

TOWN OF HOLLAND PLAN COMMISSION  
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING  
W3005 County Road G, Cedar Grove, WI 53013  
Monday, June 6<sup>th</sup>, 2022 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 May 22<sup>nd</sup>, 2022 and May 29<sup>th</sup>, 2022.
4. Record retention certification:  
Plan Commission Clerk Janelle Kaiser stated record retention is up to date.
5. Roll call:  
Attendees: David Huenink, Jack Stokdyk, Craig Droppers, Bryan Kaiser, Matt Teunissen, Roy Teunissen, and Brody Stapel  
Absentee(s): David Mueller  
Signed-In Attendees: Brian Stuart, Diane Stuart, Carol Pomeday, Aileen Grace, Michael Demianiuk, Mary Beth Demianiuk, Jim Mc Elwee, Jim Veldboom, and Bill Westerbeke  
Other Attendees: Janelle Kaiser – Clerk-Treasurer and Tom Huenink - Building Inspector
6. Adopt agenda as official order of business:  
Motion by Roy Teunissen, seconded by Bryan Kaiser, to adopt the agenda as presented for the June 6<sup>th</sup>, 2022 Plan Commission meeting; the motion carried by unanimous voice vote.
7. Plan Commission procedures and opportunities for improvement:  
Clerk-Treasurer Janelle Kaiser stated that she is in the process of drafting fillable PDFs for new forms and building permit documents created during the process improvement project.
8. Review/approve minutes of previous meeting(s)  
Motion by Brody Stapel, seconded by Roy Teunissen, to approve the minutes from the May 9<sup>th</sup>, 2022 Plan Commission meeting as presented during the June 6<sup>th</sup>, 2022 Plan Commission meeting; the motion carried by unanimous voice vote.
9. Information for Plan Commission from Town Board:
  - a. Request by Kenneth MacKenzie for a minor land division of parcel 59006076230 near Smies Road South:  
Chair Huenink reported that the Holland Town Board accepted the recommendation of the Plan Commission and approved the request by Kenneth MacKenzie for a minor land division at parcel 59006076230 near Smies Road South on May 9<sup>th</sup>, 2022.
  - b. Request by Lance Borgenhagen for a minor land division at N951 Knepprath Road:  
Chair Huenink reported that the Holland Town Board accepted the recommendation of the Plan Commission and approved the request by Lance Borgenhagen for a minor land division at N951 Knepprath Rd on May 9<sup>th</sup>, 2022.
10. Building inspector items:

- a. Review/approve building permits report:  
Motion by Jack Stokdyk, seconded by Bryan Kaiser, to approve the May 2022 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.

#### 11. Public input

- a. Bill Westerbeke was present to discuss a potential request for a minor land division of parcel 59006073512 (35.270 acres, zoned A-3) on DeMaster Road within the Town of Holland's Transitional Area District. Bill and Vicki Westerbeke would like to divide the parcel approximately in half and sell the western half to the neighboring parcel owners to the west, Matthew and Sadie Mentink. The Plan Commission acknowledged that if the land were to be divided, one or both of the resultant parcels would need to be rezoned, as the A-3 zoning district requires a minimum lot size of 20 acres. The Plan Commission also acknowledged that the Westerbeke's could request that the resultant parcel(s) be rezoned to A-5, as the minimum lot size is 1.5 acres for parcels zoned A-5 in transitional area district. The subject parcel has over 1,000 feet of road frontage and therefore the proposed land division would meet road frontage requirements as long as each resultant parcel consisted of 225 feet of frontage.
- b. Jim Veldboom was present to discuss a proposal from a potential buyer of his property at N2285 Ebbers Road, parcel 59006061311 (14.100 acres, zoned A-1-S). The potential buyer would like to construct an 8,000 square foot structure on the parcel for a repair business. The land use breakdown is 1.600 acres of residential use, 8.500 acres of agricultural use, and 4.000 acres of undeveloped land use. The structure is proposed for construction on 2-3 acres of the agricultural use land. The Plan Commission advised Jim that his property is located within the A-1-S zoning district and is subject to requirements of Farmland Preservation Zoning (FPZ). The Plan Commission acknowledged that the area in which the potential buyer would like to build the structure is protected farmland that would need to be rezoned to the business (B-1) zoning district in order to operate a repair business there, and that the Township may not rezone land out of FPZ unless several conditions are met. The Plan Commission advised that meeting the conditions (as listed in Holland Town Code Section 330-22.6G.(1)(a) through (d)) to rezone the land 2-3-acre land area from A-1-S to B-1 would be unlikely unless the potential buyer could find a property owner in the Town of Holland that would be willing to rezone some land into FPZ. The Plan Commission acknowledged that FPZ land "trades" greater than 1:1 is often encouraged, meaning that proposing to add more land to FPZ than is being taken out is recommended.

