

TOWN OF HOLLAND PLAN COMMISSION
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
W3005 County Road G, Cedar Grove, WI 53013
Wednesday, April 3, 2024 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 at the Holland Town Hall and on the Town's website. A public hearing notice was published in the Sheboygan Press on March 20, 2024 and March 27, 2024.
4. Record retention certification:
Plan Commission Clerk Janelle Kaiser stated record retention is up to date.
5. Roll call:
Attendees: Chair David Huenink, Jack Stokdyk, Bryan Kaiser, Roy Teunissen, Brody Stapel, Matthew Teunissen, David Mueller, and Craig Droppers.
Absentee(s): None.
Signed-In Attendees: Gloria Teunissen, Andrew Huenink, Roger Prinsen, Tyler Biederwolf, Dan Wieskamp, Tim Wieskamp, Joel Accathara, Bill Depies, Bonnie Depies, and Debbie Stapelkamp.
Other Attendees: Janelle Kaiser (Clerk-Treasurer and Zoning Administrator) and Thomas Huenink (Building Inspector).
6. Adopt agenda as official order of business:
Motion by David Mueller, seconded by Roy Teunissen, to adopt the agenda for the April 3, 2024 Plan Commission meeting as presented; the motion carried by unanimous voice vote.
7. Plan Commission procedures and opportunities for improvement:
No new information to report.
8. Review/approve minutes of previous meeting(s):
Motion by Bryan Kaiser, seconded by David Mueller, to approve the minutes from the January 2, 2024 Plan Commission meeting as presented during the April 3, 2024 Plan Commission meeting; the motion carried by unanimous voice vote.
9. Information for Plan Commission from Town Board:
No new information to report.
10. Building inspector items:
 - a. Review/approve building permits report:
Motion by Jack Stokdyk, seconded by David Mueller, to approve the building inspection reports submitted by Tom Huenink to include the months of January, February, and March 2024; 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. Joel Accathara, Bill Depies, and Bonnie Depies were present to discuss a possible rezoning at N919 Sauk Trail Road (parcel 59006076432, zoned R-1, 0.90 acres). The property owner of parcel 59006076432 would like to merge a portion of the parcel to N905 Sauk Trail Road (parcel 59006076431, 5.15 acres, zoned B-1) and rezone it to B-1. The remainder of the parcel is proposed to merge to parcel 59006076433 and would not need to be rezoned. This would be accomplished via boundary line adjustment with Sheboygan County. The Plan Commission did not have any comments, other than informing the property owner that a rezoning application is required for this proposal.
- b. Debbie Stampelkamp was present to discuss a proposal to divide W2701 Smies Road (parcel 59006066290, zoned A-2, 13.30 acres) via minor land division to create an approximately 5-acre parcel with about 380 feet of road frontage on the west side of the existing parcel. Both resultant parcels would consist of 5 acres or greater and could remain zoned A-2. A single-family residence is likely to be constructed on the proposed 5-acre parcel. If a single-family residence were to be constructed, a conditional use permit would be required. There was discussion about whether the parcel for the residence could be created on the east side of the existing house where the land is not currently farmed; the property owner advised that the septic system for the existing residence is located there. The Plan Commission acknowledged that this parcel is near the transitional area district and inquired about whether the existing farmland would continue to be used for agriculture on both parcels aside from construction of the proposed new residence. The property owners expressed that they would like to leave as much land to be used for farmland as possible aside from construction of the proposed new residence.
- c. Dan Wieskamp and Tim Wieskamp were present to discuss a possible minor land division to divide approximately 1.50 acres from parcel 59006074724 (zoned A-3, 20.310 acres) to construct a single-family residence. If the parcel were to be divided, a rezoning would be required. The R-1 zoning district seems to be the most appropriate zoning district for the proposed 1.50-acre parcel, as it is surrounded by other R-1 properties. If the parcel were 1.50 acres or greater, it could also be eligible for the A-5 zoning district as it is located in the transitional area. A rezoning of parcel 59006074724 would also be required, as the minimum lot size in the A-3 district is 20.00 acres, and the parcel would consist of less than 20.00 acres following the proposed minor land division; a request to rezone to the A-5 zoning district seems most appropriate for this parcel. There would be adequate road frontage for both proposed resultant parcels in their respective zoning districts. The Plan Commission informed the property owner that a minor land division and rezoning application is required for this proposal and that if approved, both parcels could not be further divided for a period of 10 years.
- d. Andrew Huenink was present to discuss a possible rezoning. Andrew, the owner of N1861 County Road GW (parcel 59006062411, zoned A-1-S, 8.08 acres), would like to purchase approximately 3 acres of the adjacent parcel to the east (parcel 59006062410 (zoned A-1, 31.92 acres) to add to N1861 County Road GW via boundary line adjustment through Sheboygan County. Parcel 59006062410 is part of the Onion River Solar Utility operated by Alliant Energy. The existing Joint Development agreement between Alliant Energy,

Town of Holland, and Sheboygan County says the following about property boundaries: “Property Boundaries: The Project shall maintain a twenty (20) foot setback from property lines of non-participating land owners to the nearest aboveground Project components (excluding fences and access roads), with no minimum setback from property lines of participating landowners.”

