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Plan Commission Meeting Minutes
Town of Holland
Sheboygan County, Wisconsin

Date: Monday, March 7, 2016

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 7:38 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 Don Becker so certified.
4. Record retention certification
The Plan Commission clerk stated record retention was up-to-date.
5. Roll call
Members: Don Becker, David Huenink, David Mueller, Eugene Schmitz, Jack Stokdyk, Matthew Teunissen, Roy Teunissen, Nathan Voskuil
Absentee(s): Trevor Mentink
6. Adopt agenda as official order of business
Don Becker said item 10 would need to be held over for the April meeting because Kevin Gerard requesting more time for research. David Huenink made a motion to adopt the agenda with that one change. Jack Stokdyk supported the motion. The motion passed by a unanimous voice vote.
7. Review/approve minutes of previous meeting(s)
The 6:00 PM & 7:30 PM meeting minutes had the following corrections.
David Huenink stated the 6:00 PM minutes needed to change the word 'Secretary' to 'Clerk.' David Huenink stated that Dan Teunissen's last name was misspelled in the 7:30 PM minutes in item 11, and at the end of the minutes change 'Secretary' to 'Clerk'. David Huenink made a motion to approve the minutes with the above corrections. David Mueller supported the motion. The motion passed by a unanimous voice vote.
8. Building Inspector reports:
 - a. Review/approve building permits report
Tom Huenink reported that Luigi's Pizza did not file for a building permit. He was asked if he has returned to the site since placing the notices to see if any building has been started. He said he has not been back since putting up the notices. Tom said the business is still waiting on the State to approve their building permit. Don Becker said Luigi's will need both State and Town of Holland building permits before proceeding with their building plans. Tom says that the

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County needs to be contacted as well.

Jack Stokdyk made the motion to approve the building permits report as presented. David Huenink supported the motion. The motion passed by a unanimous voice vote.

- b. Follow-up item(s):
None.

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

David Huenink spoke on behalf of Marcia Corcoran who submitted an application to rezone her parcel from A-2 to A-5 to make it more attractive to sell. Upon review by the Plan Commission, they believe it is not necessary under the current ordinances and if rezoned now would be reverted back to A-2 under the proposed upcoming rezoning. Marcia will be contacted and given this information.

10. Discuss/act on situation of Kevin Gerard's lakefront parcels with multiple houses

Kevin requested more time for research so asked this to be moved to the April meeting.

11. Discuss/act on action related to Conditional Use Permit violations by CG Services

David Huenink said as of last Saturday, March 5, 2016, that the latest check appears to have cleared the bank. The Plan Commission needs to contact the Town Treasurer to verify that the check cleared and if so then proceed with the processing of the conditional use permit.

David Huenink made a motion to continue processing CG Services' conditional use permit for Smies Rd. contingent on the Town Treasurer saying the funds were deposited. Eugene Schmitz supported the motion. The motion passed by a unanimous voice vote.

12. Discuss/act on training for Board of Appeals members

Don Becker suggested the Town do something similar to what the state requires for Board of Review training. He talked with the Town's attorney, Gerry Antoine, who said he did not know of any town doing something similar. At last month's meeting Rhonda Klatt suggested trying to include this training topic in the next Wisconsin Towns Association meeting agenda. Don feels this training should be done every 2-3 years. This could be added to the Town Board's or Plan Commission's agenda to discuss when training should be done. Jack Stokdyk suggested that since the Town Board annually needs to appoint one or more members to the Plan Commission and Board of Appeals, the related training could be reviewed then. It was suggested that the Town Clerk revise the March and/or April agenda templates to add discussion of training requirements. The Plan Commission Clerk should notify the Town Clerk of the needed change.

13. Discuss/act on amending the Zoning Code to establish a special exception procedure

Don Becker was to contact the Town's attorney, Gerry Antoine, but has not been able to yet. Gerry is to create a draft for the Plan Commission to review. This will be a future agenda item.

14. Discuss/act on requiring Plan Commission review of certain type of building permits prior to issuance

The Town's attorney, Gerry Antoine, said that if the Town makes a mistake in issuing a permit they have the power to revoke it. Although regardless of a permit, the person must comply with the Town's ordinances and zoning, the Town should strive to avoid such mistakes. Don Becker suggested creating a three person committee to help speed up the review of building permits and to determine if it needs to go

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to the full Plan Commission. No decision was made on whether a review committee is to be formed or if the whole Plan Commission should hear certain types of building permit requests. Several suggestions were given.

