

TOWN OF HOLLAND PLAN COMMISSION  
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING  
W3005 County Road G, Cedar Grove, WI 53013  
Monday, December 7<sup>th</sup>, 2020 7:00pm

1. Call to order:  
Plan Commission Chair David Huenink called the meeting to order at 7:00pm.
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. The public hearing was noticed in the Sheboygan Press on November 23<sup>rd</sup>, 2020 and November 30<sup>th</sup>, 2020.
4. Record retention certification:  
Plan Commission Clerk Janelle Kaiser stated record retention is up to date.
5. Roll call:  
Attendees: Don Becker, David Huenink, Faith Opsteen, Jack Stokdyk, Matt Teunissen, Bryan Kaiser, Roy Teunissen, David Mueller, and Craig Droppers  
Absentee(s): Tom Huenink – Building Inspector  
Signed-In Attendees: Thomas Hawe, Craig Claerbout, Warren Claerbout, Judith Claerbout, Jeremy Borth, Jon Voskuil, Jack Martin, Jennifer Spinelli, Mike DePagter, and Gloria Teunissen  
Other Attendees: Janelle Kaiser – Clerk
6. Adopt agenda as official order of business:  
Motion by Jack Stokdyk, seconded by Roy Teunissen, to adopt the agenda as presented for the December 7<sup>th</sup>, 2020 Plan Commission meeting; the motion carried by unanimous voice vote.
7. Plan Commission procedures and opportunities for improvement:  
The Plan Commission continued work on a project with the purpose of implementing improvements to procedures currently practiced by the Plan Commission as it relates to application submissions by property owners for land divisions, rezonings, and conditional use permits. The next Plan Commission meeting will start at 7:00pm to continue discussion of this topic.
8. Review/approve minutes of previous meeting(s)  
Motion by David Mueller, seconded by Roy Teunissen, to approve the minutes from the October 5<sup>th</sup> Plan Commission meeting as presented; the motion carried by unanimous voice vote.
9. Building inspector items:
  - a. Review/approve building permits report:  
Motion by Jack Stokdyk, seconded by David Mueller, to approve the October and November 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:
  - c. Discuss follow-up items:
    - (1) At the October 5<sup>th</sup> meeting, Roy Teunissen inquired about a building permit for the property at W2688 County Road G as it pertains to construction of an

accessory structure. Clerk Janelle Kaiser followed up with Building Inspector Tom Huenink, who reported that the property owner had obtained a building permit in 2019 and provided a voucher for the building permit obtained. Janelle included a copy of the permit application and payment voucher in the December meeting packet, as well as a conditional use permit issued for the parcel. The conditional use permit did not make mention of the accessory structure as it is constructed, though the building permit showed payment for the size of the building constructed. It was determined by the Plan Commission that the property owner should have obtained a conditional use permit to build the accessory structure as it is currently constructed, as the accessory structure footprint exceeds the maximum allowed for one structure by Town of Holland zoning ordinance. It was also determined by the Plan Commission that the building permit should not have been issued by Tom Huenink without referring the property owner to the Plan Commission to apply for a conditional use permit. Motion by Donald Becker, seconded by David Mueller, to recommend that the Town Board waive the conditional use permit fee for Karl Hoffman, the property owner of W2688 County Road G, upon submittal of a conditional use permit application for the existing accessory structure on the property that exceeds the maximum allowable footprint for one accessory structure as governed by the Town of Holland's zoning ordinance. The motion carried by unanimous voice vote. Karl Hoffman should be notified of the requirement to submit a conditional use permit application and to include required supporting documentation following the December 14<sup>th</sup> meeting of the Holland Town Board.

