

TOWN OF HOLLAND PLAN COMMISSION
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
W3005 County Road G, Cedar Grove, WI 53013
Monday, August 5, 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 July 22, 2024 and July 29, 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 – Alternate, Brody Stapel, Matthew Teunissen, David Mueller, and Jack Stokdyk.
Absentee(s): None.
Signed-In Attendees: Randy Joosse, Joe Meerdink, Jon Voskuil, Rob Voskuil, and Carl Weingaertner.
Other Attendees: Janelle Kaiser (Clerk-Treasurer and Zoning Administrator) and Tom Huenink (Building Inspector).
6. Adopt agenda as official order of business:
Motion by Jack Stokdyk, seconded by David Mueller, to adopt the agenda for the August 5, 2024 Plan Commission meeting as presented; the motion carried by unanimous voice vote.
7. Review/approve minutes of previous meeting(s):
Motion by David Mueller, seconded by Bryan Kaiser, to approve the minutes from the July 1, 2024 Plan Commission meeting as presented during the August 5, 2024 Plan Commission meeting; the motion carried by unanimous voice vote.
8. Information for Plan Commission from Town Board:
 - a. Ordinance to Amend Holland Town Code Chapter 330 – Zoning:
Chair Huenink reported that the Holland Town Board accepted the recommendation of the Plan Commission and adopted Ordinance 2024-05, An Ordinance Amending Provisions of Chapter 330 of the Code of the Town of Holland, Sheboygan County, Wisconsin.
 - b. Request by Jon Voskuil for a rezoning and use of property at N735 County Road LL:
Chair Huenink reported that the Holland Town Board accepted the recommendation of the Plan Commission and amended the motion carried at the May 13, 2024 board meeting for the request by Jon Voskuil at N735 County Road LL for a rezoning of 1.73 acres of N735 County Road LL (parcel 59006066883) from A-5 to B-1, contingent upon:

~~(1) 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.~~

- (2) 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.**

9. Building inspector items:

- a. Review/approve building permits report:
Motion by Jack Stokdyk, seconded by David Mueller, to approve the July 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 he continues to wait for state approval of a permit to continue construction of a new dwelling at N1761 Dewitt Road so that he may issue a new local building permit. The Plan Commission acknowledged that construction may not resume until state approval is obtained and a local building permit is issued.
- c. Discuss follow-up items:
None.

10. Public input:

- a. Joseph Meerdink of W2249 Walvoord Road (parcel 59006063800, 12.55 acres, zoned A-2) was present to discuss a proposed minor land division to construct a new single-family dwelling. Joseph proposed to divide parcel 59006063800 into two separate approximately 6-acre parcels, such that the division line would begin on the east side of the existing dwelling, which would require a flag lot due to the lack of road frontage unless a horseshoe-shaped lot were proposed to include additional road frontage from the west side of the parcel. The proposed resultant parcels would remain in the A-2 zoning district, as they would both be 5 acres or greater in size. The Plan Commission acknowledged that while the property owner would prefer not to clear trees that are located on the west side of the parcel in order to build the dwelling, there is adequate road frontage on the west side of the parcel, and that requesting to divide the land closer to the halfway mark in a north-south direction would be more aligned with the Town's Comprehensive Plan and Zoning Ordinance pertaining to housing density and road frontage requirements. In addition, the sanitary system for the existing dwelling is located to the east, which could create building and/or access constraints. Joseph was advised that if a minor land division request were to be approved, a conditional use permit request and approval for the new single-family dwelling would be required prior to construction. The Plan Commission also advised Joseph to contact the Sheboygan County Planning and Conservation Department to discuss sanitary and well permitting requirements.
- b. Joel Daane submitted a proposal for a minor land division of parcel 59006063280 (zoned R-1, 2.92 acres). Joel has proposed to divide the parcel approximately in half in a north-south direction, resulting in 2 parcels just under 1.5 acres, so that he may purchase one of the proposed resultant parcels. The existing parcel consists of enough land area for the two proposed resultant parcels to meet the lot requirements of the R-1 district. The entire parcel is classified as a wetland area by the Wisconsin Department of Natural Resources,

therefore, would not be buildable unless permission is granted by the appropriate authorities. Joel has communicated he would like to submit a minor land division request regardless of whether the resultant parcels are able to be developed. The Plan Commission acknowledged that a minor land division request would be required for this proposal and that Joel should also contact the Sheboygan County Planning and Conservation Department.

- c. Justin Obbink of W3188 Hoitink Road (parcel 59006064301, zoned A-1-S, 3.00 acres) has proposed construction of a new single-family dwelling to the east of the existing driveway. The property owners plan to raze the existing single-family dwelling but would like to live in the existing dwelling during construction of the new dwelling. The Plan Commission acknowledged the following:
 - (1) The possibility of a Town agreement for a temporary permit enabling construction of a second single-family dwelling during construction.
 - (2) The property owners would not need to obtain a conditional use permit for the dwelling as an existing dwelling is present.
 - (3) The property owners should contact Sheboygan County Planning and Conservation to inquire about sanitary and well system requirements.

