

TOWN OF HOLLAND BOARD OF SUPERVISORS  
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING  
HOLLAND TOWN HALL, W3005 COUNTY ROAD G, CEDAR GROVE, WI 53013  
Monday, May 13<sup>th</sup>, 2024 7:30pm

1. CALL TO ORDER:  
Town Chair David Huenink called to order the Board of Supervisors monthly meeting at 7:34pm.
2. PLEDGE OF ALLEGIANCE:  
Chair Huenink led attendees in the Pledge of Allegiance.
3. CERTIFY WISCONSIN OPEN MEETING LAW HAS BEEN MET:  
Clerk-Treasurer 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.
4. ROLL CALL:
  - a. Members Present: Town Chairman David Huenink, Town Supervisors Kelly Caswell, Douglas Hamilton, Stanley Lammers, and Brody Stapel.
  - b. Members Absent: None.
  - c. Others Present: Clerk-Treasurer Janelle Kaiser and Department of Public Works and Property Director Nate Voskuil.
  - d. Members of the public that signed in: Kurt Kraus, Larry Britton, Annemarie Valenti, David Valenti, Greg Bachrach, Ann Bachrach, Joseph Maniaci, Peter Riese, Joseph Bernstein, Robert Padula, Judy Britton, Amy Lange, Bernie Lange, John Dallman, Jack Stokdyk, Debra Krygiel, Kristen Sheeran, Corbett Sheeran, Mari Dickmann, John Dickmann, Todd C. Johson, Carl Weingaertner, Jason Dickmann, Bonnie Depies, Judy Lorier, Dan Lorier, Craig Droppers, Roger Te Stroete, Ron Arentsen, Karl Olinger, Emily Williams, Jeremy Williams, Deb Stapelkamp, Jim Shufflebotham, Diane Shufflebotham, and Gail Biederwolf.
5. ADOPT AGENDA AS OFFICIAL ORDER OF BUSINESS:  
Chair Huenink proposed that agenda item 12 and 13 be discussed following agenda item 7. Motion by Lammers, seconded by Caswell, to adopt the agenda for the May 13, 2024 board meeting as modified to discuss agenda item 12 and 13 following agenda item 7; the motion carried by unanimous voice vote.
6. DISCUSSION AND APPROVAL OF MINUTES:  
Motion by Lammers, seconded by Hamilton, to approve the minutes from the April 8, 2024 board meeting as presented during the May 13, 2024 board meeting; the motion carried by unanimous voice vote.

## 7. RECORD RETENTION CERTIFICATION:

Clerk-Treasurer Janelle Kaiser certified that everything is up to date.

## 8. PUBLIC INPUT:

- a. Several individuals provided public comments in reference to a new dwelling being constructed at N2047 Pine Beach Road South. The following points are a summary of the comments and concerns provided by citizens about the construction and proposed use of the dwelling at N2047 Pine Beach Road South owned by American Orthodontics (AO):
  - i. Proposed Use of the Property. Customers, potential customers, and employees of AO will get to stay at the property at no charge but may be required to take a factory tour. Several individuals expressed that there is an exchange of value associated with the proposed use, even if it isn't a cash exchange, which represents financial gain and commercial use in the R-1 district.
  - ii. Public Health. Inquiry about whether the Sheboygan County Health Department would have oversight of the property.
  - iii. Property Management. Inquiry about whether the Town could request that AO provide contact information for someone who will be responsible for the property. Request for consideration of the proposed use to be classified as a short-term rental. If it is classified as a short-term rental, there should be a property manager as required by ordinance. AO has provided some neighboring property owners with contact information for a designated person that property owners in the surrounding area and guests can contact.
  - iv. Existing Character of the Neighborhood. The vision that the settlers of Holland had was of a quiet, unostentatious neighborhood. Concerns were expressed about the new dwelling's failure to match the character of the neighborhood as well as changes in character of the neighborhood impacting future generations.
  - v. Nuisances and Impact to Community. Concerns about safety, lighting, increased occupancy, traffic, road maintenance, pollution, loss of community, public health unknowns, and impact on nearby property owners beyond what the neighborhood can sustain were expressed.
  - vi. Building Permit Issuance. Inquiry about issuance of the Town building permit and the timeline of Town of Holland and Sheboygan County processes followed for permitting the property.
  - vii. Public Notification. Public expressed frustration with lack of public notification and communication about construction of the dwelling.
  - viii. Non-conformance with Town Ordinances. Opinions were expressed that AO's proposed use of the property is non-conforming with permitted uses in the R-1 zoning district and that the number of bedrooms and layout of the dwelling does not align with the spirit of the R-1 Single Family Residence District. Ordinance conformance concerns were expressed about 2 areas of the dwelling being connected by a breezeway. Requests by several individuals to halt the construction at N2047 Pine Beach Road South due to

