

**Village of Holmen
Planning Commission Minutes
May 28, 2024**

Village President Barlow called the Planning Commission meeting to order at 6:00 pm on Tuesday, May 28, 2024. Present were commission members Barlow, Anderson, Kulcinski, Appold, Nicklaus, Kertis, and Baird; along with advisory members Administrator Heinig and Engineer Dahl. Also in attendance was Jennifer Shanley, Mike Shanley, Joe Staebell, Kaylin Staebell, Joe Deml, Jane Deml, Matt Koby, and Becky Koby.

Public Hearings:

Rezoning Petition from JB Holmen Investments, LLC, James Westpfahl as Petitioner, for 115.11ac of property East of Hwy 53, West of Briggs Road and the Holmen High School, North of the Gaynors Rolling Hills Addition and Sween Drive, and South of County NA, from (A) Agriculture to (R-1) Single Family Residential District, (R-3) Single Family Residential District and (R-6) Zero Lot Line, Two Family Residential District.

Motion by Appold, seconded by Kertis to open the public hearing. Carried 7-0.

Administrator Heinig stated that the rezoning petition being considered tonight will change the existing zoning from agricultural to residential zonings. The rezoning is compliant with the comprehensive plan. The developer has brought forward a preliminary plat and is proposing to complete the development in full without staging. The development will not construct access into the Gaynors Rolling Hills Addition via the Pine Lane right of way. He stated that the plat locates R-6 Zero Lot line lots along Waldenberger Drive which also backs up to the USH 53 right of way with additional R-6 zoning along Ellis and Sween Drive. There are smaller R-3 single family lots along Briggs Road, and the remaining plat is R-1 single family. Overall the plat has approximately 250 lots amongst 150 acres.

Jennifer Shanley asked if the tree line on the south side of the plat behind her home be preserved? Will the properties be rentals? Would any of the propose zero lot line lots be near her home?

Joe Staebell asked if Briggs Road would be extended?

Rebecca Koby stated that the south end of her property can have some drainage issues. She asked if the development would divert any water onto her property.

Joe Deml asked if Pine Road would be built into Van Aelstyn Court? Is the Village going to annex any part of the Gaynors Rolling Hills addition?

Motion by Kertis, seconded by Kulcinski to open the public hearing. Carried 7-0.

Approval of the April 30, 2024 minutes:

Motion by Nicklaus, seconded by Kulcinski to approve the minutes of the April 30, 2024 Meeting. Carried 7-0.

Public comment:

None

Agenda Items:

Possible Action and Recommendation on Preliminary Plat Concept of Proposed “Liberty Addition,” to also include Contingent Approval of Rezoning Petition from JB Holmen Investments, LLC, James Westpfahl as Petitioner, for 115.11ac of property East of Hwy 53, West of Briggs Road and the Holmen High School, North of the Gaynors Rolling Hills Addition and Sween Drive, and South of County NA, from (A) Agriculture to (R-1) Single Family Residential District, (R-3) Single Family Residential District and (R-6) Zero Lot Line, Two Family Residential District.

Administrator Heinig stated the development will require grading throughout to ensure it drains properly. The proposed grading lines aren't known at this time, but the area along the south boundary of the plat will require tree removals. Those removals will be done on the property owned by the developer. He added that in discussions with the developer he would like to maintain some of the trees on the property line if they are healthy enough to be preserved. He stated that lot 7 on Ellis Court has a proposed R-6 zero lot line zoning. He stated that the building can be owner occupied or rented. The Village cannot restrict the owner from renting as state law allows an owner to rent if he wishes to do so. He stated that as it stands today, the subdivision is proposed to have covenants requiring LP siding, and masonry or brick components. Which will provide very nice aesthetics and add value throughout the subdivision and its surroundings. He stated that Briggs Road south of the Village well will be constructed along with the subdivision. The portion of Briggs Road north of the well cannot be constructed as the road straddles the property line and only the west half of the road and right of way is on the developer's property. The western portion of the right of way will be reserved and Briggs Road will be extended once the eastern portion of the right of way is developed. On the north end of the subdivision Waldenberger Road will be removed and replaced with a new street conforming to the Village's urban cross section standards. He stated that the elevations on lots 1,2, and 3 will need to account for the drainage to/from adjacent properties. State drainage laws allow for water to drain onto adjacent property if they historically did so. The amount of water cannot be increased onto adjacent properties, nor can improvements prevent water from adjacent properties from draining onto improved properties if they have done so historically. He stated that Gaynors Rolling Hills Addition is within the territory to be annexed in the Village's boundary agreement with the Town of Holland. However, they Village would only consider annexation if the property owners would petition to do so. No forced annexations are being considered. The sewage from this development will be conveyed to the east where it will

enter the existing Village system along County Highway HD. This developer is currently working on an agreement with the owner of parcel 14-4615-1 to construct the mains to the east through his property. No park is proposed with this development because it is adjacent to the large green space on the High School grounds. The developer is instead going to contribute \$300,000 to the Village to invest in the Village's park system. He stated that the snowmobile club is working with the developer to establish a snowmobile trail near the stormpond along the USH 53 right of way. It is possible that the trail could be located on a dedicated outlot and maintained as a walking trail in the warm seasons. He stated that the proposed development concept is well planned and is consistent with the land use and comprehensive plan and has less density than the comp plan designates and he fully recommends approval with the following contingencies:

