

TOWN OF HOLLAND PLAN COMMISSION  
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING  
Town Holland Hall, W3005 County Road G, Cedar Grove, WI  
Monday, May 6<sup>th</sup>, 2019 7:30pm

1. Call to order:  
Town Chair Donald Becker called the meeting to order at 7:30pm.
2. Pledge of Allegiance:  
The Pledge of Allegiance was recited.
3. Certify that the requirements of the Wisconsin Open Meetings law have been met:  
Plan Commission Clerk Janelle Kaiser certified that the requirements of the Wisconsin Open Meeting Law had been met. The agenda for this meeting was posted in three places within the Township and on the Town's website. The public hearing notices for this meeting were published in the Sheboygan Press on April 22<sup>nd</sup> and 29<sup>th</sup>, 2019.
4. Record retention certification  
Plan Commission Clerk Janelle Kaiser stated record retention is up to date.
5. Roll call  
Attendees: Don Becker, Matt Teunissen, Craig Droppers, David Huenink, Bryan Kaiser, David Mueller, Faith Opsteen, Jack Stokdyk, and Roy Teunissen  
Absentee(s): None  
Signed-In Attendees: Anthony DenBoer, Jane Wehrley, Paul Wehrley, and Jason Eiring  
Other Attendees: Janelle Kaiser – Clerk and Tom Huenink – Building Inspector
6. Adopt agenda as official order of business:  
Motion by David Huenink, seconded by Roy Teunissen, to adopt the agenda as presented; the motion carried by unanimous voice vote.
7. Review/approve minutes of previous meeting(s)  
Motion by Faith Opsteen, seconded by David Mueller, to approve the minutes as presented; the motion carried by unanimous voice vote.
8. Building inspector items:
  - a. Review/approve building permits report:  
Motion by Jack Stokdyk, seconded by David Mueller, to approve the March and April building inspector report as presented; the motion carried by unanimous voice vote.
  - b. Review/approve building permit requests needing Plan Commission review: None
  - c. Discuss follow-up items: None
9. Public input:  
Anthony DenBoer was present to discuss his plans to build an accessory structure on his property at parcel 59006063000 (zoned R-1). The property is comprised of 1.97 acres; Anthony would like to construct an accessory building that exceeds the permitted aggregate footprint of accessory buildings (1,200 square feet) for parcels comprised of more than 1 but less than 2 acres. Anthony inquired about the process to apply for a conditional use permit in order to construct this building. He owns his own business and may store some materials and supplies in the desired structure, therefore the Plan Commission informed him that a conditional use permit would be required in that circumstance as well. These requests could be completed on the same Plan Commission application.

10. Review existing conditional use permit at 59006060360:

The owner of parcel 59006060360 submitted a letter to the Plan Commission to inform them that the parcel will be sold. As the property owner operates a business on the premises, the existing conditional use permit on file will remain with the property as opposed to the owner. The owner provided information about the current and future use of the parcel at 59006060360 in order for the Plan Commission to make a decision about whether the conditional use permit should be changed or updated to reflect new ownership or usage. The letter stated that the use of the parcel could change approximately one year after the parcel is sold with a the closing date of April 29, 2019. The Plan Commission Clerk will send a letter to the owner of parcel 5900606360 to inform them to contact the Town of Holland regarding any change in use of the property; in addition, a motion carried by unanimous consent to send a letter stating that the conditional use permit at 5900606360 will be valid until May 1<sup>st</sup>, 2020, approximately one year following the sale of the parcel. The Plan Commission decided not to update the conditional use permit document to reflect new ownership of the property, as ultimately the permit follows the property rather than the person, and it is expected that the usage of the property will change by May 1<sup>st</sup>, 2020, in which case the document would need to be updated again.
11. Public Hearing for Paul and Jane Wehrley for a conditional use permit:

Donald Becker called the public hearing to order. Paul and Jane Wehrley were present to discuss the request. The Plan Commission inquired about whether their two parcels had been combined by Sheboygan County at this time; Paul and Jane stated that the request had been made, but a backlog at the Sheboygan County Planning Department will cause a delay on the merger. David Huenink stated that he was the Wehrley's neighbor to the south and had no objection to the proposed structure or the approximate location as indicated in the materials in the packet. No members of the public offered comments with respect to this conditional use permit request. Motion by Jack Stokdyk, seconded by David Mueller, to close the public hearing; the motion carried by unanimous voice vote.
12. Public Hearing for Jason and Amanda Eiring for a conditional use permit:

Donald Becker called the public hearing to order. Jason Eiring was present to discuss the request. The Plan Commission asked several questions about the current use of the property and future plans to manage the land surrounding the potential future home site. No members of the public offered comments with respect to this conditional use permit request. Motion by David Huenink, seconded by Jack Stokdyk, to close the public hearing; the motion carried by unanimous voice vote.
13. Discuss/act on a request by Paul and Jane Wehrley for a conditional use permit:

