

TOWN OF HOLLAND PLAN COMMISSION
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
W3005 County Road G, Cedar Grove, WI 53013
Monday, December 6th, 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 November 22nd, 2021 and November 29th, 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, Craig Droppers, Roy Teunissen, Bryan Kaiser, David Mueller, Matt Teunissen, and Brody Stapel
Absentee(s): None
Signed-In Attendees: Lance Borgenhagen, Jim Ebberts, Marc Garofalo, Mark Tellier, and Andrew Huenink
Other Attendees: Janelle Kaiser – Clerk and Tom Huenink – Building Inspector
6. Adopt agenda as official order of business:
Motion by Jack Stokdyk, seconded by Matt Teunissen, to adopt the agenda as presented for the December 6th, 2021 Plan Commission meeting; the motion carried by unanimous voice vote.
7. Plan Commission procedures and opportunities for improvement:
The Plan Commission is continuing to 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, conditional use permits, building permits, and other types of applications or requests. Clerk Janelle Kaiser provided the project timeline and a project update to the Plan Commission. The process improvement project will continue per the project timeline and will be discussed at a future Plan Commission meeting.
8. Review/approve minutes of previous meeting(s)
Motion by Faith Opsteen, seconded by Roy Teunissen, to approve the minutes from the November 1st, 2021 Plan Commission meeting as presented; the motion carried by unanimous voice vote.
9. Information for Plan Commission from Town Board:
 - a. Town Board action on Ordinance 2021-10 to amend Holland Town Code §330 Zoning:
Chair Huenink informed the Plan Commission that, per their recommendation, the Town Board adopted Ordinance 2021-10 to amend Holland Town Code §330 Zoning at the November 8th, 2021 Town Board meeting. A copy of the adopted ordinance was included in the December 6th, 2021 Plan Commission packet.
10. Building inspector items:

- a. Review/approve building permits report:
Motion by Jack Stokdyk, seconded by Faith Opsteen, to approve the November 2021 building inspection report submitted by Tom Huenink; the motion carried by unanimous voice vote.
Tom Huenink informed the Plan Commission that the building permit issued to N1931 S Pine Beach Road was issued following after-the-fact approval by Sheboygan County of an accessory structure location.
- b. Review/approve building permit requests needing Plan Commission review:
None.
- c. Discuss follow-up items:
None.

11. Public input

- a. The owners of the property at N131 Surfside Drive (zoned R-1, approximately 0.6 acres) visited the Town office in November 2021 to discuss potential construction of a 24-foot by 34-foot 2-story accessory structure to include an art studio and bathroom. The owners of the property were not present at the December 6th Plan Commission meeting, but a summary of the potential request was included in the information packet for this meeting. The Plan Commission recognized that the required side setback for an accessory structure in the R-1 district is a minimum of 10 feet or half the height of the structure, whichever is greater. The owners at N131 Surfside Drive would like the building to be approximately 30 feet tall, therefore, a 15-foot side setback would be required. The subject property is approximately 50 feet wide and cannot accommodate the proposed structure while meeting required setbacks. The Plan Commission also recognized that the property owners could apply for a special exception for a reduced side setback for the proposed accessory structure.
- b. Lance Borgenhagen of N951 Knepprath Road (zoned A-5, 17.460 acres) was present to discuss options for constructing a single-family residence on his property. A single-family residence already exists on the parcel; therefore, a new parcel would need to be created in order to accomplish this. The Plan Commission concurred that the best option for the new parcel is to retain the current zoning classification instead of rezoning to a residential district because the subject property is not intended for rural residential development per the Town's Year 2030 Future Land Use Map adopted as part of the Town's Comprehensive Plan. In order to retain the current zoning classification, 2 parcels consisting of a minimum of 3.00 acres and 225 feet of road frontage on a public road must be the result of this transaction in which the goal is to construct a new single-family residence, unless a flag lot is approved by the Township. The Plan Commission provided a couple of options for Lance. The first option is to apply for a minor land division to include a flag lot which could be created by acquiring some land from the neighbor to the south; this lot must be 20 feet south of the existing residence on the current parcel and must have 66 feet of road frontage. The second option includes a smaller parcel owned by a family member of Lance that is located in the middle of his parcel. Lance could apply for a boundary line adjustment with Sheboygan County Planning to adjust the boundaries of both parcels to separate the proposed building area. This option would eliminate the need for a land division, would require the smaller parcel to be rezoned from A-3 to A-5, and would require approval of a flag lot. Again, the flag lot must be 20 feet south of the existing residence on the current parcel and must have 66 feet of road frontage. The Plan Commission recognized that the second option would make a stronger argument for the flag lot proposal because the aforementioned smaller parcel is currently non-conforming to

its zoning district in lot size and road frontage, so the transaction would eliminate a non-conforming parcel if the flag lot was approved.