- Briggs Road is not an "Outlot." It is a fully dedicated right-of-way section and must also be improved—if unable to improve portions of the roadway, the developer must compensate the Village for future needed investments. Plat must specify no driveway accesses are permitted on Briggs.
- There are numerous already existing street names within the proposed plat (Independence, Patriot, Freedom) that must be changed. There cannot be duplication of street naming within the Village of Holmen, including the 54636 Zip Code.
- Street name identifiers must be consistent with Village standards (Street vs "Place" for example).
- If R-6 zoning is approved for Block 3, Lot 7, the lot must be contingently required to be split with a CSM before building.
- Stormwater containment and movement engineering must be demonstrated and accepted by the Village (creating safe retention as required)—if necessary, lots must be removed from the plat to provide the areas for needed stormwater detention.
- All Outlots must be shown on the plat as "Dedicated to the Public."
- The snowmobile club may work with the developer to include a bike path/snowmobile trail along Hwy. 53 (approximately 20' wide). Should they do so, the 20' wide path area must be on a flattened, level surface the entire length of the trail and the developer and club must work together to absorb all costs associated with creating it. 8' of gravel is expected within the center of the 20' pathway as a basecourse for the path.
- Final plat approval and final engineering approval is contingent upon the requirement that the development must connect sanitary sewer and water to the east at HD through other private property.
- The rezoning and preliminary plat are contingently bound to each other in the form of a PUD (Planned Unit Development). If the plat does not ultimately proceed, then the zoning shall not proceed and the proposed zoning designations shall revert back to Agriculture.
- The developer must contribute \$300,000 to the Village in lieu of a park land dedication within the plat, for the Village to invest in the Village's park system.

Member Kulcinski asked if parts of the Gaynors Rolling Hills Addition were to annex could the sewer system of this development handle it. Administrator Heinig stated there would likely need to be a lift station constructed to do so, but the system downstream of the gravity

manhole near the Briggs Road and Sween Drive intersection could accommodate the sewage thereafter.

Member Barlow asked who would maintain the snowmobile trail if constructed. Administrator Heinig stated that if the trail were dedicated to the Village (as part of one of the “Outlots Dedicated to the Public,” the Village could own and maintain the trail in partnership with the snowmobile club to satisfy their use. This issue would require additional discussion and consideration to finalize any cost sharing concepts, however.

Member Kertis asked if there was room to construct both the trail and the stormwater pond. He also asked if there were any concerns with the area having in and out access at only 2 points and have any traffic control measures along Waldenberger Drive been considered. Administrator Heinig stated that the developer would have to demonstrate the storm pond capacity is met and the trail is possible within the same space (needing the 20’ level surface atop and alongside any stormwater ponds with divergent elevations). Overall the flat space needed for the trail would like be required anyway, for the Village’s maintenance of the pond (mowing turn radius, etc.). He stated that the roadway access will actually be improved with future connection to the County Highway HD once the parcel to the east are developed. He stated that no stop signs along Waldenberger Drive are planned. Once Briggs Road is constructed in its entirety it will act as the collector. The plat will specify that Briggs Road will have no driveway access to plan for the collector street designation.

Member Appold asked about the time frame allowed with the approval of the preliminary plat being contingent with the change of zoning. Administrator Heinig stated that if the engineering plans are approved in concert with a developer’s agreement, construction permits are issued, and construction begins, the contingency would be satisfied. The layout of the subdivision and development plans are being planned around the zoning and density they are proposing, thus if the project obviously moves forward, the zoning would stand.

Member Barlow asked if any other comments were received from the public outreach. Administrator Heinig stated there were no additional comments received.

Member Baird asked if the final plat will be brought back to the Planning Commission for approval. Administrator Heinig stated the Village Board approves final plats, and there is no additional recommendation or input of the Planning Commission, thus no, a final plat would not be brought back. We would only do so, if they changed the preliminary plat concept so much, that it goes beyond the contingent areas we expect might change (stormwater ponds, the snowmobile trail addition, and other engineering details)—basically if they propose a completely different plat, wherein, they would start over again.

Motion by Kulcinski, seconded by Anderson to recommend the Preliminary Plat Concept of Proposed “Liberty Addition,” to also include Contingent Approval of Rezoning Petition from JB Holmen Investments, LLC, James Westpfahl as Petitioner, for 115.11ac of property East of Hwy 53, West of Briggs Road and the Holmen High School, North of the Gaynors Rolling Hills Addition and Sween Drive, and South of County NA, from (A) Agriculture to (R-1) Single Family Residential District, (R-3) Single Family Residential District and (R-6)

Zero Lot Line, Two Family Residential District, as a form of Planned Unit Development Overlay tied to the Preliminary Plat Concept, and subject to the contingencies read by Administrator Heinig and discussed by the panel. Motion Carried 7-0.

Updates and other informational items from and before the Planning Commission:

Administrator Heinig stated there are items in the works for the committee. If the materials are submitted in a timely matter a June meeting will be scheduled.

Adjourn:

Motion by Kertis, seconded by Kulcinski to adjourn at 6:57 pm. Carried 7-0.

Minutes prepared by Chris Dahl, Village Engineer.