ordinance non-conformance, while others communicated skepticism of the Town Board's ability to halt construction without cause if the structure is conforming.

Inquiry about whether there are any restrictions on businesses operating under R-1 holding a foreign registration or interstate operation.

- ix. Future Use. Concerns about future use should the property ever be sold, due to the size and layout of the dwelling. Concerns about additional similar structures being permitted in the future.

- b. Bob Neeb asked for the names, phone numbers, and email addresses of the Town's contacts for the Onion River Solar Utility. He commented on solar panels not facing the correct direction, the utility's failure to perform as promised, solar panel glare, and agricultural drainage tile issues as a result of the utility. He wished other members of the public luck in their endeavors and told them to keep fighting for future generations.

9. FINANCIAL/TREASURER'S REPORT:

Motion by Lammers, seconded by Caswell, to approve the April 2024 financial/treasurer's report as presented during the May 13, 2024 board meeting; the motion carried by unanimous voice vote.

10. APPROVAL OF VOUCHERS:

Motion by Lammers, seconded by Stapel, to approve the May 13, 2024 voucher listing as presented during the May 13, 2024 board meeting; the motion carried by unanimous voice vote.

11. ACCOUNTS RECEIVABLE:

None.

12. INFORMATION EXCHANGE WITH SHEBOYGAN COUNTY SHERIFF'S DEPARTMENT:

Deputy Calvin Smith was present to exchange information with the Holland Town Board. Topics of discussion included areas of extra enforcement in the Town as well as Amsterdam Park signage and boat launch passes. The Town Board reviewed a report of activity conducted by officers of the sheriff's department while on Town of Holland contract patrol duty in the month of April 2024 and discussed some items in the report with Deputy Smith.

Joseph Maniaci asked Deputy Smith about an increased number of accidents that he has observed at County Road V and State Highway 32. Deputy Smith mentioned traffic ebbs and flows at certain times of year as well as accidents involving deer.

Craig Droppers informed Deputy Smith that the busy season for farming is coming up. He has observed many drivers passing large farming equipment on yellow lines where it isn't safe to pass. Deputy Smith mentioned the possibility of spending more time on State Highway 32 during contract time for increased enforcement to address this issue.

### 13. NEW CONSTRUCTION ON PINE BEACH ROAD SOUTH:

A letter with several attachments, including a list of names, addresses, and signatures of Town of Holland residents and concerned citizens was provided to the Town Board in their meeting packet regarding new construction at N2047 Pine Beach Road South. It stated, in part, that "...the purpose of this letter is to voice the concerns of the residents of Pine Beach Road South, Pine Beach Road North, Cardinal Lane, Foster Road, and South Foster Road regarding construction on the property located at N2047 Pine Beach Road South owned by American Orthodontics (AO)...".

In response to some of the comments made about the dwelling at N2047 Pine Beach Road South and its proposed future use during public input, Chair Huenink said the following:

