

Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Monday, November 5, 2012

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, Jack Stokdyk, Roy Teunissen, Nathan Voskuil
Absentees – Trevor Mentink
Other attendees: Tom Huenink – Building Inspector and 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).
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 Nathan Voskuil supported. The motion passed by a unanimous voice vote.
9. Public input

Sharon Claerbaut – Parcel **590060676220**, Hawe Rd & Cole Rd, about 40 acres, Zoned A-1
Sharon Claerbaut asked about possible options to divide an A-1 parcel that she and her husband along with Wayne and Nancy Navis jointly own and are considering selling. She provided a hand drawn map of the property. They would like to divide part of the back portion of the parcel into two buildable lots and keep the front portion in agriculture. Sharon asked if creating a flag lot would be an option. Don Becker stated that the area east of I-43 is identified for development in the Town's Comprehensive Plan. David Huenink pointed out if they were to divide the parcel into two lots it would be considered a minor land division, but

if dividing into more than that it becomes a major land division. If divided into five lots or greater they would also have to go to Sheboygan County for approval and Navis/Claerbaut would probably need to present a plan for a conservation subdivision. If they keep the division to no more than 3 parcels it would only require Town approval. Typically any new parcels created would require rezoning to A-5 so the acreage and road frontage requirements for A-5 were discussed. Sharon mentioned that a Mr. Jensen owns 8 acres that is currently landlocked to the northeast of their parcel. It was suggested that they include Mr. Jensen in any proposal to enable road access to his property.

Cathy VerVelde – Parcel 59006074380, South Pine Beach Rd, 37,804 sq. ft., Zoned R-1
Cathy VerVelde is currently selling an undeveloped parcel on South Pine Beach Rd. Her realtor suggested that a purchaser might prefer a driveway off of Prospekt Blvd. Cathy provided copies of the 1965 Plat of Amberland Subdivision and a survey of her parcel. She says her lot is not part of the Amberland Subdivision but does abut it at the end of the cul-de-sac. David Huenink stated that he and Louise Huenink had visited the property to review how the parcel was positioned. Sheboygan County GIS data shows a public walkway between the parcel and Prospekt Blvd. Louise had contacted the County Treasurer and was informed that the public walkway was owned by the Town of Holland. To put in a driveway, the Town of Holland would have to grant an easement. David presented this to the Town Board last month and they referred the matter to the Plan Commission. Jack Stokdyk mentioned that about 1 or 2 years ago Sheboygan County said they were no longer allowing easements. Chairman Becker suggested checking with the County Planning Department.

Roy Teunissen asked Tom Huenink if he knew that a Carl Hoffmann had built a new garage and is running a business from it. Tom said Carl Hoffmann did get a permit for the garage, but knew nothing about him running a business from it. Roy then asked Tom if he knew the Prees had a permit for their new garage and Tom confirmed that they did.

Louise Huenink asked Tom Huenink if Mr. & Mrs. Kurt Kraus had already contacted him for a building permit since they have already started building their new house. Tom confirmed that they had already contacted him.

Jack Stokdyk asked Tom Huenink about a building(s) on Ben Claerbaut's property. Tom said they were covered feeding stations for his cattle.

10. Discuss/act on private easements across Town property

David Huenink said this agenda item is related to the request from Cathy VerVelde. The County GIS data shows the public walkway as a separate narrow parcel that completely separates her parcel from Prospekt Blvd. But looking at the subdivision plat and survey map provided by Mrs. VerVelde, the public walkway appears to extend off the end of the cul-de-sac and not a separate parcel. In this case her parcel already borders the public road so the driveway placement would just need to be approved by the Town Road Supervisor. The Plan Commission should check with the Sheboygan County Planning Dept to determine the public walkway status. If it is a separate parcel the County's position on the Town of Holland granting an easement would be requested. David Huenink made a motion that if the County Planning Department determines the public walkway is a separate parcel between the VerVelde parcel and Prospekt Blvd, then the Plan Commission recommend that the Town Board grant an easement for a driveway provided that the driveway does not interfere with the use of the public walkway. Jack Stokdyk asked if a width limit should be set. Nate Voskuil said that fire trucks prefer to have 15 feet in width, but that 10 feet was common. David then amended his motion to include that the driveway easement is not to exceed 12 feet in width. Jack Stokdyk supported the motion, which then passed by a unanimous roll call vote. Roy Teunissen – Yes, Eugene Schmitz – Yes, Jan Rauwerdink – Yes, David Mueller – Yes, Dave Huenink – Yes, Don Becker – Yes, Jack Stokdyk – Yes

David and Louise Huenink will contact the Sheboygan County Planning Dept prior to next week's Town Board meeting.

11. Discuss/act on proposed ordinance to revise accessory uses

David Huenink stated that Jamie Rybarczyk had revised the proposed ordinance regarding accessory uses per the Plan Commission's last meeting. There was some discussion regarding the allowance for lots within the 'Less than 1 acre' tier, but it was decided to retain 750 square feet.