- d. The property owners at W4037 County Road RR (parcel 59006068461, zoned A-2, 11.45 acres) have proposed a minor land division to divide approximately 5 acres from the existing parcel. Both proposed resultant parcels would meet lot area requirements in order to retain A-2 zoning if divided as proposed. The Plan Commission acknowledged the following:
 - (1) The proposed resultant parcels should each include at least 225 feet of road frontage as required by the A-2 zoning district.
 - (2) A 50-foot setback should be maintained from the agricultural buildings to the south of the existing dwelling.
 - (3) If any new dwelling were to be proposed for construction in the future, an application for a conditional use permit prior to construction would be required. Any proposed new dwelling should not convert prime farmland from agricultural use or convert land previously used as cropland, other than a woodlot, from agricultural use if on the farm there is a reasonable alternative location or size for a residential lot or residence, nor should it significantly impair or limit the current or future agricultural use of other protected farmland.
 - (4) The property owners should contact Sheboygan County Planning and Conservation Department to inquire about any navigable waterways on the parcel.

- e. Jon Voskuil addressed the Plan Commission about his recent application for a rezoning and conditional use permit at N735 County Road LL as well as his compliance with state statutes pertaining to commercial building code for the existing building on the parcel. He reported unsuccessful efforts to contact architects to prepare building plans for the structure per advice from the state building inspector. Jon acknowledged that the building was constructed without a building plan. He reported that there was a long waiting list for the state's commercial building plan approval when he was preparing to construct the building, so he proposed to construct the building as an agricultural-use structure with the intention of converting that use from agricultural to commercial. Jon expressed that he does not wish to skip out on following the requirements that other businesses must follow,

however, other businesses should be held accountable to meet the same requirements. The Plan Commission, Town Building Inspector, and the Town Clerk-Treasurer acknowledged that Jon was advised by several Town officials to consider commercial building code when building the agricultural-use structure, as the intention was to convert the use to commercial at a later date.

11. Public hearings for:

- a. Request by Randall Joose for a minor land division and rezonings at W2695 County Road A South:

Chair David Huenink called the public hearing for Randall Joose to order at 8:37pm. The subject property is located at W2695 County Road A South (parcel 59006060740, 2.63 acres, zoned M-1 and B-1). The request is to:

- i. Create a 1.06-acre parcel and a 1.57-acre parcel via minor land division.
- ii. Rezone the proposed 1.06-acre parcel from M-1 to B-1.
- iii. Rezone the proposed 1.57-acre parcel from M-1 and B-1 to 0.54 acres of R-1 and 0.97 acres of B-1.

Chair Huenink asked for additional comments from the public three times. There were no comments from the public.

Motion by Jack Stokdyk, seconded by Bryan Kaiser, to close the public hearing for Randall Joose at 8:38pm; 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 8:39pm.

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 Jack Stokdyk, seconded by David Mueller, 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 8:40pm; the motion carried by unanimous voice vote.

12. Request by Randall Joose for a minor land division and rezonings at W2695 County Road A South:

Motion by Jack Stokdyk, seconded by Bryan Kaiser, to recommend that the Holland Town Board approve the request for a minor land division by Randall Joose as shown on the draft certified survey map submitted with the application, contingent upon Holland Town Board

approval of the rezoning requests, and the request to rezone the proposed 1.06-acre parcel from M-1 to B-1 and the proposed 1.57-acre parcel from M-1 and B-1 to 0.54 acres of R-1 and 0.97 acres of B-1.

The Plan Commission recommends that Holland Town Board approval is also contingent upon:

- (1) Receipt of a signed and recordable certified survey map that matches the draft plat of survey submitted with the application to include required language per Holland Town Code Chapter 220-15F.
- (2) Holland Town Board and Village of Oostburg approval of the certified survey map submitted with the application, and upon that certified survey map being approved and executed by Sheboygan County.
- (3) Receipt of a full legal description of the resultant parcels or existing parcel.

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

13. 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:

Motion by Jack Stokdyk, seconded by David Mueller, to terminate the 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, effective immediately, whereas 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.”

Let these minutes show that the permit holder was contacted in writing to inform them of their non-compliance with permit conditions, specifically, that the concrete debris storage pile has not been cleared from the premises as required since the issuance of the permit on March 7, 2022. An on-site inspection was conducted by members of the Plan Commission at W3070 Hoitink Road on February 26th, 2024, during which pictures of the concrete debris were taken. The Town has received no response to written communications dated May 19, 2023, August 29, 2023, January 9, 2024, and May 15, 2024 about clearing the debris and has observed no efforts by the property owner to improve site conditions or retain conformity with permit conditions. The motion carried by unanimous roll call vote.

14. Plan Commission procedures and opportunities for improvement:

The Plan Commission discussed Town process improvements to help educate property owners of their responsibility to follow all state statues, county ordinances, and other applicable regulations. The Town will post information provided by the state building inspector about commercial building code requirements and exceptions on the Town’s website and have that information available in the Town office. The Town may send informational communications to other agencies informing them of certain application approvals, such as a conditional use permit which includes converting the use of a building from non-commercial use to commercial use. The Plan Commission acknowledged that the Town building inspector shall not issue a local

building permit for a commercial building until the new construction, converted use, building modification, etc. receives full approval from the state building inspector.

