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Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Monday, August 1, 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, Eugene Schmitz, Jack Stokdyk, Matthew Teunissen, Nathan Voskuil
Absentee(s) David Mueller, Roy Teunissen,
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. Nate Voskuil supported the motion. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).
Jack Stokdyk made a motion to approve the minutes as presented. Eugene Schmitz supported the motion. The motion passed by a unanimous voice vote.
8. Building Inspector Reports:
 - a. Review/approve building permits report.
No report was presented this month.
 - b. Review/approve building permit requests needing Plan Commission review:
Tom Huenink received no calls where Plan Commission input was needed.
 - c. Follow-up item(s):
Tom contacted Mr. Houston about the construction taking place on his property. Mr. Houston thought the contractor had filed for the necessary permits, so will take care of the filing himself.

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Tom also contacted Mr. DeMaster who also had construction taking place on his property. Mr. DeMaster said he did not know he needed a permit to put up his shed. He will get a permit.

Don Becker informed Tom that after going over the Town's vouchers with the Town Clerk, he noticed that Tom was not using the current fee schedule. Don suggested that the two of them meet to go over the latest changes in the Town's fee schedule so that Tom can charge and be compensated appropriately going forward.

9. Public input.

Ted Scharl asked for guidance about dividing the property at N1677 Alexander Lane belonging to David and Sarah Kujus. The parcel is 1.8 acres with 229 ft of frontage on Lake Michigan and 176 ft of frontage on Alexander Lane. The parcel currently has a mound system that supplied a cottage that no longer exists. Ted said he has talked with the County of Sheboygan and says dividing the parcel meets with the County's ordinances. According to the Town's ordinances the land division also appears to comply, but we would need to know where the Ordinary High Water Mark is to be sure. At this time there appears to be no issues with the Town on dividing this parcel into two parcels.

Richard Otte wants to separate the farmland from the house located on his parcel. He originally asked to do this last year and was told it was not allowed at that time. Richard said the 40.5 acre parcel is zoned A-1 and that Tony Branda had done a survey in 2000. At that time the Town approved the land division and rezoning of 1.6 acres to A-5, but the survey was never signed by the surveyor or filed with the County. His plan is to divide off approximately 5 acres where the house is located from the rest of the farmland so that it can be sold. Upon checking the County's GIS site it was found that the area where the house is located is already zoned A-5. It was recommended that Richard talk with Brett Zemba at County Planning to confirm the zoning. Don suggested rezoning the 5 acres with the house to A-1-S which would keep the land in the Farmland Preservation Area and conform to the overall Town zoning plan. This will require 15 other buildable acres be rezoned to A-PR. To proceed Richard will need to request a land division and a Conditional Use Permit. He will also need to delineate the 5-acres to be divided off and rezoned to A-1-S, as well as the 15 acres to be rezoned to A-PR. If done quickly, the Town will include the rezoning in the current project.

Matt Teunissen said his neighbor Kyle lives on N1448 Cty KW (parcel 59006064420) and asked about building a 1,800 sq ft (36 ft x 50 ft) shed on his R-1 property which is 1.0 acre. He wanted to know if he needed to request a conditional use permit. Matt said there used to be a garage but it was razed some time ago. Per the Town's ordinance the maximum aggregate square footage of all accessory buildings is 1200 sq ft. Matt had suggested that the gentleman attend tonight's meeting, but he was unable to. It was recommended that Kyle attend a future Plan Commission meeting to provide more details, such as the planned use of the structure.

10. Discuss/act on Kevin Struck's explanation of DATCP's letter after their review.

Kevin displayed the letter he received from DATCP with their ordinance change recommendations. He said the Towns of Mosel & Lima received very similar letters and the recommended changes were incorporated. They are both on the way for certification. DATCP is reviewing all three Town's concurrently due to the similarities. Kevin walked the Plan Commission members through the areas that were an issue with DATCP and the changes required. Kevin also said DATCP requested that A-1-D be in the map legend even though the Town has no parcels zoned A-1-D at this time. All suggested changes were adopted. The new document will be submitted to DATCP within the next 4 or 5 days. Kevin expects that in November a public hearing could be held on the revised zoning ordinance, then a

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Plan Commission recommendation, and finally adoption by the Town Board.

