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Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Monday, June 6, 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 7:30 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 Don Becker so certified.
4. Record retention certification.
The Plan Commission clerk stated record retention was up-to-date.
5. Roll call.
Attendees: Don Becker, David Huenink, Trevor Mentink, David Mueller, Eugene Schmitz, Jack Stokdyk, Matthew Teunissen, Roy Teunissen, Nathan Voskuil
Absentee(s)
Attendee: Tom Huenink – Building Inspector, Louise Huenink – Clerk
6. Adopt agenda as official order of business.
David Huenink made a motion to adopt the agenda as presented. David Mueller supported the motion. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).
David Mueller indicated on the 5/2/2016 minutes that in item 8 that it should read Village of Cedar Grove limits and in item 9 the name Dan Teunissen needed to be corrected to read Don Teunissen. There were no corrections for the 5/25/2016 Special Meeting minutes. David Huenink made a motion to approve the minutes as presented with these 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 David Mueller's neighbor, Fritz, had planned to raze his current garage and build a new one. He has now decided to add on to the existing structure instead after Tom discussed the situation with David Huenink.
 - Tom also reported another request for adding an attached garage to a existing house had been

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discussed with David Huenink

- David Huenink made a motion to approve the building permits report. David Mueller supported the motion. The motion passed by a unanimous voice vote.

b. Review/approve building permit requests needing Plan Commission review:

Tom Huenink reported that there were no permit requests for review this month.

c. Follow-up item(s):

- Luigi Pizza – Tom reported that he called the State building inspector who had been on the site two weeks ago. Nothing has been approved yet because the owner is considering a bigger expansion than initially proposed. The inspector believes there will be a submittal hearing within the next two weeks where the revised plans will be reviewed. The Town needs to find out what is in the submittal. Tom has not issued any permits to date.

- Don Becker asked Tom if he knew about a farmer who is putting up a large building on their property east of the Town Hall and has a large amount of lumber covered by a tarp. Tom indicated he has not been contacted by this landowner.

- Roy Teunissen asked if Tom knew about a person putting on a new roof on Hoitink Rd across from Rick Otte. Tom indicated that he has not been contacted by this landowner.

9. Public input.

David Huenink explained a public hearing notice from Sheboygan County for a Shoreland Zoning rezoning request which is required for the replacement of a bridge on Marine Drive. There is no action needed by the Town.

Don Becker said he was recently contacted by someone who has a 40-acre parcel that they want to divide to give to their 3 or 4 children. The owner mentioned various thoughts and seemed unsure of what was actually desired. Don advised the person to come before the Plan Commission at the June 6, 2016 meeting, but the person was not present.

10. Discuss/act on potential changes to zoning ordinance related to farmland preservation & related activities.

Kevin Struck from the UW-Extension was in attendance. He showed the most recent proposed ordinance changes in response to the May 25, 2016 meeting and asked if there were anymore corrections or additions. The Plan Commission approved the new changes. Kevin next asked for the chairman's signature for he has started working on the documentation for filing with DATCP. Kevin said possibly by August he will have something to report on any DATCP findings. This will be added to the August agenda. Once DATCP certifies the Town's ordinance changes the Town will go through the ordinance adoption process.

Kevin reported on his research of flag lot language. He stated that the Town needs to be sure that they define length and width of a drive, road frontage and any other conditions required for such a request. The Plan Commission verified that there is such wording in their ordinances and that they will need to be careful if and/or when such a request is made.

11. Discuss/act on letters to property owners regarding proposed rezoning & feedback received to date.

Kevin sent out response letters that were reviewed at the May 2 meeting. He received a response from

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Randall & Linda Walvoord saying they would prefer to be zoned A-5 since they currently receive no tax credits and other lots in the area are zoned A-5. The Plan Commission agreed to change the zoning to A-5. No other responses to the latest letters to property owners were received.

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

Don Becker informed the Plan Commission members that he had drafted a letter to Mr. Gerard, but then learned that a letter from the Town's attorney to Mr. Gerard's attorney's addressed the same points. Don said the Town received another letter on June 6th from Mr. Gerard's attorney stating he received the Town attorney's letter dated May 17 last week but had not reviewed it until June 6th. Mr. Gerard's attorney listed demands and also requested that a meeting be scheduled.

In order to have the upcoming meeting be productive for all parties, the Plan Commission wanted to offer possibilities to resolve most issues. David Huenink summarized two possible options.

