

**TOWN OF GIBRALTAR
SPECIAL MEETING
THURSDAY, MAY 16, 2019
GIBRALTAR TOWN CENTER
4097 HWAY 42, FISH CREEK WI 54212
7:00 PM**

Call to order: The Special Meeting of the Town Board was called to order at 7 p.m. by Town Chair Dick Skare.

Roll call/quorum: All supervisors were present.

Members present: Dick Skare, Steve Sohns, Barb McKesson, Bill Johnson, Tim Luetgen

Agenda/proper notice/adopt agenda: *Motion: (Johnson, McKesson) to adopt the agenda as posted. Carried.*

Define Project: Skare introduced the evening's meeting by explaining that tonight's meeting was an informational meeting of the potential Redmann property project. The goal of the meeting was to define the project's next steps, gather public input and questions, organize next steps, and set next meeting dates. No decisions about the actual purchase of the property would be made at this meeting.

Skare gave a brief overview and history of the property and the Option to Purchase, and how it came to be a topic of discussion for tonight's meeting. A summary of that history is accessible via the Power Point presentation given at the Annual Town Meeting on April 16, available in the Town Office and on the Town website.

Skare clarified what the Option to Purchase the property means. The option is good for six months and takes the property off the market, giving the Town the opportunity to explore possibilities for the property *if* the Town were to purchase the land. Purchasing the property would help the Town address some of the following issues: environmental/conservation of the creek area, attainable local housing, and potential recreational and economic revenue opportunities, as well as educational and research opportunities/partnerships. It would allow the Town to have a voice and control over what is developed on the property. Skare clarified that no firm decisions have been made surrounding these ideas and possible uses, which is why there is a need for public input.

Skare acknowledged and addressed concerns about the cost of a potential project of this size. He has contacted experts and resources who can help the Town navigate and mitigate such prohibitive costs through the use of grants, private donors, existing programs, developers, etc.

Skare introduced Rob Burke from the UW-Extension who was invited to facilitate the meeting and gather public input. Skare reiterated the purpose of the meeting was to gather ideas and comments from the public. Those in attendance were encouraged to fill out and submit the comment sheets handed out at the meeting. Comments/input gathered at the meeting would help define the areas of focus of future meetings.

Rob Burke took the floor and explained his background and previous experience as a community development coordinator. He explained that as a facilitator his goal was to keep the discussion on task.

Burke stated that information gathered at this and subsequent meetings would help develop a plan for the potential project prior to a meeting of the electors approximately sometime in October. A vote to purchase the Redmann property will be put to a vote at that meeting in October.

Burke recommended using the next three months as a planning process to include a series of community meetings, each focused on a specific topic pertaining to the overall project. Burke explained that his goal for tonight's meeting was to further explore what those focused topics might include and organize them into a list that can be used to guide future meetings.

Burke provided additional ideas about how the town might approach this planning phase. Option 1: hire/recruit a project manager/project planner and subject experts to guide each of the focus areas and planning process. This option would be expensive. Burke proposes instead that community members would lend their expertise and skills to

form volunteer sub-committees.

Burke asked for comments or questions from the Town Board. There were none.

Public Comment:

Burke asked for public comment. He explained he would write down these questions/comments to begin the process of creating the various topics to be explored more in depth during the planning process.

Linda Lorenz asked about the current assessed value of the property.

Bruce Hill commented that he would like to see exploration of a TID or a TIF district to help make the project self-funding.

Doug Lindeman spoke in opposition of the project stating concerns over the feasibility of real estate development and the risks associated with it.

Ron Dammon stated his concerns over this project being too big for the size of the Town. He also had concerns over real estate development feasibility and affordable housing.

Rachel Stollenwerk asked if the Town could purchase only a portion of the property, such as the creek area vs. the lower and upper portion. Skare explained that a partial purchase was the original idea presented at the 2014 annual meeting and has been a part of the negotiations over the past five years, but the seller is not interested in splitting the property.

Kim Rosbach (sp?) stated concerns over needing bigger schools and more services paid for by taxpayers in order to accommodate more residents brought into town through increased housing availability.

Sophie Parr encouraged the Town Board to define "affordable housing." She stated the word can mean several different things to many different groups of people and income levels. She stated the importance of clearly defining what that term means to the Town so they build for the right people.

Burke paused to summarize the topics of interest listed up to this point; they included housing, real estate feasibility, financial impacts, possibility of a TID/TIF district.

