

Plan Commission Meeting Minutes

Town of Holland

Sheboygan County, Wisconsin

Date: Monday, January 7, 2013

Time: 7:30 pm

Place: Town of Holland Hall, W3005 County Road G

The numbering of the Minutes corresponds to that of the Agenda:

1. Call to order
Chairman Don Becker called the meeting to order at 7:30 PM.
2. Pledge of Allegiance
The Pledge of Allegiance was recited.
3. Certify that the requirements of the Wisconsin Open Meetings law have been met.
Chairman Becker so certified.
4. Record retention certification.
The Plan Commission clerk stated record retention was up-to-date.
5. Roll call:
Attendees: Don Becker, Dave Huenink, Trevor Mentink, David Mueller, Jan Rauwerdink, Eugene Schmitz, Roy Teunissen, Jack Stokdyk, Nathan Voskuil
Absentees – Tom Huenink
Other attendees: Louise Huenink - Clerk
6. Adopt agenda as official order of business
Dave Huenink proposed that the agenda be revised to include an item after the first public input for the public hearing for the three modification to the Town of Holland ordinances. Jan Rauwerdink made a motion to adopt the agenda with this addition and David Mueller supported. The motion passed by a unanimous voice vote.
7. Review/approve minutes of prior meeting(s).
Roy Teunissen pointed out two misspelled names needed to be corrected and David Mueller said the line about him helping with the dairy mapping should be removed for item 13b. Dave Huenink made a motion to approve the minutes with these corrections and David Mueller supported. The motion passed by a unanimous voice vote.
8. Review/approve attendance records for prior meeting(s).
David Mueller made a motion to approve the attendance records and Jack Stokdyk supported. The motion passed by a unanimous voice vote.

9. Public input

Richard Mentink – Parcel 59006065910, N1242 County Road KW, 11.09 acres, Zoned A-2

Mr. Mentink is looking to split his parcel into two separate parcels, selling one half that would have the existing house on it and they would keep and build a new home on the other parcel. He says there would be 350 feet of road frontage on the new parcel. He inquired about setbacks and David Mueller informed Mr. Mentink that for land zoned A-2 he would need a setback of 50 feet in the rear and 20 feet on the sides, and if there were to be animals on the land it would need to be 50 feet in the rear and 50 feet on the sides. Mr. Mentink was asked about the road frontage for the parcel with the existing house, he stated that there was over 225 feet of road frontage. Mr. Mentink was told this would be considered a minor land division and that he should rezone from A-2 to A-5. There would be a 10 year restriction on further land divisions. Mr. Mentink will need to contact Sheboygan County for a new septic system permit.

Earl DeRuyter – Parcel 59006064140, N135 State Hwy 32, 1.0 acre, Zoned A-1

Earl DeRuyter is planning to destroy his current barn, build a new residence where the barn was located and then raze his current house. He was told that he would need to get a permit from the Building Inspector to do this. Also, this parcel should be rezoned from A-1 to A-5 and a Conditional Use Permit for a non-farm residence will be needed.

Jason DeRuyter – Parcel 59006067390, N753 Six Mile Road, 40 acres, Zoned A-1

Jason DeRuyter is planning to divide his mother's land and build a new residence on the new parcel. The current residence sits on 3 acres and the farmland is rented out. Jason is planning to purchase 37 acres, build a non-farm residence and continue renting out the remaining farmland. There was much discussion on how the State may view this land use change, needing to check with DATCP about building a non-farm residence and possible issues with the Working Lands Initiative. Chairman Becker stated that he would need to contact DATCP and then contact Jason with the results.

Ray Will – Parcel 59006067661, W4 59006067661, W4055 County Road D, 9.33 acres Zoned A-5

Mr. & Mrs. Will were not present but plan to attend the February meeting. Dave Huenink spoke about their request which he received in an email. They wish to build a separate residence on their land for his mother. A Conditional Use with R-1 zoning allows an accessory apartment not to exceed 25% of the residence or within an existing accessory building. The Plan Commission believes that this type of request will become more prevalent. Jan Rauwerdink suggested dividing off 3 acres for the new building. Jack Stokdyk said it should be taken into consideration as to whether the person who will reside in the new home will be able to live alone or not. The Plan Commission Clerk was asked to request an aerial view photo from the County for next month's meeting.

Roy Teunissen asked if an application had been received from a Dan Teunissen. He is expected to submit an application soon because the Village of Oostburg is apparently considering annexing some of his land.