Since parcel 59006062411 is non-participating, the utility must maintain a 20-foot setback from that property line from the nearest aboveground Project component. The approximately 3 acres could be eligible for rezoning from A-1 to A-1-S. The remainder of parcel 59006062410 would consist of more than 20.000 acres, so could remain in the A-1 district. Parcel 59006062410 is not part of a larger land tract with common ownership. The Plan Commission did not have any comments, other than informing the property owner that a rezoning application is required for this proposal.

- e. Mark DeMaster contacted Janelle Kaiser prior to the April 3, 2024 meeting to inquire about a possible rezoning. Mark would like to move the southern property line of parcel 59006076380 (zoned A-3, 12.080 acres) to the south to reduce the size of parcel 59006076450 (zoned A-3, 8.440 acres) to approximately 5 acres. Mark would like to sell the proposed 5-acre parcel. Since both of these parcels are zoned A-3 (and considered a tract with common ownership totaling 20.000 acres or more), Mark would need to request to rezone both parcels prior to selling the proposed 5-acre parcel. This is because the minimum lot/tract size in the A-3 zoning district is 20.000 acres. The most appropriate district seems to be A-5 for both parcels. The Plan Commission acknowledged that a rezoning could occur prior to the boundary line adjustment, as both existing parcels are less than 20 acres in size, and that a rezoning application is required for this proposal.
- f. Roger Prinsen was present to discuss the possibility of merging a portion of parcel 59006067280 (zoned A-1, 26.70 acres) to include an existing shed to his parcel at N586 Palmer Road (parcel 59006067300, 1.10 acres, zoned A-5). The Plan Commission discussed several options:
 - (1) Town Code Chapter 330-22H. states that any parcel zoned A-1 that is less than 20 acres may remain A-1 if it is part of an A-1 tract that is 20 acres or larger. Since there is common ownership between parcel 59006067280 and 59006067300, a possible interpretation is that the land area could be merged and stay in the A-1 district since it is contiguous to an A-1 parcel sized 20.000 acres or greater. However, this poses a problem if the property owner sells the parcel with the residence on it, which the property owner has mentioned as being the reason he would like to merge the land with the shed on it. Upon the sale, there would no longer be common ownership between the 2 parcels, and therefore, the sale would result in a parcel that is non-compliant with Town ordinances.
 - (2) Another idea might be that the land area proposed for merger could be rezoned to A-PR, as there is no minimum size requirement for that district, however, if that land area were rezoned to A-PR, the shed could only be used for agricultural purposes since accessory structures are not allowed in A-PR. This may cause issues if and when the property is sold.
 - (3) An alternative option could be to rezone the land area from A-1 to A-5, to match the zoning of the existing home parcel. Though this would take approximately 0.5 acres out of farmland preservation zoning, most of the land that would be included in this request is not currently farmed. The Plan Commission acknowledged that N586 Palmer Road is located in the Town’s transitional area,

and amending the Town's transitional area map within the comprehensive plan to include the land area where the existing shed is located might be the best option to correct some non-conformities with the existing shed and parcel 59006067300. This option would correct an existing non-conforming setback of the shed. In addition, the minimum lot size in the A-5 district for transitional area parcels is 1.5 acres, and since this parcel currently consists of 1.10 acres, it is not a conforming parcel; this option would correct that non-conformance by increasing the size of the parcel to 1.50 acres. The alternative to this would be to increase the size of the parcel to 3.00 acres and request to rezone to A-1-S, however, that option removes more land from the larger A-1 parcel that is currently farmed.

Under option (3) above, Roger would need to submit a request for rezoning of approximately 0.5 acres from A-1 to A-5. The Plan Commission also acknowledged that a conditional use permit (CUP) request to exceed the allowed aggregate square footprint of all accessory buildings would be required, since the existing shed is approximately 2,500 square feet in size.

12. Public hearing for Thomas and Janet McMullen for a minor land division and rezonings:

Chair David Huenink called the public hearing for Thomas and Janet McMullen to order at 8:31pm. The subject properties are located at N2050 County Road GW (parcel 59006062260, 9.560 acres, zoned A-2) and County Road A South (parcel 59006062250, 28.96 acres, zoned A-1). The request is to divide 3.813 acres from parcel 59006062260 and rezone those 3.813 acres from A-2 to A-5 and rezone 0.167 acres of parcel 59006062250 from A-1 to A-PR. Chair Huenink asked for comments from the public or the Plan Commission. There were no comments.

