

# DRAFT

## Plan Commission Meeting Minutes

Town of Holland  
Sheboygan County, Wisconsin

Date: Monday, April 1, 2013

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 7:30 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 Plan Commission clerk stated record retention was up-to-date.
5. Roll call:  
Attendees: Don Becker, Dave Huenink, David Mueller, Jan Rauwerdink, Eugene Schmitz, Roy Teunissen, Jack Stokdyk, Nathan Voskuil  
Absentees – Trevor Mentink, Tom Huenink – Building Inspector  
Other attendees: Louise Huenink - Clerk
6. Adopt agenda as official order of business  
Roy Teunissen made a motion to adopt the agenda and Dave Huenink supported. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).  
Don Becker pointed out a typo in Item 12, need to correct “statue” to “statute”.  
Eugene Schmitz made a motion to approve the minutes and David Mueller 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 and Nate Voskuil supported. The motion passed by a unanimous voice vote.
9. Review/approve building permits report  
Dave Huenink made a motion to approve the building permits report and David Mueller supported. The motion passed by a unanimous voice vote.

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## 10. Public input

Sonya Kostuch – Parcel 59006066531, W2189 Smies Road, 5.01 acres, Zoned A-2

Sonya was not present for the public input. Dave Huenink reported that she wants to open a child daycare within her home for up to eight children. She would be the only full time employee. If she would be unable to work due to illness, her daughter would fill in. Both are licensed by the State of Wisconsin. She wants to know if any type of permit is needed for this business. Don Becker indicated that she would need to request a Conditional Use Permit to operate it as a Home Occupation. Louise Huenink will contact Sonya and send her an application form.

## 11. Public hearing for:

A request by Alan & Beverly Garside for a minor land division. The property to be divided is at W3927 Risseeuw Road, parcel number 59006064780 (38 acres, zoned A-1). Mr. Garside wants to divide the 38 acre parcel into a 33 acre and a 5 acre parcel.

This proposal was discussed during last month's Public Input. The Garsides were present in case there were questions, but there were no questions or comments from either side. Eugene Schmitz motioned to close the public hearing and Jack Stokdyk supported. The motion passed by a unanimous voice vote.

## 12. Discuss/act on request by Alan & Beverly Garside

Eugene Schmitz made a motion recommending that the Town Board approve the minor land division on the condition that John DuMez provides a CSM by April 8, 2013 and that the owners acknowledge that this action will use the development rights of 105 acres of the base farm tract as set by DATCP and the Working Lands Initiative. Roy Teunissen supported the motion, which then passed by a unanimous roll call vote. Roy Teunissen – Yes, Jack Stokdyk – Yes, Don Becker – Yes, Dave Huenink – Yes, David Mueller – Yes, Jan Rauwerdink – Yes, Eugene Schmitz – Yes.

## 13. Discuss/act on request by CG Services, LLC

To incorporate changes proposed at last month's meeting, Jamie Rybarczyk updated the Site Plan and Gerry Antoine worked on the Conditional Use Permit. Gerry also combined the Plan of Operation and the Conditional Use Permit into one document. Don Becker reviewed the documents and added comments/corrections, as did Dave Huenink. The resultant draft was reviewed by the Plan Commission during the meeting.

Proposed changes:

1c - REPLACE: "Site Plan and Plan of Operation (including photos and maps) filed in connection with the Application for this Permit, and annexed hereto."

WITH: "approved Plan of Operation that is incorporated into this Conditional Use Permit and the approved Site Plan (Foth's Exhibit A)."

1h – REPLACE: "until CG Services, LLC, within forty-five (45) days of the date of issuance of this Permit, provides the Clerk of the Town of Holland Plan Commission with all information required to file a Land Covenant incorporating all of the conditions of this Permit. If this information is not timely received by the Clerk,"

WITH: "unless (the Applicant) provides all information requested by the Plan Commission Clerk, within 14 days of the request, to enable the preparation of a Land Covenant and unless (the Applicant) provides a signed and notarized Land Covenant as well as fee payment within 14 days of receiving the Land Covenant. If all these requirements are not satisfied,"

2a – REPLACE: "shall" WITH: "may"

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REPLACE: “business” WITH: “landscape and supply business”.

