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Plan Commission Meeting Minutes
Town of Holland
Sheboygan County, Wisconsin

Date: Tuesday, September 8, 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 7:31 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 Don Becker so certified.
4. Record retention certification.
The Plan Commission clerk stated record retention was up-to-date.
5. Roll call.
Attendees: Don Becker, David Huenink, David Mueller, Eugene Schmitz, Jack Stokdyk, Matthew Teunissen, Roy Teunissen
Absentee(s) excused: Trevor Mentink, Nate Voskuil
Attendee:– Tom Huenink – Building Inspector, Louise Huenink - Clerk
6. Adopt agenda as official order of business.
It was agreed to table item 15 due to the amount of business on the agenda. Kevin Struck was notified in advance and will not be attending.
David Huenink made a motion to adopt the agenda as revised. David Mueller supported the motion. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).
David Mueller made a motion to adopt the minutes as presented. Roy Teunissen supported the motion. The motion passed by a unanimous voice vote.
8. Building Inspector Reports:
 - a. Review/approve building permits report.
Jack Stokdyk made a motion to approve the building permits report. David Mueller supported the motion. The motion passed by a unanimous voice vote.
 - b. Follow-up item(s):
Tom Huenink had a person contact him about putting up a shed that would not be on a permanent slab and wanted to know if a permit would be needed. Don Becker stated that a permit would still be needed if the cost of the shed was \$500.00 or more. This is also the only way the Town's Assessor is made aware of the improvement. Tom said that this person probably cannot meet the setback requirements so he suggested this person go to the Board of Appeals.

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Don Becker asked if a building permit was needed for erecting a fence. David Huenink looked into the ordinances, but found nothing. Roy Teunissen said that Carl Hoffman recently erected a fence and asked Tom Huenink if he filed for a permit. Tom said no. It was decided that the Plan Commission needs to clarify this ordinance and contact the Assessor.

9. Public input.

Bob DeRuyter wants to sell some of his farmland that has a barn on it to Leon Jacoby. Leon's parcel is currently zoned R-1 and would need to be rezoned to A-5. This may also make it easier to sell in the future. Currently Leon owns the house that used to be part of the DeRuyter property and would like to have the barn. The total lot size needs to be 3-acres or greater, including the 1.23 acres already owned by Leon. Currently the DeRuyter parcel is zoned A-1 and within the Farmland Preservation Area so we need to determine if the 20:1 rule would apply here. Don Becker said he would contact Kevin Struck about the FPZ. Building setbacks are 20-feet, or 50-feet if the building houses animals.

Matt Teunissen said someone contacted him about Dennis Kappers operating a retail goods warehouse on his property at 3267 Hwy G. Dennis' parcel is zoned A-5. Dennis owns Claerbout Furniture in Cedar Grove and apparently stores furniture and carpeting. It was asked if Dennis should have a conditional use permit. Eugene Schmitz believes a CUP was issued for carpet storage on Cty-G in the 1990s. The current house is over 15 years old and the shed existed before that. It was decided that Don Becker will contact Dennis to see if a conditional use permit was ever filed/approved.

Myra Olson wishes to divide off 5 to 7 acres of wooded land from her two parcels that run along County Rd. KW, north of Cty-RR. Her intent is to preserve this wooded area so that the family can continue to enjoy nature well into the future. It was suggested that maybe when Myra is ready to divide to rezone this land to C-1 (conservation). Myra is waiting for the proposed zoning ordinance changes, expected to take effect in 2016.

10. Public hearing for:

A request by Samuel & Lorraine Huibregtse for a minor land division and for a change in zoning from A-1 to A-5.

There was no one present to address this request and no questions from the Plan Commission members. Jack Stokdyk made a motion to close this public hearing. David Mueller supported the motion. The motion passed by a unanimous voice vote.

A request by Al & Janelle Stern for a Conditional Use Permit for a home occupation

It was asked what type of small engine repair would be done and the response was that it would typically be lawnmowers, motorcycles and chainsaws. Customer vehicles and equipment would be stored inside.

David Huenink made a motion to close this public hearing. David Mueller supported the motion. The motion passed by a unanimous voice vote.

11. Discuss/act on a request by Samuel & Lorraine Huibregtse for a minor land division and for a change in zoning from A-1 to A-5

This parcel is in the Transition Zone so is not part of the Farmland Preservation Area although it is zoned A-1, so the Working Lands Initiative requirements do not apply. It was suggested that once divided, make both parcels A-5. However, the published notice did not mention rezoning of the

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parent parcel. David Mueller made a motion to recommend to the Town Board to grant the land division and to approve the rezoning of the new “lot 1” parcel to A-5. Roy Teunissen supported the motion. The motion passed by a roll call vote. David Huenink – Yes, David Mueller – Yes, Eugene Schmitz – Yes, Roy Teunissen – Yes, Jack Stokdyk – Yes, Matthew Teunissen – Yes.

12. Discuss/act on request by Al & Janelle Stern for a Conditional Use Permit for a home occupation Eugene Schmitz asked if Mr. Stern would be the only employee, the answer was yes. He said he would be doing some work on the existing pole building to make conditions better for working in the winter months. Mr. Stern was told that he would need a building permit and inspection for this. It was determined that the standard conditions for a home occupation would pertain, with two additional conditions.