12. Public hearings for:

- a. Andy Walsh on behalf of Our Lady of the Lakes Catholic Congregation for a minor land division, rezoning, and special exception:
Chair David Huenink called the public hearing for Andy Walsh to order at 8:38pm. The property is located at W4274 County Road K, parcel 59006068380 (zoned P-2, 5.880 acres). The minor land division request is to divide 1.369 acres from the parcel and rezone the 1.369 acres to R-1. The special exception request is to allow for a side setback of 10 feet from the proposed western lot line to the existing residence and a side setback of 13.8 feet from the existing eastern lot line to the existing residence. Chair Huenink asked for comments from the public or the Plan Commission three times. There were no comments from any members of the Plan Commission or 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. Marc Garofalo on behalf of Envy Properties LLC for a rezoning:
Chair David Huenink called the public hearing to order for Marc Garofalo at 8:40pm. The properties are located at W3017 County Road A South, parcel 59006060961 (zoned A-1 and A-2, 36.440 acres) and N2286 County Road KW, parcel 59006061081 (zoned A-2, 3.000 acres). The rezoning request is to rezone 3.000 acres of land from parcels 59006060961 and 59006061081 to A-1-S and to rezone remnants of those parcels from A-2 to A-1. Chair Huenink asked for comments from the public or the Plan Commission three times. There were no comments from any members of the Plan Commission or the public.
Motion by Jack Stokdyk, seconded by David Mueller, to close the public hearing at 8:40pm; the motion carried by unanimous voice vote.

- c. Dean Mullikin on behalf of Tai Tai Holding LLC for a special exception:
Chair Huenink called the public hearing to order for Dean Mullikin at 8:41pm. The property is located at N1853 Tree Haven, parcel 59006073730 (zoned R-1, 0.161 acres). The request is to allow construction of a replacement accessory structure with a 5-foot setback from the southern lot line. Chair Huenink asked for comments from the public or the Plan Commission three times. There were no comments from any members of the Plan Commission or the public.
Motion by Jack Stokdyk, seconded by David Mueller, to close the public hearing at 8:41pm; the motion carried by unanimous voice vote.

- d. Ordinance 2021-11 to amend Holland Town Code §330 Zoning:
Chair David Huenink called the public hearing for the Ordinance 2021-11 to amend §330 of the Holland Town Code as presented at the December 6th Plan Commission meeting at 8:42pm. Chair Huenink explained the proposed change and asked for comments from the public or the Plan Commission three times. There were no comments from any members of the Plan Commission or the public.
Motion by Jack Stokdyk, seconded by Roy Teunissen, to close the public hearing at 8:42pm; the motion carried by unanimous voice vote.

13. Request by Andy Walsh on behalf of Our Lady of the Lakes Catholic Congregation for a minor land division, rezoning, and special exception:

Motion by Jack Stokdyk, seconded by Faith Opsteen, to recommend that the Holland Town Board approve the request for a minor land division and rezoning by Andy Walsh on behalf of Our Lady of the Lakes Catholic Congregation to divide 1.369 acres from parcel 59006068380 and rezone those 1.369 acres from P-2 to R-1 as shown on the certified survey map submitted with the application; the motion includes approval of the special exception requested to allow for a side setback of 10 feet from the proposed western lot line to the existing residence and a side setback of 13.8 feet from the existing eastern lot line to the existing residence, contingent upon approval of the minor land division and rezoning by the Holland Town Board. The motion is also contingent upon receipt of the full legal descriptions for each newly created parcel as a result of the minor land division as well as receipt of the recordable copy of the certified survey map as presented at the December 6th Plan Commission meeting and signed by the owners of Our Lady of the Lakes Catholic Congregation, preferably on or before December 13th, 2021. The motion carried by unanimous roll call vote. Jack Stokdyk: Y; Matt Teunissen: Y; Roy Teunissen: Y; Brody Stapel: Y; Faith Opsteen: Y; David Huenink: Y; David Mueller: Y.

14. Request by Marc Garofalo on behalf of Envy Properties LLC for a rezoning:

Motion by Jack Stokdyk, seconded by Faith Opsteen, to recommend that the Holland Town Board approve the request for a rezoning by Marc Garofalo on behalf of Envy Properties LLC to rezone 3.000 acres of land from parcels 59006060961 and 59006061081 to A-1-S and to rezone remnants of those parcels from A-2 to A-1 as shown on the plat of survey submitted with the application; the motion carried by unanimous roll call vote.

