

TOWN OF HOLLAND PLAN COMMISSION
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
W3005 County Road G, Cedar Grove, WI 53013
Monday, May 3rd, 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 April 19th, 2021 and April 26th, 2021.
4. Record retention certification:
Plan Commission Clerk Janelle Kaiser stated record retention is up to date.
5. Roll call:
Attendees: David Huenink, Faith Opsteen, Jack Stokdyk, Matt Teunissen, Craig Droppers, David Mueller, Bryan Kaiser, Roy Teunissen, and Brody Stapel
Absentee(s): None
Signed-In Attendees: Kelly Caswell, Gloria Teunissen, Robbie Van Ginkel, Lee Kaat, James Feyereisen, and Keith Dulmes
Other Attendees: Janelle Kaiser – Clerk and Tom Huenink – Building Inspector
6. Adopt agenda as official order of business:
Motion by David Mueller, seconded by Jack Stokdyk, to adopt the agenda as presented for the May 3rd, 2021 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. Clerk Janelle Kaiser presented draft cover pages that will accompany future land division, rezoning, and conditional use permit applications as well as an application completeness checklist that will accompany future Plan Commission applications regardless of application type. Janelle asked that Plan Commission members contact her with comments and suggestions about additions or corrections prior to the June Plan Commission meeting.
8. Review/approve minutes of previous meeting(s)
Motion by Roy Teunissen, seconded by Faith Opsteen, to approve the minutes from the April 5th, 2021 Plan Commission meeting as presented with one correction as discussed during the meeting; the motion carried by unanimous voice vote.
9. Building inspector items:
 - a. Review/approve building permits report:
Motion by Jack Stokdyk, seconded by Roy Teunissen, to approve the April 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:
 - (1) Impermeable surface review at W2688 County Road G
 - 1. Building Inspector Tom Huenink took measurements of the impermeable surface area on the property at W2688 County Road G prior to the May Plan Commission meeting. Based on those measurements, it was determined that the total percentage of impermeable surface coverage on the property is 20.2%. The maximum impermeable surface coverage is 30%, therefore the property is in compliance with that ordinance requirement.
 - (2) Roy Teunissen requested that Tom Huenink follow up on building permits for the following properties:
 - 1. Roof replacement for W3058 County Road G
 - 2. Roof replacement for N1159 County Road KW
 - 3. Interior remodeling for W3041 County Road G
 - (3) Building Inspector Tom Huenink reported that a company called him to inquire about Town requirements for solar energy system installations on the ground as opposed to roof installations. Tom informed the company that an electrical permit must be applied for and setbacks for 'other structures' must be adhered to as provided by the property's zoning classification per the Holland Town Code. Dave Huenink informed Tom that an ordinance was discussed on the Plan Commission level in April and adopted by the Town Board at the April board meeting that provides Town requirements for solar energy systems with a generation capability greater than 30 kilowatts and less than 100 megawatts. The ordinance should be referred to by the building inspector when issuing permits for solar energy systems to determine whether the applicant should be referred to the Plan Commission for a conditional use permit and to understand the requirements for solar energy system installations within that generation capability range.

10. Public input

- a. Faith Opsteen reported that events were hosted at Anderson's Greenview Tree Farm located at W4266 County Road D on the evenings of April 30th and May 1st that produced significant amounts of sound that could be heard from her residence into the early morning hours. She has also seen several vehicles at the property in recent months that may suggest interior renovations are taking place within the barn on the premises.
- b. Jim Feyereisen was present to discuss a potential acreage increase at parcel number 59006069391 (1.57 acres, zoned A-5). Jim stated that he would like to increase the size of the parcel in order to meet road frontage and acreage requirements for the A-5 zoning classification as provided by the Holland Town Code because the parcel is currently considered to be non-conforming. Jim would also like to increase the size of the parcel because he wants to enlarge an existing accessory structure and include existing tree lines on the property. The Town Code provides aggregate footprint maximums for accessory structures based on lot size, and the increase in acreage of Jim's property would allow him to enlarge the existing accessory structure to 3,000 square feet.
Chair David Huenink proposed that Jim acquire 1.43 acres (currently zoned A-1) of the

8.43-acre parcel to the north and east; the acquired land would consist of that parcel's land area to the east of Jim's current parcel and some north of Jim's current homestead. Dave proposed a boundary line adjustment through Sheboygan County to add this land area to Jim's current parcel and a rezoning of the 1.43 acres from A-1 to A-PR in order for the land to remain within Farmland Preservation Zoning (FPZ); under this proposal, the rest of Jim's current parcel would remain in the A-5 zoning classification.