Option 1: Create two separate lots with one residence on each lot and with no encroachments on either lot. This could be done by a boundary line adjustment such that the residence on the north parcel (the "cabin") no longer overlaps the current parcel boundary line and satisfies R-1 setback requirements. The cabin has a large deck which may cause an issue, but this option could work if Mr. Gerard removes the deck section that currently encroaches onto the other lot. This option would probably also facilitate future sales of the parcels.

Option 2: Merge the two parcels into a single parcel and modify the second building (the "guest house") to no longer be a separate residence. Primarily this involves the removal of food preparation and storage facilities.

A consideration for both options: Currently there is a shared septic system, believed to be sized for a total of four persons. This needs to be sized appropriately for the concurrent use of the two buildings. A possibility might be to install a water meter on each line from the well to monitor the possible discharge into the septic system.

Jack Stokdyk asked about the possible issue of parking if there are two lots because the building on the south lot is very close to the road. This would be the owner's issue to resolve. But David stated that each parcel has space on the west side of the road that could be used for parking.

Jack also asked who would be responsible for the shared septic system if there are two lots. This might become an issue if one lot is sold in the future. Which lot owner will be responsible for the care and ongoing expense of the septic system? This would be the owner's issue to resolve.

Matt Teunissen suggested that the Town follow the original letter from the County, regarding the removal of the kitchen type facilities in the second building. This is part of option 2.

It was decided that Don Becker and David Huenink should present the Town's views at the meeting with the attorneys and Kevin Gerard.

13. Discuss/act on accommodating multi-generation families residing on one property.

David Huenink talked about how he and Louise Huenink created a survey form and mailed it out to 10

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towns. To date we have only received two responses, from the Town of Sherman and the Town of Greenbush. This is not enough to move forward so we will keep on the agenda as an Ongoing Issue.

14. Discuss/act on draft Special Exception Ordinance

Gerry Antoine created a draft Special Exception Ordinance. Don Becker stated that a four-person approval is required. Since the Plan Commission's quorum is four, if only four members were present it would need unanimous approval. It was suggested that Dan Teunissen and Jack Stokdyk review the proposed ordinance since they are on the Board of Appeal. Don Becker will send a copy to both.

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

The Plan Commission reviewed the draft document. Don Becker made a motion to adopt this as a policy. David Huenink supported the motion. The motion passed by a unanimous voice vote.

16. Discuss/act on ongoing issues:

a. Applications being processed.

William Dekker - We have not received a reply with the signed/notarized documents for filing or payment of the invoice. It was decided to draft a reminder letter stating this needs to be received by the next meeting or this will be deemed a violation and will be turned over to the Town's attorney.

Neil Teunissen – We have not received a reply with a CSM for the complete new parcel for Leon. Per Roy Teunissen, there appears to be an issue with the County and getting the new full legal description for the new parcel.

b. Rezoning and boundary line adjustment for Tiffany Feldmann property on WI-32

We have not received an application. Louise Huenink to send another email/letter saying that the Town application needs to be received very soon in order for the normal \$300 Plan Commission Application fee be waived for doing the rezoning of her parcel.

c. Driveway Placement Approval form with relevant PC applications

Nate Voskuil will draft after discussions with Roger TeStroete and provide to Louise for inclusion in our July meeting packet.

d. Penalties for not meeting a timeline, such as an application requirement or a CUP condition

Item tabled until a future Plan Commission meeting.

e. After zoning changes – Zoning violation in R-1 district and failure to obtain building permits for improvements.

Don will send Van Driest communication that a shared driveway is acceptable and that rezoning to B-1 and a building permit are required.

Item tabled until a future Plan Commission meeting.

f. After zoning changes – Create a revised Zoning Ordinance Summary

Item tabled until a future Plan Commission meeting.

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17. Public input.

Nate Voskuil informed the Plan Commission that Jack Stokdyk's mother had just passed and suggested we send flowers. Louise Huenink will contact the Town Clerk about this.

Since the first Monday in July is a holiday, the next meeting is planned for Tuesday, July 5, 2016.

18. Review/approve attendance records for prior and current meeting(s).

David Mueller made a motion to approve the attendance records as presented and discussed. Roy Teunissen supported the motion. The motion passed by a unanimous voice vote.

19. Adjourn.

Nate Voskuil made a motion to adjourn at 9:35 PM. Roy Teunissen supported the motion. The motion passed by a unanimous voice vote.

Respectfully submitted,
Louise Huenink, Plan Commission Clerk
June 7, 2016