

TOWN OF GIBRALTAR
PLAN COMMISSION
TUESDAY, FEBRUARY 25, 2020
GIBRALTAR TOWN CENTER
7:00 P.M.

Call to Order: Chair Linda Merline called the meeting to order at 7:12 p.m.

Roll Call/Quorum: A quorum was present.

Members present: Linda Merline (chair), Brian Hackbarth, Don Freix, Len Adent

Absent: Tom Blackwood

Proper Notice/Adopt Agenda: Proper notice was given. *Motion (Hackbarth, Adent) to adopt the agenda as posted. Carried.*

Approve Minutes of Previous Meeting(s):

Motion: (Freix, Hackbarth) To approve the minutes from the January 28, 2020 Joint Meeting with the Gibraltar Town Board with changes for additional clarification per Merline. Carried

Motion: (Freix, Adent) to approve the minutes from the regular Plan Commission Meeting on January 28, 2020 with changes for additional clarification per Merline. Carried.

Public comment: None

Petition for Conditional Use Permit: Dokolas – Parcel #014-02-28312734A, Nicholas A. & Laura L. Dokolas have applied for a Conditional Use Permit to establish a Motorized Recreational Equipment Sales/Service/Rentals business on the property. Clients would be trained to ride segways and electronic scooters on an obstacle course on the property. After training, clients would be led on guided tours from the property. There would be no more than nine clients on each guided tour and no more than three tours conducted at any one time.

Merline opened the Hearing and Explained the Procedures.

Testimony in Support: Nicholas Dokolas presented the plan. He is the owner of Segway the Door Tours. He clarified that the segways and electric scooters are not considered motorized vehicles as far as the state is concerned. They are considered e-peds. They would like to install an obstacle course on the business property to properly train customers how to use the segways. They would also like to add electric scooters and electric scooter tours, a mode of transportation their business does not currently offer. These

guided tours would depart from the campus and onto Gibraltar Rd. via access of the YMCA's parking lot/driveway. The YMCA has granted Segway the Door permission for this use.

Linda Merline asked for more clarification on what is an electric scooter. Dokolas explained it is like a kick scooter, but electric.

Brian Hackbarth asked where on the property the training course would be located. Dokolas referred to the map in the application packet. The training course would be located on the southern half of the property behind the current shop building.

Len Adent asked how far down Gibraltar Rd. the tours would travel. Dokolas said the tours would travel as far as the airport and back. Tours would depart from the YMCA parking lot. Hackbarth asked if the tours will travel along Highway 42 at all. Dokolas said they will not.

Adent asked about the customer demographic. Dokolas said they aren't certain but suspect the tours will draw a younger crowd.

Merline asked how fast the segways and electric scooters travel. The segways travel at a max speed of 12.5 mph. The electric scooters travel at a max speed of 17 mph.

Hackbarth asked if the plan adds any impervious surface, additional pavement or blacktop. It will not.

There will be no additional lighting needed as tours are only conducted during the day.

Hackbarth asked about the safety of those using the course and whether or not those on the course could access the highway. Dokolas thought it would be difficult for someone to access the highway.

Freix asked if there is an age restriction to use the segways or scooters. Segway riders need to be over age 10, and electric scooter riders need to be over age 11.

Dokolas concluded by saying they have been doing the Segway tours for 15 years. In the past, they transported the segways in a vehicle to the tour's starting point. This would be an opportunity for them to do tours from their site. He also mentioned that the reason the tours are done on the Town roads is because they are not allowed to do the tours on state owned roads or trails yet.

Hackbarth asked if they are subject to the limitation of low speed electric vehicles. Dokolas said the segways and electric scooters are exempt.

Dokolas clarified that they did not ask for sales and service to be added to the description of their permit application. That was the category the County put the request under for this particular use. The only real change from the current business is the addition of electric scooters, the addition of the obstacle course, and the ability to have the guided tours depart from the property.

Hackbarth asked how many trees would be cut down to create the course. No trees will be cut down as the course is designed to go around the existing trees. Some trees may need to be lifted and limbed up to accommodate this.

Merline asked if letters were mailed to the neighboring properties. Sara Lancaster said the town office mailed out letters to all neighboring properties within 300 feet, as required. The town office received no additional feedback.

Testimony in Opposition: None

Rebuttal: None

Correspondence in Support: None

Correspondence in Opposition: None

Merline Closed the Hearing:

The Plan Commission discussed the application. Hackbarth has concerns about accidental access to Hwy 42 from the obstacle course. He feels there should be a barrier between the highway and the part of the course that comes near the highway that would prevent a rider from accidentally going off course. He recommended leaving the type of barrier up to the property owner.

Merline pointed out the letter from the YMCA included in the application packet that states Dokolas has permission to access their parking lot and driveway for the tours.

