

TOWN OF HOLLAND PLAN COMMISSION
OFFICIAL PROCEEDINGS OF THE SPECIAL MEETING
Town Holland Hall, W3005 County Road G, Cedar Grove, 53013
CALL IN: (312) 626-6799; ID NUMBER 871-2108-2349; PASSWORD 157811
Monday, May 18th, 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 May 4th, 2020 and May 11th, 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: Lee Kaat, Trevor Mentink, Ben Claerbaut, Lisa Caswell, Patti Schreurs, Laura Logan, Randy Joosse, Kevin Claerbaut, Ben Claerbaut, Mark DeMaster, and Richard Boenisch
Virtual Call-In Attendees: Andy Gronik, Mike VanDriest, Judy MacKenzie
Other Attendees: Janelle Kaiser – Clerk
5. Adopt agenda as official order of business:
Motion by Roy Teunissen, seconded by Faith Opsteen, to adopt the agenda as presented for the May 18th, 2020 Plan Commission meeting.
6. Public input:
 - a. Trevor Mentink spoke about the request by Laura Logan for a rezoning and conditional use permit. Trevor expressed concerns about the length of the construction process after Laura's request in 2018 was approved. He also stated that a company vehicle has been parked outside of the facility owned by Laura Logan on County Road A for multiple weeks, noting that Laura's conditional use permit does not allow for outside storage. Trevor reported that the parking lot is being used for racing because there is no fence around the property as Laura's site plan indicates and that the temporary sign for the business has fallen into the road right-of-way. Trevor mentioned seeing a vehicle from the Sheboygan County Sheriff's Department on the premises. He also noted concerns of workshops with 3-phase power being installed in the buildings on the property and provided feedback on Laura's water management plan. Trevor requested that the Plan Commission consider whether Laura's request serves to maintain the Town of Holland's rural character and is in alignment with Town's Comprehensive Plan.
 - b. Randy Joosse echoed concerns about the water management plan relating to Laura Logan's request.
 - c. Lee Kaat stated that the size of the buildings proposed by Laura Logan is concerning. In particular Lee thought the sidewall height of the proposed building along Hwy-32 is very high to have facing along a public throughfare.

- d. Laura Logan spoke to address some of the public comments above. Laura stated that the construction process from 2018 to present was significantly delayed by weather conditions as well as WE Energies for new electric service installation on the premises. Laura stated that the company vehicle is parked on the premises on County Road A as a courtesy to customers that do not have access to a moving van or larger vehicle for hauling. She also stated that neighbors are welcome to call or text the number on the outside of the building on her property to report activities such as racing so that they can be addressed, as Laura was not aware there were any issues and has not been contacted by the Sheboygan County Sheriff. Laura said that she would address the sign in the road right-of-way and explained that 3-phase power installation on the premises is not being used for workshops, but will instead be used so that customers can have access to a battery charger or use an air compressor for inflating tires in their storage unit. Laura reported that Sheboygan County has issued conditional approval on the water management plan submitted with her application and that an engineer had completed the work on the plan. She also stated that her business fits with our rural character and comprehensive plan because of the surrounding businesses and bordering municipality of Oostburg, mentioning that the demand for units exists in the community is evidenced by a waiting list of customers.
 - e. Don Becker confirmed that there is a smaller parcel zoned B-1 and M-1 in the area and that Sheboygan County did conditionally approve the storm water management plan submitted by Laura. The plan approval is conditional upon a signed maintenance agreement. Don also confirmed that Kevin Struck of UW-Extension has stated that removing the 3 acres from Farmland Protection Zoning (FPZ), which is a piece of Laura Logan's application request, would be unlikely to get DATCP's attention due to the size of the parcel at a previous meeting, however the rezoning does conflict with Town of Holland ordinances.
 - f. Dave Huenink spoke to confirm that the Sheboygan County Sheriff's Department had performed a routine security check on the premises owned by Laura Logan on County Road A. There were no incidents reported.
 - g. Randy Joosse spoke as the owner of the other property zoned for business in the area near Laura Logan's property on County Road A, stating that the Town of Holland suggested that he leave the current zoning on the property as is when the storage units were approved. Randy also stated that he saw someone spray painting in a storage unit as well as racing around the parking lot on the premises. Randy expressed concern about the lack of monitoring on the premises, stating that he lives where his storage units are located and Laura does not, and also expressed concern about reduced peace in the neighborhood due to the storage unit business.
 - h. Laura Logan stated that a fence and gate will be installed on the premises following the pavement installation on the property and that it makes sense to do this after the building expansion. She also reported that security cameras will be installed.
 - i. Mike VanDriest spoke to echo concerns of the neighbors and stated that he is worried that Laura's storage unit business will expand into a 40-acre complex. Mike expressed strong opposition to Laura's request and stated that he would like to see the request voted down.
 - j. Dave Huenink spoke to state that there is currently only one request and plan proposed by Laura Logan. The company vehicle is used as a convenience vehicle for customers but should not be stored there per conditions of the conditional use permit.
7. Review draft ordinance creating an agricultural tourism (A-T) zoning district:
Dave Huenink walked meeting attendees through all recent changes made to the draft ordinance that would create an A-T zoning district in the Town of Holland. He also explained some

sections of the ordinance in detail for greater public understanding.

