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Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Monday, March 3, 2014

Time: 7:30 pm

Place: Town of Holland Hall, W3005 County Road G

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

1. Call to order
Chairman Don Becker called the meeting to order at 7:31 PM.
2. Pledge of Allegiance
The Pledge of Allegiance was recited.
3. Certify that the requirements of the Wisconsin Open Meetings law have been met.
Chairman Becker so certified.
4. Record retention certification.
The acting Plan Commission clerk stated record retention was up-to-date.
5. Roll call:
Attendees: Don Becker, Dave Huenink, David Mueller, Jan Rauwerdink, Roy Teunissen, Jack Stokdyk, Eugene Schmitz
Absent: – Trevor Mentink Nathan Voskuil
Attendee: - Tom Huenink – Building Inspector
Absent:– Louise Huenink - Clerk
6. Adopt agenda as official order of business
Don suggested that items 11 and 12 be moved to be after item 16, based on the audience.
David Mueller made a motion to adopt the so revised agenda and Eugene Schmitz supported the motion. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).
Jack Stokdyk made a motion to approve the minutes as presented and Eugene Schmitz supported. The motion passed by a unanimous voice vote.
8. Review/approve attendance records for prior meeting(s).
David Mueller made a motion to approve the attendance records as presented and Jan Rauwerdink supported. The motion passed by a unanimous voice vote.
9. Review/approve building permits report
Jack Stokdyk made a motion to approve the building permits report as presented and David Mueller supported. The motion passed by a unanimous voice vote.

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10. Public input

Diane Kitelinger, Christine Burr, Thomas TeRonde

Parcel 59006071370 on Stodyk-Ingelse Road, 9.67 acres, R-1, about 180-foot road frontage
The parcel is jointly owned by the three people in attendance and they want guidance on dividing it. An aerial view of the property was provided. There is no change to intended use. One of the three people wants to solely acquire the front portion of the property along Stodyk-Ingelse Road, including the house, garage and barn further back. Their proposed division would create a back parcel with no road frontage and therefore was not possible. A flag lot was discussed, since R-1 only required 100-ft road frontage and the flag 'pole' required 66-feet. But the existing building placements made that option difficult. It was then mentioned that the same three people jointly own an adjoining A-3 parcel at the back and to the northwest, with a small border overlap, that has frontage on Foster Road. A boundary line adjustment might accommodate their desires. The boundary line adjustment would be handled at the Sheboygan County Planning office. But rezoning would be required so that the parcel has consistent zoning. The Town cannot rezone the R-1 part into A-3. The Town also cannot rezone the A-3 part into R1. It was recommended to rezone both entire original parcels to A-5, and then do a boundary line adjustment. The rezoning part would require a Town Plan Commission Application, available from the Plan Commission Clerk.

11. Public Hearing for the modification to Town of Holland zoning ordinance §330 Article XIII relating to Communication Towers and Antennas

Don Becker opened the Public Hearing at 9:04PM. He asked for any comments from the floor or the commission members, but there were none. Jack Stokdyk made a motion to close the Public Hearing and Roy Teunissen supported. The motion passed by a unanimous voice vote.

12. Discuss/act on the modification to Town of Holland zoning ordinance §330 Article XIII relating to Communication Towers and Antennas

Jack Stokdyk made a motion to recommend that the Town Board adopt the ordinance modifying zoning ordinance §330 Article XIII relating to Communication Towers and Antennas. Eugene Schmitz supported. The motion passed by a unanimous voice vote.

13. Discuss/act on extension of recertification of our ordinances

Don did not hear back from Kevin Struck, though he had not asked until recently. Tabled until a future meeting.

14. Discuss/act on possible ordinance violations

Don will send a letter to Carl Hoffman, asking him to attend a Plan Commission meeting to discuss his actions refurbishing refrigerators, freezers and other such appliances.

Gerald Ansay on Hwy LL did not reply to Tom Huenink yet for a building permit for the new shed. He needs to pay \$150, double the normal fee, since he did not request a permit before starting the work. A Conditional Use Permit is required for having more than two accessory buildings. This permit will not be valid until the Building Permit is issued and fee paid. The related rezoning was approved by the Town Board. The Plan Commission Clerk will provide status of the Conditional Use Permit request and advise Mr Ansay that all fees must be paid.

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15. Discuss/act on the Revive Church being held within a farmer's shed

The Town's attorney, Gerry Antoine, said that the Town would not be liable if any injuries or deaths occurred due to this use. He suggested a temporary Conditional Use Permit be granted. There are four criteria from the State, including that the use cannot be inconsistent with agriculture. But use as a church does not contradict this so could be permitted.

Gerry also suggested contacting the State building inspector. Tom Huenink said this was someone from the Green Bay area and could probably be identified from the State Dept of Industry, Labor & Human Relations as the inspector for district 4.

Jack Stokdyk heard from a church attendee that about 70 to 80 people typically attend and that the congregation was becoming too large for the space provided in the shed.

Don Becker will contact Pastor Rick Ten Dolle at 920-627-3043, as listed in the Lakeshore Weekly.

16. Discuss/act on ongoing issues

a. Status of applications being processed.

Plan Commission Clerk will contact Randall Joose for status.

b. CG Services LLC – Conditional Use Permit compliance of Smies Road property.

The Town's attorney, Gerry Antoine, said that the Town could start a 90-day process to revoke the Conditional Use Permit. Gerry needs a report listing the specific deficiencies so that he can create a letter to send Kevin Claerbaut and his attorney.

The deficiencies discussed were:

North fence not constructed per Site Plan

South fence missing completely

Screening berm/planting along Smies Road is insufficient height

Tom Huenink was asked to provide a brief email listing these. Then to avoid confusion, Don Becker will be the sole contact with the Town's attorney.

c. Exotic animals and reptiles

The Plan Commission Clerk modified the standard application form to incorporate a check box for this purpose.

d. Marcia Voskuil – Children's Day Camp

The Town's attorney, Gerry Antoine, said this was not a Home Occupation. If it was entirely non-profit it would not even be considered an occupation. The only option is to modify Town zoning ordinance for the desired district to allow children's day camps as a permitted use or a conditional use. The commission felt that listing it as a conditional use would be preferred. Don Becker will send Marcia a letter advising that we agree with her intent but cannot allow unless our zoning ordinance is revised. She can petition the Town to do so and then request a Conditional Use Permit.

20. Public input:

Jack Stokdyk questioned the current process of the Building Inspector that was described by Tom Huenink earlier in the meeting, where a Building Permit is issued and then he waits for payment.

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Sometimes that payment is not received in a timely manner. Should payment be required before issuing the permit? This will be an agenda item for the next meeting.

21. Adjourn

Jack Stokdyk made a motion to adjourn at 9:09 PM and Eugene Schmitz supported. The motion passed by a unanimous voice vote.

Respectfully submitted,
David Huenink, Acting Plan Commission Clerk
March 9, 2014