The three tiers are:

Lot Size:	Two buildings with maximum aggregate footprint 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

The only change to Jamie's proposed wording is to replace "maximum aggregate square footage" with "maximum aggregate footprint". The Plan Commission Clerk will make this revision and send a copy to Jamie. A Public Hearing will be scheduled for this and two other zoning ordinance changes. David Huenink will consult the Town's attorney regarding consolidating the three changes into one ordinance.

12. Discuss/act on Procedure for Conditional Use Permit Applications

David Huenink discussed the work that Louise Huenink and he had done revising the 'Procedure for Conditional Use Permit Applications'. Per Jack Stokdyk's suggestion last month, former Steps 20 & 21 had been moved up to follow Step 15. These steps covered contacting the Building and Fire Inspectors. Jack Stokdyk made a motion to adopt the 'Procedure for Conditional Use Permit Applications Revised 10/17/2012' and David Huenink supported. The motion passed by a unanimous voice vote.

13. Discuss/act on ongoing issues:

a. Status of applications in process.

Estate of Douglas Mamayek – Ed Ritger was present and believed his office had recently received the documents back from the Register of Deeds. If so, he will send a copy to the Plan Commission Clerk. If not, he will provide status.

William Depies/Hy-Way Transit – Roy Teunissen said he would check with Bill Depies on the filing status with the Register of Deeds since he will be meeting with him later this week.

Mike Matysik – Louise Huenink received copies of the notarized and Register of Deeds stamped documents and has filed them.

Lamroe Transport – Don Becker will contact Teri to determine filing status with the Register of Deeds.

Majestic Storage – Louise Huenink provided information from when the site was approved for an indoor/outdoor storage facility. Rezoning to M-1 was approved but apparently no

Conditional Use Permit was deemed necessary at the time. David Huenink will contact the applicants.

- b. County Farmland Preservation Plan – Farm Preservation Areas.
David Mueller attended the October meeting ~~and helped in mapping out all the dairy farms in the County.~~ They also discussed anything that was **agriculture** related such as co-ops in the County. David handed out maps and talked of housing trends, population growth. The Town's projections seem to be more accurate than the WI Department of Administration data. The next meeting is scheduled for January 23, 2013. Don Becker pointed out that the county's farmland preservation map is not completely matching up land use map in the Town's Comprehensive Plan.
- c. Directive from the Town board to review all previously approved CUPs for home occupations and businesses.
The clerk is continuing to review old Plan Commission files located within the Town Hall to gather additional information. The spreadsheet being created has already proven helpful for some recent actions.
- d. CG Services – Smies Road
Don Becker received an email on October 31st indicating that CG Services has paid their attorney fees and things are proceeding. It appears the attorney will coordinate the site cleanup in a timely manner and then a new Conditional Use Permit application will be submitted. The Town has therefore temporarily suspended further legal proceeding for a short time.
- e. Excavation business possibly operating without a Conditional Use Permit
Louise Huenink handed out copies of a letter received from Randall Joosse stating that in June of 1992 he had received a Conditional Use Permit. Upon reviewing the old Plan Commission records, Louise found approval for rezoning of the parcel but it appears no Conditional Use Permit was deemed required at the time. It was suggested that the Town waive the standard Conditional Use Permit application fee and have Mr. Joosse apply for one. Don Becker made a motion that the Plan Commission recommend to the Town Board to waive the standard Conditional Use Permit application fee for Mr. Joosse and Roy Teunissen supported. The motion passed by a unanimous voice vote.
- f. Wind farm project proposed within the Town of Sherman
Chairman Don Becker stated that the application had been expected by now, but the Town has not received it yet. He also stated that the Town received several emails relating to health impacts of wind turbines, including a peer reviewed study in Canada.
- g. General Code training
Chairman Don Becker said he should hear something back from General Code next month since they should have their schedule for January set by then.

16. Public input:

Attorney Ed Ritger provided copies of a 5/17/2012 certified map showing two A-2 parcels at the northeast corner of County Roads RR & CC. The northern parcel is 2.89 acres with 433.23' of road frontage and the southern parcel is 5.42 acres, which were just created in June 2012 when Chad Peters did a minor land division. Ed's client Larry Harmon had originally entered into an

agreement with Chad Peters to purchase a 1.5 acre parcel on January 28, 2012. But Larry is now considering purchasing the northern parcel with the understanding he could divide the parcel in ten years and sell one portion. Ed wanted to know if that plan was feasible.

The Plan Commission advised the current zoning ordinance would not allow the northern parcel to be divided. Both A-2 and A-5 zoning require 1.5 acres and 225' of road frontage. Dividing a 2.89 acre parcel with 433.23' of road frontage would violate both these requirements.

Jack Stokdyk asked about the additional time given CG Services to rectify the Smies Road location. It was discussed that allowing their attorney a small amount of additional time would hopefully enable him to resolve the situation to all parties' satisfaction without incurring additional fees.

Ed Ritger stated that a six turbine wind farm project was recently approved in Springdale in Dane County.

17. Adjourn

Roy Teunissen made a motion to adjourn at 9:53 PM and Jack Stokdyk supported. The motion passed by a unanimous voice vote.

Respectfully submitted,
Louise Huenink
November 6, 2012