- a. It is unlikely that the Sheboygan County Health Department would have oversight of the property, unless the property was used as a short-term rental in the future. A short-term rental is defined as a residential dwelling that is offered for rent for a fee and for fewer than 30 consecutive days, as defined in Wis. Stats., § 66.0615(1)(dk). The Town's short-term rental ordinance requires that short-term rental license holders must authorize a property manager, who is a person to act as agent and as the local contact person on behalf of the property owner, if the property owner does not live within 35 miles of the short-term rental. AO has stated that they plan to have a similar contact person for the property, though it is the Town's understanding that they do not plan to offer the dwelling for rent for a fee as a short-term rental. It would be reasonable for the Town to contact AO and request the contact information for the aforementioned contact person.
- b. Public notification is provided for various Plan Commission application requests, such as land divisions, rezonings, conditional use permits, and special exceptions, all of which would include a public hearing. The dwelling at N2047 Pine Beach Road South did not require an application to the Plan Commission nor a public hearing, as the dwelling's construction conforms to the Town ordinances. Though a structure of this size and configuration is unusual, it is not in violation of ordinances. The property owner was required to request a building permit from the Town Building Inspector for the dwelling, which the Town Building Inspector is authorized to issue independently if the proposed construction conforms to Town ordinances. The Plan Commission did not approve the building permit, nor were they required to approve or deny it, however, the Town Building Inspector submits a monthly report of building permits that he has already issued to the Plan Commission. This report is an informational item only.
- c. Certain areas of the structure at N2047 Pine Beach Road South are connected by a breezeway, similar to how a garage may be attached to a home, and therefore those areas are considered part of the single-family dwelling.

- d. The Town will follow up on building permit issuance timeline questions.
- e. Suggestions from the public about how to improve processes or ordinances going forward are welcomed.

14. ONION RIVER ELECTRICAL UTILITY UPDATE:

A post-construction road study was recently performed by Delmore Consulting on behalf of Alliant Energy. A summary report of the road study was provided to the Town Board on May 13, 2024. The Holland Town Board Roads Committee will meet in the near future to review the results of the study.

15. PLAN COMMISSION RECOMMENDATIONS:

a. REQUEST BY JOEL ACCATHARA OF CEDAR GROVE OASIS HOLDINGS LLC FOR A REZONING:

Motion by Hamilton, seconded by Caswell, to accept the recommendation of the Town of Holland Plan Commission and approve the request by Joel Accathara of Cedar Grove Oasis Holdings LLC for a rezoning of approximately 0.526 acres from R-1 to B-1 as shown on the certified survey map submitted with the application, contingent upon Sheboygan County approval and execution of the signed and recordable certified survey map. The motion includes approval of and authorization for the Town Chair and Town Clerk to sign the certified survey map submitted with the application.

The motion carried by unanimous roll call vote. Douglas Hamilton: Y; David Huenink: Y; Stanley Lammers: Y; Brody Stapel: Y; Kelly Caswell: Y.

b. REQUEST BY MARK DEMASTER FOR REZONINGS:

Motion by Hamilton, seconded by Caswell, to accept the recommendation of the Town of Holland Plan Commission and approve the request by Mark DeMaster to rezone parcels 59006076450 and 59006076380 on Hawe Road from A-3 to A-5. The motion carried by unanimous roll call vote.

c. REQUEST BY TYLER BIEDERWOLF FOR A MINOR LAND DIVISION:

Motion by Hamilton, seconded by Stapel, to accept the recommendation of the Town of Holland Plan Commission and approve the request by Tyler Biederwolf for a minor land division to divide 5.00 acres from parcel 59006066290 at W2701 Smies Road, contingent upon Sheboygan County approval and execution of the signed and recordable certified survey map submitted with the application. The motion includes approval of and authorization for the Town Chair and Town Clerk to sign the certified survey map submitted with the application.

The motion carried by unanimous roll call vote.

d. REQUEST BY JON VOSKUIL FOR A REZONING:

Motion by Stapel, seconded by Caswell, to accept the recommendation of the Town of Holland Plan Commission and approve the request by Jon Voskuil for a rezoning of

1.73 acres of N735 County Road LL (parcel 59006066883) from A-5 to B-1, contingent upon the following:

- i. Written evidence provided to the Town Clerk-Treasurer within 5 business days of the applicant's receipt of notice of this contingency showing that the existing structure proposed for use by the business has been submitted to the state building inspector of Wisconsin Department of Safety and Professional Services for review and approval of the structure to be used for commercial purposes.
- ii. Written evidence of full approval of the existing structure proposed for use by the business to be used for commercial purposes by the state building inspector of Wisconsin Department of Safety and Professional Services.

The motion carried by unanimous roll call vote.