#### 12. Public hearings for:

- a. Brian and Diane Stuart for a conditional use permit:  
Chair David Huenink called the public hearing for Brian and Diane Stuart to order at 7:45pm. The property is located at N131 Surfside Drive, parcel 59006077340 (zoned R-1, 0.41 acres). The request is for a conditional use permit to construct a 1,353 square foot accessory structure. Chair Huenink asked for comments from the public or the Plan Commission.

To provide context for the below comments, let these minutes show that the accessory structure proposed by the Stuart's would be constructed within the existing driveway at N131 Surfside Drive. This driveway is currently used by the property owners of N127 Surfside Drive, N131 Surfside Drive, and N133 Surfside Drive with no known easements in place. Let these minutes also show that Surfside Drive is a private road. Let these minutes also show that the proposed accessory building's 1,353 square foot measurement includes the overhanging eaves, while the foundation footprint is 1,104 square feet. A 900 square foot accessory building would be permitted on this parcel without a conditional use permit.

- (1) Matt Teunissen inquired about the size of the deck attached to the existing primary dwelling on the parcel and informed the Stuart's that the deck's measurements should be included in the calculation for the footprint of that dwelling.
- (2) Carol Pomeday of N133 Surfside Drive stated that putting up a larger structure than is allowed by the Holland Town Code would further landlock her property. She was offered an easement by the Stuart's for continued access to the current shared driveway off Surfside Drive but stated that the proposed easement would expire should she cease to own the property. This may require the future owner to install a driveway to access the property from Surfside Drive. Carol expressed concerns about the land area available for a new driveway and stated that she has been using the driveway that passes through N131 Surfside Drive to access her property at N133 Surfside Drive for 35 years. Carol surmised that the building proposed by the Stuart's is very attractive, and while she would prefer the size be reduced to 900 square feet, she is not fully opposed to it; rather, she is much more concerned about future land access to N133 Surfside Drive.
- (3) Jim Mc Elwee said that the proposed easement would expire should Carol Pomeday cease to own the property. This may require the future owner to install a driveway to access the property from Surfside Drive.
- (4) Mary Beth Demianiuk was at the meeting to represent the neighboring property owner to the south, Patricia McKiernan. Mary Beth said that the driveway used by the aforementioned property owners was a road at one time. The garage present on the McKiernan property faces the driveway on the Stuart's property because it was built when the driveway was still being used as a road. Mary Beth said that Patricia's current parking area will not be able to be accessed if the accessory structure is built as proposed.
- (5) Diane Stuart said that easements for continued access to the shared driveway have been proposed to both Carol and Patricia and that the Stuart's intent is to change, not eliminate, their neighbor's access to their properties via the shared driveway. Diane Stuart said that each property owner has the ability to put in their own driveway to access Surfside Drive directly.
- (6) Michael Demianiuk stated that the area in question is already a congested parking situation. He stated that Patricia McKiernan would like to see the building proposal reduced to 900 square feet in size as the Holland Town Code allows. He relayed that Patricia is concerned with the accessory structure becoming a second dwelling unit and also said that a reduction in size would allow more access for the neighbors.
- (7) Brian Stuart stated that nothing about their proposal prevents their neighbors from accessing their respective properties via the shared driveway. He also said that nothing prevents their neighbors from creating their own access to their properties. He said that he and Diane are not trying to eliminate neighbor access,

and that reducing the building size to 900 square feet will not change access points or easement proposals. Brian also mentioned that the proposed total footprint of all buildings on their parcel under the current proposal would be very comparable to the existing footprints of the structures on both Carol's and Patricia's parcels.