#### 10. Public input:

- a. Property owner Jeffrey Freund was not present to discuss a potential rezoning from A-5 to A-T and related conditional use permit application for the property at W1841 Cole Road, but provided information to be included in the December meeting packet about his future request to conduct outdoor events on his property. Plan Commission members made comments on the information provided by Jeff, including whether the outdoor events would be agriculturally related and aligned with the agricultural tourism zoning ordinance, whether the event barn would be used for activities, and how the property owner would address potential runoff due to drainage concerns in the surrounding area.
- b. Property owners Jack Martin and Jennifer Spinelli were present to discuss a potential rezoning and conditional use permit application for the property at N1787 Dulmes Road. The owners would like to hold small agricultural events on their property to include but not limited to farm dinners, wine tastings, theater nights, yoga with goats, and camping weekends. The property consists of 3 acres, which is 2 acres short of the smallest land tract size allowed for an event barn in the agricultural tourism zoning district. The owners proposed that a smaller tract size be allowed and therefore added to the agricultural tourism (A-T) zoning ordinance. The owners also inquired about obtaining an exception to the setback for an event barn by ordinance, as their barn currently sits about 35 feet from the rear property boundary, and the requirement is 100 feet. The Plan Commission informed the property owners that extensive discussion and consideration went into the allowable tract sizes and setbacks for an event barn in the A-T zoning ordinance, as it is crucial that surrounding property owners be able to conduct their business without interruption from tourism activities. The Plan Commission advised that the property owners could consider purchasing additional land in order to meet the tract

size and setback requirements of the A-T zoning ordinance. It is also an option for the owners to petition the A-T zoning ordinance for a smaller allowable tract size for event barns to be added. The Plan Commission also mentioned that there could be a possibility of a setback exception if the events could be limited to activities that are less likely to generate a large amount of noise.

- c. Thomas Hawe was present to discuss a potential request for the property at W2143 Amsterdam Road. Thomas would like to construct a garage that would be attached to his residence to include a second-story accessory apartment for his mother to reside in. The Plan Commission advised Thomas that a second dwelling unit on the same parcel is not allowed in any zoning district by Town ordinance; he was also advised to review the definitions and descriptions of dwelling units and food preparation areas within the Town of Holland code to better understand the requirements. The Plan Commission also informed the property owner that if the attached garaged were to be constructed, the road setback requirement must be met even though the residence's setback from the road is legally non-conforming with current ordinance. A member of the Plan Commission suggested that another option for Thomas would be to divide 1.5 acres (the minimum lot size allowed in the A-5 zoning classification within the transitional area district) off of his current parcel to construct a small home for his mother to reside in. This would eliminate the concern of a second dwelling unit and setbacks would be easier to meet. Thomas inquired about any requirements that would address the ravine on his property and potentially impact his plans to construct the attached garage. The Plan Commission referred him to the Sheboygan County Planning Department, as the navigable waterway within the ravine would fall under the Shoreland Zoning Ordinance which is governed by Sheboygan County.
- d. Warren, Judith, and Craig Claerbout were present to discuss a potential request for the property at 59006067571. The property is zoned M-3 (mineral extraction district) and includes a large pond. Craig stated that the owners would like to construct a small shed to store a lawn mower and other lawn care accessories. The Plan Commission advised the owners that they cannot construct an accessory structure within the M-3 zoning district, rather, the property would need to be rezoned to a zoning district that allows accessory structures to be built. The Plan Commission also suggested that the owners could rezone the property to A-5, as there is no requirement to obtain a conditional use permit for construction of a single-family residence, which was mentioned as a future possibility by the property owners. The A-5 zoning district (as well as all other agricultural zoning districts) allows for a shed no larger than 100 square feet to be constructed without a residence on the property. Further information about this exception can be found in the Town of Holland code section 330-12. Previously, the owners had mentioned wanting to start an aquaculture business on the property at 59006067571. The Plan Commission advised that they could rezone to A-2 if they decide to take this route, but any accessory structure constructed on the property without the presence of a residence must be agriculturally purposed, which does not include lawn care.
- e. Jon Voskuil was present to discuss a potential request for the property at 59006066910. The property owner is considering purchasing a portion of the parcel to construct a workshop for Voskuil Electrics, LLC to include only indoor storage. The Plan Commission noted that the property at 59006066910 is identified for this type of development/use per the Town of Holland's long-range Comprehensive Plan. The land would need to be rezoned to B-1 to allow for the use requested. A land division, rezoning, and conditional use permit would be required in order for Jon to conduct business as described within this

land area. It was noted that the owner of parcel 59006066910 also owns the surrounding parcels 59006066880 and 59006066890. The Plan Commission advised Jon to determine if the parcels had been merged as the property owner had asserted, then determine how much acreage is required for his business. This is to ensure that the land division requested would not violate zoning ordinance per lot size requirements.

