

TOWN OF HOLLAND PLAN COMMISSION
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
Town Holland Hall, W3005 County Road G, Cedar Grove, 53013
Monday, February 3rd, 2020 7:30pm

1. Call to order:
Plan Commission Chair David Huenink 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. A public hearing notice for the 10-year Comprehensive Plan Update was published in the Sheboygan Press on January 3rd, 2020. The public hearing notice was also posted in three places within the Township and on the Town's website.
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, Faith Opsteen, Jack Stokdyk, Bryan Kaiser, David Mueller, and Roy Teunissen
Absentee(s): Tom Huenink – Building Inspector
Signed-In Attendees: Jeff Freund, Niel Mattek, Wendell Schreurs, Patti Schreurs, Lisa Caswell, Leslie Verhelst, Kelly Caswell, Angel Noll, Marcia Voskuil, Sheryl Sheid, Richard Boenisch, David Boenisch, Tracy Harmeyer, Anthony Harmeyer, David Schultz, Bob Schultz, Kaitlyn Yeadon, Stanley Lammers, David Schreurs, Doug Hamilton, Reid Rathjen, Lee Kaat, Randy Walvoord, Linda Walvoord, and Dan Smith
Other Attendees: Janelle Kaiser – Clerk and Kevin Struck of UW-Extension
6. Adopt agenda as official order of business:
Motion by Don Becker, seconded by David Mueller, to adopt the agenda as presented; the motion carried by unanimous voice vote.
7. Review/approve minutes of previous meeting(s)
Motion by David Mueller, seconded by Jack Stokdyk, 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 Roy Teunissen, to approve the January 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:
One property owner inquired about whether the use of a storage container for extra storage on a property would be permitted. The property owner stated that the container would be used as temporary storage, though the property owner did not know when it would be removed from the premises. The Plan Commission suggested that a building permit would likely be required, as

the structure would not be removed within a finite amount of time. In addition, the use of the container would be similar to that of a prefabricated shed; construction or installation of a shed, whether prefabricated or built on site, typically requires the property owner to obtain a building permit from the Town of Holland.

10. Public hearings for the 10-year Comprehensive Plan update:

Chair David Huenink called the public hearing to order at 7:39pm. One property owner inquired about whether agribusiness is still the largest business in the Town of Holland; though the response to this inquiry is likely affirmative, there are no metrics used by the Town of Holland that would prove this to be true. Another property owner inquired about the comparison of Town of Holland tax revenue that comes from agricultural property versus residential property. There are many factors that would contribute to an accurate response to this inquiry, such as whether the inquiry is relating to zoning classifications or use categories of each property as recorded by the assessor. If the inquiry is relating to use categories of each property, then the assessment roll could be used to determine which properties are used for each purpose, such as residential, agricultural, or conservation. From there, a tax rate would be applied to each property based on use. The assessment roll is available for review by any member of the public in Clerk Janelle Kaiser's office should any member of the public choose to explore this inquiry further. Chair David Huenink called for additional comments relating to the Town of Holland's 10-Year Comprehensive Plan update three times. Motion by Donald Becker, seconded by David Mueller, to close the public hearing at 7:44pm; the motion carried by unanimous voice vote.

11. 10-year Comprehensive Plan update:

The Town of Holland Plan Commission thanked Kevin Struck of UW-Extension for all of his work to help the Town of Holland prepare the Town's 10-year Comprehensive Plan update. Motion by Jack Stokdyk, seconded by Matt Teunissen, to adopt Resolution 2020-01, titled "Approving an Amendment (Addendum-2) to the Comprehensive Plan for the Town of Holland", thereby recommending that the Town of Holland Town Board adopt Ordinance 2020-02, titled "An Ordinance to Amend the Comprehensive Plan of the Town of Holland, Sheboygan County, Wisconsin"; the motion carried by unanimous roll call vote. Roy Teunissen: Y; Matt Teunissen: Y; Jack Stokdyk: Y; David Mueller: Y; Donald Becker: Y; David Huenink: Y; Faith Opsteen: Y.

12. Ongoing issues:

- a. Applications being processed – Documents for four conditional use permits approved in 2019 (Jason and Sarah Prom, Paul and Jane Wehrley, Jason and Amanda Eiring, and Thomas Race) have been sent to the property owners for signatures and notarization. At this time, two sets of signed and notarized documents have been returned to Clerk Janelle Kaiser. Documents from property owners will be mailed to the Sheboygan County Register of Deeds upon receipt.
- b. Documents for an approved land division request by Kenneth, Jeanne, and Ryan Walvoord will be drafted and sent to the applicants as soon as possible.