15. Request by Jon Voskuil at N735 County Road LL for a rezoning and conditional use permit: Motion by Brody Stapel, seconded by David Mueller, to **amend** the motion carried at the July 1, 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 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.

16. Request by Kevin Claerbaut of CG Services and Holland Landscape Supply at W1901Smies Road and Parcel 59006076292 for a conditional use permit (CUP) amendment: Motion by David Mueller, seconded by Roy Teunissen, to **amend** the motion carried at the June 3, 2024 Plan Commission meeting for the request by Kevin Claerbaut of CG Services and Holland Landscape Supply at W1901Smies Road and Parcel 59006076292 for a conditional use permit (CUP) amendment as follows:

The Town of Holland Plan Commission approves the request by Kevin Claerbaut for a conditional use permit amendment for parcels 59006076292 and 59006076210 to revise the existing site plan and plan of operations for the CUP and to add retail sales as an allowed use. ~~contingent upon receipt of written evidence of full approval of the existing structures used for commercial purposes by the state building inspector of Wisconsin Department of Safety and Professional Services by August 7, 2024 (65 days from the date of this meeting). The Plan Commission may consider an extension of this deadline with due cause.~~ The current standard conditions for a business conditional use permit will apply, as well as all existing standard conditions and special conditions of the existing CUPs for parcels 59006076292 and 59006076210.

The motion carried by unanimous roll call vote.

17. Conditional use permit reviews:

- a. Carl Weingaertner of Gaertner's Great Lakes Greens at W2386 County Rd A S, parcel 59006060320:

The Plan Commission reviewed the conditional use permit for W2386 County Rd A South and determined that no changes are required, whereas the business allowed by the CUP is still in operation and has not significantly changed in operation or size. Carl was present to report that the only change in his business operation is the elimination of storefront hours at this time. The permit is still valid because the business is still operating as allowed by the permit. This permit will be reviewed periodically as determined by the Town's conditional use permit review schedule.

- b. David and Mary Gronik at N1025 Cole Rd, parcel 59006076560:

The Plan Commission concurred that a review of the conditional use permit for N1025 Cole Road should be tabled for review at a future meeting.

- c. Randall Joosse at W2695 County Road A S, parcel 59006060740:
The Plan Commission reviewed the conditional use permit for W2695 County Rd A South and determined that no changes are required, whereas the business allowed by the CUP is still in operation and has not significantly changed in operation or size. The permit is still valid because the business is still operating as allowed by the permit. This permit will be reviewed periodically as determined by the Town's conditional use permit review schedule.
- d. Jeffrey A Stefanich of JASP1LLC at W2385 County Road A South, parcel 59006060360:
The Plan Commission reviewed the conditional use permit for W2385 County Road A South and determined that no changes are required, whereas the business allowed by the CUP is still in operation and has not significantly changed in operation or size. The permit is still valid because the business is still operating as allowed by the permit. This permit will be reviewed periodically as determined by the Town's conditional use permit review schedule.
- e. Kelly and Lisa Caswell at N2051 Sauk Trail Rd, parcel 59006072391:
The Plan Commission reviewed the conditional use permit for N2051 Sauk Trail Rd and determined that no changes are required. This permit will be reviewed periodically as determined by the Town's conditional use permit review schedule.
- f. Robbie and Kami Van Ginkel at N2318 Tamarack Ln, parcel 59006071523:
The Plan Commission reviewed the conditional use permit for N2318 Tamarack Ln and determined that no changes are required, whereas the allowed 2,025 square foot accessory building constructed on the property still exists and does not appear to have changed. This permit will not be reviewed again unless a raze permit is issued for the building.
- g. Karl and Dianne Hoffmann at W2688 County Rd G, parcel 59006066330:
The Plan Commission reviewed the conditional use permit for W2688 County Rd G and determined that no changes are required, whereas the allowed 3,260 square foot accessory building constructed on the property still exists and does not appear to have changed. This permit will not be reviewed again unless a raze permit is issued for the building.
- h. Chad Stenson and Kirby Fischer at W1383 Foster Road, parcel 59006071870:
The Plan Commission reviewed the conditional use permit for W1383 Foster Road and determined that no changes are required, whereas the allowed 1,200 square foot accessory building constructed on the property still exists and does not appear to have changed. This permit will not be reviewed again unless a raze permit is issued for the building.
- i. Mike DePagter of Mike DePagter Plumbing LLC at N1998 Sauk Trail Rd, parcel 59006072462:
The Plan Commission reviewed the conditional use permit for N1998 Sauk Trail Rd, and determined that no changes are required, whereas the business allowed by the CUP is still in operation and has not significantly changed in operation or size. The permit is still valid because the business is still operating as allowed by the permit. This permit will be

reviewed periodically as determined by the Town's conditional use permit review schedule.

18. Ongoing issues:

- a. Applications being processed:
No new information to report.

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.