8. Zoning and ordinances explanation:

Dave Huenink explained that zoning ordinances exist to set limits on land use within the township to balance the rights of property owners with the quality of life for neighboring property owners. The Plan Commission processes zoning requests on an individual basis through an application process to determine compatibility with zoning ordinances. There are both permitted and conditional uses within zoning districts; when a use is conditional, the Plan Commission will hear requests for conditional use permits from property owners. Zoning ordinances pertain to all locations in the town and pertain to both current and future uses. Dave used the Beaver Creek Saddle and Bridle Club as an example of an existing, non-conforming use within the town's zoning ordinances, stating that the club is able to operate as it currently does with no changes to their use under Section 330-58 of the Town of Holland Town Code. He stated again that the use cannot change or a rezoning would be required if an agricultural tourism zoning ordinance is adopted, therefore Dave recommended that Beaver Creek apply for a conditional use permit and rezone to A-T to protect their business if they need to make future changes to their operation.

Don Becker stated that all property owners and elected and appointed town officials in the township must comply with zoning and echoed Dave's recommendation to the Beaver Creek Saddle and Bridle Club to obtain a conditional use permit.

9. Establish rules for public hearing:

Dave Huenink read the rules for the public hearings scheduled for the May 18th Plan Commission meeting to attendees.

10. Public Hearings for:

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

There were no comments submitted by members of the public or the Plan Commission. Motion by Jack Stokdyk, seconded by Roy Teunissen, to close the public hearing at 8:47pm; the motion carried by unanimous voice vote.

- b. Ordinance creating §§ 330: Agricultural Tourism (A-T) Zoning District to be incorporated into the Town of Holland Town Code:

Richard Boenisch spoke to thank the Plan Commission for the clarification on a number of items within the draft A-T ordinance. He also asked the commission how long the fee would be waived for a conditional use permit application request, to which the commission responded that the fee would not be waived in perpetuity. Don Becker encouraged them to start work within two months. Dave Huenink stated that 1 or 2 members of the commission could work with the representatives of Beaver Creek to prepare application documents.

Kevin Claerbaut spoke to say that Dave and Don have been extremely helpful in completing the application process.

Laura Logan echoed that statement.

Grant Barthel spoke to express concern regarding the speed of implementation of the ordinance. He also expressed concern regarding parking lot runoff, sound decibels, and operating hours as it pertains to the property at W1841 Cole Road, a potential event barn in the Town of Holland. Grant also stated that A-T property contiguous to residential property could increase trespassing problems and expressed concern about signage on A-T

property. A member of the Plan Commission informed Grant that a recommendation from the Wisconsin Agricultural Tourism Association was used as a guideline to set operating hours for event barns in the draft A-T ordinance.

Laura Logan suggested that the ordinance might include information about materials that could be required for property owners to have on hand when having a campfire on an A-T property, such as a 5 gallon bucket of water next to each campfire.

Judy MacKenzie thanked the Plan Commission for their work on the draft A-T ordinance and asked a question regarding whether the capacity of an event held on a property zoned A-T could increase their building capacity by adding a large tent to their operation; the commission explained that capacity limits are set by total tract size in the draft A-T ordinance. In addition, capacity limits for buildings would be set by the state building inspector upon commercial building inspection.

Judy also echoed Grant's concerns about water runoff from any parking lots constructed on A-T property near lakes or local waterways and inquired about DNR studies in the area. Judy questioned whether environmental considerations are made when reviewing conditional use permit requests and whether there are standard materials that must be used to install a parking lot.

Dave Huenink stated that there are no requirements for standard materials to be used for parking lot construction. There are several parking requirements within the draft A-T ordinance and each A-T property would be reviewed on an individual basis as it pertains to parking requests, as a parking plan must be submitted with each application. Dave noted that storm water management needs to be addressed no matter what the zoning classification is, stating that a property owner cannot cause the flow of storm water to re-direct or increase without submitting a plan to the commission.

Andy Gronik spoke to thank the Plan Commission for their work on the draft A-T ordinance. He stated that the concerns mentioned above are pertinent to those who live on or near Cole Road due to the potential event barn and that most runoff from the property at W1841 Cole Road drops into a creek and should be considered with any application submitted by the owner of that property.

