

Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Monday, February 1, 2016

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

Chairman Don Becker called the meeting to order at 6:00 PM.

2. Certify that the requirements of the Wisconsin Open Meetings law have been met.

Chairman Don Becker so certified.

3. Record retention certification

In Clerk Huenink's absence, the record retention certification has been tabled until next meeting when she is present.

4. Roll call

Members: Don Becker, David Mueller, Eugene Schmitz, Jack Stokdyk, Matthew Teunissen, Roy Teunissen

Absentee(s): David Huenink, Trevor Mentink, Nathan Voskuil

Others: Kevin Struck – UW Extension Educator, Holland Residents Tiffany Feldmann, Leon Jacoby, Resident and Treasurer Craig Droppers, Rhonda Klatt – Acting PC Clerk for this evening only

5. Adopt agenda as official order of business

Jack Stokdyk made a motion to adopt the agenda as presented. David Mueller supported the motion. The motion passed by a unanimous voice vote.

6. Discuss/act on revision of Town of Holland Ordinances supporting WI Working Lands Initiative

a. Kevin Struck from the UW-Extension led the discussion.

b. Reviewed updated document of work done to date

c. Since the current zoning ordinances are certified by DATCP and since there have been some new homes built within an FPZ, there are deed restrictions (land covenants) that define the areas preserved for farming at the 20:1 ratio. Clerk Huenink will be gathering the records for the properties with previously approved deed restrictions. We discussed two options for dealing with the properties with restrictive covenants:

i. Request County Planning to create an overlay identifying the areas affected by deed restrictions

ii. Rezone the properties affected by deed restrictions to A-PR and notify the property owners that the Town Board would support removal of the deed restrictions. This option uses the restrictions incorporated in the new A-PR district to replace those of the restrictive covenant.

Brett Zemba, GIS Specialist, Sheboygan County Planning & Conservation Department, informed Chairman Becker that an overlay to the zoning map could be prepared showing the current deed restrictions. One would need to remember, however, to ask for the zoning map *with* the

overlay, and not just “the zoning map”. There was discussion regarding the process for removing a deed restriction as compared to rezoning out of A-PR. The latter requires a supermajority of the Town Board. Mr. Becker thought that removal of a deed restriction also requires a super-majority today, but this should be confirmed. Anticipating that we will rezone land with deed restrictions to A-PR, Struck will need Zemba to create such an overlay so Struck can conveniently locate the properties on his software map. Chairman Becker will follow up with Secretary Huenink and Zemba in regards to the overlay and deed restriction boundaries.

- d. Need to address A-2 zoned parcels since approximately 33 parcels are currently greater than 10 acres. Since the current ordinance sets a density of 5 acres, these existing A-2 parcels are eligible for two or more building sites. When the new ordinance is adopted these A-2 properties would need to be at least 40 acres in size to be eligible for 2 building sites because the new A-2 is in the FPZ. This situation would constitute a ‘take away’ and could lead to challenges. Options include:
 - i. Leave description and zoning as is but revise the new A-2 language to grandfather it, or
 - ii. Do not include A-2 in FPZ and create a new district entitled A-1-S with a 3- to 19.99-acre size.

Struck will follow up with the percentage of map that would be affected should A-2 be taken out of FPZ.

- e. Several smaller A-1 parcels were reviewed on the map and were replaced with more appropriate zoning. Some of the parcels in question were not adjoined with the larger farm tracts because the name on the deed did not match. Those were corrected, including parcel #59006069290 (Delores Mueller, owner) which was erroneously not transferred to the trust like the others in the tract. David Mueller will follow up with the commission when this has been correctly transferred to the trust.
- f. It was the consensus of the commission to meet again next month at 6:00 p.m., prior to the regularly scheduled 7:30 p.m. meeting, to finish up mapping, review resident letter examples from Struck, and to schedule the open house.

7. Public Input (Comments may be limited to 3 minutes per person)

Resident Tiffany Feldmann asked for clarification on the description of A-PR (Agricultural Parcel Remnant) and A-2 zoning. Resident Craig Droppers inquired on A-1-S zoning.

8. Adjourn

Jack Stokdyk made a motion to adjourn at 7:36 PM. David Mueller supported the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,
Rhonda J. Klatt, Acting Plan Commission Clerk
February 2, 2016