Plan Commission member Jack Stokdyk suggested that the entire parcel could be rezoned A-1-S following the boundary line adjustment. This would allow the 1.43 acres to remain within Farmland Preservation Zoning and would add 1.57 acres to FPZ.

An issue with both proposals is the existing 8.43-acre A-1 parcel to the north and east would lose all road frontage, making it more non-conforming. A possible solution is to merge the remnant 7.0 acres with the co-owned 20-acre A-1 parcel to the east.

Chair David Huenink stated that he would analyze differences between the A-1-S and A-5 zoning classifications and follow up with Jim.

- c. Lee Kaat was present to discuss the silt fence installed along the eastern property line at W2730 County Road A South. Lee asked if the Town could request that the silt fence be cleaned up or removed. The Plan Commission informed Lee that the Town does not have jurisdiction over the silt fence. However, the Plan Commission acknowledged that appropriate management practices must be followed on the land bordered by the silt fence to prevent noxious weeds from reaching either 8 inches in height or the blooming or flowering state. The requirement to manage and destroy noxious weeds is set forth by Holland Code section 263-8.

11. Public hearings for:

- a. Robbie and Kami Van Ginkel for a conditional use permit:
Chair David Huenink called the public hearing for Robbie and Kami Van Ginkel to order at 8:38pm. The Van Ginkel property is located at N2318 Tamarack Lane, parcel 59006071523 (zoned R-1, 1.56 acres). The request for a conditional use permit is to allow construction of an accessory structure exceeding 1,200 square feet. There were no comments from members of the public. Motion by Jack Stokdyk, seconded by David Mueller, to close the public hearing at 8:39pm; the motion carried by unanimous voice vote.
- b. Kelly and Lisa Caswell for a conditional use permit:
Chair David Huenink called the public hearing for Kelly and Lisa Caswell to order at 8:39pm. The Caswell property is located at N2051 Sauk Trail Road, parcel 59006072391 (zoned A-5, 10.33 acres). The request for a conditional use permit is to keep livestock on the property at a density greater than one animal unit per one acre. Roy Teunissen stated that the applicant should either acquire more land or decrease the number of horses housed on the property rather than receive approval for the conditional use permit. The Plan Commission acknowledged that animal units have been housed at a density greater than one animal unit per one acre for an extended period of time prior to the application submittal for a conditional use permit. Kelly Caswell stated that he had asked about animal unit density limits when he acquired the property between 1997-1998 and was told that there were not any limits at that time; Kelly also stated that there was no ill-intent and that he had not checked on ordinances changes related to these requirements since he acquired his property. Motion by Jack Stokdyk, seconded by Faith Opsteen, to close the public hearing at 8:44pm; the motion carried by unanimous voice vote.

- c. Keith and Carol Dulmes for a minor land division and rezoning:
Chair David Huenink called the public hearing for Keith and Carol Dulmes to order at 8:44pm. The property is located at N2140 Meves Rd, parcel 59006061870 (zoned A-1, 38.35 acres). The land division would separate 3.00 acres of land from the parcel. The rezoning would rezone 3.00 acres to A-1-S and 17.00 acres to A-PR. There were no comments from members of the public. Motion by Faith Opsteen, seconded by David Mueller, to close the public hearing at 8:45pm; the motion carried by unanimous voice vote.
12. Request by Robbie and Kami Van Ginkel for a conditional use permit:
Motion by Jack Stokdyk, seconded by Faith Opsteen, to approve the request by Robbie and Kami Van Ginkel for a conditional use permit to construct an accessory structure with an aggregate footprint no greater than 2,025 square feet on parcel 59006071523. The conditional use permit will include the general conditions for a conditional use permit for accessory structures with a large aggregate footprint as shown on the draft conditional use permit included in the May Plan Commission meeting packet. The motion carried by unanimous roll call vote. Jack Stokdyk: Y; Roy Teunissen: Y; Faith Opsteen: Y; Brody Stapel: Y; David Mueller: Y; David Huenink: Y; Matt Teunissen: Y.
13. Request by Kelly and Lisa Caswell for a conditional use permit:
Motion by David Mueller, seconded by Brody Stapel, to approve the request by Kelly and Lisa Caswell for a conditional use permit to keep livestock on their property at a density greater than one animal unit per one acre not to exceed 45 animal units, contingent upon receipt of a manure management plan appropriate for the number of animal units on the premises. The conditional use permit will include the general conditions for a conditional use permit for animal units greater than one acre as shown on the draft conditional use permit included in the May Plan Commission meeting packet. The motion carried by unanimous roll call vote.
14. Request by Keith and Carol Dulmes for a minor land division and rezoning:
Motion by Faith Opsteen, seconded by Roy Teunissen, to recommend that the Holland Town Board approve the request by Keith and Carol Dulmes for a minor land division of parcel 59006061870 and rezoning of 3.00 acres from A-1 to A-1-S, contingent upon Keith and Carol providing a recordable certified survey map to include language stating that all resultant parcels, including the original remnant parcel, shall be prohibited from future divisions for a period of 10 years from the Town approval date as well as Keith and Carol providing a final Plat of Survey delineating at least 17 acres to be rezoned to A-PR. The motion carried by unanimous roll call vote.
Let the minutes show that Keith and Carol could have zoned less acreage into A-PR. Sheboygan County acquired 1.65 acres through eminent domain for a road project in a prior year, reducing the parcel size from 40.00 acres to 38.35 acres. Per Town ordinance, Keith and Carol could have rezoned 15.35 acres into A-PR rather than 17.00 acres as shown on the draft CSM submitted with the application due to the fact that land was removed from the parcel through eminent domain. Let the minutes show that at least 15.35 acres of land must be rezoned to A-PR in order to maintain the 20-acre housing density requirement within the A-1 zoning classification. The Dulmes' stated that they did not wish to change the Plat of Survey presented during the May Plan Commission meeting.
15. Use of property for parcel 59006063431 at W2438 Hoftiezer Road:
A property owner reported activity from a potential repair business on the property at W2438 Hoftiezer Road. The Plan Commission noted that the property is currently zoned A-5 and repair