13. Agricultural Tourism (A-T) zoning district:

The Town of Holland Plan Commission is continuing work on the creation of an A-T zoning district as an addition to the Town Code with the help of Kevin Struck from UW-Extension. Known property owners that could be affected by the creation of the A-T zoning district were contacted by letter in January to encourage their input and feedback on the draft ordinance at the

February Plan Commission meeting. Notices in local papers were also used to seek public participation. A notice and link to a copy of the draft ordinance was posted on the front page of the Town's website at www.townofholland.com. Many members of the public were present at the Town of Holland's February Plan Commission to express their thoughts regarding the proposed zoning district; the names of those that signed-in are included under item 5 of these minutes.

14. Public input (for contributors to the draft A-T zoning district ordinance):

- a. One property owner spoke in opposition to the creation of an A-T zoning district in the Town of Holland. The property owner contacted several grower's associations in the State of Wisconsin to make them aware of the creation of the ordinance, as well as the Wisconsin Agricultural Tourism Association (WATA). The WATA sent a letter to the property owner, as well as Clerk Janelle Kaiser, expressing both encouragement and concern regarding the proposed district; the letter also included a request from WATA to be involved in future discussions regarding the drafting of an ordinance to create an A-T zoning district in the Town of Holland. The property owner read the letter at the February meeting. The property owner also inquired about the purpose of and need for an A-T zoning district, requested that the Town contact WATA for collaboration efforts, suggested that a grandfather clause be added to an ordinance to create an A-T zoning district for existing businesses that practice agricultural tourism activities, and proposed that a committee be formed by the Town of Holland to represent agricultural aspects of the draft ordinance.
- b. A property owner inquired about why the Town of Holland began work to create a proposed A-T zoning district.
- c. Another property owner inquired about whether it would be better to revise zoning districts currently used by the Town of Holland rather than creating a new zoning district, as many of the zoning districts were just revised a few years ago. The property owner also inquired about how bed and breakfasts, cabins, eateries, and bakeries relate to agricultural business, and how agricultural business is different from agricultural tourism. The property owner commented that the Town of Holland should be prepared to defend an ordinance to create an A-T zoning district.
- d. One property owner inquired about whether the Plan Commission has avoided discussion about grandfather clauses when working towards a draft ordinance to create an A-T zoning district in the Town of Holland. The property owner stated that the ordinance is too bright-line and could put businesses out of operation. They also expressed concerns relating to livestock limits within A-T, to which the commission clarified that livestock limits would only be imposed on the portion of the property zoned A-T as opposed to an entire agricultural property. The property owner inquired about how property taxes could be affected by this ordinance; the commission clarified that property taxes are based on usage of a property as opposed to zoning classifications.
- e. A member of the public affiliated with a local saddle and bridle club inquired about whether horseback riding is considered to be agricultural tourism. They asserted that the draft ordinance to create an A-T zoning district would not have a positive effect on the organization. The organization's property does not meet the minimum tract size for livestock shows as required by the draft ordinance, and the grounds do not have enough parking space for all vehicles at all of their shows. The excess cars currently park on the county road that the club is located on. The organization's hours of operation would also

be restricted by the ordinance. The member of the public asserted that the commission should revisit the wording of the proposed draft ordinance due to its negative tone.

- f. A member of the public affiliated with a local saddle and bridle club inquired about why the organization should have to ask permission for extended hours of operation, as stated in the draft ordinance, when they have been operating for years without issue from neighbors or other members of the public.
- g. A member of the public affiliated with a local saddle and bridle club stated that the property is currently zoned as a park. The individual inquired about whether rezoning into an A-T zoning district would be necessary for the club and commented that the club does not meet the minimum tract size for livestock shows as required by the draft ordinance. They also stated that they would not like to see existing local businesses be punished or cease to exist due to the creation of this zoning district.
- h. A property owner stated that clarification about the use of split zoning (more than one zoning classification recognized on one tax parcel) should be written into the draft A-T ordinance. They also stated that an explanation regarding the removal of land from the DATCP Home Farmland Preservation act as a result of re-zoning protect farmland into an A-T zoning district should be written into the draft ordinance.
- i. A property owner resides next to a pick-your-own Christmas tree farm and reported that two events held on the premises have produced significant amounts of noise that could be heard from inside the property owner's residence. The property owner would like the commission to review page 8 of the draft ordinance to consider including provisions that address the amplification of noise further as it relates to wedding and event barns, such as measuring decibels of music amplified during an event. The property owner would like the definition of "end time" for an event to be more specific, as it is not clear to the property owner whether this means that event goers must depart at the end time or that the event must be completely over at the end time. The property owner inquired about whether the special permission from the Town as it relates to extended hours for wedding and event barns would include negotiations with neighboring properties in addition to Town officials. The property owner would like to see provisions added to the draft ordinance as it relates to the specifics of operating a wedding and event barn in the Town of Holland.
- j. A member of the public inquired about whether the draft ordinance is a collaboration with a state government agency. The individual also asked about any recurring permits that a property owner would need to obtain if a parcel rezones to A-T.
- k. A property owner expressed interest in opening a wedding and event barn. The owner also expressed interest in adding 5 or 6 cabins at approximately 100 to 200 square feet each that might be constructed as yurts or permanent tent-like structures, such as camping pods. The property owner has an architectural background and would like to share some ideas with the commission about options for future structures on his property that could be included as permitted uses under A-T. The individual stated that most weddings go until 11:00pm; the owner would like to see that requirement in the ordinance adjusted to a more typical end time. The property owner stated that the wedding and event barn would not operate all year, as the state regulations requires 90 days of non-use for wedding and event barns. The individual inquired about why 10 acres of land must be the minimum tract of land for a parcel with a wedding and event barn on the premises, as adequate parking space for a significant number of vehicles can be achieved on less than 2 acres. They suggested that 5 acres would be a better minimum to set, or that exceptions could be granted based on how

