

TOWN OF HOLLAND PLAN COMMISSION
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
W3005 County Road G, Cedar Grove, WI 53013
Monday, July 6th, 2020 7:30pm

1. Call to order:
Plan Commission Chair David Huenink called the meeting to order at 7:30pm.
2. Pledge of Allegiance:
Chair Dave Huenink led the attendees in the Pledge of Allegiance.
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 was published in the Sheboygan Press on June 22nd, 2020 and June 29th, 2020.
4. Record retention certification:
Plan Commission Clerk Janelle Kaiser stated record retention is up to date.
5. 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: Jeff Freund, Brent Buechel, Steve Peskie, Andy Gronik, Robbie Van Ginkel, Laura Kritz, Jeff Kritz, and Ben Claerbaut
Other Attendees: Janelle Kaiser – Clerk, Gina Claerbaut
6. Adopt agenda as official order of business:
Motion by Roy Teunissen, seconded by David Mueller, to adopt the agenda as presented for the July 6th, 2020 Plan Commission meeting; the motion carried by unanimous voice vote.
7. Review/approve minutes of previous meeting(s)
Motion by Don Becker Opsteen, seconded by David Mueller, to approve the minutes from the June 1st and June 15th Plan Commission meetings as presented; the motion carried by unanimous voice vote.
8. Presentation on Plan Commission procedures and opportunities for improvement:
Faith Opsteen presented information that highlighted some of the procedures that the Plan Commission currently follows, as well as areas for improvement, in the form of a PowerPoint and a handout. This presentation is intended to be the beginning of an ongoing discussion to standardize and improve Plan Commission processes over time. The commission members were asked to consider the information presented and relay any thoughts or ideas to Faith Opsteen and/or Don Becker. Faith and Don are working together as a subcommittee to study the procedures and opportunities mentioned above.
9. Building inspector items:
 - a. Review/approve building permits report:
Motion by Jack Stokdyk, seconded by David Mueller, to approve the June 2020 building inspection report submitted by Tom Huenink 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.

10. Public input:

- a. Robbie Van Ginkel was present to inquire about a conditional use permit application for his property at N2318 Tamarack Lane. Robbie would like to build an accessory structure with a retaining wall, also defined as a structure, around three sides of it. The accessory structure may exceed the allowable aggregate square footage for accessory structures on his parcel. All setbacks could be met except for the street setback under his current plan. The Plan Commission informed Robbie that they cannot grant a special exception for street setbacks on residentially zoned property. The Plan Commission also advised Robbie to contact the Sheboygan County Planning Department to obtain information about the setbacks required for his septic system and well.

11. Public Hearings for:

- a. Jeff and Laura Kritz for a conditional use permit:
Chair Dave Huenink called the public hearing to order at 7:58pm. Jeff and Laura Kritz's request is for a conditional use permit to add to an accessory structure such that it exceeds the 3,000 square feet allowed for a single accessory structure used for residential purposes. There were no comments submitted by members of the public or the Plan Commission. Motion by Jack Stokdyk, seconded by David Muller, to close the public hearing at 8:00pm; the motion carried by unanimous voice vote.
- b. David (Andy) and Mark Gronik:
Chair Dave Huenink called the public hearing to order at 8:01pm. David (Andy) and Mary Gronik's request is for a conditional use permit to construct an accessory structure that exceeds the 3,000square feet allowed for a single accessory structure used for residential purposes. There were no comments submitted by members of the public or the Plan Commission.
Motion by Jack Stokdyk, seconded by David Muller, to close the public hearing at 8:03pm; the motion carried by unanimous voice vote.
- c. Ben and Gina Claerbaut for multiple rezonings and 2 conditional use permits:
Dave Huenink called the public hearing to order at 8:04pm. The properties requested for rezoning are: 10.7 acres (5.75, 1.25, and 3.7, respectively) of parcel 59006075980 (14.9 acres, zoned A-2) and 3.1 acres of parcel 59006076010 (4.71 acres, zoned A-1).
Conditional use permits have been requested for the properties at N1405 Sauk Trail Road, parcel number 59006075991 (2.26 acres, zoned A-2) and N1399 Sauk Trail Road, parcel number 59006076060 (1.95 acres, zoned A-2). Ben Claerbaut submitted the required site plan and plan of operations during the meeting on July 6th, however the certified survey map was not be submitted due to scheduling challenges with the surveyor. Ben stated that he hopes to have the survey before the August meeting and that he would stay in contact with his surveyor.
Motion by Jack Stokdyk, seconded by David Mueller, to close the public hearing at 8:06pm; the motion carried by unanimous voice vote.

