

Minutes of Plan Commission Meeting May 2, 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 7:40 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 March 2011. Files more recent than that are in the Clerk's hands.
5. The Agenda was adopted as the official order of business on a motion by Eugene Schmitz. The motion was supported by Dave Huenink and passed by a unanimous voice vote.
6. Roll Call showed in attendance Chairman Donald Becker, Dave Huenink, Jack Stokdyk, Eugene Schmitz, Roy Teunissen, Jan Rauwerdink, Nate Voskuil, David Mueller, Tom Huenink. Absent excused was Trevor Mentink.
7. The minutes of the Plan Commission meeting on March 7, 2011 were approved on a motion by Dave Huenink. The motion was supported by David Mueller, passing by a unanimous voice vote.
8. Public input: Mark Huenink's son is reportedly likely to purchase, rather than rent, the farm residence from the father. The zoning ordinance with pending changes would allow this residence to continue to be classified as a "farm residence" under the Working Lands Initiative legislation and our Town ordinances.

Mark Arnold of Milwaukee wants to build a small house at the fish farm on Knepprath Road. This might conflict with the zoning ordinance. Mark indicated a desire to erect a small wind generator but the PC pointed out there is a moratorium.

9. Public Hearings
 - a. A request by Ralph J. and Doris M. DeMaster for change of zoning. With reference to a draft CSM drawn by John M. DuMez, Parcel A of 2.80 acres would be rezoned from A-2 to A-5. Parcel B of 2.36 acres would stay zoned A-2,

although it would be merged with an A-1 parcel to the north. This is deemed a boundary line shift, not a land division. The affected parcel is 59006076480 at N966 Hawe Road, presently zoned A-2. Ralph DeMaster appeared and spoke in favor of his request. No one else spoke. David Mueller moved to close the public hearing, supported by Jack Stokdyk, passed by unanimous voice vote.

b. A request by Mike and Kelly Teunissen for a CUP for a single-family residence, replacing an old residence that is to be razed before the new residence is built on approximately the same footprint. The parcel 59006066040 is presently zoned A-5, is approximately 4.94 acres, and is located at N1152 County Road KW. Mike Teunissen appeared and spoke in favor of his request. No one else spoke. David Huenink moved to close the public hearing, supported by Roy Teunissen, passed by unanimous voice vote.

c. A request by Matthew E. Teunissen & Julie A. Teunissen Revocable Trust (Agent Don Teunissen) for a minor land division at W3147 County Road G, tax parcel no. 59006065980, presently zoned A-5. According to a draft CSM drawn by John M. DuMez, "Lot 1" of 2.327 acres is created with about 256 feet of road frontage on G. "Lot 2" of 20.12 acres is the residual parent parcel that lies north of the Onion River. Unplatted land lies to the south of the Onion River. Don Teunissen appeared and spoke in favor of his request. It developed that Don plans to keep 'Fair pigs' in the shed, meaning the planned setback from Lot 1 would be insufficient. Arrangements with the Board of Appeals have already been made for a hearing on May 19. David Mueller moved to close the public hearing, supported by Jack Stokdyk, passed by unanimous voice vote.

10. Deliberation/action on the Estate of Douglas Mamayek Sr's modified request for a minor land division and a CUP for a nonfarm residence, continued from January 2011. Attorney Ed Ritger and two of the Mamayek heirs appeared. Ritger wanted to somehow reserve the right to make a second residence in the future, while going ahead with the present plan. The discussion focused on zoning ordinance article 330-22-B(2)(c). Chairman Becker opined that 330-22-B(2)(c)(3) may not apply because the existing house does not represent 'development.' Chairman Becker moved to recommend to the Board approval of the minor land division as shown on the CSM, moved to grant the conditional use permit for a nonfarm residence, and that standard conditions be applied, that is, a ten-year hold on further land divisions – all conditioned on a review by Attorney Gerry Antoine and conditioned on the interpretation of 330-22-B(2)(c)(3) that no 'development' is occurring. Supported by Dave Huenink and passed by a unanimous roll call vote.

11. Deliberations and Actions on the May 2 Public Hearings.

a. Ralph DeMaster request. Dave Huenink moved to recommend to the Town Board approval of the requested rezoning from A-2 to A-5 contingent on

Sheboygan County's approval of the boundary line adjustment. Supported by Jack Stokdyk and passed by a unanimous roll call vote.

- b. Mike and Kelly Teunissen request. Jan Rauwerdink moved to grant a CUP for a single-family residence with standard conditions. Supported by Eugene Schmitz and passed by a unanimous roll call vote.
 - c. Request by Matthew E. Teunissen & Julie A. Teunissen Revocable Trust. Chairman Becker at first opined that Board of Appeals action should precede PC action but was later persuaded otherwise. Don Teunissen discussed his plan to place animals ('fair pigs') in the shed that is only about 26 feet from the lot line. Chairman Becker would like that distance expressed on a revised CSM. Jan Rauwerdink moved to recommend to the Board to approve the requested land division with standard conditions as prepared by Attorney Antoine. Supported by David Mueller and passed by unanimous voice vote.
12. Discuss/act on the previously tabled request by Kevin Claerbaut and Jon Arentsen for a Conditional Use Permit for their landscaping/snowplowing business (CG Services, LLC). The Public Hearing was held on October 5, 2009. The Plan Commission tabled the request on December 7, 2009 so that it could be treated under the then pending new Zoning Ordinance. In February 2011 the matter was tabled until May 2011. Tom Huenink reported on his inspection of electrical work that had begun without a building permit. Daane Electric is separating farm from residential electric services. Chairman Becker urged the applicants to produce a site plan and plan of operation, observing that A-1 and landscape operations are legally incompatible. In preparing the site plan and plan of operation, help is available from consultant Jamie Rybarczyk of Foth. Jack Stokdyk moved to send the applicants a letter reviewing the timeline of the case, reminding the applicants that the Plan Commission still expects them to hold to the timeline established in the February 2011 PC meeting calling for the approval of the site plan and plan of operation in June/July 2011. Supported by Roy Teunissen and passed by unanimous roll call vote.
13. Review and take action on recommended changes to the zoning ordinance aimed at harmonizing existing trucking businesses and making various corrections and minor modifications. A draft ordinance amending chapters 220 and 330 of the Town of Holland was reviewed in detail and marked up. Chairman Becker moved to present the markup at a public hearing in the June 2011 Plan Commission meeting. Further changes could be made in the June Plan Commission meeting, especially in Article VIII. Supported by Jack Stokdyk and passed by a unanimous voice vote.
14. Reports regarding Shoreland Zoning Stakeholders Group. Dave Huenink reported that the Group is working on the impervious surface section. Next meeting Friday, May 6.

15. Review status of Land Covenants and Conditional Use Permits. Ron Hinze is complete. Feyereisen is non-responsive and so are some others. In June the PC will weigh what to do, such as the possibility of revoking CUPs.
16. Public input: Dan Posthuma 1) observed that Luigi's Pizza is non-conforming on an A-1 parcel, 2) suggested using an overlay map to show use density; the map would need to be updated with county planning, 3) suggested sending out a notification regarding the conditional use permit requirement for animal units on ag parcels less than 20 acres.
17. The attendance record for April 4, 2011 was approved on a motion by Dave Huenink, supported by David Mueller, passing by a unanimous voice vote.
18. The meeting adjourned at 10:30 p.m. on a motion by Jack Stokdyk supported by David Mueller, passing by a unanimous voice vote.

Respectfully submitted,
Syd Rader, Clerk of the Plan Commission, Town of Holland
May 9, 2011