large a parcel is and how many surrounding neighbors could be impacted by the activity on the premises.

- l. One member of the public inquired about a target date of adoption for the draft A-T ordinance.
 - m. A property owner stated that though grandfathering provisions within the ordinance for existing businesses could be an option, property owners should be aware that grandfathering provisions do not allow for changes in operation or activity on the premises; therefore, it might be better to create a new ordinance that works for all property owners.
 - n. One property owner inquired about whether Kevin Struck had been in contact with WATA. The property owner stated that public notices about the draft ordinance should give a better explanation of who could be affected its implementation. They also stated that a grandfather clause would solve everything.
 - o. One member of the public stated that the draft ordinance should be easier to find. The commission clarified to the group that a notice and link to the draft ordinance was posted on the front page of the Town website and could also be obtained from the Clerk Janelle Kaiser during the town's office hours.
 - p. A member of the public inquired about a general time frame for adopting the draft ordinance. The commission advised that action is expected to be taken on the ordinance within the year 2020.
 - q. A member of the public inquired about the need for an all-encompassing A-T ordinance when it seems that regulations specifically for wedding and event barns on the state level have shortages or inconsistencies. They stated that looking at restrictions on other uses of property as opposed to focusing on restrictions for wedding and event barns could be a shortcoming of the ordinance.
 - r. One property owner stated that they will send proposed wording changes relating to the draft ordinance to Clerk Janelle Kaiser.
 - s. Multiple times during this public input period and in the public input period that followed in #16 below, members of the Plan Commission encouraged interested parties to submit written suggestions that are specific to the section of the draft language that concerns them. Everyone was encouraged to suggest specific language changes they feel would improve the draft ordinance, including the WATA.
15. Agricultural Tourism (A-T) zoning district:
 Members of the Plan Commission that took notes during the February meeting will send them to Clerk Janelle Kaiser on or before February 7th. Janelle will compile the notes for the entire commission to review prior to the March meeting and will also send these notes to all Town Board supervisors.
 Janelle will also send the February draft minutes to the entire commission prior to the March meeting.
16. Public input:
- a. A property owner stated that they would like to see a committee formed by the Town of Holland that includes contact with WATA. The Town of Holland will contact WATA but will not form a committee at this time so that all members of the public can participate and contribute during each meeting where the draft ordinance will be discussed.

- b. Two members of the Plan Commission will perform an inspection of parcel 59006076210 to determine conditional use permit compliance this week.
- c. A property owner inquired about the status of construction at the storage facility located on the corner of State Highway 32 and County Road A. The electrical work has been completed, but weather has held up work on the premises. It is possible that the owner of the facility wishes to expand storage on the property, but the facility owner would need to work with the Plan Commission and Sheboygan County Planning to achieve compliant expansion.
- d. One property owner requested that Kevin Struck assist in an analysis of their property (zoned R-1) as it relates to a land division. The property owner may want to divide the parcel for future sale or use and wanted to understand the options as allowed under current ordinances. It was determined that the parcel does not have adequate road frontage to divide into two parcels under Sheboygan County ordinances. The property owner may look into obtaining a small amount of land from an adjacent neighbor to meet the current road frontage requirements, which would also likely include the need for a shared driveway. It was stated during the meeting that should the Town of Holland choose to add minimum road frontage requirements to the R-1 zoning classification, any current residential lots would likely be classified as grandfathered non-confirming parcels if appropriate. If the ordinance is amended to include this requirement, the amendment should address both public and private roads.

17. Review/approve attendance records for previous meeting:

Motion by David Mueller, seconded by Roy Teunissen, to approve the attendance record as presented; the motion carried by unanimous voice vote.

18. Adjourn:

Motion by Jack Stokdyk, seconded by Roy Teunissen, to adjourn at 10:06 PM; the motion carried by unanimous voice vote.

Respectfully submitted,
Janelle Kaiser, Clerk