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Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Tuesday, September 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.
Acting Chairman David Huenink 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.
Acting Chairman David Huenink so certified.
4. Record retention certification.
The Plan Commission clerk stated record retention was up-to-date.
5. Roll call.
Attendees: David Huenink, David Mueller, Eugene Schmitz, Jack Stokdyk, Roy Teunissen, Matthew Teunissen
Absentee(s) Don Becker, Trevor Mentink, Nathan Voskuil
Attendee: Tom Huenink – Building Inspector, Louise Huenink – Clerk
6. Adopt agenda as official order of business.
Jack Stokdyk made a motion to adopt the agenda as presented. Eugene Schmitz supported the motion. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).
Matt Teunissen said for item 8c that Mr. DeMaster was building a deck, not a shed.
David Mueller made a motion to approve the minutes with the one correction. Roy Teunissen 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 report as presented. 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 received no calls where Plan Commission input was needed.

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c. Follow-up item(s):

Roy Teunissen asked if Tom had been contacted by Mr. Drury who is residing his entire house. Tom said he was never contacted for a permit, will look into.

Tom said he has received a check for a building permit so that Luigi's Pizza can begin their expansion.

9. Public input.

Ted Scharl asked for guidance about a 7 acre parcel on Mill Road, Section 6, Tax Key 59006061763. The owners, Mr. & Mrs. Loren Kemp, are in the process of selling this parcel and prospective purchasers who were in the audience want to know if they could build a house upon it. The parcel is currently zoned A-5 and has no septic system on it. Acting Chairman David Huenink explained what A-5 zoning allows and also informed the prospective owners the items that the County of Sheboygan would be involved with. Under current ordinances a residence in A-5 zoning needs a Conditional Use Permit. If the proposed new ordinance revisions are adopted later this year, a Conditional Use Permit will no longer be needed for a residence.

Ted Scharl discussed John Cook who owns a separate parcel near his home on Lake Michigan and would like to build a combined guest residence / storage building. The parcel is zoned A-1, 58 acres, is east of I-43 and west of Sauk Trail Rd. Currently the parcel has no buildings on it. It was pointed out that there are several drainage ditches on the parcel so to be careful about the placement of the building. John would like to build one building with living quarters upstairs for his relatives to stay while visiting and storage downstairs for his car collection and other 'toys'. The remainder of the 58 acres would continue to be rented for farming. Matt Teunissen pointed out that once the new zoning ordinances were adopted this parcel would be rezoned to A-3. The Plan Commission voiced no concerns with the proposal.

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 has a septic mound system from a previous cottage. Ted said he has talked with the County of Sheboygan and said dividing the parcel meets with the County's ordinances except one parcel will be about 11 feet short of meeting the 100 ft road frontage requirement. Ted said they would explore purchasing a triangle with 11-ft road frontage and no lake frontage from the northern neighbor to comply. According to the Town's ordinances the proposed land division appears to be compliant. The Plan Commission said a Minor Land Division would need to be requested.

Gerry Phipps of N1390 Sauk Trail Road would like to live in his existing home while building a new one. He would then raze the old residence once building has been completed. Acting Chairman David Huenink said such has been allowed in the past. The Town would require a legal document (covenant) stating the new building's timeline and a deadline before which only one residence could remain. The Plan Commission members agreed with this statement. Tom Huenink asked if Gerry had a builder yet and Gerry said that the new residence would be a modular home. He would also be installing a new septic tank. Gerry would like to be in his new home by Thanksgiving. David Huenink said he would contact the Town's attorney to create a covenant that can be used going forward as a template for such requests. It was decided that after obtaining the occupancy permit for the new residence allowing 60 days to raze the old residence was a fair timeframe, 30 days to move household items and 30 days to raze it. David Huenink will contact the Town's attorney to create a covenant which will need to be

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signed and notarized before Tom Huenink can issue the building permit. It was suggested that the old house be razed by the end of the year for tax reasons.

Kyle Mertes lives on N1448 Cty KW (parcel 59006064420) and asked about building an attached garage and a detached shed on his R-1 property which is 1.0 acre. There are no restrictions on an attached garage. For the detached 30 ft x 40 ft shed, he would need to take the existing 10 ft by 10 ft shed down to stay within the 1200 sq.ft. aggregate limit for all accessory building. Kyle was told his property is zoned R-1 and no Conditional Use Permit would be required. He would need two building permits.

10. Public Hearing notices for:

A request by Grant Van Driest for split zoning of B-1 and R-1 and a condition use permit for selling vodka.

There was no one present with comments on this request and no questions from the Plan Commission members. Eugene Schmitz made a motion to close the public hearing. Jack Stokdyk supported the motion. The motion passed by a unanimous voice vote.

A request by Brian Pronovost for a conditional use permit to build a new shed.

There was no one present with comments on this request and no questions from the Plan Commission members. Eugene Schmitz made a motion to close the public hearing. David Mueller supported the motion. The motion passed by a unanimous voice vote.

A request by Tiffany Feldmann for rezoning from P-2 to A-5 and a conditional use permit to increase number of animal units.

There was no one present with comments on this request and no questions from the Plan Commission members. Matt Teunissen made a motion to close the public hearing. Roy Teunissen supported the motion. The motion passed by a unanimous voice vote.

A request by Richard Otte for a minor land division, rezoning and conditional use permit.

Richard Otte was in attendance and said he is still waiting for the new CSM from surveyor John DeMez. Jack Stokdyk made a motion to close the public hearing. David Muller supported the motion. The motion passed by a unanimous voice vote.

