

Minutes of Plan Commission Meeting June 4, 2007

Held at the Town Hall on County Highway G

Town of Holland, Sheboygan County, Wisconsin

The numbering of the minutes corresponds to that of the Agenda:

1. The meeting was called to order at 7:30 p.m.
2. The assembly recited the Pledge of Allegiance.
3. Chairman Becker certified that the requirements of the Wisconsin Open Meetings law had been met.
4. The Agenda (order changed from 10,11,12 to 12,10,11) was adopted as the official order of business on a motion by Ken Nyhuis. The motion was supported by Eugene Schmitz and passed by a unanimous voice vote.
5. Roll Call showed in attendance Chairman Donald Becker, Ken Nyhuis, Eugene Schmitz, Dave Huenink, Jan Rauwerdink, Roy Teunissen, Trevor Mentink, and Tom Huenink. Absent were Claus Weingaertner and David Mueller.
6. The minutes of the May 7 and May 21, 2007 meetings of the Plan Commission were approved with a motion by Jan Rauwerdink. The motion was supported by Dave Huenink and passed by a unanimous voice vote.
7. Public Input:

Bob Elkin PE introduced himself and his firm, Northern Environmental as a candidate to serve the Town in a consulting capacity, as for the proposed gas station/mini mart. The firm's hourly billing ranges \$78-123.

An unidentified man questioned if he might move a house to a vacant R1 lot where a mobile home stood in the past. The Town's requirement would be the same as for new construction. Nothing can become more non-conforming than it is already. A building permit would be needed.

John Jepson asked if he could move a 400 sq. ft. 1860s log cabin to an A5 lot where only a storage shed exists. The cabin would be used occasionally for "birthday parties." Chairman Becker observed (1) that a single-family house should precede the erection of accessory buildings, (2) that a conditional use permit cannot be granted for anything not on the list of CUPs in A5, (3) posed the question, does this cabin fit the meaning of a general use farm building? The latter question will be on the agenda next month for a decision.

An unidentified man asked if a 12 x 16 foot bathhouse/changing house with deck could be built next to a pond on an A1, 36-acre lot where other buildings do not now exist. This question will be the agenda next month for a decision.

8. Public Hearing on two requests:

A request from Daniel L. and Ruth A. Schueller for a change of zoning from A-2 to A-5 and a conditional use permit for a single-family residence. To be built on a 27-acre parcel where no residence now exists, zoned A-2, tax key no. 59006065326, located at N986 Knepprath Road. The Schuellers declined to speak, resting on their application. No one else from the public spoke. This lot is where a substation was once going to be.

A request from Joyce Rauwerdink for a lot division and a change of zoning from A-1 to A-5 on a 5-acre parcel containing the existing house and buildings, to be derived from a 40-acre parent parcel, tax key no. 59006062440, zoned A-1, located at N2054 Rauwerdink Road. Ted Scharl spoke in favor of the application and presented a revised CSM with the requisite language. He will bring the original to the Board meeting. The parent parcel is 80 acres, not 40 acres as given in Plan Commission documents. A

deed for the 80-acre parcel was presented. The 75 acres would remain A1 after the 5-acre lot is separated and rezoned to A5. No one else from the public spoke.

Eugene Schmitz moved to close the public hearing, supported by Dave Huenink, passed by a unanimous voice vote.

9. Deliberate and take action on two requests:

A request from Daniel L. and Ruth A. Schueller. The request was examined for consistency with the Zoning Ordinance and, found consistent, *Dave Huenink moved to recommend to the Board approval of the request to rezone the parcel from A2 to A5 and, contingent on the Board's approval of that, to grant a conditional use permit for a single-family residence. Eugene Schmitz supported the motion which passed by a unanimous roll call vote.*

A request from Joyce Rauwerdink. Chairman Becker expressed a concern that, if the request is approved, the 75-acre A1 parcel of high-quality farmland would eventually develop with another residence(s) someday. Ted Scharl said the septic system would be upgraded. The request was examined for consistency with the Zoning Ordinance and, found consistent, *Eugene Schmitz moved to recommend to the Board approval of the land division and a change on zoning from A1 to A5 on the 5 acres with the existing buildings. Dave Huenink supported the motion which passed by a unanimous roll call vote.*

10. Review of compliance status of signs near intersection of Sauk Trail Road and County LL and decide how best to address non-conforming signs. Section 20.260 is applicable. This matter is tabled until the next regular meeting of the Plan Commission.
11. Section 20.220.04 requires that conditional use permits to be filed, along with a land covenant, at the register of deeds by the party granted the conditional use permit. Discuss and act upon conditional use permit and land covenant forms provided by Gerry Antoine, Town attorney. This matter was discussed, resulting in the rule: If a conditional use permit is to be transferable with the land, then the CUP and an accompanying Land Covenant must be drawn up and recorded at the Register of Deeds. If a conditional use permit is for a particular grantee only, and does not go with the land, then that CUP does not need to be recorded and no Land Covenant is required.
12. Previously tabled matters: the only outstanding matter was that of the Navis-Stecker application for a CUP for a gas station/mini mart. Brian Stecker appeared, giving a progress report: the architects are 35% done; State approvals expected next month; the restrictive covenant is done; the driveways are marked out. The Plan Commission took no action.
13. Public Input: none
14. The attendance record for May 2007 was approved with a motion by Dave Huenink The motion was supported by Chairman Donald Becker and passed by a unanimous voice vote.
15. The meeting adjourned at about 8:40 p.m. on a motion by Dave Huenink, supported by Trevor Mentink, passed by a unanimous voice vote.

Respectfully submitted,
Syd Rader, Clerk Plan Commission Town Holland
June 12, 2007