

**Minutes of Plan Commission Meeting May 7, 2012**  
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. Call to order at 7:33 p.m. by Chairman Don Becker
2. Pledge of Allegiance was recited.
3. Certify that the requirements of the Wisconsin Open Meetings law have been met. Chairman Donald Becker so certified.
4. Record retention certification. The clerk stated that March 2012 Plan Commission files, paper and electronic, had been placed in the file room of Town Hall. The clerk described a procedure for backing up Plan Commission files on a laptop computer, thumbdrive images of those files, images on hard drives of various computers, CDs placed in monthly file folders at Town Hall, DVDs occasionally given to Town officials. Paper copies are not backed up except for a subset that is digitally scanned; the original paper documents are in the PC file cabinet at Town Hall. Only electronic files are rigorously backed up.
5. Adopt Agenda as official order of business. The agenda was modified on a motion by Chairman Donald Becker, supported by Jack Stokdyk, passing by unanimous voice vote: Depies parcel number was corrected to 59006076431 and items 12 and 13 were re-ordered before item 11.
6. Roll call. Present were Chairman Donald Becker, Nathan Voskuil, David Mueller, Jack Stokdyk, Eugene Schmitz, Dave Huenink. Absent excused were Roy Teunissen, Tom Huenink, Jan Rauwerdink. Absent unexcused was Trevor Mentink.
7. Approval of DRAFT minutes of previous meeting on April 2, 2012. (Draft minutes of prior meetings can be found on our web site at [www.townofholland.com](http://www.townofholland.com)). The minutes were approved on a motion by David Mueller, supported by Jack Stokdyk, passing by unanimous voice vote.
8. Public input:

Mike Matysik presented a plan to operate a woodworking shop at the southeast corner of County A and Highway 32. He is in the process of submitting a request for a CUP.

Mike Kuffel is engaged in a boundary line movement at W1778 Van Ess Road. His acreage will increase with the addition of A-1 land to his existing A-2 land. Mike plans to apply for a change of zoning from A-1 to A-2.

9. Public hearing of a request by William and Bonnie Depies (dba B's Corner, Hy-Way Transit Inc, Hy-Way Service) for a conditional use permit(s) for operation of their various businesses on parcels 59006076431 and 59006066780 located near N937 Sauk Trail Road.

William Depies appeared and spoke in favor of his request. Neighbor Jim TeStroote stated an objection to having trucks parking overnight as in a truck stop.

Jack Skokdyk moved to close the public hearing. David Mueller supported the motion which passed by unanimous voice vote.

10. Public hearing of a request by David Otte/Otte Bus Service Inc for a change of zoning from A-1 to B-1 on parcel 59006066742 and for a conditional use permit to operate the business. The parcel is located on the border of Town of Holland and the Village of Cedar Grove. Parcel 59006066742 includes a paved parking lot for buses, located behind 420 East Union Avenue, Cedar Grove, WI.

David Otte appeared and spoke in favor of his request. No one spoke against.

Dave Huenink moved to close the public hearing. David Mueller supported the motion which passed by unanimous voice vote.

11. Discuss/act on Teri Hittman/Lamroe Transport LLC/Robert Lammers request for rezoning and conditional use permit. (The public hearing was held on April 2, 2012.). This agenda item was treated in revised order after items 12 and 13.

Teri Hittman appeared and spoke in favor of her request. Jamie Rybarczyk participated in the meeting via speaker phone.

Dave Huenink moved to recommend to the Town Board a change of zoning from A-5 to A-4 and, contingent on the Board's approval, to grant a CUP as drafted in the Foth staff report and related email and as amended in this meeting, and to approve the submitted site plan and plan of operation. Supported by Nathan Voskuil and passed by unanimous voice vote.