15. Request by Dean Mullikin on behalf of Tai Tai Holding LLC for a special exception:

Motion by Brody Stapel, seconded by Jack Stokdyk, to approve the request by Dean Mullikin on behalf of Tai Tai Holding LLC for a special exception to allow construction of a replacement accessory structure with a 5-foot setback from the southern lot line at N1853 Tree Haven as shown on the site plan submitted with the application ; the motion carried by unanimous roll call vote.

16. Ordinance 2021-11 to amend Holland Town Code §330 Zoning:

Motion by Jack Stokdyk, seconded by Faith Opsteen, to recommend that the Holland Town Board adopt the change to §330 of the Holland Town Code as presented at the December 6th Plan Commission meeting in the form of draft Ordinance 2021-11; the motion carried by roll call vote.

17. Conditional use permit amendment required for N1066 Sauk Trail Road:

Clerk Janelle Kaiser and Chair Huenink met with the owner of N1066 Sauk Trail Road, Grant Van Driest of Van Drastic Vodka, in late November to discuss possible updates to the conditional use permit (CUP) on file for his property. Grant currently holds a CUP to manufacture, distribute, and conduct retail sales of vodka on the portion of the premises located in the B-1 zoning district. The Plan Commission discussed necessary amendments to the CUP and its conditions to reflect the current operations of the business. Clerk Janelle Kaiser will contact Grant to inform him of the steps and information required to update the CUP.

18. Status of accessory structure construction and use allowed by conditional use permit at W2158 Amber Lane:

During a recent conditional use permit review for the property at W2158 Amber Lane, the Plan Commission asked for follow-up about whether the construction of the accessory structure for which Tom and Amanda Race hold a conditional use permit to construct per the site plan approved with the application was following the construction schedule as provided by the CUP.

The Plan Commission recognized that the construction is following the schedule appropriately as of the December 6th Plan Commission meeting,

In late November, Clerk Janelle Kaiser received a call from Kevin in the Sheboygan County Planning Department about use of the accessory structure at W2158 Amber Lane. Kevin stated that he observed a potential dwelling unit existing within the structure that may include sleeping quarters, sanitary facilities, and food preparation areas. Clerk Janelle Kaiser received an email from one of the property owners, Tom Race, which stated that there is no sleeping area within the structure, though a food preparation area and sanitary facilities are present inside the structure. The Plan Commission asked that Clerk Janelle Kaiser follow up with Kevin at Sheboygan County to ask for further details about what he observed on the property.

19. Exterior lighting facing north and west at W1901 Smies Road on property leased by CG Services:

A member of the Plan Commission drove past the property on Smies Road and observed that the exterior lights appear to be LED, so they are brighter than some may be used to, but the light did not appear extraordinarily bright or blinding on the road. The Plan Commission recognized that any complaints received by members of the public about the lights as they reflect on Interstate 43 should be directed to the Sheboygan County Sheriff's Department.

20. Ongoing issues:

a. Applications being processed:

The Town of Holland is waiting for new parcel numbers to be assigned as a result of the transaction approved for Randy Walvoord at the November Town Board meeting so that the appropriate documents can be mailed.

b. Use of property at W2438 Hoftiezer Road:

No new information to report. Chair Huenink will follow up with the property owner. Further details about current use of the property can be found in the May 3rd, 2021 Plan Commission meeting minutes at www.townofholland.com. This item will be discussed at a future Plan Commission meeting.

c. Use of property at W4245 Risseeuw Road:

A letter was sent to the property in October 2021 to inquire about a possible dwelling unit on the second floor of an accessory structure on the property. The previous owner of the property provided a written statement to explain that the structure does not include a cooking facility or refrigeration. The previous owner also informed the Plan Commission that the property was sold to a new owner in October 2021. The Plan Commission directed Clerk Janelle Kaiser to send a letter to the new owner of the property to provide guidance about Town ordinance related to this subject.

d. Rezoning and conditional use permit required for at W3070 Hoitink Road – application expected:

An application for a rezoning and CUP is expected from Pushing Perfection Concrete and Construction LLC. Clerk Janelle Kaiser met with the owners, Scott and Amy Soerens, in November to go over application requirements and steps. An application is expected in time for the January Plan Commission meeting. Further details about current use of the property can be found in the November 1st, 2021 Plan Commission meeting minutes at www.townofholland.com.

21. Public input:

- a. Jack Stokdyk inquired about whether the owners of N1853 Tree Haven could have built a new accessory structure in the exact footprint of the existing accessory structure on the property even though it is non-conforming to Town ordinance. Chair Huenink informed them that they could have constructed in the exact footprint even though it is not non-conforming per Wisconsin state statutes.

22. Review/approve attendance records for previous meeting:

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

23. Adjourn:

Motion by Jack Stokdyk, seconded by David Mueller, to adjourn at 10:13PM; the motion carried by unanimous voice vote.