

TOWN OF HOLLAND PLAN COMMISSION
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
W3005 County Road G, Cedar Grove, WI 53013
Monday, March 1st, 2021 7:30pm

1. Call to order:
Plan Commission Chair David Huenink called the meeting to order at 7:30pm.
2. Pledge of Allegiance:
Chair David 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 February 15th, 2021 and February 22nd, 2021.
4. Record retention certification:
Plan Commission Clerk Janelle Kaiser stated record retention is up to date.
5. Roll call:
Attendees: Don Becker, David Huenink, Jack Stokdyk, Matt Teunissen, Bryan Kaiser, Roy Teunissen, David Mueller, and Craig Droppers
Absentee(s): Faith Opsteen
Signed-In Attendees: Chad Stensen, Jeff Freund, Carl Weingaertner, Judy MacKenzie, Mike DePagter, and Gordon Bruggink
Other Attendees: Janelle Kaiser – Clerk and Tom Huenink – Building Inspector
6. Adopt agenda as official order of business:
Motion by Donald Becker, seconded by David Mueller, to adopt the agenda as presented for the March 1st, 2021 Plan Commission meeting; the motion carried by unanimous voice vote.
7. Review/approve minutes of previous meeting(s)
Motion by Roy Teunissen, seconded by Jack Stokdyk, to approve the minutes from the February 1st, 2021 Plan Commission meeting 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 David Mueller, to approve the February 2021 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:
The building inspector report from October 2020 was included in the February 2021 meeting packet to follow up on a building permit for N1010 Palmer Road. The report showed that a building permit was issued and accounted for in October 2020 for the property at N1010 Palmer Road.
9. Public input

- a. Chad Stensen was present to discuss potential construction of an accessory structure at W1383 Foster Road (0.86 acres, zoned R-1). Chad would like to construct a 1,440 square foot accessory structure on the west side of his property. The accessory structure would meet required setbacks in the proposed location but would exceed the maximum allowed accessory structure square footage for a residential lot under 1 acre by about 750 square feet, as an approximately 64 square foot shed already exists on Chad's lot. The accessory structure would be used to store various items for residential uses such as vehicles, lawn care equipment and sporting goods. If a building permit were to be issued for the structure, a conditional use permit would be required. The Plan Commission noted that the square footage requested would greatly exceed what is allowed for lots under 1 acre and would even exceed what is allowed for lots between 1 and 2 acres. The requested structure would require over 2 acres of land to be permitted without a conditional use permit per Town of Holland Section 330-12. The Plan Commission acknowledged that it would be very rare for the accessory structure square footage allowed by conditional use permit to exceed 2 tiers of minimum lot size requirements, especially for a lot under 1 acre in size.
- b. Chair Dave Huenink stated that he spoke with Keith Dulmes during the month of February to follow up on information provided to Keith and Carol Dulmes at the February Plan Commission meeting. After the February meeting, Dave and Keith discussed that 1.65 acres of Keith's original 40-acre parcel at W2140 Meves Road (38.35 acres, zoned A-1) had been acquired by Sheboygan County through eminent domain for a road project; therefore, per Town ordinance, the Dulmes' are still entitled to the housing density of a full 40-acre parcel in the A-1 zoning district. Dave informed the commission that the amount of land that would need to be placed into the A-1 and agricultural parcel remnants (A-PR) districts would differ from what was discussed at the February meeting; the correct amount of land that would need to be reclassified by a rezoning transaction is as follows: the 3 acres of land that Keith and Carol would like to separate from the lot and sell would be rezoned to A-1-S, as discussed, but 20 acres of the remaining land would continue to be zoned A-1 and 15.35 acres would be rezoned to A-PR.

10. Public hearings for:

- a. Carl Weingaertner of Gaertner's Great Lakes Greens for a conditional use permit: Chair Dave Huenink called the public hearing to order at 7:48pm. The Plan Commission asked Carl about specific aspects of his plan of operations to operate an indoor vertical farming business at W2386 County Rd A S (zoned B-1, 2.00 acres). One of the items was Carl's plan to operate an agricultural training program for members of the public to visit the farming operation once a week to learn about the process; Carl clarified that this program would likely generate about 4-6 members of the public at the facility at one time, though the program details were not confirmed at the time of the meeting. Carl communicated that onsite sales and deliveries would generate a few cars per day. He also shared that the business would mitigate odors through carbon filtration and that indoor light used to grow plants would be blocked from shining outside of the facility. A member of the public inquired about the type of business that would be operated. Carl informed him that he is requesting to operate an indoor vertical farming business that produces microgreens, hemp, CBD, and gourmet mushrooms. Motion by Jack Stokdyk, seconded by David Mueller, to close the public hearing at 7:59pm; the motion carried by unanimous voice vote.