ADD: “All such vehicles, equipment, attachments and parts shall be maintained in operable condition.”

2b – REPLACE: “may” WITH: “shall”

REPLACE: ”attachment” WITH: “attachments”

REPLACE: “may” WITH: “shall”

REPLACE: “may” WITH: “shall”

OMIT: "used solely for operations of the family farm (...) and"

OMIT: "of any accessory structure"

Jack felt the numbers of vehicles, machinery, etc were to high, but it was decided to leave unchanged.

2c – REPLACE: “on the Premises”

WITH: “regularly working on the Premises”

2d – REPLACE: “There will be no regular hours of operation for the landscape and supply business on the Premises.”

WITH: “Pertaining to the landscape and supply business, only employees of CG Services LLC shall be allowed on the premises.”

3c – INSERT: “October 31, 2013” in the date field.

ADD 3d – “The opaque fencing designated on the Site Plan shall be a minimum of six (6) feet in height. The installation of the opaque fence shall be completed no later than October 31, 2013.”

Dave & Louse Huenink will make the above changes in the draft document. It will then be sent to Gerry & Jamie to get any further suggestions and to get a final draft to be reviewed by Don and Dave. Jamie will also need to update the Site Plan to incorporate changes. Once finalized, the draft documents will be forwarded by Gerry to CG Services’ attorney. The Plan Commission intends to take action on the application at the next meeting and encourages the applicants to attend and provide input.

To date no escrow dollars have been received. The question of “Is a copy of an invoice needed?” We will need to check with Gerry on this.

#### 14. Discuss/act on Ordinance with potential changes to §330-61 with respect to the minimum requirements for a lot to be considered buildable

The current Town of Holland ordinance for building on existing non conforming lot contains old state statute language pertaining to lot width and lot area. The new statute no longer contains that language. At this time we cannot accept an application due to how our ordinance is written. A proposed ordinance amending §330-61 had been prepared by the Town attorney. Don Becker recommended removing items A & B from the current ordinance so that it will correlate with the current state & county ordinances. Dave Huenink made a motion to recommend that the Town Board adopt the proposed Ordinance amending §330-61 and Jack Stokdyk supported. The motion passed by a unanimous voice vote.

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## 15. Discuss/act on ongoing issues:

- a. Status of applications being processed.  
Louise Huenink reported that CG Services is the only pending application at this time.
- b. County Farmland Preservation Plan – Farm Preservation Areas.  
Don Becker attended the last meeting and talked with Brett Zumba asking if he knew if the plan for the Town of Holland was complete yet and that we need this by the next meeting in May.
- c. Directive from the Town board to review all previously approved CUPs for home occupations and businesses.  
The clerk is continuing to review old Plan Commission files located within the Town Hall to gather additional information.
- d. Excavation business possibly operating without a Conditional Use Permit  
Louise Huenink replied to Randy Joose's email and is waiting for a reply. It was recommended to send another email and if no reply to have the Town's attorney send a letter to him.
- e. Wind farm project proposed within the Town of Sherman  
Don Becker said the Town of Sherman and the Town of Holland have filed with the Public Service Commission for an emergency rule on the study of low frequency noise before proceeding with the Windy Acres wind farm application. David Huenink said that the County has also passed a resolution supporting the same action. He also reported that a bill supported by several senators was in the state legislature to again allow local government units some control over matters affecting public health and safety. Don talked of an article on the east coast that referenced Wisconsin, a municipality that voted to tear down recently constructed windmills at great expense after nearby health issues, and that a noise expert described how large wind farms are less likely to have the low frequency noise health issues because the multiple sources tend to cancel out each other.

## 16. Public input:

Jack Stokdyk asked if the Plan Commission meetings could be listed in the Lakeshore Weekly's Community Calendar just like the Town Board meetings. Louise Huenink will call the Lakeshore Weekly and request the meetings be included.

## 17. Adjourn

Jack Stokdyk made a motion to adjourn at 10:08 PM and Roy Teunissen supported. The motion passed by a unanimous voice vote.

Respectfully submitted,  
Louise Huenink  
April 2, 2013