Possible specific cases that would need a review:

1. Any residence where it is a Permitted Use (already reviewed by PC when a Conditional Use)
2. Any building not in the FPZ
3. Increasing the footprint of a residence
4. Any additional sleeping or living space outside the residence
5. A deck
6. POSSIBLE CASE - Increase the size of an accessory building

Tom Huenink suggested that we should consider making everything a conditional use permit so that people must come to the Plan Commission. Jack Stokdyk suggested that Tom could be given the option of only submitting to the Plan Commission those permit requests of which he is not sure how to handle. Don Becker was concerned that this latter approach removes the built-in checks of a Plan Commission review. Don also reminded everyone that Matt Teunissen asked in a recent Plan Commission meeting why the Plan Commission wasn't reviewing building permits prior to issuance.

The Plan Commission needs to research accessory buildings before any decision can be made to include increasing the size of accessory buildings among those requests that require Plan Commission review prior to issuance of a building permit. It was decided that this topic will be placed on the April 2016 agenda.

15. Discuss/act on ongoing issues:

- a. Applications being processed
There were no questions on the report presented.
- b. Planned for March meeting – Situation of Kevin Gerard's lakefront parcels with multiple houses
This topic was rescheduled for the April 2016 meeting.
- c. After zoning changes – Zoning violation in R-1 district and failure to obtain building permits for improvements
- d. After zoning changes – Create a revised Zoning Ordinance Summary
No action taken on this item.
- e. After zoning changes – Consider requiring a Driveway Placement Approval form with relevant applications
It was discussed that an applicant will need to provide a CSM showing the driveway placement before the Plan Commission can give approval. This topic will be placed on the April 2016 meeting.

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

Jack Stokdyk researched whether there are violation fees that could possibly be charged for NSF checks that the Town receives. He could only find information that for bad checks under \$500.00 and found that a \$100.00 fee could be charged.

Don Draayer currently has two buildings on his property that is a quarter of an acre in size and would like to build a 960 square foot shed. He owns two contiguous 58-ft x 90-ft lots on Draayers Court off DeWitt Rd. He contacted the County who said he was far enough from any navigable waterway. The

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current lot stakes that were installed in 1936 are not in the correct place, in correcting this Don Draayer lost 15 feet to the west but gained 15 feet to the east. After the correction, it was found that the family cottage straddled his uncle's property line. Therefore, Don Draayer talked with his neighbors and they agreed that it would be better to officially move all the boundary lines back to those staked out in 1936.

Don Becker suggested Don Draayer take the necessary steps to make the 1936 boundaries the official boundaries of today. Don Draayer can then determine if he will be able to place the new building where he would like it. Don Draayer said that the new building will be a shed that will store a boat and tractor along with two wave runners. Don Becker informed Don Draayer that he could file a conditional use permit application to exceed the permitted total footprint of accessory buildings, but Don Draayer would need to be able to show that he meets the required setback requirements.

Don Becker said he recently talked with a Town resident who wants to help out their mother-in-law by building another living structure on their property. While this is not allowed under our ordinances, it may be possible with a land division to meet the applicant's objectives. Such requests are coming before the Plan Commission more often lately. He recommended that the Plan Commission members look into this scenario and come prepared to offer ideas how these requests might be accommodated under our ordinances.

Roy Teunissen said he submitted an application for his son who purchased the land that Bob DeRuyter owned. Bob came before the Plan Commission a few months ago to discuss dividing possible land division. The son will be requesting a boundary line adjustment covering 1.23 acres with rezoning from R-1 to A-2. Also requested is rezoning 18.77 acres from A-1 to A-2. The resultant parcel will be 20.0 acres zoned A-2.

17. Review/approve attendance records for meeting(s)

David Mueller made a motion to approve the attendance records as presented. Nate Voskuil supported the motion. The motion passed by a unanimous voice vote.

18. Adjourn

Jack Stokdyk made a motion to adjourn at 9:40 PM. David Mueller supported the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,
Louise Huenink, Plan Commission Clerk
March 8, 2016