Let these minutes show that the applicant confirmed receipt of notice of this contingency on the evening of May 7<sup>th</sup>, 2024. Therefore, the written evidence per item 15.d.i. above must be provided by 5:00pm on May 14<sup>th</sup>, 2024. If item 15.d.i. is not met, the application will be considered denied, and a letter will be sent to the property owner informing them of the denial and of the requirement to use the property only as permitted by the A-5 zoning district until a subsequent application for any change in zoning and/or use is submitted and approved by the Town of Holland.

e. REQUEST BY THOMAS AND JODY KAAT FOR A MINOR LAND DIVISION AND REZONINGS:

Motion by Lammers, seconded by Caswell, to accept the recommendation of the Town of Holland Plan Commission and approve the request by Thomas and Jody Kaat for a minor land division as shown on the draft certified survey map submitted with the application and the request to rezone parcel 59006067361 at N754 County Road KW from A-5 to A-1-S, 3.54 acres of parcel 59006067635 at County Road KW from A-1 to A-1-S, and 20.00 acres of parcel 59006067180 from A-1 to A-PR, contingent upon the following:

- i. Receipt of a signed and recordable certified survey map that matches the draft map submitted with the application to include required language per Holland Town Code Chapter 220-15F.
- ii. Sheboygan County approval and execution of the signed and recordable certified survey map that matches the draft map submitted with the application.
- iii. Completion of the boundary line adjustment by Sheboygan County as shown on the merger concept document prepared by the surveyor and submitted with the application labeled "Draft 2" prior to recording of the certified survey map.

The motion includes approval of and authorization for the Town Chair and Town Clerk to sign the certified survey map when received.

The motion carried by unanimous roll call vote.

f. REQUEST BY KURT AND CARRIE KRAUS FOR A MINOR LAND DIVISION AND REZONINGS:

Motion by Caswell, seconded by Lammers, to accept the recommendation of the Town of Holland Plan Commission and approve the request by Thomas and Jody Kaat for a minor land division as shown on the draft certified survey map submitted with the application and the request to rezone parcel 59006067364 at N734 County Road KW from A-5 to A-1-S, 3.46 acres of parcel 59006067635 at County Road KW from A-1 to A-1-S, and 20.00 acres of parcel 59006067180 from A-1 to A-PR, contingent upon the following:

- i. Receipt of a signed and recordable certified survey map that matches the draft map submitted with the application to include required language per Holland Town Code Chapter 220-15F.
- ii. Sheboygan County approval and execution of the signed and recordable certified survey map that matches the draft map submitted with the application.
- iii. Completion of the boundary line adjustment by Sheboygan County as shown on the merger concept document prepared by the surveyor and submitted with the application labeled "Draft 2" prior to recording of the certified survey map.

The motion includes approval of and authorization for the Town Chair and Town Clerk to sign the certified survey map when received.

The motion carried by unanimous roll call vote.

16. ORDINANCE 2024-04 AMENDING TOWN CODE CHAPTER 220:

Motion by Hamilton, seconded by Caswell, to adopt Town of Holland Ordinance 2024-04, An Ordinance Amending Provisions of Chapter 220 of the Code of the Town of Holland, Sheboygan, Wisconsin; the motion carried by unanimous roll call vote.

17. PROPOSED CHANGES TO THE ZONING ORDINANCE – HOLLAND TOWN CODE CHAPTER 330:

The Town Board reviewed a draft ordinance to amend Holland Town Code Chapter 330. A public hearing for the proposed amendments will be held at the next regularly scheduled Plan Commission meeting on Monday, June 3, 2024 at 7:30pm.

18. PROPOSED CHANGES TO HOLLAND TOWN CODE CHAPTER 68 AND CHAPTER 200:

No new information to report. This topic may be discussed at a future board meeting.

19. 2024 STATE MAINTENANCE OF EFFORT REPORT:

Information about new required reporting was provided to the Holland Town Board. The Town of Holland is required to submit a Maintenance of Effort (MOE) Report to the Wisconsin Department of Revenue (WI DOR) starting this year. This requirement was created by Wisconsin 2023 Act 12. Each fire department and EMS department that provides services to the Town of Holland must certify to whether that fire and EMS services provided in 2024 are on-pace to be at least equivalent to the level of service provided in 2023. This certification requires completion of several calculations and submission of the calculation



detail and certification forms to the municipal clerk. Information from all reporting units must be combined in order to determine which items can be certified for the entire municipality. The report is due to the WI DOR on July 1, 2024. If municipal clerks do not submit a timely and accurate report to the WI DOR, the municipality faces a penalty of 15% of municipal aid payment and the new supplemental county and municipal aid payment for the following year. In order to avoid a penalty, the municipality must certify two of the four criteria on the MOE report for both fire and EMS.

