

TOWN OF HOLLAND PLAN COMMISSION  
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING  
MEETING HELD VIRTUALLY USING ZOOM TELECONFERENCE  
CALL IN: (312) 626-6799; ID NUMBER 871-2108-2349; PASSWORD 157811  
Monday, May 4<sup>th</sup>, 2020 7:30pm

1. Call to order:  
Plan Commission Chair David Huenink called the meeting to order at 7:30pm.
2. 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 was published in the Sheboygan Press on April 20<sup>th</sup>, 2020 and April 27<sup>th</sup>, 2020.
3. Record retention certification  
Plan Commission Clerk Janelle Kaiser stated record retention is up to date.
4. Roll call  
Attendees: Don Becker, Craig Droppers, David Huenink, Faith Opsteen, Jack Stokdyk, Bryan Kaiser, David Mueller, Matt Teunissen, and Roy Teunissen  
Absentee(s): Tom Huenink – Building Inspector  
Signed-In Attendees: Not applicable. The meeting was held virtually. The names of those who spoke during public input will be provided in these minutes below.  
Other Attendees: Janelle Kaiser – Clerk
5. Adopt agenda as official order of business:  
The agenda for the May 4th, 2020 Plan Commission meeting was adopted as presented by unanimous consent of the Plan Commission.
6. Review/approve minutes of previous meeting(s)  
The draft minutes of the Plan Commission meeting held on March 2nd, 2020 were approved as presented by unanimous consent of the Plan Commission.
7. Building inspector items:
  - a. Review/approve building permits report:  
The March 2020 and April 2020 building inspector reports were approved as presented by unanimous consent of the Plan Commission.
  - b. Review/approve building permit requests needing Plan Commission review: None.
  - c. Discuss follow-up items:
    - (1) Building Inspector Tom Huenink was not present to discuss follow-up items this month but provided a telephone report of follow-up items to Don Becker. A synopsis of this telephone report was included in the May meeting packet for Plan Commission review.
    - (2) Roy Teunissen requested that Tom Huenink follow up with the following property owners for after-the-fact building permits:
      1. Scott Ten Haken – W2288 Amsterdam Rd for new siding
      2. Ponds Plus Farm, LLC – N637 6 Mile Rd for a new roof

## 8. Public input:

- a. Chair David Huenink spoke on behalf of Kevin Hilbelink to relay information provided to him during a phone call with Kevin. Kevin Hilbelink needs to replace the septic system on his property at N1433 Rauwerdink Road and would like to place a mound system north of the current parcel lot line and north of the existing tree line. In order to do this, Kevin would need to request a boundary line adjustment from Sheboygan County Planning to add 0.25 acres to his parcel. In addition, Kevin would need to rezone the 0.25 acres from A-1 to R-1, therefore removing the acreage from Farmland Preservation Zoning, to remain in compliance with Town of Holland ordinances. During the meeting, it was noted that the Plan Commission is not obligated to grant this request, as Kevin could work with Sheboygan County to determine whether an alternate location for the mound system is available. Alternatively, a septic holding tank could be used rather than a mound system, if approved by Sheboygan County. None of the Plan Commission members expressed concern over rezoning 0.25 acres out of A-1 because of the small land size, the residence already exists, and a septic system rather than a holding tank is preferred for managing wastes.
- b. Chair David Huenink spoke on behalf of Jeff Kritz to relay information provided to him during a phone call with Jeff. Jeff would like to make an addition to the garage on his property located at W2760 County Road G, taking the footprint of the building from approximately two thousand square feet to greater than three thousand square feet. Should Jeff choose to pursue this addition, a conditional use permit is required if the garage addition causes the structure to exceed three thousand square feet. Town of Holland zoning ordinances limit the size of a single accessory structure to three thousand square feet within the R-1 zoning classification.
- c. Ken MacKenzie spoke during the teleconference to express concerns with a potential event space to include an event barn at W1841 Cole Road. Ken stated that he has seen advertisements for events on the property to include large bonfires, which is a cause for concern due to the state of the perishing and flammable ash trees throughout the Township. Ken also stated that the advertisements included information about parking recreational vehicles and pitching tents, and hosting events with a capacity of 150. He noted that noise, increased road usage and traffic, pedestrian and child safety, and property value are also amongst his concerns. Ken suggested that the Plan Commission consider the possibility of prohibiting a property from rezoning to any future agricultural tourism district if there are any adjacent properties zoned R-1 to provide a buffer to residential property owners.
- d. Tom Benzmilller spoke during the teleconference to note that an event capacity of less than 150 people would be more appropriate for the property at W1841 Cole Road.
- e. Grant Bartell spoke during the teleconference to comment that he also saw advertisements for the property at W1841 Cole Road hosting 150 people. Grant requested a strict conditional use permit for the property and any other event spaces as it pertains to operating hours, capacity, and noise. Grant echoed Ken's concerns about the large bonfires advertised. He also said that would be cause for concern about event attendees wandering off of the property at W1841 Cole Road to access Lake Michigan, which would increase the risk of trespassing on private property near and along Lake Michigan.
- f. Jim Wallace spoke during the teleconference to echo the concerns about fire risk should large bonfires occur during events on the property at W1841 Cole Road. He stated that an agricultural tourism ordinance adopted by the Town of Holland affects future requests from property owners in the Township, whereas an existing structure or use would not be considered non-compliant. Jim stated that he supports the proposed draft agricultural tourism ordinance but requested that the Plan Commission take a close look at the property

located at W1841 Cole Road as it pertains to safety when processing any requests made by Jeff Freund.

