

TOWN OF HOLLAND PLAN COMMISSION
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
W3005 County Road G, Cedar Grove, WI 53013
Monday, July 1, 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 posted at the Holland Town Hall and on the Town's website and was published in the Sheboygan Press on June 17, 2024 and June 24, 2024.
4. Record retention certification:
Plan Commission Clerk Janelle Kaiser stated record retention is up to date.
5. Roll call:
Attendees: Chair David Huenink, Bryan Kaiser, Roy Teunissen, Craig Droppers, and Brody Stapel.
Absentee(s): Matthew Teunissen, David Mueller, and Jack Stokdyk.
Signed-In Attendees: Robert Padula, Phyllis Padula, Cameron Pauli, and Brielle Pauli.
Other Attendees: Janelle Kaiser (Clerk-Treasurer and Zoning Administrator) and Tom Huenink (Building Inspector).
6. Adopt agenda as official order of business:
Motion by Bryan Kaiser, seconded by Roy Teunissen, to adopt the agenda for the July 1, 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 Roy Teunissen, to approve the minutes from the June 3, 2024 Plan Commission meeting as presented during the July 1, 2024 Plan Commission meeting; the motion carried by unanimous voice vote.
9. Information for Plan Commission from Town Board:
None.
10. Building inspector items:
 - a. Review/approve building permits report:
Motion by Bryan Kaiser, seconded by Roy Teunissen, to approve the June 2024 building inspection report submitted by Tom Huenink; the motion carried by unanimous voice vote.
 - b. Review/approve building permit requests needing Plan Commission review:
Tom Huenink reported that the property owners at N1761 Dewitt Road, whose building permit for a new single-family residence expired on December 29, 2023, have obtained an independent inspection of the partially constructed residence as required by the Town due to concerns of prolonged exposure to weather and nature for many months during

construction. Tom received a copy of the inspection report, which provided that the residence is in structurally sound condition and that there is no evidence of mold or other concerns as described in the letter sent to the property owners. Clerk Janelle Kaiser requested that Tom provide her with a copy of the inspection report. Tom expects to issue a new building permit to continue work on the residence after state approval of the permit is granted.

- c. Discuss follow-up items:
None.

11. Public input:
None.

12. Public hearings for:

- a. Request by Cameron D Pauli for a special exception on behalf of Phyllis Padula at N1941 S Pine Beach Road:
Chair David Huenink called the public hearing for Cameron D Pauli to order at 7:36pm. The subject property is located at N1941 S Pine Beach Road (parcel 59006074540, 0.31 acres, zoned R-1). The request is to construct a new single-family dwelling with reduced side setbacks of 10 feet from the northern and southern property lines.
Cameron Pauli spoke on behalf of property owner Phyllis Padula. Cameron explained that the property owner is proposing to raze the existing single-family dwelling on the parcel prior to constructing a new-single family dwelling in a new location on the lot as shown on the maps submitted with the application. The property owner's goal is to meet the required 15-foot side setbacks, however, they are requesting a special exception for a reduced side setback of 10 feet from the north and south property lines in the event that there are design or construction changes that would prevent them from meeting the required 15-foot setback.
Chair Huenink asked for additional comments from the public three times. There were no additional comments from the public.
Motion by Roy Teunissen, seconded by Bryan Kaiser, to close the public hearing for Cameron D Pauli at 7:39pm; the motion carried by unanimous voice vote.
- b. Termination of an existing conditional use permit issued to Scott Soerens of Pushing Perfection Concrete and Construction LLC at W3070 Hoitink Road to operate a business that offers concrete and general construction services on the premises:
Chair David Huenink called the public hearing for the termination of an existing conditional use permit issued to Scott Soerens of Pushing Perfection Concrete and Construction LLC to order at 7:40pm.
The subject property is located at W3070 Hoitink Road (parcel 59006064210, 5.06 acres, zoned A-5 and B-1). Termination of the existing conditional use permit is under consideration because the conditional use has not continued in conformity with the conditions of the permit, specifically, condition 3b., which states that "The outdoor storage of concrete debris (i.e., materials removed from job sites that cannot be reused as is for new job applications) shall be cleared from the Premises a minimum of one (1) time per calendar year and not less frequently than every fifteen (15) months. In the event that the outdoor storage of concrete debris results in a negative physical appearance as determined at the sole discretion of the Plan Commission, the Plan Commission may require the petitioner to increase the number or frequency of debris clean-ups per calendar year or to

modify the site plan to properly screen debris piles.”

