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Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Monday, October 3, 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, Trevor Mentink, David Mueller, Eugene Schmitz, Jack Stokdyk, Roy Teunissen, Matthew Teunissen
Absentee(s) Don Becker, Nathan Voskuil
Attendee: Tom Huenink – Building Inspector, Louise Huenink – Clerk
6. Adopt agenda as official order of business.
Eugene Schmitz made a motion to adopt the agenda as presented. Jack Stokdyk supported the motion. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).
Roy Teunissen made a motion to approve the minutes as presented. David Mueller supported the motion. The motion passed by a unanimous voice vote.
8. Building Inspector Reports:
 - a. Review/approve building permits report.
Jack Stokdyk 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 had checked with David Huenink on one item during the prior month.

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

9. Public input.

Dan Obbink would like to divide off 3 acres, which includes the residence, from a 104 acre A-1 parcel. Acting Chairman David Huenink explained the new Town ordinance changes that should become effective in November or December. To divide off the 3 acres Dan would also need to have 17 acres rezoned to A-PR, to conform to the State Working Lands Initiative to preserve farmland. Dan was informed that he could get an application for the land division and rezoning from the Town's website and would need to return it to the Plan Commission Clerk by October 19, 2016 in order to make the Public Hearing publication deadline for the November meeting.

Mark Fowler is designing an addition for a bathroom for David Bakkom on Marine Drive, zoned R-1. The new addition on the residence would be approximately 12 to 12.5 feet from the property line. Per the Town's ordinances a residence must be 15 ft from the property line, so this would fall under the new Special Exceptions ordinance that will be discussed later in this meeting. Mark and David had previously provided a diagram, pictures and a letter of approval from the neighbors to the south. Mark said they probably would postpone putting on the new addition until next year.

Randy Joose has a building that is 40' x 64' x 14' and would like to create two storage units inside of it so that he could rent them. The building is at Hwy 32 & Cty A on a parcel that has split zoning of M-1 and B-1. It was found that both zoning districts allow "warehouse and indoor storage" as a conditional use. So Randy would not need to rezone the M-1 portion, but would need a conditional use permit for the indoor storage. David Mueller voiced concerns about the building being a pole building and not an industrial structure. Tom Huenink was asked if there were any issues with Randy's plan and he said he didn't see any. Tom mentioned that if the total cubic feet were 15,000 cubic feet or more the plans would require State approval. If the total is less than 15,000 then the request goes to the Building Inspector. After calculating the total cubic footage it was decided Randy would need to go to the State. Tom Huenink said he would verify the cubic footage limits and get back to Randy.

Ted Scharl spoke on behalf of John Cook who is considering purchasing an A-1 parcel near his home, which is on Lake Michigan. Last month Ted asked about building a combined guest residence / storage building on the A-1 parcel and was told that would be acceptable. The new question concerned just building a pole building for storage only, with no residence. Per the Town's ordinances for A-1 zoning, an accessory building cannot be built unless a residence exists or is being built concurrently, except if the accessory building is related to an agricultural use of the land. The residence must be at least 1,300 sq ft in size. The maximum aggregate footprint of all accessory buildings is 3% of the parcel size, with no individual building to exceed 3,000 sq ft. Ted then asked about constructing a residence with an attached storage area. In that case there is currently no limit on the storage area size. Ted asked if an indoor horse arena is possible in the Town. The Plan Commission could approve a conditional use permit to exceed the 3,000 sq ft limit on a single accessory building.

Ted Scharl handed out additional information for 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. Ted provided a new survey showing a potential purchase of 10ft from the northern neighbor to comply with County lot width requirements after a land division.

