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Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Monday, December 2, 2013

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, David Mueller, Jan Rauwerdink, Eugene Schmitz, Roy Teunissen, Jack Stokdyk, Nathan Voskuil
Absentees – Trevor Mentink
Other attendees: Tom Huenink – Building Inspector, Louise Huenink - Clerk
6. Adopt agenda as official order of business
David Huenink made a motion to adopt the agenda and David Mueller supported. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).
David Huenink made a motion to approve the July minutes and Eugene Schmitz supported. The motion passed by a unanimous voice vote.
8. Review/approve attendance records for prior meeting(s).
David Mueller made a motion to approve the attendance records and Jack Stokdyk supported. The motion passed by a unanimous voice vote.
9. Review/approve building permits report
There was no report available for the December meeting so will review at the next meeting.
10. Public input
Gerald Ansey – off of Cty-LL, parcel #59006066920, 3.86 acres, zoned R-1
Gerald spoke about a building he recently erected without a building permit which Tom Huenink, the Building Inspector, confirmed. Gerald provided an aerial view and a hand drawing of his property showing the buildings. He stated that the garden shed is on a floating slab and is 12' x 18'

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and the garage is 24' x 30'. There is also a truck box with a wooden floor on piers. Tom provided the chairman a copy of the ordinance concerning accessory buildings and stated that the new building would be the third accessory building on this parcel. The chairman stated after reviewing the document that Gerald had two choices 1) take down the new building since no building permit was filed for or 2) a Conditional Use Permit would need to be requested for exceeding the two accessory building limit. He might also want to consider rezoning the parcel to A-5. Gerald would also need to pay for a building permit at the cost of \$75.00 along with the penalty fee of \$75.00 for a total of \$150.00. Gerald asked for the application form for the Conditional Use Permit and rezoning which the clerk provided him.

Scott Muenzmaier and Jenny Lefevre – off of Hoftizer Road, parcel #59006063456, 5.04 acres, zoned A-5

Scott and Jenny recently purchased a vacant parcel off of Hoftizer Road and would like to build a residence and a pole barn (45' x 66') with four garage doors for storage purposes. He stated that he has 320 feet of road frontage on this parcel. Don Becker asked if there were any wetlands on this parcel, which might involve the DNR. If there was any navigable waterway, Scott will also need work with the County regarding Shoreland Zoning.. Scott has an application for a Conditional Use Permit and will file it once the final plans for the residence and accessory building are complete.

11. Public Hearing for Roy Ingelse

David Huenink updated the Plan Commission of Roy's intent of doing a minor land division so that he can sell the new piece to his daughter so that she can build a new residence. Roy pointed out that the Town needs to update its records to show his parcel as A-5 and not A-2 as shown on the Town's website. Craig Dropper asked if there was a density limit for this parcel. Upon reading the zoning for A-5 it was found there is no density limit. Craig asked another question about what was going to happen with the 40 feet wide strip of land along the south border. Roy wants to keep this current grassy area as an alternate access path to his existing residence which he said he would keep mowed. Craig also asked what restrictions will be on this new parcel. He was concerned about the possibility of someone later on contesting some of the farming that would go on around them. Per the Right to Farm Law a resident in an agricultural area cannot contest the farming that is done around them, such as the noise and odors that may occur. There is wording within the Standard Conditions that covers this issue. David Huenink motioned to close the public hearing and David Mueller supported. The motion passed by a unanimous voice vote

12. Discuss/act on request by Roy Ingelse – N1883 DeWitt Road, parcel # 59006072702, 21.39 acres zoned A-5

It was noted that the Board of Appeals approved the road frontage variance at their last meeting. David Huenink stated that everything seemed in order from the discussion during public input of the October Plan Commission meeting. The only issue raised at that time was the need for a variance due to road frontage being short by about 20-feet. David Mueller made a comment of not being in favor of chopping up parcels as a rule, but understands Roy's plans. It was pointed out that Roy's conforms to Land Division Ordinance 220-16 (flag lots). Don asked if anyone saw an issue with Roy's request – no one spoke up. Jack Stokdyk pointed out that it looks like the drive will not meet the minimum of 66 feet for it is not 66 feet all the way up it. It was suggested Roy adjust the northern boundary to make the driveway the 66 feet. Roy said he would rather move it to the south in case in the future it becomes a road. An easement for driveway access was discussed as an alternative. Roy stated the new parcel owners could use his driveway, but wanted flexibility for the future. It was discussed that the 40 foot wide strip across the south border of the

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parent parcel should also be increased to 66 feet wide. A boundary line adjustment may be needed to do this, if the added 26 feet was taken from the 10-acre parcel to the south which is also owned by Roy. For a flag lot it needs to have a pole with 66 feet and the parent lot needs to have 66 feet width access from DeWitt Road. Nate feels we are going about this backwards and feels that Roy should provide the corrected document first before a motion is made. Don proposed breaking the actions into two motions and this was agreed.