Motion by Don Becker, seconded by Jack Stokdyk, to close the public hearing at 9:26pm; the motion carried by unanimous voice vote.

11. Zoning ordinance amendment for highway setback and definition of structure:

There were no comments submitted by members of the public or the Plan Commission. Motion by Jack Stokdyk, seconded by Matt Teunissen, to close the public hearing at 9:28pm; the motion carried by unanimous voice vote.

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

Motion by Don Becker, seconded by David Mueller, to recommend that the Town of Holland Town Board adopt Ordinance 2020-03 Amending §§ 330-48 and §§ 330-109 of the Town of Holland Town Code; the motion carried by unanimous roll call vote. Faith Opsteen: Y; Roy Teunissen: Y; Matt Teunissen: Y; Donald Becker: Y; David Huenink: Y; Jack Stokdyk: Y; David Mueller: Y.

13. Ordinance creating §§ 330: Agricultural Tourism (A-T) Zoning District to be incorporated into the Town of Holland Town Code:

Motion by Faith Opsteen, seconded by Jack Stokdyk, to recommend that the Town of Holland Town Board adopt Ordinance 2020-04 Creating §§ 330-26.4 Agricultural Tourism District and Amending related 330 Sections of the Town of Holland Town Code to include two changes as discussed at the May 18th Plan Commission meeting:

- a. Addition of a simple statement that the Plan Commission should consider proximity to creeks, waterways, and parking lot materials and it pertains to A-T zoning and conditional use permit requests; the commission would specify appropriate controls for runoff in individual conditional use permits, and
- b. Change the chart that addresses event barn capacity based on tract acreage to show that capacity allowed is based on attendance allowed at one time

The motion carried by unanimous roll call vote.

14. Zoning ordinance amendment for highway setback and definition of structure:

Motion by Faith Opsteen, seconded by David Mueller, to recommend that the Town of Holland Town Board adopt Ordinance 2020-05 Amending §§ 330-9 (167) and Creating §§ 330-91.B(6) of the Town of Holland Town Code; the motion carried by unanimous roll call vote.

15. Legal opinion on signatures for applications:

Information was included in the packet to inform commission members of a legal opinion addressing signatures on rezoning applications provided by Town Attorney Gerry Antoine. This information was provided to commission members for their understanding of application processes.

16. Request by Laura Logan for a rezoning and conditional use permit:

- a. Matt Teunissen expressed concern that the entire lot of farmland surrounding Laura Logan's property on County Road A will be taken up by storage units over time. Matt stated that the request by Laura Logan does not fit with the Town's comprehensive plan as the property sits outside of the transitional area and is not located in a business park.
- b. Roy Teunissen spoke to express opposition to the request by Laura Logan.
- c. Craig Droppers spoke to express opposition to the request by Laura Logan, stating that there are location alternatives as opposed to prime farmland.
- d. David Mueller stated that a rezoning must be consistent with the Town's comprehensive plan and must meet the criteria set forth by §§330-22E. David stated that the criteria are difficult to meet.
- e. Don Becker spoke with concern for the community surrounding the self-storage business owned by Laura Logan. He stated that neighbors would be impacted by the change, as the change is not minor, and that the plan submitted does not include any plans for screening of headlights. The planned square footage increase for storage capacity is 500% for the first phase of construction and 1000% for the second phase, therefore the increase in traffic would be significant, causing a major change in the community. Don expressed concerns with consistency between Laura's request and the Town's comprehensive plan as well.
- f. Jack Stokdyk commented that there are businesses in the surrounding area. He would rather see 3 acres rezoned to B-1 as opposed to another 3-acre storage facility at an alternate location within the township.
- g. David Huenink said that the rezoning request by Laura is suited for the lot requested, as the land is at a major road intersection in the town (State Hwy 32 and County Rd A South), adjacent to 3 acres of land zoned B-1 and across the road from another B-1 local business.

Dave said that the conditional use permit should require screening for headlights and to reduce the visual impact of the large buildings.

- h. Faith Opsteen expressed concerns regarding the potential issues with the storm water management plan on the property owned by Laura Logan.
- i. Don Becker stated that if the conditional use permit is considered, the Town of Holland would need to contract with an expert to review the storm water management plan and light impact plan submitted by Laura Logan to ensure reduced impact on the quality of life for neighbors.
- j. Faith Opsteen stated that the comprehensive plan future land use maps show the area requested to be rezoned from A-1 (FPZ) to B-1 is planned for agricultural use.

