

Minutes of Plan Commission Meeting April 4, 2011
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 7:32 p.m. by Chairman Donald Becker.
2. The assembly recited the Pledge of Allegiance.
3. Chairman Donald Becker certified that the requirements of the Wisconsin Open Meetings law had been met.
4. Record Retention Certification: Syd Rader certified that hard-copies and electronic files of the Plan Commission are filed at Town Hall through February 2011. Files more recent than that are in the Clerk's hands.
5. With a re-ordering of the agenda items (9 and 12 moved between 14 and 15), the Agenda was adopted as the official order of business on a motion by Dave Huenink. The motion was supported by Jack Stokdyk and passed by a unanimous voice vote.
6. Roll Call showed in attendance Chairman Donald Becker, Dave Huenink, Jack Stokdyk, Eugene Schmitz, Roy Teunissen, Trevor Mentink, Jan Rauwerdink, Nate Voskuil, David Mueller. Absent excused was Tom Huenink.
7. As amended the minutes of the Plan Commission meeting on March 7, 2011 were approved on a motion by David Mueller. The motion was supported by Dave Huenink, passing by a unanimous voice vote.
8. Public input: Teri Lammers of Lamroe Transport LLC appeared and presented a revised application that would bring the trucking operation within the zoning ordinance. The application included a site plan and plan of operation.

Chairman Becker questioned whether there had been any rezonings in 2010. There had not.

9. This agenda item was handled in revised order, after 14: Discuss/act on possible technical corrections to the zoning and land division ordinances: residence on A-4, trucking business as conditional use on A-4, §330-26A should be corrected to reflect the correct minimum parcel size, correct references in §330 to Ch 335 by changing to Ch 220, change minimum parcel size in A-5 to match that of other agricultural districts, reconcile 330-22 B. (2) (c) [3] (perpetual restriction on A-1 remnant parcel) with §220-15(F) where a 10-year moratorium is placed on property, revise 330-112 to point to §150, have 330-113 point to §150-7, and

revise §220-35 (B) to require 1 copy of CSM for minor land divisions (modify application package and instructions accordingly).

A projector and screen were used to facilitate group participation and live editing. The drafted changes (see Chairman Becker) will be acted upon in May/June:

- Farm residences and nonfarm residence were made a conditional use in A-4. Conditional use transportation related activities were tweaked in A-4, dropping the modifier ‘primarily.’
- A-5 minimum lot size was made consistent at 1.5 acres.
- References in §330 to §335 were changed to §220.
- In all the A-districts additional farm residences were made a conditional use.
- §220-15(F) was made consistent with §330-22 B. (2) (c) [3].
- §330-112 points to §150 on working draft.
- §330-113 points to §150-7 on working draft.
- §220-35 (B) requires 1 not 12 copies of CSM for minor land divisions. PDF copy is still required.

10. Request by Mark Huenink to clarify the ordinance requirements with respect to the current homestead if he chooses to rent the home to his son. The Plan Commission noted that the zoning ordinance does not support the request because the son does not derive >50% of his income from farming, and that this finding hinged on the definition of a “Farm Residence.” The Plan Commission noted that the definition is more restrictive than the state statutes require. Modifications were made to this definition, which will be provided to Gerry Antoine to be included in a draft ordinance revision. The latter will be reviewed in the May Plan Commission meeting.

11. Discuss and take action on a procedure for handling requests to modify the Town of Holland 2030 Comprehensive Plan. Jamie Rybarczyk had provided a copy of a procedure prepared by the Village of DeForest. Don noted that there is neither a prescriptive procedure in the state statutes for handling requests for modifications, nor a procedure in the Town’s Comprehensive Plan. Chapter 9 of the Comprehensive Plan addresses updates to the Plan focusing on matters that must be considered by the Plan Commission when changes are made. Plan Commission members needed more time to review the DeForest procedure, and the matter was deferred to the May meeting.

12. This agenda item was handled in revised order just before item 15: Review and finalize the draft base farm tracts as defined by Sheboygan Co. Planning. Chairman Becker presented the latest maps, one showing roads, the other not. These maps were the result of recent consultations with Sheboygan Co. Planning and are now considered accurate. However, the Plan Commission faces a formidable problem in recording future changes to the base farm tracts.
13. Reports regarding Shoreland Zoning Stakeholders Group. Dave Huenink gave the report. He did not attend the last meeting. The next meeting is on April 8. The group is proceeding methodically, taking a section at a time for review.
14. Finalize a protocol for Plan Commission communications and consultations with Jamie Rybarczyk of Foth. Chairman Becker presented the final procedure (appended to these minutes).
15. Public input. Chairman Becker discussed the upcoming Ralph DeMaster request, recommending that he rezone the house to A-5, perform a boundary line shift, and leaving the land in the rear to the west A-2. On consultation with Keith Foye of DATCP, it became clear that the A-2 land west of the navigable stream could not legally be rezoned to A-1.
16. The attendance record for March 7, 2011 was approved on a motion by Dave Huenink, supported by David Mueller, passing by a unanimous voice vote.
17. The meeting adjourned at 10:09 p.m. on a motion by Jack Stokdyk supported by Don Becker, passing by a unanimous voice vote.

Respectfully submitted,
Syd Rader, Clerk of the Plan Commission, Town of Holland
April 12, 2011

PROCEDURE FOR TOWN OFFICIALS TO OBTAIN ASSISTANCE FROM

FOTH INFRASTRUCTURE AND ENVIRONMENT

Part 2, Section 220 and Section 330

REZONING – LAND DIVISIONS – CUPs – SITE PLAN AND PLAN OF OPERATION

Date of Last Revision: March 7, 2011

Upon review of the information included in the Plan Commission meeting packet or the Board meeting packet, an elected or appointed official of the Town may have some questions that he/she believes is best addressed by Jamie Rybarczyk, Foth Environment and Infrastructure¹. It is also probable that if one official has a question, others could also have the same or similar questions. This procedure was put in place to make sure that the communications with Foth are efficient, and manage the costs incurred by the Town. Even in those situations where the costs are justifiably passed on to the applicant as allowed under the Town's ordinances, we will want to minimize those costs for the applicant.

Therefore, it has been decided by the Plan Commission and Board that such request be directed first to the Chairman of the Plan Commission or the Board member who also sits on the Plan Commission. Either the Chairman of the PC or the Board member who sits on the PC may then decide how best to handle the question. The Chairman or Board member may:

- Inform the official that the question has already been asked of Foth and what information was obtained
- Instruct the official to contact Foth directly
- Choose to contact Foth himself/herself on behalf of one or more officials

Regardless of how the inquiry is handled, the person making the contact with Foth should either prepare phone notes for inclusion into the meeting packet or for distribution at the meeting, or obtain a written response from Foth for inclusion into the meeting packet or for distribution at the meeting.

¹ Foth Environment and Infrastructure will simply be referred to as Foth. Contact information: Foth Infrastructure and Environment, Lincoln Center II, 2514 S. 102nd St; Suite 278, West Allis, WI 53227, Office Tel: 414-336-7908, Cell: (414) 336-7901, Email: Jamie.Rybarczyk@Foth.com