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

This was covered with above item.

12. Discuss/act on draft Special Exception Ordinance.

David Huenink was unable to work on the document before this meeting, so this topic will be placed on the next Plan Commission agenda.

13. Discuss/act on ongoing issues:

- a. Applications being processed.

William Dekker – To date we still have not received a reply with the signed/notarized documents for filing or payment of the invoices. Don Becker suggested to turn this over to the Town's attorney.

Tiffany Feldmann – Tiffany was present and had sent the last page of her application earlier in the day. Louise Huenink, the Plan Commission Clerk, said that she filled in the surrounding neighbor information on the form for Tiffany and would also write a revised purpose statement for Tiffany to approve. Tiffany informed the Plan Commission that quick claim deeds were never filed on her property to resolve the boundary line issues and she is working with a lawyer to regarding this. She is also doing a new survey of the land. She asked for clarification of the need for a conditional use permit for the house, to which David Huenink explained.

Tiffany informed the Plan Commission members that she is raising sheep, which is allowed per the Town's ordinance. The parcel is 1-acre so 1 animal unit is allowed. She currently has 10 sheep (total counted as 1 animal unit) and one lamb under 6 months (not counted). She rents one acre of neighboring land to graze sheep and asked if this rented land allows her to increase the total number of sheep allowed. After some discussion, it was decided that a conditional use permit allowing the greater number of sheep would be required. Louise Huenink suggested adding this to the existing application so Tiffany wouldn't have to file a separate application.

- b. Situation of Kevin Gerard's lakefront parcels with multiple houses

David Huenink stated that Louise Huenink researched Town records as Gerry Antoine requested. The following were found:

3/4/2004 In Building Permit report for January thru March 2004.

Shows Kevin Gerard, N2047 S Pine Beach received a Building Permit for new construction.

7/12/2004 In Town Board minutes for July 2004.

"Public Input: John Dickmann and Claus Weingartner were present to express concern about a guest house and the accompanying sanitary system in their neighborhood. Board told interested parties that the County is in charge of all sanitary systems. Harris stated that he wants to go on record that for him this is a conflict of interest so he cannot act on this matter. The matter of the guest house itself will be checked with the lawyer"

7/28/2004 Letter from Town's attorney, Gerry Antoine, to Larry Heinen, Board Chairman.

Regarding a structure built on the Gerard property at N2047 Pine Beach Road.

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Based on my review ... it does not appear that the Building Inspector erred by issuing a building permit for the structure in question.

This information will be sent to Gerry Antoine.

Jack Stokdyk asked if a structure without a food preparation area would be considered an accessory apartment. If so can this be used as an alternative for those people looking at taking in their elderly parents? It was discussed that it might be possible if the person or persons always had their meals in the primary residence. The Town will investigate creating clear definitions related to this topic.

- c. Rezoning and boundary line adjustment for Tiffany Feldmann property on WI-32:
This was discussed under 13 a.
- d. Driveway Placement Approval form with relevant PC applications:
Nate Voskuil provided the members the current Driveway Permit application. He said that Roger TeStroete brought this idea up some years ago because the Plan Commission had approved a conditional use permit for a house before Roger could verify the proposed driveway placement would be allowed. Don Becker asked Nate to revise the Driveway Permit application and use it as a template to create a form for requesting driveway placement/verification.
- e. After zoning changes – Zoning violation in R-1 district and failure to obtain building permits for improvements.
Grant will be notified of the need to do split zoning and will be asked to provide the full legal description and a survey of portion to be rezoned to B-1.
- f. After zoning changes – Create a revised Zoning Ordinance Summary
Kevin Struck will be requested to create a document that explains the zoning ordinance changes in simple terms.

14. Public input.
None.

15. Review/approve attendance records for prior and current meeting(s).
David Huenink made a motion to approve the attendance records as presented and discussed. Don Becker supported the motion. The motion passed by a unanimous voice vote.

16. Adjourn.
Jack Stokdyk made a motion to adjourn at 9:47 PM. Nate Voskuil supported the motion. The motion passed by a unanimous voice vote.

Respectfully submitted,
Louise Huenink, Plan Commission Clerk
August 2, 2016