

Approved: March 28, 2017

**TOWN OF GIBRALTAR  
PLAN COMMISSION  
TUESDAY, FEBRUARY 28, 2017  
GIBRALTAR TOWN CENTER  
7:00 P.M.**

**Call to order:** The regular meeting of the Gibraltar Plan Commission was called to order at 7:00 PM P.M. by Linda Merline, chairman.

**Roll Call/Quorum:** Merline stated that a quorum of the Commission was present.  
Members present: Linda Merline, Brian Hackbarth, James DeGroot and Bob MacDonald.  
Absent: Tom Blackwood

**Proper Notice:** *Motion: (Hackbarth/DeGroot) to adopt the agenda as posted. Carried*

**Approve Minutes of Previous Meetings:**

*Motion: (DeGroot/MacDonald) to approve the minutes of the January 24, 2017 meeting as written. Carried.*

**Public Comment:** None

**Conditional Use Permit Application: Parcel #014-02-26312734B2, 3290 Gibraltar Rd.**

Patrick and Lori Strantz on behalf of Marcia Foelker have applied for a conditional use permit to convert an existing single family residence to a duplex. A duplex is normally a permitted use in the Heartland-5 (HL5) zoning district. However, in the Town of Gibraltar, a duplex must be authorized by a Conditional Use Permit. Merline opened the Public Hearing and explained the procedures.

Testimony in Support: Patrick Strantz presented the Conditional Use on behalf of potential buyers. Buyers would like to convert the downstairs into a duplex. Downstairs rooms all have egress and ample parking. A restrictive agreement is in place on the sanitary permit to allow for a 4<sup>th</sup> bedroom. The Commission would like a list of current conditions placed on the spa business.

Testimony in Opposition: Bob Klein, 3282 Gibraltar Rd. – stated the parcel is a grandfathered lot at only 2 acres. Transient rental would be more of a load on neighborhood from additional traffic and noise. Negative impact on neighboring land valuations. Hackbarth asked if any specific conditions could be put on the property that would ease his concerns: limitations on number of occupants or length of stay etc.

Susan Leroy, 3250 Gibraltar Rd. Asked if a precedent was being set by allowing the use. Others on the road could seek to rent out outbuildings.

Tony Fiorato, 3040 Gibraltar Rd, is a conditional use for a duplex different from a conditional use of a vacation rental?

Rebuttal in Support: Patrick Strantz, is only asking that a duplex be allowed. He cannot speak to the level of transient use. Letter was included from potential owner that the lower level will be used as a vacation rental.

Rebuttal in Opposition: Bob Klein has concerns about increased traffic. He also inquired as to why the Town of Gibraltar requires the Conditional Use, when other HL5 districts do not.

Correspondence received in Opposition: Ray Klecker and Caroline Bradway.

Correspondence received in Support: None

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Merline closed the public hearing for the Commission to discuss the application.

Duplexes are permitted in other Towns with HL5. Gibraltar is the only town that requires the conditional use.

Would like to clarify the difference in use of a duplex vs a vacation rental. Is a conditional use permit needed to have a rental? Hackbarth would like to promote the duplex for affordable housing, in residential neighborhoods, but not businesses. Would like to limit to long term rentals (at least 3 months).

MacDonald stated a duplex may reduce traffic, due to the change of use from a spa. Would like more information on the restrictive septic agreement. Would also prefer to see more long term rentals.

DeGroot asked if restrictions can be put on a duplex on how they choose to rent it out?

Does a vacation rental business require any other zoning permits besides room tax? Are they over the counter?

*Motion: (Hackbarth/ ) to recommend support of the duplex with the condition that either level not be rented for less than 90 days at a time. Motion fails for lack of a second.*

*Motion: (Merline/ ) to recommend to not support the duplex in a residential area. Motion fails for lack of a second.*

*Motion: (DeGroot/MacDonald) to stand mute waiting answers to earlier questions. Carried.*

**Discussion of 2017 Plan Commission Goals:** Merline reviewed the 2017 Goals.

- Set joint meeting with Parks and Lands – April 25 at 6:00 PM (verify quorum)
- Improvement and Protection of Fish Creek
  - o Merline had phone conference last week. An email will be sent out in the next couple of days, with a Doodle Poll for a presentation from Nancy Turyk on the Creek Plan.
  - o 2<sup>nd</sup> meeting will be first week of May.
  - o Plan has to be completed by June 30<sup>th</sup>
  - o Storm water issues – all drains will be redone from Shore Rd to the School
    - Decision deadline for moving the storm drain at the beach is April 4<sup>th</sup>.

*Motion: (Hackbarth/Degroot) to accept the 2017 goals as discussed. Carried.*

**Rewrite/Make Recommendation for Adjusting County Zoning to Match the Town Comprehensive Plan**

**Vision:** Merline presented a list of areas in the County Zoning Ordinance that may not be meeting the Town's vision. The commission will start with #2: home businesses, and #4: temporary uses. Merline will contact Mariah regarding the County revision of the sign ordinance.

**Set the Next Meeting Date:** March 28, 2017

**Adjourn:** *Motion: (MacDonald/DeGroot) to adjourn at 9:05 P.M. Carried*

Respectfully Submitted,

Kelly Murre,  
Deputy Clerk