Pat Eggers stated concerns over the cost of the project, specifically costs associated with any sewer infrastructure. She asked if there were plans to run the sewer up to the area of potential development, and if so, what would be the costs associated with that infrastructure.

Burke added infrastructure to the list of topics of interest.

Bill Weddig, president of the Fish Creek Sanitary District #1, answered questions about the sewer infrastructure and its history as it pertains to the property. Weddig stated that, at the time, the Redmanns asked the Sanitary District to extend the sewer up to their property and their potential development project that included 260+ units. It would have required Hidden Blossom, Little Sweden and the 260+ units the Redmanns wanted to develop to connect to make it feasible. The project was to occur over a 10-year period, and the people/properties that received the sewer hookups would be the ones responsible for paying for it.

Lindemann commented on the 265+ permits and asked for an explanation on how it was possible for all these permits to still exist and how they were acquired. He questioned whether the permits were valid if they hadn't been renewed each year.

Tad Gilster, who represents the Redmanns as their real estate broker, corrected Lindemann on his assumption and explained the unique permit situation connected to this property. The history provided by Gilster stated that in 1980 and 1981 Andy Redmann went to County Planning and Zoning for a proposed planned unit development of approximately 600 units. This included the land the Fish Creek Estates and Half Mile Bridge is currently on, as well as the property the Town is considering. At the time there was a planned unit development provision within the zoning laws that allowed the permits to be approved perpetually. Gilster confirmed that dozens of attorneys have

examined the validity of the permits and they are valid and never need to be renewed. The number of units is still enforced; however, all the current zoning setbacks would apply because they were not part of the planned unit development when the permits were secured. Gilster added that there is no other comparable situation or property in the county. It was the only planned unit development permitted by the county under that provision of the ordinance. Gilster clarified that the exact number of remaining permits is actually closer to 500 permits. Gilster commented that as the planning of this project proceeds it would be wise to ensure that this aspect of the history of the property is understood by the public.

Rachel Stollenwerk asked about a portion of the creek area that is in a land trust or protected and whether it can be developed. Tad Gilster clarified that approximately 50 acres of the whole parcel is subject to a non-development agreement tied to the Half Mile Bridge Condominium Corporation. Of that 50 acres about 45 is wetland and undevelopable. About 5 acres would have been buildable but is also included with the non-development agreement. Gilster noted that when the permits were issued, the permit density was calculated including wetlands even though the wetland areas cannot be developed.

Tom Ansley asked about the overarching point of this project and suggested the project be approached with a long-term vision. Ansley highlighted the opportunity to ensure that whatever is developed on this property aligns with the unique identity that sets Fish Creek apart from other nearby towns and villages. He stated that he cares about this town and encouraged the Town and its residents to identify the "feel" or vision of the Town and how that vision fits in with this plan.

Burke added identifying the Town's vision/identity to the list of topics to be explored during the planning phase.

Frank Fasciotti cited the Half Mile Bridge Condominium declaration, which states that a portion of the property is to be used and maintained as conservation. He stated that any improvement of that parcel is questioned by the Half Mile Bridge Condominium group, especially the section that neighbors Half Mile Bridge Condominiums.

Wayne Kudick added to Fasciotti's comment about privacy and trespassing concerns seeing as the property neighbors Half Mile Bridge. He expressed concerns over how the Town's acquisition of the property may increase such traffic and what might be negotiated to make it a neighborly situation.

Tom Kraack(sp?) stated his interest in the project started because of the Pulse article about a possible off-road biking development on the property. He asked that one of the topics to be explored include the off-road biking/recreational use due to the tremendous economic boost being experienced in Michigan and Minnesota communities, communities that are smaller than Fish Creek. He also asked if there were any proposed project(s) that would act as the economic driver of other projects (i.e. would the housing, resulting in an increased tax base, fund the biking/recreation or would the revenue from potential biking/recreation fund the housing project).

Burke added recreational opportunities/biking trails to the list of topics. Burke suggested holding some of the meetings on the property so residents and taxpayers could see view the property and location of some of these potential projects.

Lindemann stated his concerns and opposition over the Town wanting to acquire even more additional properties down the road for the purposes of controlling how land/property in town is developed.

Luka Fagundes stated the importance of exploring the consequences of not purchasing the property. He asked the Town to research what has happened to similar size properties in areas with a similar demographic. He also asked about the assessed value of the property.

