original concept plan for the Castle Oak Subdivision in regards to lot layout and street alignment and is the final phase of the development.

Consideration

The proposed plat, 9.53 acres in size, includes 33 single-family residential lots located south of Castle Oak Drive and west of Marathon Avenue. The land is currently zoned R-1, Single-Family Residence District. The average lot size is approximately 9,750 square feet which exceeds the minimum lot size for single-family residential lots. Southpark Industrial Center is located west of the proposed development, while land north, south and east include residences in the Castle Oak subdivision.

The developer will be responsible for installing all public utilities (water, sanitary sewer, and storm sewer) as well as constructing all roads within the plat. As with all subdivisions in the City, an agreement outlining the fees and responsibilities between the City and the developer will be drafted. That agreement will be reviewed by the Finance Committee and the Board of Public Works and ultimately approved by Common Council.

Stormwater will be managed through rear yard drainage swales, storm sewers and ultimately stormwater from this plat will be diverted to an existing stormwater retention pond east of Marathon Avenue and south of Castle Oak Drive. This pond was designed to manage all stormwater within the entire Castle Oak subdivision.

Recommendation

Appropriate action at this time is to recommend Common Council approve the Final Plat of the Castle Oak VI Subdivision.

Castle Oak VI

All of Outlots 1, 2 and 3, Certified Survey Map 7263 recorded as Document No 1750253, being part of the Northwest 1/4 of the Southeast 1/4 and part of the Southwest 1/4 of the Southeast 1/4 of Section 04, Township 19 North, Range 17 East, City of Neenah, Winnebago County, Wisconsin

LOCATION MAP
SE 1/4 SEC. 4, T. 19 N., R. 17 E.,
CITY OF NEENAH
WINNEBAGO COUNTY, WI



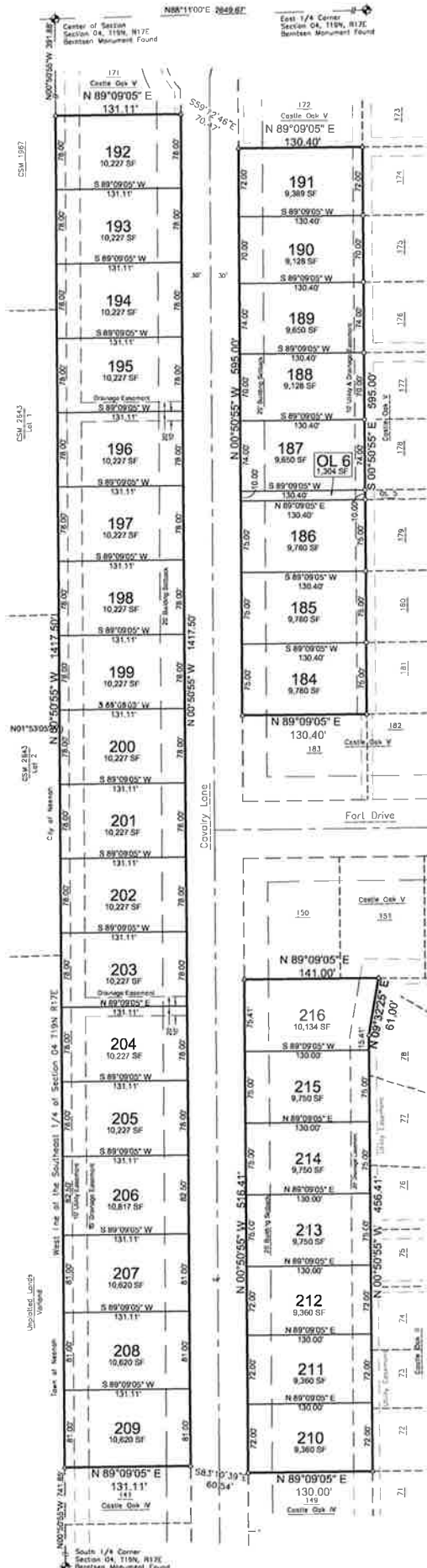
Bearings are referenced to the West line of the Southeast 1/4, Section 04, T. 19N., R. 17E., assumed to bear N00°03'40\" W, base on the Winnebago County Coordinate System.

NOTES

- All linear measurements have been made to the nearest one hundredth of a foot.
- All bearings are computed and measured to the nearest second.