20. SALVATION ARMY TOWN HALL RENTAL FEE WAIVER:

Motion by Lammers, seconded by Caswell, to waive the Town Hall rental fee for the Salvation Army Salvation Bike Ride on July 13th, 2024; the fee waiver includes a requirement for the Salvation Army representatives to post signage at the Town Hall requiring riders to remove bike shoes prior to entering the Town Hall. The motion carried by unanimous voice vote.

21. APPOINT SALARY COMMITTEE FOR ELECTED OFFICIALS:

No new information to report. This topic may be discussed at a future board meeting.

22. ALCOHOL BEVERAGE RETAIL LICENSE APPLICATIONS:

The Town Board completed a preliminary review of retail alcohol liquor license applications for the year 2024-2025 to check for errors or omissions on the forms.

23. ONGOING ISSUES:

a. MANAGING SHORT-TERM RENTAL (STR) LICENSES:

No new information to report.

b. IMPROVING BROADBAND SERVICES IN THE TOWN:

Chair Huenink reported that Sheboygan County awarded a contract to Charter Communications, also known as Spectrum, to provide broadband service via fiber installation to the greatest number of unserved/underserved residences in the Town of Holland at a cost not to exceed \$2,000,000. Approximately 88% of the fiber will be buried and 12% will be aerial. Additional details can be found in the April 16th, 2024 Town Elector meeting minutes and the March 25th, 2024 Town Board meeting minutes.

c. CEDAR GROVE FIRE DEPARTMENT AGREEMENT:

Motion by Stapel, seconded by Caswell, to approve and authorize Chair Huenink to sign the Cedar Grove Fire Department Agreement Jointly Owned and Operated by and Between the Village of Cedar Grove and the Town of Holland as presented at the May 13, 2024 board meeting; the motion carried by unanimous roll call vote.

d. FUNDING OPPORTUNITIES FOR THE TOWN:

No new information to report. This topic may continue to be discussed at a future board meeting.



- e. SIGNAGE AND BARRICADES AT WALK-IN ACCESS TO LAKE MICHIGAN LOCATIONS:  
No new information to report. This topic may continue to be discussed at a future board meeting.
- f. INTERGOVERNMENTAL ROAD AGREEMENT WITH THE TOWN OF SHERMAN:  
A signed intergovernmental road agreement for Mill Road in the Town of Sherman was provided in the May 13, 2024 board meeting packet.
- g. BUILDING PERMIT FOR NEW RESIDENCE ON DEWITT ROAD:  
A building permit for a new residence at N1761 Dewitt Road expired on December 29, 2023. A letter was mailed to the property owner by Town Attorney Eric Eberhardt on May 3, 2024, informing the property owner that an independent, written inspection report certifying that the residence is in structurally sound condition and in a good state of maintenance with no evidence of mold or infestation present must be submitted before a new building permit may be issued.
- h. STATUS OF PROPERTY AND BUILDINGS AT W1645 SMIES ROAD:  
  
A letter drafted by Clerk-Treasurer Janelle Kaiser to the property owners of W1645 Smies Road was provided in the May 13, 2024 board meeting packet for review. The Town Board authorized Janelle to send the letter to the property owners at W1645 Smies Road as drafted, which notifies the property owner of their non-compliance with certain Town ordinances on the property. Written evidence showing actions taken to correct these ordinance violations is to be provided to the Town by the property owner no later than June 1, 2024.
- i. EXCHANGE OF TOWN OWNED ROAD RIGHT-OF-WAY:  
No new information to report. This topic may be discussed at a future board meeting.