11. Discuss/act on a request by Grant Van Driest for split zoning of B-1 and R-1 and a conditional use permit for selling vodka.

Grant still needs to provide a land delineation showing where the B-1 zoning is requested. Louise Huenink sent emails and David Huenink called several times about updating his application and required documentation. So far they have not received a response. Without the information this request cannot be acted upon. Roy Teunissen asked if Grant will need a liquor license from the Town.

Roy Teunissen made a motion to table this request until the Town receives all the required information. David Mueller supported the motion. The motion passed by a unanimous voice vote. It was also noted to tell the Town Board that the Plan Commission suspects a liquor license may be required.

12. Discuss/act on a request by Brian Pronovost for a conditional use permit to build a new shed

Brain's parcel is zoned R-1 and 0.78 acres. Jack Stokdyk said he was familiar with the property and sees no issue. Matt Teunissen asked about impermeable surface and said the parcel was about 800 ft from Lake Michigan so probably subject to the County Shoreland Zoning. It was brought up that Brian may need to check with Sheboygan County if he hasn't already to see if they would approve his plan

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before Tom Huenink could issue a building permit.

Matt Teunissen made a motion to grant a conditional use permit to allow up to an aggregate footprint of 1200 sq ft for all accessory buildings. This matches the limit allowed for a 1 acre lot. Roy Teunissen supported the motion which passed with a roll call vote. David Mueller – Yes, Eugene Schmitz – Yes, Jack Stokdyk – Yes, Roy Teunissen – Yes, Matt Teunissen – Yes, David Huenink – Yes.

13. Discuss/act on a request by Tiffany Feldmann for rezoning from P-2 to A-5 and a conditional use permit to increase number of animal units

The Plan Commission is waiting on a CSM from Tiffany that shows the new property lines before they can act on the rezoning request.

For the conditional use permit, several conditions were proposed:

1. The increase in allowed animal units is proportionally based on the acreage rented. For example, renting one acre would allow one additional animal unit.
2. If no land is rented, no additional animal units are allowed during that period.
3. The conditional use permit goes with the person and not the property.
4. All standard conditions that apply will be included.

Jack Stokdyk made a motion to table the request until all information has been provided to the Plan Commission. Roy Teunissen supported the motion. The motion passed with a unanimous voice vote.

14. Discuss/act on a request by Richard Otte for a minor land division, rezoning and a conditional use permit

The Plan Commission could not recommend an immediate rezoning to A-1-S because that zoning does not exist yet. The two options were to recommend approving the request contingent on the new zoning ordinances being adopted, or table the request until November.

Matt Teunissen made a motion to recommend to the Town Board to approve the land division and rezoning request by Richard Otte contingent on the adoption of the proposed zoning ordinance revisions. The conditional use permit will not be required under the new A-1-S zoning. Roy Teunissen supported the motion which passed with a roll call vote. Eugene Schmitz – Yes, Jack Stokdyk – Yes, Roy Teunissen – Yes, Matt Teunissen – Yes, David Huenink – Yes, David Mueller – Yes,.

15. Discuss/act on draft Special Exception Ordinance.

David Huenink said this would be similar to a conditional use permit for such items as a shorter side yard. Gerry Antoine made a draft document leaving blanks for minimum values. This document will be used specifically for R-1 parcels. David asked, what type of Special Exceptions should we allow and should we set minimums?

The following special exceptions were decided upon, with minimum values.

<u>Side yard</u>	<u>Rear yard</u>
Dwelling = 10 ft	Dwelling = 15 ft
Accessory Bldg = 5 ft	Accessory Bldg = 5 ft

No special exceptions for:

Building Height
Area
Lot Width
Lot Coverage

David Huenink will work with the Town's attorney to revise the draft ordinance. This topic will then be on a future Plan Commission agenda.

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16. Discuss/act on accessory apartments and owner's quarters

David Huenink and Don Becker met with Town attorney Gerry Antoine to discuss accessory apartments and owner's quarters. A primary concern is that a food preparation area would lead to future misuse of the area, such as rental. Gerry sent a memorandum with four possible options. The Plan Commission members felt option #4 best fits the Town's requirements. This would eliminate accessory apartments and instead enable owner's quarters without a food preparation area. David Huenink offered to discuss with Don Becker and then work with Gerry Antoine for draft wording. If we can act on this in October it could be incorporated in the zoning ordinance revisions expected in November.

Jack Stokdyk made a motion to recommend that David Huenink and Don Becker work with Gerry Antoine to create a draft ordinance implementing the concept of option #4 in Gerry's memorandum. David Mueller supported the motion. The motion passed by a unanimous voice vote.

17. 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. David Huenink will email Gerry Antoine on how best to handle this situation.

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

This was discussed within item 16, as an example of owner's quarters. The Town's building inspector will need to verify that there is no kitchen/food preparation area in the guesthouse.

c. Driveway Placement Approval form with relevant PC applications:

Nate Voskuil was not in attendance, but sent some information to David Huenink. This topic is tabled until a future meeting

d. 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.

18. Public input.

Matt Teunissen asked if the Town can get WiFi for the Town Hall. David Huenink said the Town currently uses a hotspot for the Town Hall, but will be installing internet access with the Town Hall renovation.

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

Roy Teunissen 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.

20. Adjourn.

Jack Stokdyk made a motion to adjourn at 10:29 PM. Roy Teunissen supported the motion. The motion passed by a unanimous voice vote.

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