

## **Minutes of Plan Commission Meeting November 6, 2006**

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. Chairman Becker called the meeting to order at 7:29pm.
2. The assembly recited the **Pledge of Allegiance**.
3. Chairman Becker certified that the requirements of the **Wisconsin Open Meetings Law** had been met.
4. The **Agenda** was adopted as the official order of business on a motion by Eugene Schmitz, supported by Dave Huenink, with passage by a unanimous voice vote.
5. **Roll call** showed in attendance Donald Becker, Ken Nyhuis, Claus Weingaertner, Dave Huenink, Tom Huenink, Eugene Schmitz, Matthew Sproehlich, Jan Rauwerdink (arriving late). Absent were John Kucksdorf and Dan Teunissen.
6. **Minutes** of the regular Plan Commission meeting on October, 2006 were offered for approval but not read aloud. Ken Nyhuis moved to accept the minutes as presented. Claus Weingaertner supported the motion which passed by a unanimous voice vote.

### **7. Public Hearing on language changes in Zoning Ordinance submitted to DATCP:**

The purpose of the language changes is to clean up the Zoning Ordinance, making it consistent with the requirements of DATCP. Ted Scharl asked what changes were made. Chairman Becker replied: clearer definitions, changes written to comply with Farmland Preservation law, minor conditional use changes in A-1 and A-3, provision for notification to WI Dept. of Agriculture when there is a change in an A-district. Jack Smies asked a question about dating of Ordinance Changes. Chairman Becker assured that such changes will be dated and traceable.

Motion to close the Public Hearing by Matthew Sproehlich; support by Dave Huenink; motion passed by unanimous voice vote.

### **8. Public Hearing on a request from Grant and Karen H. Ringlien to partition their A-2 parcel into two parcels and to change the zoning of one of the resulting parcels from from A-2 to A-5. The Ringliens would partition their 17.19-acre parcel into two parcels of 10- and 7.19-acres. The 10-acre parcel would remain A-2 while the 7.19-acre parcel would become zoned A-5. The Ringlien parcel is located at the southwest corner of County Highway G and Palmer Road, W2925 County Highway G, tax key no. 59006066130:**

Brian Gesch spoke in favor of the request. No other comments from the public were made.

Motion to close the Public Hearing by Eugene Schmitz; support by Claus Weingaertner; motion passed by unanimous voice vote.

### **9. Deliberate and take action on the Ter Maat request, tabled last month:**

Copies of a certified survey map of the parcels west of the railroad tracks were distributed to the Plan Commission. However, the CSA lacked the requisite language on 10-year moratorium on further subdivision, which may be corrected prior to the Board meeting on 11/13/06 .

Dave Huenink moved to recommend to the Town Board approval of the TerMaat request by reason that the road frontage, acreage, and land use requirements are met; recommending also the division of the parcel; conditioned on addition of 10-year moratorium language to the CSM and owners' signatures on the CSM; recognizing that a small triangle on the west side of the railroad tracks is being separated from the east side parcel 59006069770 and incorporated into lot 2 of the CSM. Supported by Donald Becker and passed by a unanimous voice vote.

Next considered was the second part of the Ter Maat request to re-partition the parcels on the east side of the railroad tracks, adding 2 acres to the non-conforming 1-acre R-1 parcel, making a new parcel of 3 acres to be rezoned A-5. So doing, the road frontage would still be less than the requisite 250 feet. Lloyd Ter Maat was advised how to proceed to the Board of Appeals. A critical consideration is the date on which the non-conforming 1-acre R-1 parcel was created, a matter to be researched by the applicant. If prior to November 1982, the Plan Commission has jurisdiction. If November 1982 and afterwards, the Board of Appeals has jurisdiction.

Eugene Schmitz moved to table the 2<sup>nd</sup> part of the Ter Maat request until the critical date information is known; support by Dave Hunenink; motion passed by unanimous voice vote.

#### **10.Deliberate and take action on the Zoning Ordinance language changes required by DATCP:**

Claus Weingaerner moved to recommend to the Town Board the adoption of the language changes to the Zoning Ordinance. Support by Matthew Sproehlich. The motion passed by unanimous voice vote.

#### **11.Deliberate and take action on the Ringlien request for rezoning:**

The requisite language regarding 10-year moratorium on further subdivision was not on the CSM, but may be added before the next Board meeting.

Eugene Schmitz moved to recommend to the Town Board the approval of the zoning change, provided the required language is added to the CSM. Support by Jan Rauwerdink. Passage by unanimous voice vote.

#### **12.Discussions with Kevin Struck related to updating of Comprehensive Plan, encouraging cluster development, and the prototype ordinance adopted by Town of Mosel:**

Kevin Struck appeared and spoke and answered questions. Mr. Struck is expected to return with:

- 1.A template of a Public Participation Plan
- 2.A flowchart for the planning process
- 3.Budget/cost
- 4.A timeline of the planning process
- 5.What the Plan Commission should have on the agenda of its December meeting in order to start the planning process in January 2007.
- 6.A template for RFPs.

Mr. Struck observed that Town Holland's Zoning Ordinance is prescriptive toward cluster development. If it were changed to express only general principles and values, it might be more effective in attracting developers to work with the Town.

Mr. Struck reviewed the prototype Ordinance of the Town of Mosel which aims to garner development rights for the Town. It could serve as a model worthy of imitation by Town Holland.

### **13.Discussions with Kevin Struck regarding training that is available for Plan Commission members:**

- 1.Center for Land Use Education produces a Plan Commission Handbook. Copies were distributed to the Plan Commission.
- 2.CDs of a work by Kevin Struck are available at a price of \$5 each.

### **14.Recording of restrictive covenants with Sheboygan County:**

By consensus, the **recording** of restrictive covenants will be the joint responsibility by the Town Clerk and the Clerk of the Plan Commission. However, it is the responsibility of the applicant to create a document that is in recordable form, that is, conforming with recommended language, blanks properly filled in, signed by the owners, delivered to Clerks, etc. Procedurally, the Clerk of the Plan Commission will receive the document, ensure its completeness and acceptability, and forward to the Town Clerk for recording.

### **15.Public Input:**

Ted Scharl used the occasion to submit a formal request from Dietzo for rezoning and conditional use permit, in time for consideration at the December meeting of the Plan Commission. A different request from another party is being prepared, also for consideration at the December meeting.

**16.**The **attendance record** of the Plan Commission's October 2006 meeting was examined and approved on a motion by Dave Huenink, supported by Ken Nyhuis, the motion passing by a unanimous voice vote.

**17.**The meeting **adjourned** at 9:15pm on motion by Dave Huenink, supported by Chairman Becker, and with passage by a unanimous voice vote.

