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Plan Commission Meeting Minutes

Town of Holland
Sheboygan County, Wisconsin

Date: Monday, May 1, 2017

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, Roy Teunissen
Absentee(s): Matthew Teunissen
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. 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. Eugene Schmitz supported the motion. The motion passed by a unanimous voice vote.
8. Building Inspector Reports:
 - a. Review/approve building permits report.
David Huenink 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:
None.

DRAFT

c. Follow-up item(s):

There was a bounced check to follow up on. Tom was able to get a certified check to replace the bounced check and dropped the certified check off at the Town Treasurer's.

9. Public input.

Scott & Leigh Hoftiezer – North of Lower Smies Rd, parcel 59006075410, 57.8 acres, zoned A-3
Ted Scharl and Scott Hoftiezer spoke about Scott wanting to split off the two homes, a lake cottage that was moved to his property in 1982 and the original farm house. Ted talked with Dennis VanSluys about creating flag lots. Ted said the County requires 50 ft of road frontage, but the Town requires 66 ft for flag lots. The farm house needs to run the driveway to Lower Smies Rd. The cottage would need an easement to follow the farm house's driveway to Lower Smies Rd. The cottage could have road frontage through the wooded part of the property, but due to the density of the woods and the grade a driveway there is not practical or desirable. Ted would like to see these two new lots be zoned R-1 since these lots are east of I-43 and this zoning would meet the road frontage requirements. The remainder of the land would remain A-3 with over 225 ft road frontage, part of which could be on an existing private road. There was general consensus that this request was reasonable. The Plan Commission clerk provided Scott an application to fill out.

Ronald De Troye – N985 Smith Dr, parcel 59006076600, 1.67 acres, zoned R-1
Ron DeTroye would like to build a 1,560 sq. ft. detached garage. He went to Tom Huenink for the building permits, but was told he could only go up to 1,200 sq. ft. Besides using as a 3-car garage, Ron wants to use some area as a wood shop, have a bathroom and a second floor for crafts. Ron was told he would need to apply for a conditional use permit since his plans exceeds the maximum aggregate footprint of accessory buildings for his sized lot. Ron said he would raze his two existing buildings when building the new garage. It was pointed out that the setback may need to be more than shown on the sketch Ron provided because this will be a 2-story structure plus the pitched roof. The Plan Commission members also pointed out that the proposed structure cannot have a kitchen. There was general consensus that this request was reasonable. The Plan Commission clerk provided Ron an application to fill out.

Mark Hesselink would like to sell some of his land to a Mary Thuene. This would be added to the 2.1 acres zoned R-1 she currently owns and wishes to sell to her grandson, who would like a horse and possibly a few farm animals. Mark wants to divide off about 7 acres zoned A-1 and sell it to Mary. Under R-1 zoning a horse is not allowed so Mary would need to rezone her parcel. The Plan Commission members recommended that Mary and Mark do a boundary line adjustment at the County Planning office, and then a rezoning request at the Town to make the entire parcel A-1-S. Some of the land remaining with Mark may need to be rezoned to A-PR.

There was to be a discussion with Tom Huenink about a request he received on a parcel on County Rd. D and west of Knepprath Rd, but he left the meeting before we could get to this topic. The A-2 lot already exists but does not meet the density requirement for this zoning. Don Becker earlier had told Tom to go ahead and issue a building permit since this was an existing lot.

10. Discuss/act on enforcing housing density limits in A-2 and A-5.

The issue is how to track A-2 and A-5 land used to meet housing density requirements. Currently the density is higher than the minimum lot size. David Huenink contacted Kevin Struck of the UW Extension to discuss options. Kevin said adding more zoning districts would make the ordinance more

DRAFT

complex. He only found two existing A-2 parcels less than 5-acres and without a house. It was suggested that for any new A-2 the minimum lot size be 5 acres to match the density. Kevin said he did not expect many new A-2 parcels because A-1-S would be preferred in most cases. For A-5, Kevin found eight A-5 parcels less than 3-acres and without a house.

After discussion there seem to be two options for A-2:

1. Create an A-2-D district to track A-2 land that was previously used to meet density requirements,
OR
2. Change A-2 lot size to match the density (5 acres)

After discussion there seemed to be two options for land zoned A-5 as follows:

1. Create an A-5-D district to track A-5 land that was previously used to meet density requirements,
OR
2. Change the A-5 minimum lot size for land within the FPA to 3 acres while retaining the 3-acre density requirement, AND change A-5 density for land outside the FPA (within a transition area) to 1.5 acres, matching the minimum lot size requirement

Dave will share these thoughts with Kevin for his input, and encourage Kevin to attend our next Plan Commission meeting, if possible.

There was a suggestion of a land bank for A-PR land to meet density requirements, to avoid having many very small A-PR areas scattered across the Town. Some of the Plan Commission members are not in favor of development rights because this concept allows more houses.

After discussion there seem to be two options:

1. Eliminate the 'development credits' concept
2. Allow credits only in some minimum amount of acres, such as 5-acre chunks.

11. Discuss/act on ongoing issues:

- a. Applications being processed.

The only application in process was for Grant Van Driest. It was reported that he sent in a check that did not cover the lawyer & Register of Deeds fee and only sent in the first page of his land covenant. A letter will be sent to him along with his check and page one of the land covenant explaining these fees are the responsibility of the applicant as is explained in the application form and the procedure list that is sent to each applicant and as available on the Town's web site.

12. Public input.

Louise Huenink said she had talked to a gentleman looking for zoning information of a neighbor's parcel who wants to put horses and a donkey on it. The neighbor's parcel is zoned A-5 and is 6 acres so there is no issue there. He also had a question about the neighbor firing a rifle on his land. This gentleman will need to contact the DNR for hunting restrictions with firearms or the Sheriff's Department if the gentleman believes there is potentially reckless discharge of firearms.

Jack commented that Ted Scharl had stated that the Town ordinances did not have road frontage requirements for R-1 and flag lots. David Mueller reminded Jack we did look these items up and informed Ted of the page numbers where he could find them. David Huenink checked and said that the wording was termed as lot "width", which implied amount of road frontage as well. The members did discuss that the requirements for major, versus minor, land divisions were not fully explained. When the Plan Commission clerk receives the application from Ted she will provide the appropriate ordinance references.

DRAFT

13. 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.

14. Adjourn.

Jack Stokdyk made a motion to adjourn at 9:32 PM. Roy Teunissen supported the motion. The motion passed by a unanimous voice vote.

Respectfully submitted,

Louise Huenink, Plan Commission Clerk

May 2, 2017