business activity is not listed as a permitted or conditional use within that zoning classification. The Plan Commission also acknowledged that an application for a conditional use permit was submitted for business activity to be conducted as a home occupation was submitted in 2007; the application was denied by the Plan Commission because the property did not meet the requirements for a home occupation, including that a dwelling did not exist on the property. The Plan Commission authorized Janelle Kaiser to send a letter to the property owner to request information about the business activity on the parcel and ask the property owner to demonstrate how the property usage complies with Town of Holland zoning ordinances. The letter will also provide options for the property owner should the property owner not be able to prove compliance. The Plan Commission suggested that the property owner apply for a rezoning from A-5 to B-1 zoning and for a conditional use permit to operate a repair business in the B-1 district. Janelle will include this information in the letter to the property owner and provide a time frame of 45 days for response.

16. Conditional use permit update for parcel 59006060360 at W2385 County Road A S:
The Plan Commission determined that an application for a minor amendment to the conditional use permit be submitted for the property at W2385 County Road A S to include an updated site plan and plan of operations due to a change in ownership and minor changes in business activity. The property owner has until May 19th to provide the completed application; Janelle Kaiser and Dave Huenink will be in contact with the property owner to ensure that requirements for the application are understood by the future applicant.
17. Conditional use permit reviews for parcel 59006060740 at W2695 County Rd A S, 59006066742 at 420 East Union Avenue, and 59006076431 at N905 Sauk Trail Road:
 - a. Reviews for parcel 59006060740 at W2695 County Road A S:
Clerk Janelle Kaiser sent a letter requesting updated information for the 3 conditional use permits on file for the premises at W2695 County Road A S. The letter provided a response deadline of May 19th, 2021. The 3 conditional use permits were included in the May Plan Commission meeting packet and provide permission for the following uses at W2695 County Road A S:
 - (1) The conditional use permit granted to Mike Matysek to operate the business named Classy Woods LLC on the premises at W2695 County Road A S. The letter asked the property owner whether this business is still in operation at this location, and if not, if the business has been discontinued for a period of 12 months or longer to determine whether the permit should be terminated. The property owner, Randy Joosse, confirmed in writing that the business is no longer in operation and has been discontinued for a period of longer than 12 months. Clerk Janelle Kaiser will send a letter requesting that the public hearing requirement be waived by the property owner. The termination of this permit will be addressed at the June Plan Commission meeting.
 - (2) The conditional use permit granted to Randy Joosse to operate an excavation business on the premises at W2695 County Road A S. The letter asked the property owner whether this business is still in operation at this location, and if not, if the business has been discontinued for a period of 12 months or longer to determine whether the permit should be terminated. Randy had not provided updated information in writing at the time of the May Plan Commission meeting.
 - (3) The conditional use permit granted to Randy Joosse to operate a self-storage business on the premises at W2695 County Road A S. The letter asked the property owner whether this business is still in operation at this location, and if not, if the business has been discontinued for a period of 12 months or longer to

determine whether the permit should be terminated. Randy had not provided updated information in writing at the time of the May Plan Commission meeting. The Plan Commission thinks the 'Indoor storage' use still exists on the property and discussed the apparent 'Storage yard' use that is not covered by the current CUP.

