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Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Tuesday, July 5, 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, David Mueller, Eugene Schmitz, Jack Stokdyk, Matthew Teunissen
Absentee(s) Trevor Mentink, Roy Teunissen, Nathan Voskuil
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 made a motion to approve the minutes as presented. David Huenink supported the motion. The motion passed by a unanimous voice vote.
8. Building Inspector Reports:
 - a. Review/approve building permits report.
Eugene Schmitz 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 was contacted by Landon Klug's father about erecting a large storage building. Tom talked with David Huenink. This should be okay since the parcel is zoned A-2 and the building's use is related to agriculture. The building does need to conform to other restrictions.

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c. Follow-up item(s):

- Ryan Navis has started to put up his new shed that was permitted last year. It is intended for storage only with no animals.
- Tom said there were two other property owners that he has left messages for.
- Luigi Pizza – Don Becker asked for an update and Tom reported that he still has not heard back from the State. David Mueller asked how much longer the Plan Commission should wait on this. Don Becker stated that the State asked the Town to not issue any building permit until they have reviewed everything. Tom said that nothing has been done since the stop work order was issued.

9. Public input.

Brian Pronovost would like to build a 30 ft x 35 ft shed on his property. He provided a diagram showing current buildings and two proposed areas for the new shed. The property is zoned R-1 and is a little under an acre. David Mueller asked about the height of the shed, it will be 20 ft 8 in and its clearance from the line per the drawing shows that he would be 13 feet away. His plan exceeds the 750 sq. ft. maximum aggregate coverage for accessory buildings the Town ordinance allows without a conditional use permit. However he could request a conditional use permit for this. It was recommended that he talk with the Sheboygan Planning department before applying for a conditional use permit to make sure they have no other restrictions.

Roy Ingelse said he talked with Kevin Struck about the purposed rezoning of his property. If it must be rezoned, Roy would prefer to rezone from A-1 to A-5 instead of the two options given of A-PR or C-1. Don Becker explained that rezoning out of A-1 was required to conform with the new Town ordinances filed with DATCP to comply with the State farmland preservation initiative. Roy currently does not have the needed road frontage for A-5. Roy asked if he could later rezone to A-5 if he obtained the frontage. Don replied that he could request rezoning anytime he wanted, but the parcel needs to meet the requirements. After DATCP's review, the Town will act quickly to address any issues so a decision needs to be made on Roy's parcel. Roy asked about doing a flag lot with only 66 ft of frontage. Don said he would have to meet all of the special conditions required for a flag lot. But if the parcel had 225 feet of road frontage it would almost surely be approved to rezone from C-1 to A-5. Roy wants to build on this parcel in the future, but either A-PR or C-1 would not allow him to do so. Don informed Roy that rezoning the parcel from A-1 to C-1 now would make it easier to request a rezone in the future, where rezoning now to A-PR would require a super majority vote in the future to change the zoning. The Town will proceed with rezoning the parcel from A-1 to C-1 unless Roy chooses A-PR instead. Roy accepted the C-1 zoning.

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

David Huenink reported that to date the Town has only received 5 out of the 10 surveys back. He created a spreadsheet showing the answers provided and had included them in the meeting packet. To date no Township has yet to really address this issue. Don Becker suggested that a phone survey may have provided a better outcome. Dave Mueller, Matt Teunissen and Jack Stokdyk reported that town residents expressed concerns with allowing separate buildings. Adding a bedroom and family room would be okay, but a food preparation area for a clearly separate residence is an issue. The consensus was to allow adding on to the primary residence but not allow building a separate dwelling. Don Becker said we need to draft a letter to the person making the last request explaining the Plan Commission's findings and providing giving the reason(s) only allowing adding on to the primary residence and not

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allowing a second dwelling on the property.

11. Discuss/act on draft Special Exception Ordinance.

This is only for R-1 zoning. Eugene Schmitz asked if the 200 ft notification range could be changed for those parcels that are smaller. It was decided to retain the 200 ft because this matches the existing Plan Commission application. Don Becker stated he had a few questions on three sections of the draft ordinance that Gerry Antoine created. The suggested changes will be incorporated and then discussed at the next meeting.

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

There was discussion that penalties are already in place, but sometimes applicants proceed without meeting all conditions. Don Becker suggested revising internal processes to ensure all requirements are met in a timely manner. Approved requests could have a “contingent on” statement within the minutes and in the notice to the applicant.

13. Discuss/act on ongoing issues:

a. Applications being processed.

William Dekker – Tom Dekker called about dividing the invoice in two and removing one condition that no longer applied. This was agreed upon and revised documents were mailed 2 or 3 weeks ago. We have not received a reply with the signed/notarized documents for filing or payment of the invoice.

Neil Teunissen – Don Becker said Neil has been in the hospital for some time and that is why there has been no action so far about a corrected full legal description.

b. Potential changes to zoning ordinance related to farmland preservation & related activities:

Don Becker reported that Kevin Struck sent in the application and that DATCP has sent a letter acknowledging that they received it. DATCP has not completed their review to date.

c. Situation of Kevin Gerard’s lakefront parcels with multiple houses

Gerry Antoine had left a message with Kevin’s attorney to organize a meeting as suggested. The attorney replied that they believe there is no violation so there is no need for a meeting. Gerry will call again to try to schedule a meeting. Sheboygan County sent a letter to Kevin stating that the kitchen had to be removed or to file for an after-the-fact permit. Such a permit might suffice for the County requirements but not the Town’s.

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

We have received her application, but it was incomplete. The clerk will contact her about providing the additional information needed.

e. Driveway Placement Approval form with relevant PC applications:

Nate Voskuil was not in attendance to speak on this, so this will be discussed at a future meeting.

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

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Grant Van Driest sent the missing application fee. He was originally told to request rezoning of his entire parcel to B-1, but a residence is not allowed in B-1 zoning. The best alternative is to do split zoning. Grant will be notified of this change and asked to provide a new full legal description to move forward.

- g. After zoning changes – Create a revised Zoning Ordinance Summary
Item tabled until a future Plan Commission meeting.

14. Public input.

Don Becker & David Huenink spoke of meeting with Lilli Schoptler who wants to divide her property for her three children. She has two parcels on Knepprath Rd, a 20.1 acre and a 40 acre parcel. David handed out drawings showing the options that were presented to her. One existing parcel is like a flag lot with a very narrow pole of 17 feet. One option is to take 50 ft from the abutting parcel to make the required footage needed for a flag lot. Lilli said that the current intent for all the acreage was continued farmland.

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

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

16. Adjourn.

Jack Stokdyk made a motion to adjourn at 9:50 PM. David Mueller supported the motion. The motion passed by a unanimous voice vote.

Respectfully submitted,
Louise Huenink, Plan Commission Clerk
July 6, 2016