LEGEND

- A 1/2" Rebar Found
- o 3/4" Rebar Found
- All other corners
- 6" x 18" Steel Rebar @ 1.50ft x LF SET
- ◊ Conveyment Corner
- SF Lot Areas in square feet
- () Recorded As



Surveyor's Certificate

I, James R. Sehoff, 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 City of Neenah, and under the direction of Castle Oak Development, LLC, owner of said land, I have surveyed divided and mapped Castle Oak VI; that such plat correctly represents all exterior boundaries and the subdivisions of the land surveyed; and that this land is All of Outlots 1, 2 and 3, Certified Survey Map 7263 recorded as Document No 1750253, being part of the Northwest 1/4 of the Southeast 1/4 and part of the Southwest 1/4 of the Southeast 1/4 of Section 04, Township 19 North, Range 17 East, City of Neenah, Winnebago County, Wisconsin, containing 330,905 Square Feet (7.5955 Acres) of land described, subject to all easements and restrictions of record.

Given under my hand this _____ day of _____

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

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

Owners of record:	Recording Information	Percel No(s):
Castle Oak Development, LLC.	Doc No. 1389255	All of 802-1600-01-01 All of 802-1600-01-02 All of 802-1600-01-03

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.31(1) and (3), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 30 _____

Department of Administration



File: 5025final.dwg
Date: 01/24/2020
Drafted by: jim
Sheet: 1 of 2
Revision Date: Jan 24, 2020



DAVEL ENGINEERING & ENVIRONMENTAL, INC.
CIVIL ENGINEERING CONSULTANTS
1811 Racine Street, Neenah, WI 54952
Ph: 920-991-1868 Fax: 920-830-9595
www.davel.com

Castle Oak VI

All of Outlot 1, Outlot 2 and Outlot 3, of CSM 7263, recorded as being part of the Northwest 1/4 of the Southeast 1/4 and part of the Southwest 1/4 of the Southeast 1/4 of Section 04, Township 19 North, Range 17 East, City of Neenah, Winnebago County, Wisconsin

Owner's Certificate of Dedication

Castle Oak Development, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as 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.

Castle Oak Development, LLC, does further certify this plat is required by a 236.10 or a 236.12 to be submitted to the following for approval or objection:

City of Neenah
Winnebago County Planning and Zoning Department
Department of Administration

Dated this _____ day of _____, 20____

In the presence of: Castle Oak Development, LLC

Kevin Elsmann, Managing Member

State of Wisconsin
County/ies _____

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

My Commission Expires _____
Notary Public, Wisconsin

Common Council Resolution

Resolved, Castle Oak VI, in the City of Neenah is hereby approved by the Common Council on

this _____ day of _____, 20____

Mayor _____ Date _____

Clerk _____ Date _____

City of Neenah Planning Commission Approval Certificate

Castle Oak VI is hereby approved by the City of Neenah Planning Commission.

Planning Commission Representative _____ Date _____

Utility Easement Provisions

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

Castle Oak Development, Grantor, to

WE Energies, Granite,
SBC Wisconsin, Granite,
and
Wisconsin Electric Power Company and Wisconsin Gas, LLC, Wisconsin corporations doing business as We Energies, Granite,
SBC, Granite,
and
Spectrum, 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 this 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, thereon, 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 Grantee agrees 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 Grantee 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 Grantee's facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantee. 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 Grantee.

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

Castle Oak Development, LLC

Managing Member _____ Date _____

Mortgagee's Certificate

Fox Community Credit Union, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, Mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat, and does hereby consent to the above certificate of Castle Oak Development, LLC, owner.

IN WITNESS WHEREOF, the said Fox Community Credit Union has caused these presents to be signed by

_____, its President, and countersigned by

_____, its Secretary or Cashier, at _____, Wisconsin, and its corporate seal to be

hereunto affixed this _____ day of _____, 20____

President _____ Date _____

Secretary or Cashier _____ Date _____

State of Wisconsin
County/ies _____

Personally came before me this _____ day of _____, 20____, _____, President,

and _____, Secretary (cashier) of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary (cashier) of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

My Commission Expires _____
Notary Public, Wisconsin

Treasurer's Certificate

We, being the duly elected, qualified and acting Treasurer of the City of Neenah and Winnebago County, do hereby certify that in accordance with the records in our office, there are no unredemption tax sales and unpaid taxes, or special assessments on land of the land included in this Subdivision Plat.

County Treasurer _____ Date _____

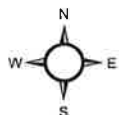
City Treasurer _____ Date _____

James R. Behoff, Wisconsin Professional Land Surveyor No. S-2692 Date _____
Jim@davel.pro

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (3), Wis. Stats. as provided by s. 236.12, Wis. Stats.
Certified _____, 20____
Department of Administration

File: 5025final.dwg
Date: 01/24/2020
Drafted By: jim
Sheet: 2 of 2
Revision Date: Jan 24, 2020

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
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1 inch = 400 feet

Castle Oak VI