

Minutes of Plan Commission Meeting July 2, 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 (with 11 and 12 interchanged) was adopted as the official order of business on a motion by Jan Rauwerdink. The motion was supported by Ken Nyhuis and passed by a unanimous voice vote.
5. Roll Call showed in attendance Chairman Donald Becker, Ken Nyhuis, Eugene Schmitz, Jan Rauwerdink, Roy Teunissen, Trevor Mentink, and David Mueller. Absent were Claus Weingaertner, Tom Huenink, and Dave Huenink. Tom Huenink and Dave Huenink were excused – both advised of their absence in advance.
6. The minutes of the June 4, 2007 meeting of the Plan Commission were approved on a motion by Eugene Schmitz. The motion was supported by Roy Teunissen and passed by a unanimous voice vote. The minutes of the June 25, 2007 meeting of the Plan Commission were approved, with one correction, on a motion by Chairman Donald Becker. The motion was supported by Eugene Schmitz and passed by a unanimous voice vote.

7. Public Input:

Donna Berndt, who wants to run an internet business out of her home, was advised that the Plan Commission concurs with her interpretation of the Zoning Ordinance, meaning that she does not need a conditional use permit for the business that she described.

Lori Walker reserved her comments for later in the meeting (see below).

Rev. Frank Smith commented on the Brian Stecker gas station/c-store project, expressing concern about light pollution and opposing business on the Lord's Day (Sunday).

8. Public Hearing on two requests:

A request from Lee and Ruth Hesselink for a change of zoning from R-1 to A-5 for the purpose of raising domesticated animals as a hobby or 4-H project. The 5-acre parcel is located at N2163 Frontage Road, tax key no. 59006071980. Lee Hesselink spoke in favor of the request, answering questions from the Plan Commission. Public opposition was not expressed. Trevor Mentink moved to close the public hearing. Jan Rauwerdink supported the motion which passed by a unanimous voice vote.

A request from Hal Steffen (aka H. Steffen Enterprises) for a change of zoning from A-2 to A-5 on a vacant 5.49-acre parcel and for a conditional use permit for a single-family residence. The parcel is located at 3934 W. County Road A South, tax key no. 59006061600. Charles Lammers appeared as Hal Steffen's representative, answering questions from the Plan Commission. Public opposition was not expressed. Eugene Schmitz moved to close the public hearing. Dave Mueller supported the motion which passed by a unanimous voice vote.

9. Deliberate and take action on two requests:

Lee and Ruth Hesselink: A site map was not included in the application but, in questioning, it developed that the barn is 4-5 feet from a lot line, a setback inconsistent with the requirements for A-5. *Chairman Donald Becker moved to recommend to the Board denial of the request for rezoning because the barn*

does not conform to A-5 setbacks. Eugene Schmitz supported the motion which passed by a unanimous roll call vote. Chairman Donald Becker asked that the requirement to provide a site map as part of rezoning/cup requests be reviewed at a later time, as this case shows why.

Hal Steffen: The lot is partly within Shoreline Zoning, making Section 20.03.06 applicable. Eugene Schmitz moved to recommend to the Board approval of the rezoning from A-2 to A-5. Ken Nyhuis supported the motion which passed by a unanimous roll call vote. Setbacks of the proposed residence were seen to be adequate. Ken Nyhuis moved to approve a conditional use permit for a single-family residence. Roy Teunissen supported the motion which passed by a unanimous roll call vote.

