

# Plan Commission Meeting Minutes

Town of Holland

Sheboygan County, Wisconsin

Date: Wednesday, October 3, 2012

Time: 6:00 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  
Acting Chairman David Huenink called the meeting to order at 6:05 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.  
Acting Chairman Huenink so certified.
4. Record retention certification.  
The Plan Commission clerk stated record retention was up-to-date.
5. Roll call:  
Attendees: Dave Huenink, David Mueller, Jan Rauwerdink, Eugene Schmitz, Jack Stokdyk, Roy Teunissen  
Absentees – Donald Becker, Trevor Mentink, Nathan Vosquil, Tom Huenink – Building Inspector  
Other attendees: Louise Huenink - Clerk
6. Adopt agenda as official order of business  
Eugene Schmitz 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).  
Jan Rauwerdink made a motion to approve the minutes and David Mueller 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 Roy Teunissen supported. The motion passed by a unanimous voice vote.
9. Public input  
William Mangold inquired about the ordinances for putting up a shed after the primary structure is built. David Huenink referenced a draft proposal from Jamie Rybarczyk and an example ordinance from the Town of Vernon regarding accessory buildings. He also stated that the Town of Holland is actively working on an ordinance modification regarding this topic and it was an agenda item for later in the meeting.

Public hearing for:

This public hearing occurred on October 1, 2012 at 7:30 PM for the request by Peter and Laurie Stueber for a Conditional Use Permit to have a non-farm residence on an A-5 parcel. The Stueber property is located at N1787 Dulmes Road, parcel number 59006062360 (3.0 acres, zoned A-5), rezoned from R-1 in September 2012.

David Huenink asked three times if there were any comments or questions on this application and there was no response. Eugene Schmitz made a motion to close the Public Hearing and David Mueller supported. The motion passed by a unanimous voice vote.

10. Discuss/act on foregoing request by Peter and Laurie Stueber

The Town Board had approved the rezoning of the Stueber's parcel in September 2012. Dave Huenink stated that a Conditional Use Permit for the existing residence was required since a non-farm residence is a conditional use under A-5, while it previously had been a permitted use under R-1 before the recent rezoning. Jan Rauwerdink made a motion to approve the Conditional Use Permit with the standard conditions for a non-farm residence. Jack Stokdyk supported the motion which then passed by a unanimous roll call vote. Jack Stokdyk – Yes, Dave Huenink – Yes, David Mueller – Yes, Jan Rauwerdink – Yes, Eugene Schmitz – Yes, Roy Teunissen – Yes. Louise to gather information for Gerry Antoine to create the appropriate documents.

11. Discuss/act on revising accessory uses within agricultural & residential districts

The commission discussed three options to regulate accessory building. The first option was outlined in Jamie Rybarczyk's proposed ordinance limiting it to two buildings with neither building exceeding 900 square feet. The second option was limiting it to two buildings with a total combined footprint not to exceed some number of square feet. The third option was to utilize the Town of Vernon's ordinance, which has tiers based on lot size, as a template.

After much discussion, it was decided that the tiered lot size approach was preferred. Three tiers are proposed.

Lot Size:	Two buildings with maximum aggregate of:
Less than 1 acre	750 square feet
1 acre but less than 2 acres	1,200 square feet
2 acres or more	3% of the total lot area, provided that no individual building may exceed 3,000 square feet

Jamie will be asked to revise the proposed ordinance accordingly. The Plan Commission will discuss again at the next meeting. David Huenink stated that this is the first of three concurrent changes to the zoning ordinance and suggested bundling all three changes into one ordinance if the Town attorney agreed with that idea.

12. Discuss/act on revising conditional uses within B-1 district

Gerry Antione had prepared a draft ordinance to add "Land excavation and earthmoving" as a conditional use under B-1 as requested. He stated that he thought "trucking business" is already covered under the recently added "Transportation-related activities". The Plan Commission agreed with the proposed ordinance. David Huenink stated this is the second of three concurrent changes to the zoning ordinance that could be bundled into one ordinance. He also asked about the urgency of the zoning change. Jack Stokdyk brought up the Joose business issue. David

replied that the clerk had sent a letter to Mr. Joosse requesting how his business currently complies with the Town's ordinances, but as yet has not received an answer. Eugene Schmitz said Mr. Joosse stated the Plan Commission had earlier said as long as he owns the property the Conditional Use Permit from his previous business would remain in effect. Since we were waiting on additional information about the Joosse situation, the Plan Commission decided that the zoning change was not urgent and could wait to be bundled with the other pending changes.