b. Mike DePagter for a rezoning and conditional use permit:

Chair Dave Huenink called the public hearing to order at 8:00pm. Mike's request is to rezone a portion of N1998 Sauk Trail Road (zoned A-5, 3.00 acres) to the B-1 zoning district and construct a building for the purpose of operating a plumbing business. The Plan Commission inquired about a plan for a future dwelling and septic system as shown on the site plan submitted that was not part of Mike's application for a rezoning and conditional use permit. A single-family dwelling currently stands on the property at N1998 Sauk Trail Road. Mike acknowledged that Town ordinance does not allow for the construction of 2 dwelling units on one parcel; therefore, if a new dwelling were to be built on the parcel, the existing dwelling would need to be razed. The Plan Commission informed Mike that he would be able to request that the Town allow for the existing dwelling to remain on the parcel during the construction of a new dwelling if the new dwelling were to be built outside of the existing dwelling's footprint. The Town can facilitate an agreement with the property owner that specifies that the dwelling to be replaced would need to be razed within a certain period of time following construction of the new dwelling. There were no comments from members of the public. Motion by Jack Stokdyk, seconded by David Mueller, to close the public hearing at 8:06pm; the motion carried by unanimous voice vote.

11. Request by Carl Weingaertner of Gaertner's Great Lakes Greens for a conditional use permit:

Motion by Donald Becker, seconded by Roy Teunissen, to approve the request by Carl Weingaertner of Gaertner's Great Lakes Greens for a conditional use permit, contingent upon Carl providing an update site plan that details where adequate parking for employees and customers will be on the property, as well as an updated plan of operations to include the following information:

- a. The number of expected customers for the community supported agricultural (CSA) aspect of the business as well the number of expected customers to visit the facility for retail sales
- b. That wastewater from Carl's operations will be managed in compliance with federal and state environmental regulations

The motion includes authorization for David Huenink and Janelle Kaiser to sign the conditional use permit documents upon receipt of these items from Carl, therefore, there will be no follow up with the rest of the Plan Commission prior to issuing this permit. The conditional use permit will include the standard conditions for conditional use permit for business operations as well as the special conditions as finalized during the March Plan Commission meeting. The motion carried by unanimous roll call vote. David Mueller: Y; Donald Becker: Y; Roy Teunissen: Y; Jack Stokdyk: Y; Matt Teunissen: Y; David Huenink: Y; Bryan Kaiser: Y.

12. Request by Mike DePagter for a rezoning and conditional use permit:

Motion by Donald Becker, seconded by Jack Stokdyk, to recommend that the Holland Town Board approve the rezoning request by Mike DePagter to rezone 1.332 acres of the property at N1998 Sauk Trail Road from A-5 to B-1. The motion includes approval of the conditional use permit request to allow Mike to construct a building for the purpose of operating a plumbing business on the property, contingent upon the Town Board approving the rezoning from A-5 to B-1. The conditional use permit will include the standard conditions for a conditional use permit for business operations as well as the special conditions as finalized during the March Plan Commission meeting. The motion carried by unanimous roll call vote.