Lynn Mercurio stated her support in exploring affordable/attainable housing, not to be confused with low-cost housing. She also asked the Town to clearly define what that term means. She stated that it is important for the people who want to live and work in Gibraltar to have affordable housing options.

Andrea Kinsey-Jauquet asked about the educational possibilities on the property based on previous talk about interest from UW-Green Bay and the possibility of establishing a NERR (National Estuarine Research Reserve) in this area. She encouraged the Town to pursue those avenues as they would help sustain the community year-round.

Bonnie Ansley commented on the restoration of Fish Creek and the integral part the creek plays in the community. She encouraged the Town to look at the creek and its relationship with the property separately from other potential projects and development. Sohns explained the Town did pursue only the lower portion of the property near the creek initially, but the seller is not interested in splitting the parcel. Tad Gilster added that the development rights/permits at the top of the property are attached to the lower piece of property. If the Town pursued only a portion of the property, the Town would lose a lot of those permits.

Dick Skare stated that the Town has been in conversation with experts who can help guide the planning process of the various potential projects. He gave the example of NeighborWorks who has agreed to help guide the town with the affordable/attainable housing process. Skare also had preliminary conversations with the USDA regarding rural development grants. Skare reiterated the point that none of these organizations were willing to have in-depth conversations with the Town about the potential projects until the Town secured the Option to Purchase.

Wayne Kudick stated concerns over whether three months would be enough time to complete the preliminary planning phase. He encouraged the Town to protect the Option to Purchase and asked the community to deliberate about this in an informed, versus a reactive, manner. Sohns commented that the Town Board has tried numerous times to get a longer option but couldn't.

Pat Eggers asked about the endangered snail that inhabits the property. Tad Gilster responded that the snail is still there, and that the property is subject to limitations set forth by the DNR.

Sophie Parr asked about the Comprehensive Plan and when it would be updated. She questioned whether the vision for this project aligns with the future vision of the Town.

Linda Merline, Plan Commission Chair, explained that the current Comprehensive Plan was designed for a 20-year time period and is good through 2024. It has been updated several times over the years to reflect changes in the Town. She also stated that affordable housing and employee housing are included in the current Comprehensive Plan. She stated the struggle lies in a "NIMBY" reaction from community members whenever the Town previously addressed affordable housing in the area. She sees this is an opportunity to do something that gives the towns the permits for the housing plus the protection of creek. She reminded the audience that this is a long-term project the Town has been exploring and working on for several years because it ties into that overall vision outlined in the Comprehensive Plan.

Paul Malmgren asked for a clearer definition of "workforce housing", "affordable housing" and "subsidized housing," as well as the Town's goals/plans pertaining to those types of housing.

Myles Dannhausen commented that if the land were to go into a land trust it would eliminate the possibility to put bike trails on the property and revenue opportunity. Dannhausen also stated that affordable housing isn't the only issue facing northern Door residents; affordable rentals are lacking too.

Luka Fagundes commented on the beneficial financial impact and increased tourism during the shoulder and off season this project could have through the implementation of a bike trail system, especially for fat tire biking. He mentioned examples of communities such as Copper Harbor, Michigan who are capitalizing on such revenue opportunities.

Rob Burke closed the public input portion of the evening.

Dick Skare called for a brief recess at approximately 8:11 p.m.

Meeting reconvened at approximately 8:28 p.m.

Next steps:

Burke explained that the second half of the meeting would be turned over to the Town Board to discuss the questions and areas of interest gathered in the first half of the meeting.

Tim Luetgen is in favor of bringing in an independent realtor and assessor to get an assessed value on the property.

He would also like a clearer definition of what “affordable housing” means. He would like to gather and bring in experts on each area of interest discussed tonight to speak to the community’s questions.

Barb McKesson reminded the audience that this project began at the request of the community at the Annual Town Meeting in 2014. She corrected the misinformation that it was the five members of the Town Board alone who spurred the idea and exploration of purchasing this property. She stated that many of the questions expressed at tonight’s meeting have been discussed before, and explained how the Option to Purchase allows the public’s questions to be explored and answered. She encouraged the public to think beyond the next few years.

Bill Johnson said he would like to lay aside the misconception that the Town is doing this to get into the construction or real estate development business. He expressed concerns over the three-month time period for a feasibility study. He stated that it has always been his opinion that the Board approach this project with the right experts and right resources so that the Town is subject to little or no financial impact. It is an opportunity to define the vision for the future of our community and do something for the residents in our community who cannot purchase a decent house. While the housing issue is not the Town’s sole responsibility, the property does present the Town with an opportunity to help the situation, as well as the opportunity to connect the sewer, create additional recreational opportunities for residents and visitors.