12. Request by Jeff and Laura Kritz for a conditional use permit:

The conditional use permit application to request allowance for construction of an accessory

structure exceeding the allowed square footage included an image of the Kritz property that was difficult for the members of the commission to review. Clerk Janelle Kaiser provided a clearer image during the meeting of July 6th, 2020. The members of the commission discussed the height and usage of the proposed structure, noting that the structure would stand 16 feet tall and would be used for storage of a tractor and skid steer to include implements as well as collector cars. Chair Becker noted that an official site plan was not included with the application, however, a sketch of the property showing approximate location of the structure was included as well as an overhead image of the property and the proposed structure will not include any plumbing.

Motion by Jack Stokdyk, seconded by David Mueller, to approve the request by Jeff and Laura Kritz for a conditional use permit, conditional upon the following items:

- a. The proposed structure must not exceed 3,800 square feet.
- b. The proposed structure must not be used as a dwelling unit as defined by the Town of Holland Town Code.
- c. The parcel that the proposed structure will sit on must not be divided such that the aggregate footprint of all accessory uses exceeds three percent (3%) of the total lot area.
- d. The lean-to structure on the north side of the existing accessory structure must be razed.

In addition, all standard conditions for accessory structures exceeding 3,000 square feet will apply to this conditional use permit. The motion carried by unanimous roll call vote. Matt Teunissen: Y; David Huenink: Y; Faith Opsteen: Y; David Mueller: Y; Donald Becker: Y; Roy Teunissen: Y; Jack Stokdyk: Y.

13. Request by David (Andy) and Mary Gronik for a conditional use permit:

Several members of the Plan Commission expressed concern about the Gronik request as it relates to the usage of the proposed structure. The structure is intended for storage of recreational vehicles and accessories as well as guest entertainment. The plan includes food preparation area and bathroom facilities but not sleeping quarters; there were concerns about the ease of creating sleeping quarters in the structure expressed during the meeting due to the Town of Holland Town Code provision that states when a food preparation area, sanitation facilities, and sleeping facilities are present within a structure, it is considered to be a dwelling unit. It was stated that the proposed structure meets the letter of the Town of Holland Town Code but does not necessarily meet the spirit of the aforementioned code.

Motion by David Huenink, seconded by David Mueller, to approve the request by David (Andy) and Mary Gronik for a conditional use permit, conditional upon the follow items:

- a. The proposed structure must not exceed 3,710 square feet.
- b. The proposed structure will not serve as a residence or a rental property and will not allow for any overnight occupancy.
- c. The conditional use permit does not include any other structures shown in the site plan; the conditional use permit pertains only to the proposed accessory structure exceeding 3,000 square feet.

In addition, all standard conditions for accessory structures exceeding 3,000 square feet will apply to this conditional use permit. The motion carried by roll call vote. Roy Teunissen: Y; Don Becker: Abstain; David Mueller: Y; Faith Opsteen: Y; David Huenink: Y; Matt Teunissen: N; Jack Stokdyk: Y.

14. Request by Ben and Gina Claerbaut for multiple rezonings and 2 conditional use permits:

The Plan Commission was unable to act upon this application in total because the application was incomplete as submitted – missing a site plan and plan of operation for each of two anticipated conditional use permits and missing the certified survey map that will show the

property boundaries of two A-2 parcels that will each comply with the density requirement of this district. Motions in items 2-4 below allow for progress, especially as tied to two other requests acted upon by the Plan Commission on June 1, 2020. Item #1 below finds the current application incomplete and starts the ‘clock’ for rejection of the application if the application is not complete by the regularly scheduled August 3rd, 2020 Plan Commission meeting.

- a. Motion by Jack Stokdyk, seconded by Roy Teunissen, to find the application submitted by Ben and Gina Claerbaut incomplete as presented at the July 6th, 2020 Plan Commission meeting in that the application is missing a Site Plan, a Plan of Operation, and a CSM, and whereas Ben and Gina Claerbaut signed their application on May 28, 2020, whereas they were informed at that time that a Site Plan and Plan of Operation was needed for a conditional use permit and a CSM is needed to complete the application for the boundary line changes and zoning changes sought, and whereas they were informed that certain current activities are in conflict with town ordinances. Let the minutes show that the motion includes that this application be rejected if the applicant fails to make the application complete by July 28th, 2020 at 5:00pm with the understanding that the application is subject to review for completeness upon receipt of the missing application items by the Plan Commission. This motion is made with the understanding that the final decision on the completeness of the application will be made by the Plan Commission in its regularly scheduled meeting on August 3, 2020, and that submittal of new application will result in another application fee.