Chair Huenink asked for comments from the public three times. There were no comments. Motion by Roy Teunissen, seconded by Bryan Kaiser, to close the public hearing for the termination of an existing conditional use permit issued to Scott Soerens of Pushing Perfection Concrete and Construction LLC at 7:41pm; the motion carried by unanimous voice vote.

c. Ordinance to Amend Holland Town Code Chapter 330 -Zoning:

Chair David Huenink called the public hearing for proposed Ordinance 2024-05, An Ordinance Amending Provisions of Chapter 330 of the Code of the Town of Holland, Sheboygan County, Wisconsin, to order at 7:41pm.

Chair Huenink asked for comments from the public three times. There were no comments. Motion by Roy Teunissen, seconded by Bryan Kaiser, to close the public hearing for Ordinance 2024-05 at 7:42pm; the motion carried by unanimous voice vote.

13. Request by Cameron D Pauli for a special exception on behalf of Phyllis Padula at N1941 S Pine Beach Road:

Motion by Brody Stapel, seconded by Bryan Kaiser, to approve the request by Cameron D Pauli for a special exception on behalf of Phyllis Padula at N1941 S Pine Beach Road to construct a new single-family dwelling with side setbacks of 10 feet from the northern and southern property lines, whereas:

- a. Compliance with the 15-foot side setback requirement in the R-1 zoning district would be unreasonably burdensome to the property owner and unreasonably and negatively impact the proposed use of the property due to the limited buildable area on the lot. The subject parcel has a narrow lot width of approximately 61 feet, making it more challenging to meet required setbacks. New single-family dwellings must be 20 feet wide and comply with all setbacks per Town ordinance. New dwellings must also comply with setbacks governed by Sheboygan County, to include setbacks from Lake Michigan’s ordinary high-water mark, wells, and sanitary systems. The subject parcel’s lake frontage is also situated at an approximately 60-degree angle from the north and south property lines, which can impact buildable footprint.
- b. The special exception will be consistent with the existing character of the neighborhood, not negatively undermine the ability to apply or enforce the requirement with respect to other property; and be in harmony with the general purpose and intent of the section prescribing the requirement.

The Plan Commission acknowledged the following with regard to this special exception request:

- (1) The existing single-family dwelling on the neighboring property to the south at N1935 S Pine Beach Road, whose owners have provided written support of this request, has a reduced setback with the existing buildings being closer than 10 feet to the northern property line of that parcel.
- (2) The existing single-family dwelling at N1941 S Pine Beach Road is closer than 5 feet to the neighboring property to the north at N1947 S Pine Beach Road, therefore, this request increases the setback distance from the northern property line.

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

Let these minutes show that the public hearing notification letter mailed to the property owner of N1947 S Pine Beach Road was returned to sender due to an out-of-date billing address. Billing

addresses are maintained by the Sheboygan County Treasurer's office, whose office confirmed that the billing address for N1947 S Pine Beach Road was updated on June 25-26, 2024, after the public hearing notification letters were mailed by the Clerk.

Let these minutes also show that the existing single-family dwelling at N1941 S Pine Beach Road shall be razed prior to construction of the proposed new single-family dwelling and that all required permits from the Sheboygan County Planning and Conservation Department must be obtained before a local building permit can be issued.