- g. Andy Gronik spoke during the teleconference, stating that he is a contiguous property owner to the property at W1841 Cole Road. Andy stated he had recently purchased a small sliver of land from Jeff and that Jeff was good to work with. Andy echoed the concerns of fire risk, safety, increased trespassing, and quality of life for neighbors should events occur on the Cole Road property. Andy said that he heard of bedrooms being built in the event barn and inquired about the validity of those claims. Clerk Janelle Kaiser will follow up with Tom Huenink regarding any building permits issued for interior remodeling of the barn at W1841 Cole Road.
- h. Roy Ingelse spoke during the teleconference to comment regarding capacity limits for events on the property at W1841 Cole Road. Roy stated that a capacity of 150 people for events at the property should be allowed, as a wedding smaller than this in our community is not very common.

#### 9. Public Hearings for:

- a. David Otte for a rezoning and minor land division:  
Chair Dave Huenink called the public hearing to order at 8:20pm and stated that the application had changed slightly since submission. Though David Otte had originally submitted an application for both a rezoning and a minor land division, David has requested to remove the minor land division component from the application, as he will instead pursue a boundary line adjustment with Sheboygan County to move the property line for parcel 59006066730; choosing to process the request this way will also eliminate a legal non-conforming 10-acre parcel (zoned A-3) in the Township. The rezoning component of David Otte's application remains for parcel 59006066730 from A-3 to R-1. David Huenink stated that the resulting parcels have adequate road frontage for compliance with their respective zoning districts.  
There were no comments submitted by members of the public via teleconference. Dave Huenink closed the public hearing at 8:30pm by unanimous consent of the Plan Commission.
- b. Laura Logan for a rezoning and conditional use permit:  
Chair Dave Huenink called the public hearing to order at 8:31pm. Dave stated that though the public hearing for this request is occurring on May 4<sup>th</sup>, 2020, the Plan Commission will not take up Laura's request until May 18<sup>th</sup> during an in-person special meeting of the Plan Commission. Laura will pursue a boundary line adjustment with Sheboygan County to merge parcel 59006060651 with an additional 3 acres adjacent and west of that property. The additional 3 acres is currently part of parcel 59006060650 and zoned A-1; rezoning is required in this case as the minimum lot size of an A-1 parcel is 20 acres and because of the nature of the proposed use. It was noted during the public hearing that the current owners of 59006060650 did not sign the application for a rezoning and conditional use permit, therefore legal counsel may need to be contacted to determine whether the Plan Commission can hear this request if signatures are not obtained. It was also noted that a stormwater management plan was missing from the application.  
Trevor Mentink requested that Janelle Kaiser send the stormwater management plan for this request to him upon receipt. Dave Huenink closed the public hearing at 8:42pm by unanimous consent of the Plan Commission.

- c. Kyle and Kimberly Ingelse for a minor land division:  
 Chair Dave Huenink called the public hearing to order at 8:43pm. Kyle and Kimberly Ingelse requested to divide parcel 59006072820 to result in two separate parcels, 20.97 and 16.97 acres, respectively.  
 There were no comments submitted by members of the public via teleconference. Dave Huenink closed the public hearing at 8:45pm by unanimous consent of the Plan Commission.
- d. Kevin Claerbaut for a minor land division, rezoning, and conditional use permit:  
 Chair Dave Huenink called the public hearing to order at 8:46pm. Dave stated that though the public hearing for this request is occurring on May 4<sup>th</sup>, 2020, the Plan Commission will not take up Kevin's request until May 18<sup>th</sup> during an in-person special meeting of the Plan Commission.  
 Mark DeMaster spoke via teleconference during the public hearing to comment that the notice for the public hearing should have been 2.3 acres instead of 3.2 acres; Dave Huenink replied that the acreage amount was updated on the application after the notice was sent to the newspaper.  
 Mike Van Driest spoke to express concerns regarding farm field access adjacent to parcel 59006076210. Dave Huenink recalled that a property easement exists that allows the property to be crossed for field access and suggested that Mike contact the owner of parcel 59006076210, as Kevin Claerbaut currently rents there. The Plan Commission will consider this when the finalized site plan is received from Kevin.  
 Craig Droppers stated that the easement across the vacated road in that area is private, but the past vacating of the road should be in town records. David Huenink stated that the Town of Holland would not have been involved with granting an easement otherwise the road would not have been vacated. Don Becker stated easement records may be obtained from the Register of Deeds or Sheboygan County Planning.  
 Kevin Claerbaut stated that the area being referred to has been widened 4 feet and gravel has been laid down. The relocation of the piles of soil will make way for a parking lot on the parcel. The row will be sixty feet wide and Kevin said that he has no plans to limit access. An employee will be present on the parcel from 8am-6pm daily if any issues should arise.  
 Jack Stokdyk inquired about a planned driveway off of Smies Road in the northeast corner of the property. Kevin stated that he is working with Sheboygan County to plan a driveway and potentially put in a culvert where the water diverts and crosses the property on an angle and over the highway; the driveway would lead to a parking lot for 6-7 cars.  
 Dave Huenink closed the public hearing at 8:58pm by unanimous consent of the Plan Commission.

