

DRAFT
Plan Commission Meeting Minutes
Town of Holland
Sheboygan County, Wisconsin

Date: Monday, May 4, 2015

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, Trevor Mentink, Eugene Schmitz, Roy Teunissen, Jack Stokdyk, Matthew Teunissen
Absentee(s): David Mueller
Attendee:– Tom Huenink – Building Inspector, Louise Huenink - Clerk
6. Adopt agenda as official order of business.
Jack Stokdyk proposed to move agenda item 13b contingent of the arrival of Rick TenDolle. David Huenink made a motion to adopt the agenda with this possible change. Nate Voskuil supported the motion. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).
There were no corrections to the March minutes. The minutes were approved by unanimous consent.
8. Building Inspector Reports:
 - a. Review/approve building permits report.
David Huenink made the motion to approve the building permits report. Jack Stokdyk supported the motion. The motion passed by a unanimous voice vote.
 - b. Follow-up item(s): Tom Huenink was in contact with Luigi's Pizza about their proposed expansion. There has been no communication since the first contact. The owner feels there is no need to present anything to the Plan Commission. Don Becker said that Luigi's owner will need to request a Conditional Use Permit and obtain a Building Permit for any facility expansion or new building. They will also need to get approval from the County of Sheboygan.

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9. Public input.

Ted Scharl had a few questions concerning the Marsh-Drake property. The owners would like to divide the 5 ½-acre parcel into two separate parcels that are to the west of Alexander Road. There is another parcel on Lake Michigan to the east of Alexander Road that is owned by the same owner. When the west buildable portion of the 5 ½ acre-parcel is sold, the wetlands, the east portion of the divided parcel, would have the same ownership as the lakefront property. Ted wanted to know what steps were needed to divide the west parcel into two lots. There is a driveway on Idlewood Ct and also road frontage on DeWitt Road. After discussion, it was determined a normal minor land division would suffice.

Ronald L Schipper asked for information for his in-laws who would like to erect a 12'x20' garden shed. They plan to move items from two rented storage units and store the items in this shed. The couple lives at N1838 Sauk Trail Road and have approximately 8 to 10 acres with a residence and a 30'x60' barn. After the Plan Commission members asked a few questions it was determined that the shed was a permitted use, so the land owner would just need to comply with ordinances, such as setback from lot lines, obtain a building permit from the Town and contact the County Planning Department.

10. Public hearing for:

A) A request by William Dekker for a land division, rezoning from A-1 to A-5, and a conditional use permit (CUP).

Bill Dekker was present along with his father Tom Dekker. The Plan Commission had no questions for Bill, and there were no questions from any members of the public

Jack Stokdyk made the motion to close this public hearing. Roy Teunissen supported the motion. The motion passed by a unanimous voice vote

11. Discuss/act on a request by William Dekker for a land division, rezoning 3.76 acres from A-1 to A-5, and a Conditional Use Permit for a non-farm residence.

Don Becker confirmed that Bill will be following the 20:1 rule and will need to decide where the 75.2 acres will be that will be dedicated to farming for perpetuity. Bill will need to show this either by a CSM or a plat of survey. The Town Board will require the survey for final approval of the land division and rezoning. Bill indicated that a brother may wish to build at a later date within another wooded area on the grandfather's property. The current Town's ordinance will not allow the brother to build a non-farm residence where desired. The Town, however, is currently working on a revision to the zoning ordinances. It is possible that these changes could allow for another residence. The ordinance change, if it is approved, would probably not occur until sometime next year.

Don Becker made a motion to recommend that the Town Board approve the land division and rezoning from A-1 to A-5, contingent upon the receipt of a certified survey map identifying the portion of the property that will be preserved for farming. David Huenink supported the motion. The motion passed by a roll call vote.

Don Becker – Yes, David Huenink – Yes, Trevor Mentink – Yes, Eugene Schmitz – Yes, Roy Teunissen – Yes, Jack Stokdyk – Yes, Nathan Voskuil – Yes.

David Huenink made a motion to grant a Conditional Use Permit for a non-farm residence contingent on the Town Board's approval of the related land division and rezoning. Jack Stokdyk supported the motion. The motion passed by a roll call vote.

Eugene Schmitz – Yes, Roy Teunissen – Yes, Jack Stokdyk – Yes, Nathan Voskuil – Yes, Don Becker – Yes, David Huenink – Yes, Trevor Mentink – Yes.