24. COMMITTEE, CLERK-TREASURER AND CHAIRMAN REPORTS:

- a. ADMINISTRATION AND FINANCE:  
None.
- b. PARKS AND PROPERTY:
  - i. REQUEST TO DONATE BENCH TO AMSTERDAM PARK:  
Janelle Kaiser presented several bench options to the possible donor and the to the Town Board. The Town Board preferred the concrete bench options from Wausau Tile due to durability and quality, concurring that the Town would install the bench if one of the concrete benches was selected by the donor.
  - ii. Chair Huenink reported that 2 area residents have requested a lifejacket loaner program for the beach at Amsterdam Park. The life jackets are provided by the Wisconsin Department of Natural Resources (WI DNR) and any stolen or missing life jackets will be replaced by that department. The

area residents who proposed this will be the local contact for the program. The WI DNR will choose the location where the life jackets will be stored. Supervisor Hamilton and Supervisor Lammers expressed opposition to the program.

c. PUBLIC SAFETY:

The Sheboygan County Sheriff's Department provided 28 hours of contract time in April 2024. There was a total of 120 calls for service and Deputies handled a total of 11 complaints while on contract time.

Supervisor Caswell reported that the Village of Oostburg is considering an ordinance that requires new commercial buildings be equipped with Knox boxes, which assist first responders and fire departments with gaining access to structures. It may be recommended by the Village of Oostburg that existing commercial buildings are equipped with these boxes as well. Supervisor Lammers said that an ordinance should be drafted for Holland Town Board review.

Supervisor Caswell also reported that budgetary and funding discussions will be discussed at the next meeting of the Oostburg First Responders (OFR). They currently have 13 volunteers serving the department.

A car fire blanket was purchased by Oostburg Fire Department. The blanket has a limited number of uses. If used, the fire department will bill the owner of the vehicle \$300. The Town Board concurred that this should be added to the Town's fee schedule.

d. ROADS:

A written report was provided by Department of Public Works and Property Nate Voskuil on May 13, 2024 via email.

Supervisor Lammers reported that tree removal and trimming along Stokdyk-Ingelse Road and Prospekt Boulevard has been completed. A box culvert replacement on Wynveen Road has been completed. He also reported that the Wisconsin Towns Association Roads School, which was attended by Chair Huenink, Supervisor Lammers, and Supervisor Hamilton, was very informative.

The Holland Town Board Roads Committee will meet on Wednesday, May 15, 2024 at 1:30pm to review a post-construction summary report and results of the road study prepared by Delmore Consulting on behalf of Alliant Energy's Onion River Solar Utility.

e. CLERK-TREASURER:

i. CLERK-TREASURER TRAINING:

Janelle Kaiser requested approval to attend the University of Wisconsin Green Bay's Clerks and Treasurers Institute Completion Year training in the 2024 or 2025. The Town Board approved Janelle's attendance at this training by consensus.

ii. Janelle Kaiser also reported the following:

1. The Town of Holland's 2024 Board of Review meeting will be held on Wednesday, June 5th, 2024 from 4:00pm to 6:00pm.
2. The Town of Holland's 2024 Recycling Grant was submitted and awarded in April and May 2024. Required American Rescue Plan Act reporting was completed in April 2024.
3. Acceptance of a part-time Deputy Clerk-Treasurer position at the Town of Sherman in Sheboygan County.

f. CHAIRMAN:

Chair Huenink reported that the current state Local Road Improvement Program has an inequitable award system due to inconsistent administration between counties. A pilot of a new administrative means is now in effect for 23 counties in the northwest and west central parts of that state. This new system appears vastly better but it will take legislative action to deploy statewide.

25. PUBLIC INPUT:

- a. An email from Judith Byrns of N1935 S Pine Beach Road dated May 10, 2024 was read into the record by Clerk-Treasurer Janelle Kaiser: "To Town of Holland Board, Please forward this to the people concerned and thank you. I cannot attend the public town meeting on Monday May 13 however I would like to voice my disappointment at the possible future of a New American Orthodontics' Construction at N2047 Pine Beach South Road. It is clearly in violation of its zoning. Please include our families protest to this construction."

26. CORRESPONDENCE:

All relevant correspondence was included in the May board meeting packet or was previously sent to Town Board members by email.

27. ADJOURN:

Motion by Hamilton, seconded by Stapel, to adjourn the meeting at 11:43pm; the motion carried by voice vote.