#### 13. Discuss/act on Procedure for Conditional Use Permit Applications

David Huenink discussed the work that Louise Huenink and he had done creating the 'Procedure for Conditional Use Permit Applications' document and the reasons why. He pointed out that after Step 15 the Plan Commission could consider the Conditional Use Permit complete for the applicant while the clerk finished the filing process with the Register of Deeds. This way the applicant could move forward more quickly in starting their building project. Jack Stokdyk pointed out that it would benefit the applicant if we moved Steps 20 & 21 to follow Step 15. These steps covered contacting the Building and Fire Inspectors. The Plan Commission agreed. Jack also suggested that future revisions be highlighted so it would be easier to pick out at the next review. David Huenink stated that when the new procedure is adopted we also needed to update Ordinances 330-34 and 330-54, since the applicant would no longer be responsible for recording at the Register of Deeds. This is the third of three concurrent changes to the zoning ordinance that could be bundled into one ordinance. The Plan Commission decided that the new procedure was not urgent and could wait so that the zoning ordinance changes could be bundled with the other pending changes. David and Louise will make the discussed procedure revisions and present at the next meeting.

#### 14. Discuss/act on ongoing issues:

##### a. Status of applications in process.

Estate of Douglas Mamayek – Last month Don Becker reported he talked with the family's attorney, Ed Ritger. The documents were sent in for filing with the Register of Deeds on 9/4/2012.

William Depies/Hy-Way Transit – Mr. Depies filed on 8/23/2012 with the Register of Deeds. Current filing with the Register of Deeds is now taking approximately 5-6 weeks to complete.

Clerk to send a letter to Mike Matysik and Lamroe Transport requesting status.

##### b. County Farmland Preservation Plan – Farm Preservation Areas.

Don is writing a letter to explain the rationale used to determine farmland preservation areas identified in the Town of Holland.

##### c. Directive from the Town board to review all previously approved CUPs for home occupations and businesses - The purpose is to review for compliance and to possibly revise the CUPs. The Plan Commission Clerk has gone through all the files located on the clerk's laptop and has recorded information. The clerk is now going through the past folders located within the Town Hall to gather additional information.

- d. CG Services – Smies Road – David Huenink informed the Plan Commission that the Town Board agreed with last month's recommendations to consider the Sauk Trail property complete but to take action on the Smies Road site. He also stated that the Town attorney was notified. Jack Stokdyk asked if there were to be any penalties and David replied that there could be daily penalties. Jack also recommended that the Town pursue collection of any outstanding monies owed to them. He asked if the Town could contact the Town's attorney to see if CG Services equipment that is located on the premises could be impounded until payment(s) were made.
- e. County Shoreland Ordinance – David Huenink stated that the County has issued the final draft and held an open house on September 18 for the public. David also said the County expects the new ordinance to be in effect as early as this November. This topic can now be removed as an ongoing issue.
- f. Excavation business possibly operating without a Conditional Use Permit  
Eugene Schmitz said that Trevor Mentink indicated that the owner has a Conditional Use Permit that was issued in the past. Jack Stokdyk asked the question, was it issued to the person or the business? The business name had changed. The Commission decided to delay action until the next meeting, to allow time for a reply to the clerk's letter and information from Trevor.
- g. Wind farm project proposed within the Town of Sherman  
No action required by the Plan Commission at this time. A meeting was held last Tuesday to choose an engineering firm to assist in reviewing the application. Ayres Associates was the firm chosen and has partnered with other companies to provide technical expertise and measurements. The two towns are now waiting to receive the application from the wind farm developer which is expected soon.
- h. General Code training  
Don Becker received notification from the company that the dates requested were too far out for them to schedule at this time. Will get back to us as the dates draw nearer.

16. Public input:  
None

17. Adjourn  
Jack Stokdyk made a motion to adjourn at 8:11 PM and David Mueller supported. The motion passed by a unanimous voice vote.

Respectfully submitted,  
Louise Huenink  
October 5, 2012