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10. Discuss/act on a request by Richard Otte for a minor land division, rezoning and conditional use permit. Acting Chairman David Huenink discussed the CSM that was recently received showing where the new parcel will be located. He also said that the surveyor is creating the required Plat of Survey delineating the 15 acres to be rezoned A-PR. These are both needed for the Town Board to approve the rezoning. The Plan Commission had no issues with the CSM and let stand their previous recommendation to the Town Board.
11. Discuss/act on a revised Zoning Ordinance Summary – Kevin Struck to create explanation of zoning ordinance changes in easy terms.
The Plan Commission members reviewed Kevin’s document. The section on A-PR was particularly discussed to make sure everyone understood how the required acreage was determined. All agreed that the document will be a good tool to use after the proposed ordinance changes take affect.
12. Discuss/act on draft Special Exception Ordinance.
Acting Chairman David Huenink said he had edited the draft ordinance per last month’s meeting. The Town’s attorney then reviewed it. David walked the Plan Commission members through the document and the proposed minimum setbacks for R-1 allowable by Special Exception. There was a short discussion about reducing the minimum setbacks allowed and also expanding the scope to include A-5. The decision was to retain the minimum setbacks and scope as discussed in the previous meeting. . David Huenink said the Town Board was supportive of a Special Exception ordinance. A suggestion was made that the Town Board, Plan Commission and Board of Appeals meet to agree on a strategy of handling applications.
Trevor Mentink made a motion to recommend to the Town Board to adopt the Special Exceptions ordinance. Roy Teunissen supported the motion. The motion passed with a unanimous voice vote.
13. Discuss/act on Agreement for a temporary permit enabling construction of a second residence.
Acting Chairman David Huenink presented an agreement template he created for when a temporary second residence is desired while construction occurs. All the members approved of the form. The Plan Commission received a request for such a permit the prior month. The form had been filled out and the applicant had signed/notarized earlier in the day.

Eugene Schmitz made a motion to approve a temporary permit for a second residence as requested by Garry & Paula Phipps. Trevor Mentink supported the motion. The motion passed with a unanimous voice vote. The Acting Chairman and Clerk signed the form. A copy will be returned to the Phipps and the Building Inspector will be informed of its approval.
14. Discuss/act on accessory apartments and owner’s quarters.
Acting Chairman David Huenink stated he had not yet contacted the Town’s attorney regarding the options presented to the Plan Commission last month. Option 4 was chosen by the Plan Commission members at that time and David asked if there was any reconsideration of that. There was none so this will go to the attorney to create a draft ordinance to implement the concept of eliminating accessory apartments and adding owner’s quarters/guesthouses without food preparation areas.

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15. Discuss/act on ongoing issues:

a. Applications being processed.

William Dekker – On September 26 a certified letter was sent to William Dekker with a copy emailed to Tom Dekker. The first postal delivery attempt did not occur until September 30 and failed. Roy Teunissen said this was possibly because William had already moved from his Cedar Grove residence to the land he bought from his grandfather. The Plan Commission Clerk will check on delivery and resend to the new address if needed.

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

The County sent Kevin's attorney a letter stating that they want to inspect the guesthouse to ensure there is no kitchen. The Town's attorney had also sent a similar letter stating that the Town Building Inspector needed to verify there was no food preparation area. The Town will attempt to coordinate their inspection to occur at the same time as the County.

c. Driveway Placement Approval form with relevant PC applications:

Nate Voskuil was not in attendance This topic is tabled until a future meeting

d. Request by Grant VanDriest for split zoning of B-1 & R-1 and a conditional use permit for selling vodka.

A letter was sent to Grant stating the Town's decision and the information he still needs to provide. To date there has been no response.

e. Request by Tiffany Feldmann for rezoning from P-2 to A-5 and a conditional use permit.

A letter was sent to Tiffany stating the Town's decision and the need for a new CSM. To date there has been no response.

16. Public input.

None.

17. 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.

18. Adjourn.

Matt Teunissen made a motion to adjourn at 9:30 PM. Jack Stokdyk supported the motion. The motion passed by a unanimous voice vote.

Respectfully submitted,

Louise Huenink, Plan Commission Clerk

October 4, 2016