b. Review for parcel 59006066742 at 420 East Union Avenue:

The Plan Commission reviewed the conditional use permit for the above parcel and determined that no changes are required. The permit is still valid because the business is still operating as allowed by the permit. This permit will be reviewed periodically as determined the Town's conditional use permit review schedule.

c. Review for parcel 59006076431 at N905 Sauk Trail Road:

The Plan Commission reviewed the conditional use permit for the above parcel and determined that no changes are required. The permit is still valid because the business is still operating as allowed by the permit. This permit will be reviewed periodically as determined the Town's conditional use permit review schedule.

18. Ongoing issues:

a. Applications being processed:

Required documents for the land division approved by the Holland Town Board for Kyle and Kimberly Ingelse have been returned as of May 3rd, 2021. Required documents for the conditional use permit approved by the Holland Plan Commission for Kevin Claerbaut of CG Services to operate his business at W1901 Smies Road have been mailed to the owner of the parcel. The owner had been traveling and unable to sign the permit documents in recent weeks. Following the owner's signature, Kevin Claerbaut's signature will be obtained, and the documents will be filed promptly following that signature. Document preparation and recording fees have been paid by both applicants with applications in process.

b. Request by Karl and Dianne Hoffmann for a conditional use permit:

Motion by Jack Stokdyk, seconded by Faith Opsteen, to approve the request by Karl and Dianne Hoffmann for an after-the-fact conditional use permit to allow for an accessory structure with an aggregate footprint no larger than 3,260 square feet on parcel 59006071523. The conditional use permit will include the general conditions for a conditional use permit for accessory structures with a footprint larger than 3,000 square feet as shown on the draft conditional use permit included in the April Plan Commission meeting packet. The motion carried by unanimous roll call vote.

Let the minutes show that this is an after-the-fact conditional use permit because the building is already constructed and has a footprint greater than 3,000 square feet. The maximum permitted square footage of an accessory structure is 3,000 square feet unless a conditional use permit is obtained from the Town of Holland Plan Commission.

Let the minutes also show that a misunderstanding occurred between the property owners, Karl and Dianne Hoffmann, and Tom Huenink, the Town of Holland Building Inspector, about whether the maximum accessory structure footprint pertained to interior or exterior measurements of accessory structures. The property owners thought that the requirement pertained to interior space when they obtained their building permit to increase the footprint of an existing accessory structure, however, all structures are measured by their exterior footprint in the Town of Holland. When Tom Huenink took measurements of the building after construction was completed, he noted that the building exceeded 3,000 square feet.

Let the minutes also show that the Town of Holland notified Sheboygan County Planning about the structure exceeding 3,000 square feet on the premises at W2688 County Road G.

- c. Potential limitations for constructing accessory buildings and residences:
No new information to report. This item will be removed from future Plan Commission agendas.
- d. Conditional use permit review schedule:
The Plan Commission will review conditional use permits for Joosse Trucking at W1897 DeMaster Road, David Klug at W3737 County Road G, and Gerald Ansay at N708 County Road LL at a future Plan Commission meeting.

19. Public input:

- a. Chair David Huenink received a call from a neighbor of Anderson's Greenview Tree Farm about the aforementioned events that took place on April 30th and May 1st. He reported that the sheriff was called by neighbors. The neighbor also called the property owner, who stated that several weddings were planned for the upcoming season. Dave stated that unless changes have been made to the business after the agricultural tourism ordinance was adopted, the Township cannot require them to rezone to A-T if they are running an event barn that was operating prior to that adoption. Since possible interior renovations were mentioned and nearby property owners have expressed concerns about violations of the ordinances that provide for noise limits from events on this property, this item will be added to the May 10th board meeting agenda to consider possible enforcement action. The Plan Commission asked building inspector Tom Huenink to report any building permits obtained by the property owner at W4266 County Road D for renovations earlier in the May Plan Commission meeting.
- b. Jack Stokdyk asked whether Kevin Claerbaut had obtained driveway permits for the driveways as shown on the site plan for his conditional use permits to operate a business on Smies Road. Janelle will follow up with Nate Voskuil about whether permits have been obtained.

20. 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.

21. Adjourn:

Motion by Matt Teunissen, seconded by Jack Stokdyk, to adjourn at 10:46PM; the motion carried by unanimous voice vote.

Respectfully submitted,
Janelle Kaiser, Clerk