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The Dekkers were given instructions to carefully consider what land to dedicate to farming. Of the original 100 acres, 3.6 acres are being rezoned so 75.2 must be dedicated to farming through a land covenant. They were also instructed to be careful to ensure the remnant land be 20 acres or greater to retain the potential that a residence could be built on this parcel in the future, pending ordinance revisions.

12. Discuss/act on revision of Town of Holland Ordinances supporting WI Working Lands Initiative

Under Definitions –

Contiguous - definition needed to be made into a complete sentence as pointed out by Mosel's attorney, so Kevin corrected.

Lot – Kevin found an oversight and corrected.

A-1 Zoning District

Density – Kevin identified a paragraph that “implied” the interpretation that we intended. He revised it to more clearly state the intent. There was a discussion on what the residential yield would be with Kevin's wording. David Huenink suggested revised wording to the Density paragraph. Kevin will address David's concerns with revised language.

Under Permitted Uses – Kevin added the note B(1)(a) about rebuilding due to damage or fire, stating a building can be rebuilt as a permitted use provided that the rebuilt structure occupies the same general footprint.

Conditional Uses – Kevin took out some of the wording and added a new paragraph [3] requiring the applicant to submit a color aerial photo and of sufficient size and scale to determine whether lands have been under agricultural use along with a written statement describing how the proposed lot and/or residence will not do either subsections [a] or [b] above. It was suggested Kevin change some of the wording in [3] to make it flow better. [2] should become [1].

A-1-D: Kevin needs to make the same changes to the Conditional Uses as shown above. E (2) needs the wording changed to reference the fee schedule for rezoning. F (2) Kevin deleted some of the wording for the A-PR rezoning from A-1-D to A-PR.

A-PR section – Added wording to the Purpose statement (A) B & B(1). Kevin said the way the Town had it originally worded it would put them into a corner if anyone wanted to fight the issue about not allowing a new residence.

A-2 Prime Ag District – Kevin struck out the 5 Acre Density, can be 3 to 19 acres. A-2 will become eligible for the Tax Credit.

Permitted Uses – used same wording as found elsewhere. Pointed out some of our current A-4 will no longer exist and should not be part of the permitted uses. It was decided to remove [a] Animal Hospitals that primarily services livestock and add it to [e]. This will need to be adjusted in A-1 as well.

Conditional Uses – Kevin stated that we needed to show 91.46 of the WI Statutes. Kevin corrected so as to match A-1.

Ag related uses – Added some of the text from A-4, should make it look like A-1.

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Low Density – Now a 3 acre minimum. Kevin struck out Density: one dwelling unit per five gross acres. He also struck out maximum lot area for purpose of farm consolidation. For lots existing prior to 2014, to protect Kevin added some wording to do this.

13. Discuss/act on ongoing issues:

a. Status of applications being processed.

All applications are current at this time.

David Huenink spoke on making a few more changes to the Standard Conditions templates. Then using them to create new templates for a Hobby Kennel License and an Accessory Apartment CUP. He handed out copies showing the proposed changes and everyone was in agreement with them. For a Hobby Kennel it was suggested that there be a reference to noise nuisances as stated in our ordinances. It was also suggested that the Plan Commission Clerk send a spreadsheet to the Town Treasurer annually showing kennel owners so that he can collect the license renewal fees.

b. Discuss/act on the apparent zoning ordinance violation by Revive Church.

Don Becker stated that he has not heard from Mr. Ten Dolle on this matter and was hoping that he would have attended this evening's meeting. Trevor Mentink informed the Plan Commission that Mr. Ten Dolle is a farmer and was probably out in the fields.

14. Public input.

Don Becker said he received a phone call from someone saying their neighbor put up a beehive near the property line and they are concerned since their child is allergic to bee stings. Don recommended that they contact the neighbor first about possibly moving the beehive.

Louise Huenink informed the Plan Commission that Jay Jacque contacted her requesting complaint forms concerning the Meadowlark Storage facility across the road from his house. Plan Commission members reported that much progress had been made on the storage facility's expansion since this spring. It was suggested that for future large projects such as this, the applicant file a report upon completion showing compliance with the approved Site Plan.

15. Review/approve attendance records for prior and current meeting(s).

David Huenink made a motion to approve the attendance records as presented. Trevor Mentink supported the motion. The motion passed by a unanimous voice vote.

16. Adjourn.

Jack Stokdyk made a motion to adjourn at 10:03 PM. Nate Voskuil supported the motion. The motion passed by a unanimous voice vote.

Respectfully submitted,
Louise Huenink, Plan Commission Clerk
May 5, 2015