12. Discuss/act on foregoing request by William and Bonnie Depies.

Jack Stokdyk moved that the new CUP to be drafted for Depies supercede all previous CUPs, and that the new CUP cover three things:

- a. Hy-Way Transit, Depies own trucking firm, with a maximum of 24 tractors and 72 trailers owned/leased by Depies, with 24-hour/7-day operations including 24-hour maintenance of Depies' own equipment
- b. Hy-Way Service Center, aimed at service to outside customers, hours of operation 5 a.m. to 8 p.m. and emergency service at any hour
- c. C-store including restaurant as the State defines, but not a sit-down restaurant as commonly understood, hours of operation 5 a.m. to 10 p.m. Jamie Rybarczyk is appointed to draft the restaurant conditions

And that the new CUP pertains only to parcel 59006076431, and that Jamie Rybarczyk will draft the entire CUP for Attorney Gerry Antoine to review, and that the PC will act upon that draft CUP next month. Supported by Eugene Schmitz and passed by a unanimous roll call vote.

13. Discuss/act on foregoing request by David Otte.

Dave Huenink moved to grant the requested CUP and recommended to the Town Board approval of the requested change of zoning from A-1 to B-1. Supported by David Mueller and passed by a unanimous roll call vote.

14. Review and take action with respect to probable CUP violation by CG Services for Sauk Trail Road location. Review and take action for violation of Town Ordinances with respect to the Smies Road property that continues to be used for landscape business operations. (The public hearing was held on February 6, 2012.). This agenda item was treated in revised order after item 11. Jamie Rybarczyk participated in the meeting via speaker phone.

Chairman Becker reported that CG Services' property taxes were paid a short time ago.

It was determined that a new application for a CUP/change of zoning and a public hearing will be needed for the Smies Road site of operations.

Jack Stokdyk moved to have Gerry Antoine send a letter to CG Services:

- Acknowledging the letter of 5/4/2012 from Olsen, Kloet, Gunderson & Conway Attorneys at Law that anticipates the acquisition of the Smies Road parcel by CG Services within several days
- Requiring that CG Services submit a new request for a CUP/rezone for the Smies Road parcel by May 15, 2012 in the clerk's hands
- Failing submittal of foregoing request, remove all vestiges of landscaping materials from the Smies Road site by May 15, 2012
- Noting that the Plan Commission had expected from CG Services a new request for CUP/rezone at Smies Road by May 7, 2012
- Thanking CG Services for the letter of 5/4/2012 in partial fulfillment of the PC's expectations
- Referencing the 5/4/2012 letter from Gerald H. Antoine to Kevin J. Claerbaut and Jon Arentsen

Supported by Eugene Schmitz and passed by a unanimous roll call vote.

15. Discuss/act on directive from the Town Board to PC to review all previously approved CUPs for home occupations and businesses. Chairman Becker introduced this topic, pointing to a need for input from Gerry Antoine on the Town's authority to re-open CUPs. Next step is to take an inventory of recent CUPS, which requires delving into old minutes in the PC's file cabinet.
16. Discuss/act on on-going issues:
  - a. Template for business CUPs – next month use CG Services CUP conditions as a starting point
  - b. Shoreland Zoning Stakeholders Group – nothing new to report
  - c. Incomplete conditional use permits – progress on Mamayek and Newkirk noted
  - d. Responses from trucking firms to letters sent to them – address Kevin Brill next month; he was granted a CUP in September 1997
  - e. County Farmland Preservation Plan – Farm Preservation Areas. There has not been a meeting recently. The Town is expected to draw boundaries substantially

- in compliance with the County's Farmland Preservation Plan. Sean of County Planning needs to provide Town with more information or give further direction.
- f. Wind turbine regulations – dropped as an ongoing issue

17. Public input: none

18. Review attendance record of April 2012. Approved on a motion by Dave Huenink, supported by Nathan Voskuil, passing by unanimous voice vote.

19. Adjourned at 10:52 p.m. on a motion by Jack Stokdyk, supported by David Mueller, and passing by a unanimous voice vote.

Respectfully submitted,

Syd Rader

June 5, 2012