Motion by Jack Stokdyk, seconded by David Mueller, to close the public hearing at 8:34pm; the motion carried by unanimous voice vote.

13. Request by for Thomas and Janet McMullen for a minor land division and rezonings:

Motion by Jack Stokdyk, seconded by Bryan Kaiser, to recommend that the Holland Town Board approve the request by Thomas and Janet McMullen for a minor land division and rezonings at N2050 County Road GW (parcel 59006062260, 9.560 acres, zoned A-2) and County Road A South (parcel 59006062250, 28.96 acres, zoned A-1) as shown on the draft certified survey map (CSM) submitted with the application, conditional upon the following items:

- a. Receipt of a signed agreement from the property owners stating that construction of a single-family residence on the proposed 3.980-acre parcel will be begin within 2 years of the date that the agreement is signed, or that the existing accessory structure that would be present on the proposed 3.980-acre parcel following the minor land division will be razed or converted to be used primarily for agricultural purposes within 2 years of the date that the agreement is signed. The agreement should include an option for a one-year extension if approved by the Plan Commission.

Let these minutes show that this agreement is required because, per Town ordinances, an accessory structure cannot exist on a parcel without an existing or under-construction single-family residence. However, an agricultural-use structure can exist without a residence if the parcel is in agricultural zoning.

- b. Receipt of a recordable certified survey map that matches the draft map submitted with the

application to include required language per Holland Town Code Chapter 220-15F.

- c. Approval of the rezoning request is contingent upon Holland Town Board approval of the certified survey map submitted with the application, and upon that certified survey map being approved and executed by Sheboygan County.

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

14. Ongoing issues:

- a. Applications being processed:
No new information to report.
- b. Conditional use permit (CUP) condition compliance - Scott Soerens of Pushing Perfection Concrete and Construction LLC:
A certified letter was sent to Scott Soerens providing a May 1st deadline to get the property cleaned up to regain compliance with conditions of the CUP for W3070 Hoitink Road. The property owner was provided notice of Chair Huenink and Brody Stapel's inspection of the property on February 26th, 2024. Pictures of the debris that has been reported were taken during the inspection. An effort to clean up the debris has not been observed; the Plan Commission acknowledged that the property owner has been provided with a deadline of May 1st to regain compliance with the CUP conditions.
- c. Conditional use permit reviews:
Kevin Claerbaut, CG Services (parcels 59006076210, 59006076292):
No new information to report. The Plan Commission acknowledged that the business owner intends to amend the conditional use permits include a proposed new use of retail sales and an updated site plan and plan of operations, and that Kevin has stated that his application to amend his CUP is complete aside from obtaining a signature from the owner of one of the parcels. It is expected that he will submit an application for the May 6, 2024 Plan Commission meeting.
Kevin Claerbaut will be contacted to be reminded of the April 16, 2024 application deadline for the May 6, 2024 Plan Commission meeting.

15. Use of property at N735 County Road LL:

Several attempts have been made to contact the property owner regarding an expected application for a rezoning and CUP if the property is to be used for business purposes. The Plan Commission acknowledged that it is likely that the property is being used for such purposes, and an application has not been received despite several attempts to contact the property owner. The owner's surveyor did submit a Plat of Survey showing a proposed rezoning to the B-1 district for a portion of the parcel on March 19, 2024. The Plan Commission concurred that the property owner should submit an application by April 16, 2024 to Janelle Kaiser for the May 6, 2024 Plan Commission meeting. If an application is not received, enforcement of ordinance violation(s) may be pursued.

The Plan Commission acknowledged that an application to rezone a portion of the property to B-1 and to allow a conditional use of a repair services business on the property would need to include documentation showing approval of the existing building to be used for commercial purposes from the state building inspector.

16. Public input:

- a. David Mueller requested that Chair Huenink follow up on a building permit recently obtained by Kevin Claerbaut of Holland Landscape Supply (formerly known as CG Services). There is a question about whether the buildings to be used on the property are approved for commercial use by the state building inspector.
- b. Jack Stokdyk inquired about an expired building permit at N1761 Dewitt Road. Chair Huenink stated that the topic will be discussed at the April 8, 2024 Town Board meeting.
- c. Chair Huenink reported that he plans to propose an ordinance revision to Chapter 8 of the Holland Town Code to the Town Board at their April 8 meeting. The proposed revision would appoint the citizen members of the Plan Commission as alternate members of the Town of Holland Board of Review (BOR) in the event that a quorum of the regular BOR could not be achieved for a meeting. The Plan Commission did not express any concerns about this proposed revision.

17. Review/approve attendance records for previous meeting:

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

18. Adjourn:

Motion Jack Stokdyk, seconded by Bryan Kaiser, to adjourn at 9:48PM; the motion carried by unanimous voice vote.