

Approved: September 25, 2018

**TOWN OF GIBRALTAR
PLAN COMMISSION
TUESDAY, AUGUST 28, 2018
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 p.m. by Linda Merline, chairperson.

Roll Call/quorum: Merline stated that a quorum of the Commission was present.
Members present: Linda Merline, Brian Hackbarth, Tom Blackwood, and Don Freix
Absent: Doug Lindeman
Also Present: Bob Kufrin

Proper notice: *Motion: (Hackbarth, Blackwood) to adopt the agenda as posted. Carried*

Approve minutes of previous meetings:

Motion: (Hackbarth, Blackwood) to approve the minutes of the July 24, 2018 minutes, as amended. Carried

Public comment: None

Goal 8: Rewrite/Make Recommendation for Adjusting County Zoning to Match the Comprehensive Plan's Village:

Village Commercial Shoreland Zoning reduced the amount of impervious surface that is allowed from 75% to 15-30%. The State code allows you to make a request to the County for a "highly developed shoreland" which could raise the limit to 30-60%. It identifies areas that are qualified for more density. The state's standard within shoreland areas allows up to 60% impervious surface in a highly developed area. Areas of Fish Creek would qualify.

Motion: (Hackbarth, Freix) to recommend to the Town Board to move forward with Kufrin's proposal to request 60% impervious surface. Carried

Kufrin also presented alternatives to address the issue with appurtenances. One suggestion is to add a footnote to Section 3(b) or adding an amended sub-section 3.09(3). The County is typically more favorable to footnotes but they are easily overlooked.

Motion: (Hackbarth, Freix) to present both options to the Town Board and recommend the addition to the sub-section. Carried.

Kufrin presented a spreadsheet showing the front yard setbacks of various properties within the Town. Large differences between "old" and "new" town. Eastern (newer) properties have larger setbacks and downtown (older) nearly none. Many of the businesses with larger setbacks have their parking in front. Would not want that for the "old" downtown. Kufrin stated an architectural code could be created to maintain the downtown character. Kufrin suggest allowing the ability to build closer to the ROW to maintain the historical feel. Unfortunately allowing it for the downtown would include allowing it for all of Village Commercial. Current setback is 20 ft from the edge of the ROW. However, the ROW is not consistent throughout Town and was suggested to measure from the curb face. The downtown district would be able to build within their current footprint in the event of a fire. Kufrin will review the requirements for demolitions and rebuilds within shoreland zoning.

Kufrin also addressed the various housing developments in Village Commercial and presented definitions for each. The strictly transient commercial developments would be permitted uses subject to the same requirements for setbacks, parking, building height, and impervious surfaces, as all other businesses. They

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would not be required to have as much vegetative screening as residential condominiums. Want to create balance between commercial and residential activities by not having commercial developments in the residential areas and residential condominium developments in commercial areas.

Kufrin modified the MOD definition to remove condominium hotel/motel or a hotel/motel and adding a subsection to the Town of Gibraltar special development requirements.

Motion: (Hackbarth, Blackwood) to recommend to the Town Board the separate definitions, defined uses, and setbacks as outlined by Kufrin's memo. Carried.

2017 Wisconsin Act 67: Impacts to the Conditional Use Permit Process: Kufrin explained the State stepped in to regulate how CUPs are handled. The process is more oriented towards the applicant than the community. Now required to have quantifiable and measurable objections, making it more difficult to deny a request. Kufrin suggested the Town should review their conditional uses to determine where certain uses should be permitted or deleted. Will review and discuss the Town of Gibraltar's Table of Principal Uses next month and would like the Chair communicate to the County to wait for the Plan Commission and Town Board recommendations.

Plan Commission 2019 Budget: The Commission reviewed the 2019 budget spreadsheet.

Motion: (Freix, Hackbarth) to recommend to the Town Board the draft budget for 2019 with the inclusion of the grant information. Carried

Comprehensive Plan, Objective 1.2: Preserving and Protecting the Ground and Surface Waters within the Town – Consideration of:

Manure Spreading Ordinance Freix attended the meeting in Liberty Grove where they adopted an ordinance regarding unmanipulated manure. He provided a summary of the ordinance and its purpose. "Manipulated manure" means manure that is ground, pelletized, mechanically dried, packaged, supplemented with plant nutrients or other substances, or otherwise treated in a manner designed to facilitate sale or distribution as a fertilizer or soil or plant additive. "Manipulated manure" does not include unpackaged manure that is modified solely as an incidental result of normal on-farm practices such as the following:

- (a) Addition of bedding, sand, or water for purposes of animal husbandry or barn cleaning.
- (b) Shredding, grinding, or agitating for purposes of manure handling or removal from a manure storage system.
- (c) Drying incidental to mechanical ventilation of animal confinement areas.

The adoption of an ordinance would prohibit large CAFO farms from renting land in the township for the purpose of spreading unmanipulated manure. If the Town adopted this ordinance it would diminish the possibility of well contamination and protect the watershed. The Liberty Grove ordinance exempts the spreading of unmanipulated manure that is generated from farming activities conducted within the Township. Hackbarth stated the County should be the ones to pass such an ordinance since they have the trained staff and ability to enforce. He is concerned about "feel-good" ordinances that have no teeth and then sit on a shelf.

Motion: (Freix, Blackwood) to recommend to the Town Board that they consider an ordinance to prevent outside manure sources from spreading within the Township (like Liberty Grove ordinance). Carried, Hackbarth opposed.

Pesticide Use: Education and Best Practice: Merline presented links to a presentation regarding pesticide use and its effects to the community and groundwater. The Town only spot treats as needed. Merline would like to educate the community on the Town's efforts to protect the watershed. It was suggested to create and promote best practices and to have a certified applicator on staff.

Hagenow issued a report on invasive species found in Fish Creek Park, which includes several best practices. It was suggested to post to the website and forward to the maintenance staff.

Reports:

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Chair- Merline reported that Bultman walked the Creek with Carrie Webb. He contacted Fish and Wildlife, Door County Soil & Water, and the Army Corps of Engineers. Soil and Water is very interested in the project and would like to stay in contact. The Army Corps will need the linear feet of the stream and area of wetland disturbance. A partnership could be created with Fish & Wildlife for additional grant funding.

Ground and Surface Water- No report

Town Board/Parks and Lands- Hackbarth reported the committee has hired a contractor to remove woody invasive species from Fish Creek Park.

Set the next meeting date: *September 25, 2018 at 7:00 PM.*

Adjourn: *Motion: (Blackwood, Hackbarth) to adjourn at 9:50 p.m. Carried*

Respectfully Submitted,

Kelly Murre
Deputy Clerk