

DRAFT

Minutes of Plan Commission Meeting September 7, 2010

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 7:30 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 July 2010. 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 Jan Rauwerdink. The motion was supported by Jack Stokdyk and passed by a unanimous voice vote.
6. Roll Call showed in attendance Chairman Donald Becker, Jan Rauwerdink, Dave Huenink, Trevor Mentink, Jack Stokdyk, Eugene Schmitz, Roy Teunissen, David Mueller. Excused from attending was Joel Van Ess. Absent was Tom Huenink.
7. As amended the Minutes of the Public Hearing on the Zoning Ordinance on August 2, 2010 were approved on a motion by Dave Huenink. The motion was supported by David Mueller, passing by a unanimous voice vote.

The Minutes of the Public Hearing on the Land Division Ordinance on August 2, 2010 were approved on a motion by Jack Stokdyk. The motion was supported by Roy Teunissen, passing by a unanimous voice vote.

As amended the Minutes of the Plan Commission meeting on August 2, 2010 were approved on a motion by Jan Rauwerdink. The motion was supported by David Mueller, passing by a unanimous voice vote.

8. Public input: Completion/recording of Smies/Feyereisen conditional use permit for a single-family residence at W1774 Smies Road, 59006076130, 18.83 acres, A-5. In this connection Tony Krostag, a relative of Feyereisen, asked further questions about the CUP. The Plan Commission does not need to get re-involved in this matter. Rather, the current owner needs to contact Gerry Antoine for help in drawing up a proper, recordable Land Covenant and Conditional Use Permit.

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9. Deliberation/action on the previously tabled request by John and Janelle Jepson for a conditional use permit for a single-family residence. The public hearing of this request was held in March 2010.

Jepson produced a new drawing showing the location of the proposed house on the A-5 portion of his land. From the standpoint of safety, the proposed driveway of over 1100 feet is too long in the opinion of the Plan Commission. Fire-fighting water can be pumped a maximum of 1000 feet per pumping stage. Response times of emergency services would be increased. The proposed house is more elevated than the nearest road, meaning fire-fighting water would have to be pumped uphill. The road frontage of the A-5 parcel is greater than 250 feet. The proposed house is two-storey less than 35 feet high. There is no land division associated with this request. The proposed rear and side setbacks meet current standards. If the CUP is granted, the Town would like a “hold harmless” agreement with Jepson, to be recorded, acknowledging the inherent danger of locating his house so far from the road, with respect to emergency service access and response times.

Dave Huenink moved to grant a conditional use permit for a single-family residence on condition that a “hold harmless” agreement be signed by the owner and recorded at the Register of Deeds; indicating that, due to the length of the driveway, the response time of emergency services may be prolonged; language to be drafted by Gerry Antoine. Supported by Trevor Mentink and passed by a unanimous roll call vote.

10. Review of Chapter 330 Zoning Ordinance – Final Version. Decision as to whether another public hearing is necessary. A public hearing was held on August 2, 2010. Deliberation/action on the creation of the Zoning Ordinance.

The current draft Zoning Ordinance was rejected by the certifying authority, the Department of Agriculture, Trade and Consumer Protection (DATCP). In a letter dated August 5, 2010, DATCP outlined its objections and recommended changes.

This part of the meeting was led by consultant Jamie Rybarczyk, resulting in further markups of the Zoning Ordinance addressed to DATCP’s objections and Chairman Becker’s comments. Rybarczyk followed an outline of changes (memo from Foth to the Plan Commission, September 7, 2010).

Action item: Chairman Becker and Jamie Rybarczyk should contact Keith Foye of DATCP, asking for an extension and inviting DATCP representation at the next Plan Commission meeting for the purpose of rendering the Zoning Ordinance certifiable.

The marked up Zoning Ordinance is in the custody of Chairman Becker and Jamie Rybarczyk.

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11. Retrospective on creation of Land Division Ordinance; implications for policy and procedure. Tabled until October 2010 on a motion by Trevor Mentink, supported by Jack Stokdyk, passing by a unanimous voice vote.
12. Discuss/act/set limitations/parameters for use of Jamie Rybarczyk as a consultant on specific Plan Commission applications, perhaps yielding a motion of recommendation to the Board. Jamie would like to be paid for such services to applicants by the Town which can be reimbursed by the applicant. In cases where the applicant resists payment, a special assessment could be added to his tax bill. Tabled until October 2010 on a motion by Trevor Mentink, supported by Jack Stokdyk, passing by a unanimous voice vote.
13. Review/revise Town Holland Plan Commission application forms (see DRAFT forms in packet). Tabled until October 2010 on a motion by Trevor Mentink, supported by Jack Stokdyk, passing by a unanimous voice vote.
14. Public Input: none
15. The attendance record for August 2010 was approved on a motion by Dave Huenink, supported by David Mueller, passing by a unanimous voice vote.
16. The meeting adjourned at 10:06 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
September 8, 2010