

**TOWN OF GIBRALTAR
PLAN COMMISSION
TUESDAY, MARCH 24, 2009
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, Jim Jauquet and Linda Merline

Members absent: David Boyd

Approve minutes of last meeting: *It was moved by Jauquet and seconded by Coulson to approve the minutes of February 24, 2009 as written. Motion carried unanimously.*

Open discussion and correspondence: No correspondence has been received.

Petition for Grant of Variance: Jill Mirkovic Parcel # 014-25-0011 Section 3.07(1): Birmingham recused himself from the hearing at which time Jauquet took over the meeting. Jauquet gave a synopsis of the Petition of Grant of Variance. The variance is required as structures are to be set back at least 75 feet from the ordinary high water mark.

Testimony was given in favor of the petition: Attorney Jim Smith, representing Mrs. Mirkovic, stated the wrap around deck was attached to the home when purchased in 2001. Smith stated there are conflicting measurements on the distance from the high water mark to the southwesterly corner of the deck. Letters showing the conflicting measurements were submitted as evidence. Rick Brauer of Door County Planning will be revisiting the site next Monday per Smith. Photographs of the property were shown to the Commission for clarification. The screen porch construction was done by Fox Valley LLC (no longer in business). Smith stated the hardship is that the building was existed at the time of purchase and original construction of the home predated zoning. Regarding achievement of eventual compliance for nonconforming uses, structures and lots, Smith stated that given the small size of the home it would need to be further reduced in size and eventual compliance would require the house to come down. Smith added the house has some historic character.

Testimony was given in opposition to the petition. Steve Sohns questioned the deck board spacing in relation to water run-off. Sohns expressed concern with the flooring and support for the porch and questioned if further foundation information was available.

No correspondence was received in support.

No correspondence was received in opposition to the petition.

Discussion by the Commission noted that 3 requirements must be met for a variance to be granted.

1. Application of the zoning ordinance creates an unnecessary hardship;
2. Unique physical characteristics of the property prevent the applicant from developing in compliance with the zoning ordinance;
3. Granting of variance does not harm the public interest.

The Commission's discussion yielded issues that included:

- No compelling reason for the variance.
- Construction date is in question. Jill Mirkovic letter stated 2004, estimate in 2005, the Town of Gibraltar assessor stated 2007
- Nothing unique about the property.
- No proof of hardship.
- After the fact application.
- No increase of living space.
- Water run-off issue, possible rain garden.

- Decision to be based on current information, not information yet to be submitted.

It was moved by Coulson and seconded by Jauquet to recommend to the Gibraltar Town Board that it not support the Petition for Grant of Variance by Jill Mirkovic Parcel # 014-25-0011 Section 3.07(1) Motion carried with 2 in favor and one opposed.

20-year comprehensive plan renewal; Agricultural, Natural and Cultural Resource Element, text changes: Chapter 2

Goal #1

Objective 1.1

Recommended Policy 1.1a: Strike “using state definitions and standards.”

Recommended policy 1.1.d: Strike original text replace with “Consider stronger protections for wetlands and buffer areas. “Stepped” setbacks depending on the district and/or use.”

20-year comprehensive plan renewal: Housing and population element, review, resolution: Chapter 3

Goal #1

Objective 1.1:

Recommended Policy 1.1a: Strike original text and replace with “Promote employee housing.”

Recommended Policy 1.1b: Keep in.

Recommended Policy 1.1c: Strike “Rezone” and replace with “Target.”

Recommended Policy 1.1d: Keep in.

Recommended Policy 1.1e: Strike original text and replace with “Provide local property tax and other incentives for housing of seasonal workers and low income households.

Recommended Policy 1.1f: Keep in.

Recommended Policy 1.1g: Keep in.

Recommended Policy 1.1h: Keep in. Completed.

Recommended Policy 1.1i: Require one Planning Committee (Commission) member to attend an affordable housing conference on an annual basis.

Objective 1.2:

Recommended Policy 1.2a: Strike “middle income producing.”

Recommended Policy 1.2b: Strike original text replace with “Accommodate the needs of a transitional population.”

Recommended Policy 1.2c: Strike original text and replace with “Expand opportunities for internships within the town.”

Objective 1.3:

Recommended Policy 1.3a: Keep in.

Recommended Policy 1.3b: Keep in, some facilities yet to meet standards.

Recommended Policy 1.3c: Keep in.

Objective 1.4: Flip original text with Policy 1.4b.

Recommended Policy 1.4a: Original text moved to 1.1i.

Recommended Policy 1.4b: Flip original text with Objective 1.4.

Objective 1.5: Strike original wording replace with “Promote housing for the elderly.”

Additional comments: Recommendations will be finalized next month. Jauquet will work on bringing housing permit numbers up to date. Median values will also be researched and updated; they will be listed in the language not in a chart. Adding the housing and economic development resources from the county draft plan was suggested. The same resource list should be added to the town website.

20-year comprehensive plan renewal: Economic development element, review: Chapter 4

The goals, objectives and recommended policies were read and the following comments made.

Goal #1

Objective 1.1:

Recommended Policy 1.1a: Keep in.

Recommended Policy 1.1b: Change to “Promote workforce training and internships.”

Objective 1.2:

Recommended Policy 1.2a: Keep in.

Recommended Policy 1.2b: Keep in.
Recommended Policy 1.2c: Keep in.
Recommended Policy 1.2d: Keep in.
Recommended Policy 1.2e: Keep in.
Recommended Policy 1.2f: Keep in.
Recommended Policy 1.2g: Keep in.

Objective 1.3:

Recommended Policy 1.3a: Keep in, change “consider a BID” Conduct a needs assessment to determine impact fee.

Objective 1.4:

Recommended Policy 1.4a: Keep in.
Recommended Policy 1.4b: Keep in.
Recommended Policy 1.4c: Keep in.
Recommended Policy 1.4d: Keep in.

Objective 1.5:

Objective 1.6:

Recommended Policy 1.6a: Keep in.
Recommended Policy 1.6b: Keep in.
Recommended Policy 1.6c: Keep in.
Recommended Policy 1.6d: Keep in, take out comma.
Recommended Policy 1.6e: Keep in.
Recommended Policy 1.6f: Keep in.

Additional comments: Update contacts: Bill Chadoir replaced by Sam Pearlman, Jack Money Penny, Dan Burke, update phone number for DCEDC. Update public indebtedness figures on 4-16, 4-15 chart and tax base comparisons.

Committee reports:

- a. Preservation: Nothing to report.
- b. Ground and surface water protection: Nothing to report. Jauquet received clarification on the Flood Plane Map. No change from Fish Creek south. There has been a significant increase in change from Fish Creek north.
- c. Official map: Nothing to report.
- d. Housing: Nothing to report.
- e. Transportation: Nothing to report.
- f. Education: Nothing to report.

Set next meeting date: The next regular meeting is scheduled for Tuesday, April 28, 2009 at 7:00 p.m.

Adjourn: *It was moved by Coulson and seconded by Jauquet to adjourn. Motion carried unanimously and the meeting adjourned at 9:41 p.m.*

Respectfully submitted,

Beth Hagen
Deputy Clerk-Treasurer