10. Public hearing for:

Three modifications to Town of Holland ordinances related to:

1. Accessory uses in agricultural and residential districts relating to accessory buildings.
2. Conditional uses within B-1 district.
3. The responsibility for filing documents with the County Register of Deeds.

Jack Stokdyk motioned to close the public hearing and Dave Huenink supported. The motion passed by a unanimous voice vote.

11. Discuss/act on ordinance to modify accessory uses in agricultural and residential districts relating to accessory buildings
Dave Huenink made a motion to recommend the Town Board adopt the ordinance and Trevor Mentink supported. The motion passed by a unanimous voice vote.
12. Discuss/act on ordinance to modify conditional uses within B-1 district
Roy Teunissen made a motion to recommend the Town Board adopt the ordinance and Eugene Schmitz supported. The motion passed by a unanimous voice vote.
13. Discuss/act on ordinance to modify the responsibility for filing documents with the County Register of Deeds
Don Becker questioned some of the wording. After some discussion more appropriate wording was agreed upon. Dave Huenink made a motion to recommend the Town Board adopt the revised ordinance and David Mueller supported. The motion passed by a unanimous voice vote.
14. Discuss/act on ongoing issues:
 - a. Status of applications in process.
Lamroe Transport filed documents with Register of Deeds on 11/20/2012 and sent a copy to the Plan Commission Clerk along with a receipt that showed the filing information. Still waiting for final filed copy.

William Depies/Hy-Way Transit – Dave Huenink talked to both Mr. & Mrs. Depies about getting a copy of their filed documents. They believed the documents had been received and they would search for the documents. The Town has not received the appropriate copies yet. An option is for the Town to obtain copies directly from the Register of Deeds if the Depies' agree to incur the costs.

Majestic Storage – No new actions.

Kurt Kraus – Documents were delivered to the Register of Deeds on 11/16/2012. Awaiting delivery of filed documents from the Register of Deeds.

Peter Stueber – Documents were delivered to the Register of Deeds on 12/3/2012. Awaiting delivery of filed documents from the Register of Deeds.
 - b. County Farmland Preservation Plan – Farm Preservation Areas.
Don Becker spoke to Shaun from County Planning stating that the Town of Holland must utilize the map in our Long Range Comprehensive Plan and that the County should update their map according.
 - c. Directive from the Town board to review all previously approved CUPs for home occupations and businesses.
The clerk is continuing to review old Plan Commission files located within the Town Hall to gather additional information.
 - d. CG Services – Smies Road
Don Becker stated that the Town Board had temporarily suspended legal action and that there were specific criteria and dates that must be met by CG Services. This includes payments to the Town and delivery of a new properly completed application. David Huenink said that the clerk had received a packet on 1/7/2013 from CG Services' lawyer

with their application, map of the parcel, Plan of Operation and other documents. The clerk found a few errors and contacted the lawyer who said they would be corrected and will be sent out shortly. The lawyer also stated that CG Services would be making another payment and would be sending it to the clerk in the near future.

- e. Excavation business possibly operating without a Conditional Use Permit
Louise Huenink will be writing a letter to Mr. Joose informing him that he needs to file an application for a Conditional Use Permit and that the Plan Commission has decided to waive the application fee.
- f. Wind farm project proposed within the Town of Sherman
Dave Huenink provided information on the Windy Acres wind farm. He said that both towns have received the application from the developer. Steve Jones of the Town Board is coordinating the Town's actions and working with the Town of Sherman. A road restoration ordinance will probably be adopted by the Town of Holland. In a newspaper article, a study was done in WI showing evidence that low frequency noise from wind turbines is causing health issues to some nearby residents. It was also mentioned that emergency personnel have signal disruptions when near a wind farm/turbine.
- g. General Code training
Chairman Don Becker said he contacted General Code with a date of February 18th and was told there was a conflict. The Plan Commission suggested rescheduling for February 25th or March 18th depending on General Code's availability.

16. Public input:

Jack Stokdyk asked if a fee had been set for the Plan Commission Clerk to file the Land Covenant/Conditional Use Permit with the Register of Deeds. Chairman Becker said no fee has been set by the Town Board. The Town's Fee Schedule is discussed annually in late summer.

17. Adjourn

Jack Stokdyk made a motion to adjourn at 9:36 PM and David Mueller supported. The motion passed by a unanimous voice vote.

Respectfully submitted,

Louise Huenink

January 9, 2013