Don Becker made a motion for the first part.

1. Recommend to the Town Board to approve the minor land division creating a flag lot contingent on the condition of receiving a revised Certified Survey Map with the pole portion of the flag lot maintaining the minimum 66 feet in width. On the parent lot there must be a minimum 66 feet wide access from DeWitt Road to the main residence. David Huenink supported the motion, which passed with a roll call vote. Jan Rauwerdink – Yes, Eugene Schmitz – Yes, Roy Teunissen – Yes Jack Stokdyk – Yes, Don Becker – Yes, David Huenink – Yes, David Mueller – Yes,.

David Huenink made a motion for the second part.

2. The approval of a Conditional Use Permit for a non-farm residence on the newly created lot with the standard non-farm residence conditions, to be contingent on the Town Board approving the related land division request. Eugene Schmitz supported the motion, which passed with a roll call vote. Roy Teunissen – Yes, Jack Stokdyk – Yes, Don Becker – Yes, David Huenink – Yes, Trevor Mentink – Yes, David Mueller – Yes, Jan Rauwerdink – Yes, Eugene Schmitz – Yes.
13. Discuss/act on regulating wild/dangerous/exotic animals and reptiles by amending Town Code Chapter 140.
- David Huenink spoke saying the new document was based on the Plan Commission's October meeting discussion. Louise Huenink went out to the Town of Trenton's web site and made a copy of their exotic animal ordinance and made the alterations to the ordinance per her and David's notes from the October meeting. The next step is to recommend to the Town Board to add this new ordinance to the Town Code. We also will need to create an application/renewal form for granting exceptions on keeping an exotic animal. Louise will check the Town of Trenton's web site to see if they have an application form that would fit our needs. David Mueller made the motion to recommend to the Town Board to add to the Town Code and David Huenink supported. The motion passed by a unanimous voice vote.

14. Discuss/act on ongoing issues:

- a. Status of applications being processed.
Roy Ingelse submitted his application and had a public hearing. He needs to get a corrected CSM before December's Town Board meeting.
- b. CG Services LLC – Conditional Use Permit compliance of Smies Road property.
Jack feels the screening does not meet the conditions. He's not sure about the fencing since he hasn't been able to get a good look at it. Don Becker asked Tom Huenink to schedule a time with Kevin Claerbaut to review the property and take pictures. Nat Voskuil agreed to accompany Tom so a member of the Plan Commission had first-hand knowledge. This will be an agenda item on the next Plan Commission meeting.

20. Public input:

Rick Ten Dolle spoke about the Revive Church he is currently holding in a shed on a farmer's land. They meet on Sunday from 9:30 to -11am and in the evening from 5:30-8:30pm for a youth group meeting. One day a week they meet in someone's home. The farmer willingly

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allows the meetings to be held in his building rent free. Currently there are approximately 25 persons for the youth group, 20 persons for younger children and 60 to 75 persons attend the Sunday service(s). The farmer's land, which is located just west of the Oostburg post office, is not zoned for this. He was asked if alternate sites had been considered and/or investigating renting a facility. Rick said the goal is not to stay in the shed, but is not sure of the timing for moving. He has looked at other sites but pricing and conditions have not been suitable for his needs. He had considered a former Dutchland Plastics building and school buildings. The current location is good due to easy access and proximity to Oostburg. His goal is to reach unchurched people. Don Becker will research the State Statute references in Town Ordinance 330-22 paragraph B & paragraph 2-F on page 330-27 to determine next steps. This topic will be put on the next Plan Commission meeting agenda.

Farmland Preservation – David Mueller said he received an email from Kevin Struck saying that the State has accepted the County's Farmland Preservation Plan

Roy Teunissen said that someone on County G is refurbishing coolers/refrigerators in a shed, but has no CUP to run a business. It is in a garage on the east side of the property. Tom Huenink had told Roy that he had issues a building permit but had not been told it was to be used for a business.

21. Adjourn

Jack Stokdyk made a motion to adjourn at 10:00 PM and David Mueller supported. The motion passed by a unanimous voice vote.

Respectfully submitted,
Louise Huenink
December 3, 2013