13. Review Town Code §330.26.4D(6); possible changes to A-T ordinance:
The Plan Commission determined that this agenda item was redundant and decided to discuss the topic later in the meeting, as the topic could be covered during the discussion of agenda item 19.
14. Plan of Operations for request by Jeffrey Freund for a rezoning to A-T and a conditional use permit to conduct agritourism related activities:
This agenda item was addressed as a follow-up to a discussion at the February Plan Commission meeting; more detail can be found in the minutes from the February Plan Commission and Town Board meetings. Chair Dave Huenink stated that both the Plan Commission and Town Board had discussed and produced similar interpretations of how the term ‘interior space’ should be defined within Town ordinance. This definition was relevant to Jeff’s request because plans for an outdoor pavilion was included in his request. The interpretations produced by the Plan Commission and Town Board led to an understanding by the Plan Commission and Town Board that Jeff’s plan of operations would not need to be pre-approved, as the application did not make an alternative request to the standards as provided by the A-T ordinance.
Don Becker acknowledged that he advised Jeffrey Freund about the plan of operations submitted with his request. Don noted that the request shows consistency with the Town’s comprehensive plan, A-T zoning ordinance, and the §330 Articles 5 and 6 of the Holland Town Code.
Let the minutes show that the Plan Commission discussed whether the potential conditional use permit for Jeffrey Freund should be subject to review on a schedule that differs from other conditional use permit reviews due to the transitional nature of the surrounding land and the possibility of future development in that area. The Plan Commission currently reviews these permits as time allows, and ultimately determined that if Jeffrey’s request were to be approved, it would follow the same review schedule that all other conditional use permits in the Township are subject to.
15. Request by Jeffrey Freund for a rezoning and conditional use permit:
Motion by Bryan Kaiser, seconded by Donald Becker, to recommend that the Holland Town Board approve the rezoning request by Jeffrey Freund to rezone 7.6 acres of the property at W1841 Cole Road to the agricultural tourism zoning district. The motion includes approval of Jeff’s conditional use permit request for a variety of agricultural tourism activities including outdoor weddings and celebrations as well as wedding receptions in an event barn, contingent upon the Town Board approving the rezoning request from A-5 to A-T. The conditional use permit will include the standard conditions for an agricultural tourism operation as well as the special conditions as finalized during the March Plan Commission meeting. The motion carried by unanimous roll call vote.
16. Conditional use permit update for parcel 59006060360 at W2385 County Rd A S:
A letter requesting the required information to update the conditional use permit was sent to the property owner in February. The letter stated that the property owner should provide the required information by March 17th, 2021. At the time of this meeting, no information had been provided. Therefore, the Plan Commission decided to table this topic until the April 5th, 2021 Plan Commission meeting.
17. Conditional use permit compliance of Kevin Claerbaut at parcel 59006076292:
The land transfer, which Kevin’s conditional use permit is contingent upon, has been initiated but is not officially complete. Motion by Donald Becker, seconded by David Mueller, to table this topic until the April 5th, 2021 Plan Commission meeting; the motion carried by unanimous

voice vote. This item will remain on the agenda until the transaction is recorded by Sheboygan County.

18. Request by Carl Weingaertner to add ‘Vertical Farming / Indoor Agriculture’ as a B-1 conditional use:

Let the minutes show that indoor agriculture, to include vertical farming, was added to the Town’s zoning ordinance on February 9th, 2021 upon passage and posting of Town of Holland Ordinance 2021-01. Therefore, the request from Carl Weingaertner is deemed to have been granted and no further action is required.

19. Possible updates to Town Code §330 Zoning, §324 Wind Energy Systems and §220 Land Division:

The Plan Commission reviewed possible changes to the Holland Town Code chapters above. These changes will be discussed again at the April 5th, 2021 Plan Commission meeting.

20. Conditional use permit review for 59006066531 and 59006060740:

In the interest of time, the Plan Commission decided to table this topic until the April 5th, 2021 Plan Commission meeting.

21. Ongoing issues:

- a. Applications being processed:

No new information to report.

- b. Revocation of conditional use permits for parcels 59006064701 and 59006061081:

Clerk Janelle Kaiser sent letters to the property owners of the parcels above in late February requesting a response within 30 days. At the time of this meeting, no information had been provided. Therefore, the Plan Commission decided to table this topic until the April 5th, 2021 Plan Commission meeting.

- c. Conditional use permit review for parcel 5900606330 at W2688 County Road G:

Janelle Kaiser sent a follow up letter to the property owner on February 19th, 2021, stating that an application for a conditional use permit and all required documents should be provided by March 17th, 2021. At the time of this meeting, no information had been provided. Therefore, the Plan Commission decided to table this topic until the April 5th, 2021 Plan Commission meeting. More detail about this agenda item can be found in the January 2021 and February 2021 Plan Commission meeting minutes.

- d. Potential limitations for constructing accessory buildings and residences:

No new information to report. This item will be discussed at a future Plan Commission meeting.

- e. Conditional use permit review schedule:

No new information to report.

22. Public input:

Dave Huenink stated that Andy Gronik has provided written consent for the Town of Holland Plan Commission to terminate the conditional use permit for an accessory building greater than 3,000 sq. ft. issued for his property at N1025 Cole Road in 2020 without a public hearing. This

topic will be discussed at the April 5th, 2021 Plan Commission meeting.

23. Review/approve attendance records for previous meeting:

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

24. Adjourn:

Motion by Jack Stokdyk, seconded by Donald Becker, to adjourn at 10:30PM; the motion carried by unanimous voice vote.

Respectfully submitted,
Janelle Kaiser, Clerk