14. Termination of an existing conditional use permit issued to Scott Soerens of Pushing Perfection Concrete and Construction LLC at W3070 Hoytink Road to operate a business that offers concrete and general construction services on the premises:

No action was taken to terminate the existing conditional use permit issued to Scott Soerens of Pushing Perfection Concrete and Construction LLC at W3070 Hoytink Road to operate a business that offers concrete and general construction services on the premises at the July 1, 2024 Plan Commission meeting. The Plan Commission acknowledged that while several letters have been sent to the property owner to inform them of their noncompliance with conditional use permit conditions, the Town did not send a letter to notify the property owner of the public hearing. The Plan Commission concurred that this topic should be tabled for possible discussion at a future Plan Commission meeting.

15. Ordinance to Amend Holland Town Code Chapter 330-Zoning:

Motion by Brody Stapel, seconded by Bryan Kaiser, to recommend that the Holland Town Board adopt proposed Ordinance 2024-05, An Ordinance Amending Provisions of Chapter 330 of the Code of the Town of Holland, Sheboygan County, Wisconsin; the motion carried by unanimous roll call vote.

16. Ongoing issues:

a. Applications being processed:

- (1) Thomas and Janet McMullen Minor Land Division. Restrictive covenant pending assignment of new parcel numbers by Sheboygan County.
No new information to report. This topic may be discussed at a future Plan Commission meeting.
- (2) Tyler Biederwolf CUP documents pending assignment of new parcel numbers by Sheboygan County.
No new information to report. This topic may be discussed at a future Plan Commission meeting.
- (3) Thomas and Jody Kaat. Restrictive covenant pending assignment of new parcel numbers by Sheboygan County.
No new information to report. This topic may be discussed at a future Plan Commission meeting.
- (4) Kurt and Carrie Kraus. Restrictive covenant pending assignment of new parcel numbers by Sheboygan County:
No new information to report. This topic may be discussed at a future Plan Commission meeting.
- (5) Kevin Claerbaut. Conditional use permit amendment documents pending satisfaction of application approval contingency.
The Plan Commission concurred that Janelle Kaiser should request information from the state building inspector of Wisconsin Department of Safety and Professional Services to include any timeline provided to Kevin Claerbaut during

a recent inspection of the buildings located on parcels 59006076210 and 59006076292 to attain compliance with commercial building code requirements.

17. Conditional use permit review schedule:

The Plan Commission concurred that conditional use permits issued in 2021 should be reviewed at the next regularly scheduled Plan Commission meeting.

18. Request by Jon Voskuil for a rezoning and conditional use permit and use of property at N735 County Road LL:

Motion by Craig Droppers, seconded by Brody Stapel, to **amend** the motion carried at the May 6, 2024 Plan Commission meeting for the request by Jon Voskuil for a rezoning and conditional use permit at N735 County Road LL as follows:

The Town of Holland Plan Commission recommends that the Holland Town Board approve the request for a rezoning of 1.73 acres of N735 County Road LL (parcel 59006066883) from A-5 to B-1, and to approve the request for a conditional use permit to operate a repair services business as documented within the plan of operations and site plan submitted with the application, contingent upon:

- a. Approval of the conditional use permit is contingent upon Holland Town Board approval of the rezoning request.
- b. ~~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.~~
- c. Written evidence ~~provided to the Town Clerk-Treasurer showing~~ **of** full approval of the existing structure **at N735 County Road LL** 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 **on or before December 1, 2024.**

The motion carried by unanimous roll call vote.

Let these minutes show that the Plan Commission previously concurred that Building Inspector Tom Huenink should conduct an inspection of the structure at N735 County Road LL to determine its current use. The property owner, Jon Voskuil, was not agreeable to an inspection of the structure at N735 County Road LL; however, the Town may consider asking Building Inspector Tom Huenink to procure a special inspection warrant in accordance with § 66.0119, Wis. Stats.

Let these minutes also show that Jon Voskuil recently informed the Town that he has contacted the state building inspector to determine what is required to obtain full approval of the existing structure at N735 County Road LL to be used for commercial purposes.

19. Public input:

None.

20. Review/approve attendance records for previous meeting:

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

21. Adjourn:

Motion Brody Stapel, seconded by Roy Teunissen, to adjourn at 10:05PM; the motion carried by unanimous voice vote.