Motion by Matt Teunissen, seconded by David Mueller, to recommend that the Town of Holland Town Board deny the request by Laura Logan for a rezoning of 3 acres contiguous and west of parcel 59006060651 on County Road A S from A-1 to B-1; the motion carried by roll call vote. Jack Stokdyk: N; Roy Teunissen: Y; David Mueller: Y; Faith Opsteen: Y; David Huenink: N; Donald Becker: Y; Matt Teunissen: Y.

Motion by Jack Stokdyk, seconded by Faith Opsteen, to table the request for a conditional use permit by Laura Logan because the permit cannot be acted upon until the zoning of the parcel is known. Laura's request for a rezoning will be voted on by the Holland Town Board. The motion carried by unanimous roll call vote. Matt Teunissen: Y; David Huenink: Y; David Mueller: Y; Faith Opsteen: Y; Donald Becker: Y; Roy Teunissen: Y; Jack Stokdyk: Y.

17. Request by Kevin Claerbaut for a minor land division, rezoning, and conditional use permit: Kevin Claerbaut has requested a zoning change from A-1 to B-1 for the parcel immediately adjacent to the transitional area district of the Town of Holland. All moving pieces of the request increase overall acreage added to FPZ zoning at approximately 3:1, though part of the request does include 2.3 acres (parcel 590006076290) of land be removed from FPZ.
- a. David Mueller asked whether a building permit had been submitted for the project.
 - b. Roy Teunissen stated that Kevin has begun running the business as he is requesting prior to receiving an approved request by the Plan Commission.
 - c. Donald Becker stated that the site has improved a great deal in appearance. The improvements made to the property are in the best interest of both the property owner and the township.
 - d. Jack Stokdyk inquired about whether runoff has been addressed due to impermeable surfaces. This will be addressed by the conditional use permit.
 - e. Faith Opsteen stated that if the 2.3-acre parcel of land is added to Kevin's business, runoff would need to be addressed in the conditional use permit to protect the creek running near the property.
 - f. Matt Teunissen stated that the runoff potential should be looked into and rezoning of parcel 59006076290 should be contingent upon issuance of an active conditional use permit within 3 months; he also stated that the site plan should be reviewed by Sheboygan County Planning to determine whether a stormwater management plan is required prior to issuance of an active conditional use permit.
 - g. Other points of discussion that could be considered during the request for a conditional use permit by Kevin Claerbaut include location of a burning area, location of a maintenance operation area, traffic flow pattern, parking plans for all parking areas, and a plan of operation for land requested to be rezoned at 59006076290.

Motion by Matt Teunissen, seconded by Jack Stokdyk, to recommend that the Town Board approve the request by Kevin Claerbaut to rezone parcel 59006076210 from A-2 to B-1, contingent upon the conditional use permit request by Kevin Claerbaut completion within 3 months; the motion carried by roll call vote. Roy Teunissen: Y; Jack Stokdyk: Y; Matt Teunissen: Y; David Mueller: N; David Huenink: Y; Donald Becker Y; Faith Opsteen: Y.

Motion by David Mueller, seconded by Roy Teunissen to table the remainder of Kevin Claerbaut' s request until the June 1st, 2020 plan commission meeting; the motion carried by unanimous voice vote.

18. Ongoing issues:

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

19. Public input:

Trevor Mentink asked when the next board meeting is scheduled. The next board meeting is scheduled for May 19th, 2020 following the annual meeting of electors. He also inquired about the process if Laura would like to proceed with another request or the same request that she had submitted. He stated that the parcel that Laura owns on County Road A S was rezoned to B-1 13 years ago.

Jim Wallace spoke regarding potential water and parking issues as it relates to the discussion above. He inquired about whether the A-T ordinance should address sewer and water; Dave Huenink stated that Sheboygan County Planning maintains sewer and water permits and requests. Sheboygan County manages requests submitted for new sewer or water system additions to any property in the Town of Holland. Jim stated that all water from Cole Road is drained using one old pipe and he has serious concerns regarding increased water flow.

Kevin Claerbaut stated that he has not poured any new concrete on his property on Smies Road other than a floor replacement, and that he does not have customers visit that property at this time. His office is still at the property on Sauk Trail Road; therefore, the customers still visit that location. Kevin stated that he is complying with all aspects of his currently issued conditional use permit. He also stated that the burning area will be in the furthest corner possible to avoid any smoke traveling across the interstate.

Kevin wondered whether he needs a building permit for improvements on his buildings. The Plan Commission informed him that he should submit a building permit request as soon as possible.

20. Review/approve attendance records for previous meeting:

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

21. Adjourn:

Motion by Jack Stokdyk, seconded by David Mueller, to adjourn at 11:37PM; the motion carried by unanimous consent.

Respectfully submitted,
Janelle Kaiser, Clerk