Steve Sohns reiterated the history of the project McKesson mentioned. He added that the Town originally fought for just the lower portion of the property surrounding the creek, but the sticking point always came back to the building permits being tied to the lower portion of the property.

Sohns also explained that the Town doesn’t want to purchase the property, but rather they want to help someone else (organizations, developers, etc.) buy it. It wouldn’t be one developer for the entire project. He acknowledged it is a complicated project that requires the help of experts in each of the areas discussed this evening. With the limited timeframe for planning, Sohns suggested the Town reach out to those experts and get them into a room with the community to answer their questions. He stated that it is developable land that it should be developed in some way. He would like to see the Town have both pieces of the property and to be a part of its development so it becomes what the Town want it to be.

Dick Skare mentioned again that having the Option to Purchase finally allows the Town to be able to have these more in-depth conversations with experts who can help with the project and define the next steps prior to coming before the electors for a vote in October.

Tad Gilster recommended the Town entertain the idea of having subcommittees for key areas discussed tonight who then create a larger steering committee for the project. He suggested having one or two board members be a part of those committees so they foster real information instead of opinions that may or may not be fact based.

Jim Frymark (representative from Cedar Corp.) spoke to his experience with a similar community project that held focused meetings on topics of interest (e.g. infrastructure, housing, economic development, etc.). He suggested having experts in each of those defined areas in attendance at those specific, focused meetings. He also spoke to the financial aspect/concerns; there are grants available. His recommendation is to examine the financial costs or funds available is to break down the project and focus on each subject’s feasibility and financial costs individually.

Skare asked Jim Frymark (Cedar Corp.) about the timeline for that particular community project. It was about 3-1/2 to 4 months, but the project was on a much smaller scale than what Gibraltar is presenting. Jim Frymark (Cedar Corp.) suggested the Town proceed with separate focused meetings that 1) identify resources, 2) address the issues presented tonight and 3) a final meeting that brings it all together and drafts a plan. He suggested hiring a project manager.

Sohns stated concern over the amount of money spent on the planning process of a project that is not a sure thing.

Linda Merline commented that what Jim Frymark (Cedar Corp.) described is the same method used when the Comprehensive Plan was created.

Johnson stated it might be beneficial for the Plan Commission to be a part of the exploratory/planning process, specifically working with County Planning & Zoning to determine what the Town can and cannot do with the property.

Linda Lorenz asked if it is possible to get an extension on the Option to Purchase. Skare said that would require negotiations with the seller.

Organization of next steps:

Skare stated that the Town Board will be the center of the activity surrounding this project. However, he felt it would be appropriate to have someone lead and organize the discussions and research coming back to the Town Board and suggested putting out an RFP for a project manager.

McKesson suggested the start researching each of their specific areas while the RFP is in the works.

Motion: (Johnson, McKesson) To designate the Town Plan Commission to meet with Door County Land Use Services to discuss the preliminary plans for the property and seek guidance on what the Town can and cannot do with the property; and to have Chair Dick Skare and another board member meet with Jim Frymark from Cedar Corp. to get more information and specifics, and have another conversation with Rob Burke about observations from tonight's meetings to gather input on next steps; and meanwhile, to have the Town create an RFP for a project manager to oversee the planning phase of the project. Carried.

Following the motion, there was discussion about the next meeting and key players who should be in attendance. Sohns expressed concern over having another meeting without the key experts/contacts mentioned in the motion, as well as those the Board has compiled over the last few weeks, in attendance. Sohns added he is not in favor of cherry-picking only a few experts/resources; instead he suggested inviting anyone who might be interested in contributing their skills and expertise in the various topics of interest discussed tonight.

Sohns requested the next agenda be sent out with plenty of advance notice, and that any experts/resources be in attendance at the next meeting so the public can hear thoughts and recommendations straight from the experts/resources. Sohns provided Chair Skare with a list of additional contacts/resources.

Set the next meeting date: Wednesday, May 29, 2019 at 6 p.m.

Adjourn: *Motion: (Johnson, Luetzgen) to adjourn at 9:48 p.m. Carried*

Respectfully submitted,

*Sara Rae Lancaster
Administrative Assistant*