1. Maximum number of employee is one.
2. No outdoor storage.

Don Becker made a motion to approve the conditional use permit using the 2012 Hilblink CUP conditions as a guideline. David Mueller supported the motion. It was also noted that some conditions will need to be altered to fit today’s process and to make wording consistent. The motion passed by a roll call vote. Jack Stokdyk – Yes, Matt Teunissen – Yes, Don Becker – Yes, David Huenink – Yes, David Mueller – Yes, Eugene Schmitz – Yes, Roy Teunissen – Yes.

13. Discuss/act on possible zoning violation in R-1 District.

A distillery is being run within a secondary building on R-1 zoned parcel. The property is 4.88 acres and may need to be rezoned to B-1 or possibly move the business. The landowner has filed for Federal and State permits, but not local permits. It also appears that no building permit was ever filed.

Roy Teunissen made a motion that Don Becker contact the person to request he attend the next Plan Commission meeting to address questions about the possible zoning violation and failure to obtain building permits for improvements. David Mueller supported this motion. The motion passed by a roll call vote. Don Becker – Yes, David Huenink – Yes, David Mueller – Yes, Eugene Schmitz – Yes, Roy Teunissen – Yes, Jack Stokdyk – Yes, Matthew Teunissen – Yes.

14. Discuss/act on Hobby Kennel License ordinance revisions.

David Huenink stated that the current ordinance says that a person needs a Hobby Kennel License if they have three or more dogs on their property. After doing some research David found that there are twelve properties in violation of this ordinance. David proposed two options: 1) Repeal the Hobby Kennel License or 2) Increase the number of dogs to 4 or 5. After discussion of the two options, Roy Teunissen made a motion to recommend to the Town Board to revise §140-9 of the Town Code covering hobby kennels be revised to read “four or more dogs” instead of the present wording of “three or more dogs”. David Mueller supported the motion. The motion passed by a roll call vote. Don Becker – Yes, David Huenink – Yes, David Mueller – Yes, Eugene Schmitz – Yes, Roy Teunissen – Yes, Jack Stokdyk – Yes, Matthew Teunissen – Yes. Jack Stokdyk pointed out the need to inform the public regarding this ordinance.

15. Discuss/act on revision of Town of Holland Ordinances supporting WI Working Lands Initiative Tabled until the next Plan Commission meeting.

16. Discuss/act on ongoing issues:

- a. Status of applications being processed.

It was decided that the Plan Commission Clerk ask the Town’s Attorney to write a letter to the Town of Holland Plan Commission Minutes – September 8, 2015 Meeting
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Dekkers pointing out the need for a better description of the parcels involved in the land division. It is the understanding of the Plan Commission that this may require additional survey work by the Dekkers.

- b. Discuss/act on the Conditional Use Permit for CG Services Smies Road facility.
The situation was discussed. The latest CUP is pending return of the signed and notarized documents and payment of invoice by the applicant. Don Becker made a motion to authorize Gerry Antoine to draft a letter to Kevin Claerbaut pointing out the requirements to be met by September 21, 2015. All requirements must be met by that date or all landscaping operations at that site must cease and desist by that date. Fines can be charged per offense, with each day an additional offense. David Mueller supported the motion. The motion passed by a unanimous voice vote.

17. Public input.

Don Becker discussed creating a revised Zoning Ordinance Summary. This would be done after the expected upcoming ordinance changes. This topic will be added to the Ongoing Issues part of the agenda and will be addressed upon completion of the ordinance change.

Don Becker spoke about attending the Roads Commission Meeting earlier today. Don said that Roger TeStroete asked that the Highway Right-of-Way information be put on the Town's website. He thinks that this topic should be added as an ongoing issue.

Jack Stokdyk said the Board of Appeals has had several requests for smaller setbacks, most of which are for R-1 lots east of I-43. The people usually want to put up a garage or storage building and sometimes it deals with the septic system. Generally requests are for a 5-foot setback instead of 10-foot. Jack asked if the setbacks on R-1 lots less than a specified size and located east of I-43 should be less than currently in the ordinances or if we could use a Conditional Use Permit for these types of setbacks. Jack suggested that since the Town is working on redoing the ordinances, it would be a good time to make such a change. Jack will research and summarize the cases similar to this that have been heard by the Board of Appeals and report back the Plan Commission in October. This will be a topic on next month's agenda.

Don Becker brought up the topic of driveways. He said Roger TeStroete locates and issues driveway permits. This presently happens after the application for a new home conditional use permit has been submitted to the Plan Commission and approved. Roger feels this can lead to unsafe driveway locations. Roger asked that the Plan Commission require that a safe driveway location be identified by working through the Roads Supervisor and that this location be included in the application for a new residence conditional use permit. The driveway location would become one of the conditions in the CUP, if issued. The Plan Commission would need to update its Procedure List and create a form that the applicant would need to have signed by Rodger. This only pertains for driveways on Town roads. This topic will be on next month's agenda.

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

David Mueller made a motion to approve the attendance records as presented. Roy Teunissen supported the motion. The motion passed by a unanimous voice vote.

19. Adjourn.

Jack Stokdyk made a motion to adjourn at 10:19 PM. David Mueller supported the motion. The motion passed by a unanimous voice vote.

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Respectfully submitted,
Louise Huenink, Plan Commission Clerk
September 9, 2015