- f. Mike DePagter was present to discuss a potential request for a property on the west side of Sauk Trail Road, north of Van Ess Road. Mike would like to construct a workshop for his plumbing business. The Plan Commission noted that the property is not identified for this type of development/use per the Town of Holland's Comprehensive Plan, however, it is located in the transitional area district. A rezoning to B-1 and a conditional use permit would be required from the Town of Holland in order for Mike to conduct business as described on this parcel. The Plan Commission also advised Mike that he would need to obtain approval from the Village of Oostburg due to the proximity of the parcel to Village limits (extraterritorial zoning makes this a requirement). The Plan Commission referred Mike to Village Clerk Jill Ludens to obtain more information about their processes.

11. Public hearing for Jeremy Borth for a rezoning and conditional use permit:

The public hearing was called to order by Chairman David Huenink at 9:40pm. There were no comments from the public regarding the request made by Jeremy Borth. Motion by Jack Stokdyk, seconded by David Mueller, to close the public hearing at 9:42pm; the motion carried by unanimous voice vote.

12. Request by Jeremy Borth for a rezoning and conditional use permit:

Motion by Don Becker, seconded by Jack Stokdyk, to recommend that the Holland Town Board approve the rezoning request by Jeremy Borth to rezone parcel 59006060350 from R-1 to A-5, whereas the parcel was merged with 3 acres of contiguous land that is actively being farmed, and the minimum lot requirements of the A-5 zoning classification will be met as a result of the boundary line adjustment. The motion also included approval of the conditional use permit request to allow 3 accessory structures on one parcel not to exceed the square footage that currently exists, with one accessory structure to exceed the maximum allowed footprint of 3,000 square feet.

The rezoning is contingent upon:

- a. Completion of the boundary line adjustment to combine 3 acres of parcel 59006060332 with parcel 59006060350

The conditional use permit is contingent upon:

- a. Completion of the boundary line adjustment to combine 3 acres of parcel 59006060332 with parcel 59006060350
- b. The final measurements of the 3 accessory structures existing on the merged parcel
- c. The Town Board approving the rezoning to A-5

The conditional use permit will include the standard conditions for a conditional use permit to address accessory structures exceeding 3,000 square feet and the conditions for a conditional use permit to address more than 2 accessory structures on one parcel.

The motion carried by unanimous roll call vote.

13. Conditional use permit review for 59006064701 and 59006061081:

The conditional use permit reviews for parcels 59006064701 and 59006061081 were tabled and will be discussed at a future Plan Commission meeting.

14. Ongoing issues:

- a. Applications being processed:  
No new information to report.
- b. Conditional use permit enforcement for parcel 59006060651, W2730 County Road A S:  
The Town of Holland Plan Commission determined that the conditions of the conditional use permit on file for parcel 59006060651 have been substantially met in accordance with the site plan on file with the conditional use permit. No further action is required at this time.
- c. Potential limitations for constructing accessory buildings and residences:  
No new information to report. This item will be discussed at a future Plan Commission meeting.
- d. Conditional use permit review schedule:  
No new information to report. The conditional use permits tabled at the December meeting will be reviewed at a future Plan Commission meeting.

15. Public input:

Jack Stokdyk commented that having notes included in the meeting packet for possible public input attendees was helpful during the meeting.

16. Review/approve attendance records for previous meeting:

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

17. Adjourn:

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

Respectfully submitted,  
Janelle Kaiser, Clerk