10. Previously tabled matter: Brian Stecker request for a conditional use permit for a gas station/mini-mart. Brian Stecker appeared together with staff members of Abacus Architects, making presentations and answering questions, supported by a set of drawings. Of these required permits:

Building Permit	Department of Commerce
Detention Pond Permit	Department of Commerce
Highway 32 Access	D.O.T.
Highway "A" Access	Sheboygan County
Canopy Permit	Department of Commerce
Fuel Tank Permit	Department of Commerce
Vapor Recovery Permit	Department of Commerce
Sign Permit	Town of Holland
Well Permit	Sheboygan County
Septic Permit	Sheboygan County

The Department of Commerce and DOT permits are pending. Near the end of July, the DOT permit is expected back, at which time Brian Stecker intends to break ground. The Plan Commission noted the lack of a landscape plan, a lighting plan, an hours-of-operation plan, and the lack of an independent consultant to advise the Town. Eugene Schmitz moved to give Chairman Donald Becker the authority to hire an independent consultant to advise the Town, especially on such matters as lighting. Trevor Mentink supported the motion which passed by a unanimous voice vote.

11. Comprehensive Plan: Discussion of options, and recommendation to Board regarding selection of consultant for Comprehensive Plan. In the absence of checked references, Chairman Donald Becker moved to table the recommendation until next month's regular meeting. The motion was supported by Trevor Mentink and passed by a unanimous voice vote.
12. Decide on two questions that arose last month:
- 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." Mr. Jepson passed out photographs of the cabin and answered questions from the Plan Commission. Chairman Donald Becker had sought the advice of the Town's Attorney, who advised that a conditional use permit for the cabin, under the circumstances, is contrary to the Zoning Ordinance, citing 20.03.03. The Plan Commission advised Mr. Jepson to petition for an amendment under 20.310 of the Zoning Ordinance.
 - Larry Brumm 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. Mr. Brumm made a presentation with a handout. The Town's Attorney, Jerry Antoine, had advised Chairman Donald Becker that the proposed bathhouse cannot be construed as a farm building. The Plan Commission advised Mr. Brumm to petition for an amendment under 20.310 of the Zoning Ordinance.

13. Selection of an engineering consultant and recommendation to Board:

Northern Environmental
Abacus Architects

Chairman Donald Becker observed that a range of in-house capability/diversity is on display among the four candidates, but that costs would be lowest for Abacus Architects which is located near the Town, thereby reducing travel expense. All firms and engineers that came before the Plan Commission were found to be highly qualified, making the selection difficult. *Chairman Becker moved to recommend to the Board that Abacus Architects be notified to serve as the Town's consultant, provided they do not enter into any business relationships that would place them in a conflict of interest. The motion was supported by Eugene Schmitz, passing by a roll call vote with a lone dissent by Trevor Mentink.*

14. Public Input:

Scott Walker, who lives on KW, expressed opposition to the Stecker gas station project, citing noise, traffic, conflict with farming community.

Lori Walker expressed opposition to the Stecker gas station project, citing the Comprehensive Plan which called for preservation of farmland and open spaces, aesthetic beauty, and the zoning of businesses in the 57 and 43 corridors, and that neighbors learned of the project too late to participate in the original public hearing. Ms. Walker said a petition had been started and advised the Plan Commission to wait to act until the new Comprehensive Plan is done.

Mark Bolt spoke in opposition to the Stecker gas station.

Tim Malueg, in opposing the Stecker gas station, asked why the the Town needs another gas station.

Steve Schueller agreed that another gas station is not needed and recommended placing it in the 57 or 43 corridors.

Chairman Becker explained that the Comprehensive Plan is not a document that can be used to drive zoning decisions. Rather, the zoning ordinance needs to be revised to implement the Comprehensive Plan. Mr. Becker also pointed out that the public has some responsibility to stay informed by noting information on our web site and the notices published in the newspaper. Ivy Nevala suggested that consideration should be given to increasing the radius within which the potentially affected neighbors are notified by mail of any pending public hearings.

15. The attendance record for June 2007 was approved with a motion by Donald Becker. The motion was supported by Ken Nyhuis and passed by a unanimous voice vote.

16. The meeting adjourned at 10:03 p.m. on a motion by Trevor Mentink, supported by Dave Mueller, passing by a unanimous voice vote.

Respectfully submitted,
Syd Rader, Clerk Plan Commission Town Holland
July 3, 2007