

## **Minutes of Plan Commission Meeting June 6, 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 7:43 p.m. by Chairman Donald Becker. The meeting was preceded by a Public Hearing on changes to Chapters 220 and 330 of the Town Code.
2. Chairman Donald Becker certified that the requirements of the Wisconsin Open Meetings law had been met.
3. Record Retention Certification: Syd Rader certified that hard-copies and electronic files of the Plan Commission are filed at Town Hall through May 2011. Files more recent than that are in the Clerk's hands.
4. The Agenda was adopted as the official order of business on a motion by Jack Stokdyk. The motion was supported by David Mueller and passed by a unanimous voice vote.
5. Roll Call showed in attendance Chairman Donald Becker, Dave Huenink, Jack Stokdyk, Eugene Schmitz, Roy Teunissen, Nate Voskuil, David Mueller, Tom Huenink, Trevor Mentink. Absent excused was Jan Rauwerdink.
6. As amended the minutes of the Plan Commission meeting on May 2, 2011 were approved on a motion by Jack Stokdyk. The motion was supported by Eugene Schmitz, passing by a unanimous voice vote.
7. Public input: Chairman Becker asked that every regular monthly PC meeting have on its agenda a review of conditional use permits.
8. Discuss and take action on CG Services LLC's request for conditional use permit for landscaping business. This agenda item was treated after item 10. Jamie Rybarczyk, who has been serving as consultant to CG Services, spoke, aided by a poster-size site map. He explained the complicated site, the various ownership of the affected parcels, and the precise location of the business operations. All the affected parcels are zoned A-1 which is indisputably incompatible with landscaping business. Mr. Rybarczyk also produced two staff reports dealing, respectively, with the Sauk Trail and Smies Road sites. Two scenarios or options were outlined in the staff report. A third option emerged: a flag lot zoned A-2 located mainly on Ben Claerbaut's land.

Chairman Becker mentioned that he had found a site visit helpful in understanding the precise nature of the business. Chairman Becker favors placing the landscaping on land zoned A-2 because it's not an exclusive ag district.

Four owners and associates of CG Services appeared: Kevin Claerbaut, Ben Claerbaut, Jon Arentsen, and Myrle Claerbaut. Together they raised objections to making changes in their combined, interlocking operations, of which a large part is farming. Yet in the end, Ben Claerbaut said he would talk to the Town tax assessor, compare A-1 and A-2 uses, and, if his findings were satisfactory, said he might accept a change of zoning to A-2 – as in option 3 flag lot.

Chairman Becker summarized: "Option 1 seems best." Jamie Rybarczyk opined that the site plan and plan of operation need to be fleshed out with a diagram of what each building is used for. The CG Services case will again be on the agenda for July.

9. Public hearing of a request by Dennis M Bauer ( purchaser) and Diane and Randall J. Link (sellers) for 1) a conditional use permit for a nonfarm, single-family residence and 2) a conditional use permit for aquaculture on parcel 59006065160. The parcel is located on Knepprath Road, west side, between County Roads D and G. Zoned A-2; 19.75 acres. Dennis Bauer appeared and spoke in favor of his request, accompanied by Diana Bauer. Dale Krier spoke in favor of the request. No one spoke against. Mr. Bauer produced Randall Link's signature on the application and some new documents to add to the application: a site plan and plan of operation for aquaculture. Eugene Schmitz moved to close the public hearing, supported by Dave Huenink and passed by unanimous voice vote.
10. Discuss and take action on Dennis Bauer's request for conditional use permits for nonfarm, single-family residence and for aquaculture. Chairman Becker noted that aquaculture is a conditional use in A-2, that the setbacks are right on the submitted drawing, and he reviewed aloud the provisions of 330-39. Jamie Rybarczyk opined that aquaculture is an appropriate use of the property, but that the PC ought to have a satisfactory site plan and plan of operation prior to taking action. Dave Huenink opined that the two CUPs – the house and fish farm - should be separated. The PC deemed the site plan adequate but not the plan of operation, and it asked Mr. Bauer to do more work on it, guided by 330-40-C. C(7) should receive emphasis. Chairman Becker invited Mr. Bauer to phone him for help.

Dave Huenink moved to approve the request for a nonfarm, single-family residence with standard conditions, supported by David Mueller, and passed by a unanimous roll-call vote.

Dave Huenink moved to table the request for aquaculture for up to two months, pending receipt of additional documentation, supported by Jack Stokdyk and passed by unanimous voice vote.

11. Review and take action on recommended changes to Chapters 220 (land division) and 330 (zoning) of the Town Code aimed at harmonizing existing trucking businesses and making various corrections and minor modifications (following public hearing held earlier in the day). The Public Hearing did not produce any questions or comments.

Trevor Mentink moved to recommend to the Town Board to adopt the proposed changes to Chapters 220 and 330 of Town Code, supported by Eugene Schmitz, and passed by unanimous roll-call vote.

12. Discuss and take action on a procedure for handling requests to modify the Town of Holland 2030 Comprehensive Plan. This item was tabled until July.
13. Discuss and take action of trucking businesses in Town. Jamie Rybarczyk produced a staff report. It developed that the Chapter 330 zoning ordinance is silent on trucking operations in B-1, either as a permitted or conditional use. Chairman Becker suggested inviting the trucking firm proprietors to a future PC meeting and asked Jamie Rybarczyk to draft a letter that would be sent with Chairman Becker's signature. This item should be on agenda of the July meeting.
14. Discuss and take action on Working Lands Initiative issues regarding existing non-farm residences on base farm tracts and the recordkeeping associated with them. This item was tabled until July.
15. Reports regarding Shoreland Zoning Stakeholders Group. Dave Huenink, who attends the meetings, reported that the Group is meeting fortnightly on Friday mornings at 9:30am, next meeting on June 17. He invited PC members to attend. The Group has to complete its work by January 2012. Recent topics were definition of impervious, height restrictions, non-conforming uses and structures.
16. Public input. Jack Stokdyk moved to hold the July PC meeting on July 5, 2011 at 7:30pm. Supported by Dave Huenink and passed by unanimous voice vote. Jack Stokdyk recommend not showing images of checks in the PC's packet.
17. The attendance record for May, 2011 was approved on a motion by Dave Huenink, supported by David Mueller, passing by a unanimous voice vote.
18. The meeting adjourned at 10:23 p.m. on a motion by Jack Stokdyk supported by Nathan Voskuil, passing by a unanimous voice vote.

Respectfully submitted,

Syd Rader, Clerk of the Plan Commission, Town of Holland  
June 9, 2011