The Wehrley's request is to allow construction of a 1,575 square foot garage including an attached covered patio at N567 Marine Drive, Cedar Grove, at parcel numbers 59006078190 and 59006078200 (approximately 1.8 acres total, zoned R-1). The maximum aggregate square footage of accessory buildings constructed on properties more than one but less than two acres is 1,200 per the Town of Holland Town Code. Town Supervisor and Plan Commission member David Huenink stated that he would abstain from voting on the request by Paul and Jane Wehrley as they are his next-door neighbors as well as his friends. Motion by Jack Stokdyk, seconded by David Mueller, to approve the request made by Paul and Jane Wehrley, contingent upon two items: 1) evidence that the two parcels have been or will be merged into one parcel; in the case that they will be merged, the Wehrley's will sign a legally binding affidavit affirming that the parcels will be merged and have it recorded at the Register of Deeds, and 2) receipt of a certified survey map reflecting the merger by showing one parcel with proper building setbacks to comply with both Town Code requirements and the Sheboygan County Shoreland Zoning

ordinance. The conditional use permit will reflect the standard conditions as well as an additional condition stating that the aggregate footprint of all accessory buildings on the combined parcel shall not exceed 1,650 square feet. The motion carried by unanimous roll call vote. David Mueller: Y; Donald Becker: Y; Faith Opsteen: Y; Roy Teunissen: Y; Matt Teunissen: Y; Jack Stokdyk: Y; Bryan Kaiser: Y.

14. Discuss/act on a request by Jason and Amanda Eiring for a conditional use permit:  
The Wehrley's request is to allow construction of a single-family residence on County Road CC, Cedar Grove, at parcel number 59006062051 (approximately 21.46 acres, zoned A-2 and A-1). A conditional use permit is required to construct a single-family residence on a parcel classified as A-2 under current Town of Holland zoning ordinances. The Town of Holland Plan Commission discussed and confirmed that the Eiring's request for a conditional use permit conforms with Town of Holland Code Section 330-23 (2) (a) [1] [a&b] because it does not significantly impair the use of other protected farmland, as the parcel is not landlocked and could be accessed regardless of the construction of the residence; in addition, the parcel is currently being used as a woodlot and has not been used to produce other crops in at least 3 years. The owner stated that they will comply with Town of Holland ordinances with respect to weeds, as he plans to plant additional trees or grasses amongst future man-made trails on the eastern side of the property. Motion by David Huenink, seconded by Donald Becker, to approve the request made by Jason and Amanda Eiring, whereas the property has not been farmed for three years, whereas the area to the west of the future home site has already been planted as a woodlot, whereas the property owner plans to convert the east end of the property to a natural grassland and woodlot, and whereas the parcel is not landlocked therefore does not significantly impair the use of other protected farmland; the conditional use permit will include standard conditions for a non-farm residence. The motion carried by unanimous roll call vote. Jack Stokdyk: Y; Matt Teunissen: Y; Roy Teunissen: Y; Faith Opsteen: Y; Donald Becker: Y; David Mueller: Y; David Huenink: Y. The Plan Commission referred Jason Eiring to the Sheboygan County Planning Department in order to obtain a sanitary permit and to provide them with a notification of construction for the new residence.

15. Process for a new commercial use:  
David Huenink previously drafted a document that describes the process a property owner would need to go through in order to legally operate a new commercial use in the Township under the current Town code; it was presented at the March Plan Commission meeting. David Mueller requested that David Huenink send this document to Kevin Struck at UW-Extension for his review, and David provided Kevin's feedback at the May Plan Commission meeting. Kevin Struck did not have anything to add to the document but stated that he will be contacting our Township about a related topic soon. Kevin is reviewing current considerations by DATCP regarding agricultural tourism and how it could impact local municipalities including the Town of Holland. The Town of Holland Plan Commission will discuss the possibility of drafting a zoning ordinance update with Kevin Struck to address this topic.

16. Ongoing issues:
- a. Applications being processed – Jason and Sarah Prom's request for a conditional use permit remains in the drafting stage and will be sent to them for signatures and notarization as soon as possible.

17. Public input:

- a. Jack Stokdyk inquired about whether our current template for conditional use permits and land covenants uses individual names when referring to the owner of the parcel in order to avoid the need to update documents upon change of ownership for a parcel zoned business with a conditional use permit attached to the property; the template was previously updated to refer to the owner as a “Grantee” or “the owner of parcel...”.
  - b. Chair Becker provided a brief synopsis of the trajectory and status of the short-term rental ordinance as reflected in Chapter 280 of the Town of Holland Town Code, so that the commission members could accurately answer any questions received from property owners of the Town of Holland regarding this topic.
  - c. Chair Becker discussed the possibility of a solar electrical utility company called Ranger Power LLC gaining a presence in the Town of Holland. The Town Board met with Ranger Power LLC in December 2018 in response to Ranger Power’s request to discuss a potential presence in the Town, but at that time there are no known contracts or solar projects in development.
18. Review/approve attendance records for previous meeting:  
Motion by David Mueller, seconded by Roy Teunissen, to approve the attendance record as presented as discussed; the motion carried by unanimous voice vote.
19. Adjourn:  
Motion by Jack Stokdyk to adjourn at 9:44 PM; the motion carried by unanimous voice vote.

Respectfully submitted,  
Janelle Kaiser, Clerk