

## Minutes of Plan Commission Meeting August 6, 2007

Held at the Town Hall on County Highway G

Town of Holland, Sheboygan County, Wisconsin

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

1. The meeting was called to order at 7:31 p.m.
2. The assembly recited the Pledge of Allegiance.
3. Chairman Becker certified that the requirements of the Wisconsin Open Meetings law had been met.
4. The Agenda was adopted as the official order of business on a motion by Eugene Schmitz. The motion was supported by Dave Huenink and passed by a unanimous voice vote.
5. Roll Call showed in attendance Chairman Donald Becker, Ken Nyhuis, Eugene Schmitz, Jan Rauwerdink, Roy Teunissen, Dave Huenink, Tom Huenink and David Mueller. Absent were Claus Weingaertner and Trevor Mentink, who was excused.
6. The minutes of the July 2, 2007 meeting of the Plan Commission were approved on a motion by Jan Rauwerdink. The motion was supported by Ken Nyhuis and passed by a unanimous voice vote.
7. Public Input:

Tony Branda asked if the Anderson request could be amended to include a conditional use permit for a single-family residence.

Ted Scharl gave notice that a client proposes a lot division and change of zoning. Mr. Scharl questioned what the Zoning Ordinance has to say about horse animal units.

8. Public Hearing on three requests:

A request from Glenn and Diane Hilbelink for a lot division of one into two, a change of zoning from A-1 to A-5 on both lots, and a conditional use permit for a single-family residence on 3-acre "lot 2." The 14.2-acre parcel is located at the bend in Ebbers Road, on the west side, near Wynveen Road, tax key no. 59006062500. No one spoke pro or con. Chairman Becker observed that the restrictive covenant needs to be changed to cover the entire parent parcel. Dave Huenink moved to close the public hearing. Eugene Schmitz supported the motion which passed by a unanimous voice vote.

A request from James W. Eischen for a conditional use permit for a single-family residence. The 5-acre, A-5 parcel ("lot 2" CSM vol. 23 p. 19) is located at Kappers and Hoftiezer Roads northeast corner, tax key no. 59006063454. No one spoke pro or con. The Plan Commission satisfied itself that the setbacks and driveway location are sound. Eugene Schmitz moved to close the public hearing. Dave Huenink supported the motion which passed by a unanimous voice vote.

A request from Rhonda M. Anderson for a division of a 10.54-acre, A-2 parcel into lots 1 and 2, respectively 3.11 and 7.40 acres, with a change of zoning to A-5 on both lots. The land is located on County KW, west side, between Risseeuw Road and County Highway A, tax key no. 59006062850. A petition signed by several persons was produced, opposing the request. Lori Walker produced a map showing the location of Anderson's neighbors who oppose the request. Ted Scharl spoke in favor of property rights. Rhonda Anderson and Tony Branda spoke in favor of the request. Scott Walker spoke against the request. (The aforementioned petition was left in the custody of Lori Walker.) Dave Huenink moved to close the public hearing. Ken Nyhuis supported the motion which passed by a unanimous voice vote.

9. Deliberate and take action on three requests:

A request from Glenn and Diane Hilbelink. The Plan Commission satisfied itself that setbacks, acreage,

and driveway location are OK. *Dave Huenink moved to recommend to the Board approval of the lot division and the change of zoning from A-1 to A-5, contingent on amendment of the restrictive covenant to cover both parcels; and, contingent on the Board's approval of the foregoing, to approve a conditional use permit for a single-family residence given that the Zoning Ordinance is satisfied with respect to acreage, frontage, setbacks. The motion was supported by David Mueller, passing by a roll call vote (see attached).*

A request from James W. Eischen. The Plan Commission satisfied itself that setbacks, frontage, and acreage are OK. Chairman Donald Becker moved to grant a conditional use permit for a single-family residence. The motion was supported by Dave Huenink, passing by a roll call vote (see attached).

A request from Rhonda M. Anderson. The Plan Commission studied and discussed the petition of opposition. After the Plan Commission satisfied itself that the acreage and road frontage are consistent with the zoning ordinance, *Dave Huenink moved to recommend to the Board approval of the lot division and change of zoning from A-2 to A-5 by reason that the Zoning Ordinance is satisfied with respect to acreage, frontage, agricultural exclusion area, and odd shape of parcel for farming. The motion was supported by Ken Nyhuis, passing by a roll call vote (see attached).*

10. Previously tabled matter: Brian Stecker request for a conditional use permit for a gas station/mini-mart. Brian Stecker appeared together with staff members of Abacus Architects, making presentations and answering questions, supported by a set of drawings including a landscape plan and hours of operation. The Plan Commission satisfied itself that the request is consistent with the Zoning Ordinance, that all permits have been obtained, that the landscaping plan minimizes light and noise pollution, and that an hours-of-operation plan is in place. Chairman Donald Becker moved to approve a conditional use permit for a gas station/c-store/car (not truck) wash subject to conditions:

- no flood lighting
- lighting to meet standards of cut-off reflectors/refractors as in the Merman Engineering report
- landscaping plan to be maintained as in the submitted plan
- hours of operation as requested: 5:30 am to 11:00 pm (Monday - Saturday); 6:30 am to 9:00 pm (Sunday)

The motion was supported by Eugene Schmitz and passed on a vote by ballot:

- Jan Rauwerdink (recused)
- Donald Becker (yes)
- Ken Nyhuis (yes)
- Dave Huenink (yes)
- David Mueller (no)
- Roy Teunissen (no)
- Eugene Schmitz (yes)

11. Comprehensive Plan: Discussion of options, and recommendation to Board regarding selection of consultant for Comprehensive Plan. Dave Huenink gave a report about the checked references for Bay Lakes, Foth, and OMNNI. At least two references were contacted for each firm. The Plan Commission discussed the pros and cons of each candidate firm. *Dave Huenink moved to recommend to the Board that negotiations open with Foth toward a better proposal. Roy Teunissen supported the motion, passing by a roll call vote (see attached.)*

12. Review of compliance status of signs near intersection of Sauk Trail Road and County LL and decide how best to address non-conforming signs. Chairman Donald Becker will draft a letter, to be sent by registered mail, addressed to residents identified by Tom Huenink. The letter will contain a copy of the Town's sign ordinance.

13. Public Input:

Tony Branda requested a blank application for a conditional use permit.

Scott Walker announced his intention of protesting the Plan Commission's action on the Anderson request, invoking Section 20.310.08 of the Zoning Ordinance. He was advised to attend the next Board meeting.

Lori Walker took possession of the petition of opposition and a related map.

Chairman Becker informed everyone of a course aimed at Plan Commission members, to be given in Green Bay on August 16.

14. The attendance record for July 2007, with a correction involving Eugene Schmitz, was approved with a motion by Dave Huenink. The motion was supported by Chairman Donald Becker and passed by a unanimous voice vote.
15. The meeting adjourned at 10:05 p.m. on a motion by Jan Rauwerdink, supported by Dave Mueller, passing by a unanimous voice vote.

Respectfully submitted,  
Syd Rader, Clerk Plan Commission Town Holland  
August 9, 2007