- (8) Matt Teunissen said that the easements are a legal matter that should be discussed and settled by the property owners and their legal counsel. The matter at hand is a conditional use permit request for the accessory structure size, not the easements and driveways.

Motion by Jack Stokdyk, seconded by Matt Teunissen, to close the public hearing at 8:11pm; the motion carried by unanimous voice vote.

13. Request by Brian and Diane Stuart for a conditional use permit:

Several members of the Plan Commission expressed apprehension about the Stuart's request for a conditional use permit to construct the 1,353 square foot accessory structure because both neighboring property owners articulated concern about the size of the proposed structure. Let these minutes show that at this time during the June 6<sup>th</sup>, 2022 Plan Commission meeting, Brian and Diane Stuart verbally withdrew their request for a conditional use permit to construct a 1,353 square foot accessory structure due to the concerns of both neighboring property owners. The Stuart's agreed that a 900 square foot accessory structure, as allowed by the Holland Town Code for their lot size of 0.41 acres, would be sufficient. The Plan Commission acknowledged and accepted the Stuart's verbal withdrawal for the conditional use permit request to construct a 1,353 square foot accessory structure.

Motion by Matt Teunissen, seconded by Roy Teunissen, to deny the request by Brian and Diane Stuart for a conditional use permit to construct a 1,353 square foot accessory structure at N131 Surfside Drive, whereas Brian and Diane Stuart revised their intent during the June 6<sup>th</sup>, 2022 Plan Commission meeting and decided to withdraw their request for a conditional use permit, stating that they intend to construct an accessory structure with a footprint no greater than 900 square feet. The motion carried by roll call vote. Craig Droppers: Y; Bryan Kaiser: Y; David Huenink: Y; Brody Stapel: N; Roy Teunissen: Y; Matt Teunissen: Y; Jack Stokdyk: Y.

14. Request by Grant Van Driest for an amendment to an existing business conditional use permit:

Motion by Brody Stapel, seconded by Jack Stokdyk, to approve the request by Grant Van Driest of Van Drastic Vodka for an amendment to an existing business conditional use permit at N1066 Sauk Trail Road.

The motion carried by unanimous roll call vote. Matt Teunissen: Y; Roy Teunissen: Y; Brody Stapel: Y; David Huenink: Y; Bryan Kaiser: Y; Craig Droppers: Y; Jack Stokdyk: Y.

15. Conditional use permit (CUP) review schedule:

Clerk-Treasurer Janelle Kaiser updated the conditional use permit review schedule to include conditional use permits issued between 2020-2022 to date and it was provided in the June 6<sup>th</sup>, 2022 Plan Commission meeting packet. The Plan Commission decided not to review any CUPs during 2022, as all CUPs issued between 2012-2019 were reviewed recently, and all 2020-2022 CUPs appeared current. The Plan Commission will review the CUP review schedule again in 2023.

16. Ongoing issues:

- a. Applications being processed

(1) David Mueller - restrictive covenant needs to be sent

(2) Lance Borgenhagen - waiting for Sheboygan County to assign new parcel numbers so a restrictive covenant can be drafted and sent

(3) Kenneth MacKenzie - restrictive covenant needs to be sent

b. Use of property at W2438 Hoftiezer Rd:

No new information to report. An update will be provided at a future Plan Commission meeting.

17. Public input:

The Plan Commission agreed to cancel the July 2022 meeting if there are no application requests submitted by the application deadline. If applications are received by the deadline, the meeting will be held on July 11<sup>th</sup>, 2022 at 6:30pm.

18. Review/approve attendance records for previous meeting:

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

19. Adjourn:

Motion by Jack Stokdyk, seconded by Matt Teunissen, to adjourn at 9:12PM; the motion carried by unanimous voice vote.