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

- b. It was stated during the July Plan Commission meeting that the current conditional use permit issued to CG Services at N1405 Sauk Trail Road and signed on March 5, 2012 covers operations that are not anticipated to be part of operations that Ben Claerbaut plans to conduct and the standard terms of conditional use permits have been revised multiple times since the issuance of the March 5, 2012 permit.

Motion by Don Becker, seconded by Faith Opsteen, to vacate the current conditional use permit on October 5, 2020 but allowing for a request in writing to extend that deadline to November 2nd, 2020 and that new conditional use permits be considered for issuance to Ben Claerbaut addressing the animal units on the two A-2 parcels and covering the non-farm business activities.

The motion carried by unanimous roll call vote.

- c. Motion by Don Becker, seconded by Roy Teunissen, that since the Plan Commission and Board acted in early June to create a new 2.3-acre parcel and to rezone it from A-1 to B-1 conditioned upon an approximate 2.5:1 rezoning trade, the Plan Commission recommends to the Town Board that 5.75 acres of A-2 land on the farm tract of Ben Claerbaut, parcel 59006075980, be rezoned to A-1. This motion is conditioned upon:

- (1) Satisfaction of the four conditions in the June 1, 2020 Plan Commission motion recommending to the Town Board to approve a land division creating a new 2.3-acre parcel and rezoning of the new parcel from A-1 to B-1
- (2) Ben Claerbaut, working with Sheboygan County, complete a boundary line adjustment (“merger”) enlarging the size of parcel 59006076090 by 5.75 acres and reducing the size of parcel 59006075980 by the same amount.
- (3) Failure to complete the aforementioned conditions by October 5th, 2020 at 5:00pm results in an incomplete and voided application

The motion carried by unanimous roll call vote.

- d. Motion by Don Becker, seconded by Roy Teunissen, that since the Plan Commission and Board acted in early June to rezone 0.5 acres of A-1 land to R-1 conditioned upon an approximate 2.5:1 rezoning trade, the Plan Commission recommends that the Town Board that 1.25 acres of A-2 land on the farm tract of Ben Claerbaut, parcel 59006075980, be rezoned from A-2 to A-1. This motion is conditioned upon:

- (1) Satisfaction of the three conditions in the June 1, 2020 Plan Commission motion recommending to the Town Board that a rezoning of 0.5 acres of land from A-1 to R-1
- (2) Completing a corresponding boundary line adjustment (“merger”) through Sheboygan County to enlarge parcel 59006076090
- (3) Failure to complete the aforementioned conditions by October 5th, 2020 at 5:00pm results in an incomplete application

The motion carried by unanimous roll call vote.

- 15. Conditional use permit review for 59006060360:

The property owner at 59006060360 did not respond to a letter requesting correspondence from the Clerk that was mailed on June 24th, 2020. The Clerk will send a certified letter to the property owner requesting a response within one week of receipt. If a new conditional use permit is required, a new application and applicable fee would need to be submitted by the property owner.

- 16. Potential rezoning for parcel 59006069561:

The Plan Commission discussed the property on which MJ Equipment in the Town of Holland is located. Based on the usage of the property (equipment rental, storage, repairs, and minimal manufacturing), it was determined that the zoning should be changed from M-1 to B-1 and that a conditional use permit should be obtained. The fee for the application would be waived due to the existing nature of the business, and the length of time during which the business has operated as such, but the recording fees would be a cost of the applicant.

- 17. Potential limitations for constructing accessory buildings:

No new information to report.

- 18. Ongoing issues:

- a. Applications being processed: No information to report.

- b. Conditional use permit review schedule:

Clerk Janelle Kaiser included information in the July meeting packet to begin the process of creating a schedule to review existing conditional use permits in the Township. This topic will be discussed at a future Plan Commission meeting.

- 19. Public input:

None.

- 20. Potential limitations for accessory buildings:

This topic was tabled to be discussed at a future Plan Commission meeting.

- 21. Review/approve attendance records for previous meeting:

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

22. Adjourn:

Motion by Jack Stokdyk, seconded by Roy Teunissen, to adjourn at 10:45PM; the motion carried by unanimous consent.