

**TOWN OF GIBRALTAR  
PLAN COMMISSION  
TUESDAY, FEBRUARY 26, 2008  
7:00 P.M.  
GIBRALTAR TOWN CENTER**

**Call to order:** The regular meeting of the Gibraltar Plan Commission was called to order at 7:01 p.m. by Tom Birmingham, chairman.

Members present: Tom Birmingham, Andy Coulson and Jim Jauquet  
Members excused: David Boyd and Linda Merline

**Approve minutes of last meeting:** *It was moved by Jauquet and seconded by Coulson to approve the minutes of January 23, 2008 as amended. Motion carried unanimously.*

**Open discussion and correspondence:** As a follow up to the last meeting Birmingham detailed a response from Rick Brauer regarding the Cotter conditions and escarpment protection. The deadline for the Cotter conditions to be met is May 1<sup>st</sup>. Birmingham will check with Brauer in mid-May on satisfaction. Birmingham will report at the May meeting.

No correspondence had been received.

**Application for Condition Use Permit Fish Creek Motel LLC Parcel # 014-39-1501A and 1505A Reconstruction and interior improvements to existing structures:** Birmingham outlined the structure of the hearing.

Attorney Nesbitt representing Fish Creek Motel LLC stated the original intent of the project was for restoration and to take the structure off its foundation and build a new foundation. Since the desist order a variance was applied for and granted. Attorney Nesbitt stated the improvements to the property will upgrade the quality of the neighborhood. The project is community friendly and similar to other uses in the area being transient lodging. The project is consistent with the town's comprehensive plan meeting community needs and promoting economic development. The sanitary disposal system is exactly the same as previously used, and the original building footprint is not exceeded. The on-site well has been regularly tested. Veolia has the contract for solid waste disposal. There is no additional creation of noise anticipated. Access is the same and there is no change in traffic flow. The road right-of-way is 1.5' from the building footprint (unchanged). Bob Martin, joining the meeting via conference call, stated the old building had a 4' walkway on the northwest side. The intent is to retain the character of the area. Martin added the new units would be approximately 400 square feet with a bedroom/bath area, living room/kitchen area. It is not intended to be long term lodging, historically 1-3 days. The kitchen area has a refrigerator, double sink, a 4-burner stove and peninsula counter. Per Martin and Nesbitt the units are referred to as condominium units yet condominium documents have not been drawn up. Martin stated he has seen the state approved stamp on the construction plans.

Ryan Bateman from Baudhuin Inc. presented the stormwater plan. The purpose of the stormwater plan is to provide groundwater protection for the project. The rain garden will accept 50% of the runoff from the building with a maximum retention of a 2-year storm at 2.4" of water. Infiltration would be within 48 hours. A catch basin is planned for the northwest side. Parking stalls will be sloped toward grassy areas. Additional impervious areas will be offset by the rain garden. Six public parallel parking spaces will be created on Cottage Row replacing the 9 unmarked perpendicular parking spaces. There is 20' from the edge of the parking to the building; 6' is slated for the perpendicular parking and 14' for the swale. The swale will be 2' deep. Jauquet raised concern about the loss road right-of-way

by the town to the project. Coulson stated the passenger side of the parking space would need to be modified to allow a passenger to exit without standing on the slope of the swale. Martin stated the owner could use a decorative fence to ensure a safe exit.

The planned 5' x 5' concrete stoops outside each entrance door on Cottage Row would cross into the road right-of-way. Nesbitt stated the stoops would not be able to be built as shown; decking or a gravel pad are possibilities.

Birmingham questioned emergency services. Nesbitt sent a letter requesting inspection and recommendations to the Gibraltar Fire Department; no answer has been received. Martin asked to widen the back parking lot to 60' but it was not allowed within the confines of the requested variances.

Jauquet expressed concern on the amount of area being treated by the drainage plan; Jauquet felt only half the footage was being addressed. Bateman stated the plan is allowing for pre-developed and post developed by adding the new parking area. The drainage plan has been approved by Door County Soil & Water Conservation. Relocation of the swale to the east side of the building was mentioned. Martin stated there is a drop-off on the east side. Bateman stated that overflow from the garden is routed to the catch basin on the northwest side.

No were no other questions for the applicant.

There was no further testimony in support. No letters were received in support.

There was no testimony in opposition. No letters were received in opposition.

*After discussion the Commission recommended the following conditions be attached to the support of the Application for Condition Use Permit Fish Creek Motel LLC Parcel # 014-39-1501A and 1505A.*

*Condition #1 It was moved by Jauquet and seconded by Coulson that no part of the town's right of way may be used for the building, stormwater drainage plan or any other purpose including stoops etc. thereby preserving the town's right of way. Motion carried unanimously.*

*Condition #2 It was moved by Coulson and seconded by Jauquet that all new lighting to be shielded and downcast. Motion carried unanimously.*

*Condition #3 It was moved by Coulson and seconded by Jauquet that the developer provide town approved emergency access. Motion carried unanimously.*

*Condition #4 It was moved by Birmingham and seconded by Coulson that occupancy by one occupant be limited to no more than 30 days in any one year. Motion carried unanimously.*

*Condition #5 It was moved by Jauquet and seconded by Birmingham that this construction is subject to all phases of commercial inspection. Motion carried unanimously.*

*Condition #6 It was moved by Coulson and seconded by Birmingham that restoration in any area of the towns right-of-way be done by the developer and according to an approved landscaping plan. Motion carried unanimously.*

*Condition #7 It was moved by Birmingham and seconded by Jauquet that no addition shall be allowed that should increase the building's footprint or height. Motion carried unanimously.*

Birmingham thanked Attorney Nesbitt, Bob Martin and Ryan Bateman for their presentations and that the commission's interest was in making it a better development.

**Petition for Zoning Amendment – Text Resource Planning Committee Eliminate Site Plan Review Procedure:** Birmingham stated the text amendment eliminates the site plan review and changes to a conditional use. There were no questions.

*It was moved by Jauquet and seconded by Coulson to recommend that the Town Board support the Resource Planning Committee petition for zoning amendment – text. Motion carried unanimously.*

**Implementation 2008:**

- A. Planning commission website: Birmingham opened the discussion asking what the members thought should be included on the planning webpage. Items included: separate pages for agendas and minutes, an additional page for a commission biography, as well as member biographies, typical meeting dates (4<sup>th</sup> Tuesday of the month), subcommittees and 2008 goals. Housing information that is on the planning page should be moved to housing opportunities on the town's home page.
- B. Designation of future park areas: Needs assessment for the whole community. Areas should be discussed in generalities, specific properties are limited to closed session meetings.
- C. Designation of future roadways: Needs assessment for the whole community including intersections and secondary routes. Areas should be discussed in generalities, specific properties are limited to closed session meetings.

**Committee reports:**

- A. Preservation: Nothing to report.
- B. Ground and surface water protection: Birmingham, being on a county advisory committee, reported that the County is closer to a county-wide stormwater ordinance.
- C. Official map: The first set of maps from Foth were received and reviewed.
- D. Lighting: Best practices: Nothing to report.
- E. Housing: Nothing to report.

**Set next meeting date:** The next meeting is scheduled for March 18, 2008 at 7:00 p.m.

**Adjourn:** *It was moved by Birmingham and seconded by Jauquet to adjourn. Motion carried unanimously.* The meeting adjourned at 9:51 p.m.

Respectfully submitted,

Beth Hagen, CMC  
Deputy Clerk-Treasurer