10. Request by David Otte for rezoning 0.32-acre Lot 2 (parcel 59006066730 after boundary line adjustment) from A-3 to R-1:

Don Becker noted with respect to this request that:

- a. The rezoning results in a residential property that meets all setback requirements of the R-1 district
- b. The rezoning results in a new residential lot from A-3 to R-1
- c. The parcels involved maintain the minimum road frontage and the minimum setback requirements of the remaining A-3 property
- d. The parcels involved maintain the 20-acre density requirement of the A-3 district

Therefore, Don Becker moved, Jack Stokdyk seconded the motion, that the Plan Commission recommend to the Town Board approval of the rezoning on the 0.32-acre Lot 2.

The motion carried by unanimous roll call vote. Don Becker: Y; Matt Teunissen: Y; Dave Huenink: Y; Faith Opsteen: Y; Roy Teunissen: Y; Jack Stokdyk: Y.

11. Request by Kyle and Kimberly Ingelse for a minor land division of parcel 59006072820:  
Don Becker noted with respect to this request that approval of the request:

- a. Results in two A-2 properties meeting setback requirements of the A-2 district,
- b. Maintains the minimum road frontage requirements for both resulting A-2 parcels, and
- c. Meets the 5-acre density requirement of the A-2 district,

Therefore, Don Becker moved, Faith Opsteen supported, to recommend to the Town Board that they approve the request submitted by Kyle and Kimberly Ingelse for a minor land division conditioned on:

- a. The property owner signing of a restrictive covenant that prohibits any further land divisions for both resultant A-2 parcels for a 10-year period and
- b. The 10-year moratorium language for further land divisions be added to the CSM prior to the next Board meeting.

The motion carried by unanimous roll call vote.

12. Ongoing issues:

- a. Applications being processed – None.
- b. Conditional use permit review schedule – No new information to report.

13. Ordinance amending §§330-48: Conditional Use Permit Review and 330-109: Zoning Change Protest of the Town of Holland Town Code:

A draft of the proposed ordinance was included in the May meeting packet. The ordinance was drafted in response to law changes made by the State of Wisconsin as they pertain to conditional use permit requests. The wording of the draft ordinance was written by Town Attorney Gerry Antoine and is consistent with state statute. A public hearing is planned to be held on May 18th as part of a special Plan Commission meeting.

14. Zoning ordinance amendment for Highway Setback and definition of Structure:

A document showing proposed wording changes to §330-9 and §330-91 was included in the May meeting packet. It was noted by the Plan Commission that the wording to change §330-9 should be amended to state, "...solar energy panels located no nearer to the highway right-of-way than the **maximum** height of the structure." A question was raised about whether the distance should be increased at intersection corners for visibility; Dave Huenink stated that he would review §330-92, F(1) and F(2) of the Town Code for mention of visibility at corners. A change in language of this proposed ordinance change will be made prior to the special meeting of the Plan Commission on May 18<sup>th</sup>.

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

The Town of Holland Plan Commission is continuing work on an A-T zoning district ordinance

with the help of Kevin Struck from UW-Extension. The following points were discussed at the May meeting of the Plan Commission:

- a. The definition of Community Supported Agriculture (CSA), commercial kitchens, and farm markets should be included in the appropriate zoning districts.
- b. Clerk Janelle Kaiser will send an email to David Huenink and Donald Becker regarding how bed and breakfast establishments could be addressed in the ordinance as it relates to Chapter §280 of the Town of Holland Code.

It was agreed to try to schedule a special Plan Commission meeting for Monday, May 11, prior to the regular Board meeting to discuss this draft ordinance.

16. Public input:

- a. Jim Wallace requested the ability to teleconference into the special meeting of the Plan Commission on May 11<sup>th</sup>, 2020. Clerk Janelle Kaiser recommended that Jim check [www.townofholland.com](http://www.townofholland.com) for regular updates concerning meeting dates, times, and call-in numbers.
- b. Jack Stokdyk inquired about the conditional use permit held by Kevin Claerbaut for the property he rents from Ben and Gina Claerbaut on Sauk Trail Road. The application submitted by Kevin includes vacating of the currently held conditional use permit for the activity Kevin conducts on the rented land.

17. Review/approve attendance records for previous meeting:

Attendance records were approved as presented by unanimous consent of the Plan Commission.

18. Adjourn:

Motion by Roy Teunissen to adjourn at 10:13PM; the motion carried by unanimous consent.

Respectfully submitted,  
Janelle Kaiser, Clerk