Merline read through the zoning considerations on page 5 of the application packet. The proposed use meets the zoning ordinance purpose and intent. The proposed use would not be contrary to the public interest. Any lighting will be downcast. Since the property is already zoned commercial the proposed use is consistent with the comprehensive plan. The proposed use falls under the property's current commercial zoning.

The Commission unanimously supported the condition use permit with one additional condition. The Plan Commission would like the property owner to install a barrier, to be determined by the land owner, along the section of the training course that abuts State Highway 42.

Motion: (Hackbarth, Freix) to recommend the Town Board support the conditional use permit with the added condition that there be a barrier, to be determined by the land owner, along the section of the training course that abuts State Highway 42. Carried.

Petition for Conditional Use Permit: Lancaster – Parcel #014-001-02302723A, John W. and Sara R. Lancaster propose to establish an Art Gallery (pottery studio) in an existing 28' x 32' building on the property. Our office approved a roadside stand in a portion of the building on May 10, 2018. There is currently a bathroom in this building. The property is located at 8999 S. Highland Road in the Town of Gibraltar.

Merline opened the Hearing and Explained the Procedures.

Testimony in Support: John and Sara Lancaster presented. Sara Lancaster made one correction to the summary on the cover letter of their application. There is not currently a bathroom in the building. However, they have been issued the required permit from the sanitation department and a bathroom is scheduled to be installed this summer.

Sara Lancaster explained they are not constructing a new building. They are seeking the conditional use permit to be able to use the interior space of that existing building as an art gallery and studio space. She explained that they purchased this property with that intent given the outbuildings, previous business use of that building and another building on the property, and its close proximity to other art galleries and arts-related facilities located near that section of Cty Rd A.

Adent asked if that is where apples used to be sold from. Sara Lancaster replied it is, and that there also used to be a small engine repair shop operated on the property by the former property owner.

Hackbarth asked if Fire Chief Andrew Bertges has seen the site and is comfortable with the ability to access the driveway. Hackbarth also asked if Chief Bertges required any changes be made to the driveway to ensure a fire truck would have enough space. Lancaster explained that the only request Bertges made was to continue to maintain the entire driveway between CTH A and S. Highland Rd. so fire trucks and emergency vehicles would be able to access the site from both roads. John Lancaster explained the land surrounding the building is an open area with no elevation changes or trees. Emergency vehicles would be able to access the site from that area as well.

Linda Merline asked they intend to show other people's art. John Lancaster said they do not know at this point. Sara Lancaster said, if they did it wouldn't be a large amount due to the size of the space. To be able to have a working studio space, any gallery space would be limited by that.

Merline asked if there were any other questions from the other commission members. There were none.

Testimony in Opposition: None

Rebuttal: None

Correspondence in Support: None

Correspondence in Opposition: None

Merline Closed the Hearing:

Freix said it was a very straight forward plan. He added he was happy to see new potters come to the community.

Hackbarth said his only concern was addressed, that fire and emergency vehicles can access the site.

Hackbarth asked about additional signage. Sara Lancaster explained they do not have a sign currently as they were waiting until after the conditional use hearings to acquire the proper permits and move forward with a sign.

Merline explained that the property is in Countryside 5, and is intended to be mostly rural but where there is a mixture of some limited commercial activity. Within the application, Land Use Services said that, yes, the purpose is a limited rural commercial activity that is allowed through a conditional use permit. Land Use Services also said the use must be established within 12 months of the permit being issued, any additional lighting is to be downcast, and the Resource Planning Committee will set a completion date for the project.

The future land use map within the county's comprehensive plan designates the area as rural agricultural, but that does allow limited commercial activities. It is also noted in the application that although the land use description does not address commercial uses in this area, the proposed art gallery may be considered consistent with the comprehensive plan because the proposed use is allowed by conditional use permit and is consistent with the zoning district's purpose.

The Commission members unanimously supported the conditional use permit as presented with no additional conditions.

Motion: (Hackbarth, Adent) to recommend the Town Board support the conditional use permit as presented with no additional conditions. Carried.

Goal 11: Gather Ideas/Recommend Action for Meeting the Town's Immediate Economic Needs – begin discussion:

Members discussed the idea of forming a subcommittee to explore the economic needs within the community. Merline read through the Plan Commission handbook for additional information/bylaws on how this subcommittee might operate. She explained that any subcommittee meetings would need to be posted and follow the same structure as any other Town-related organized meeting. Someone would also need to take minutes, but this should not be the office staff. Merline did not find information that specified how the meeting would be chosen. She suggested holding a public meeting as part of the Plan Commission's regular meeting agenda and invite the public to discuss the idea. From that meeting, the next step would be forming a subcommittee.

Hackbarth added that he wasn't aware of any special rules in relationship to the formation of the subcommittee or number of subcommittee members. He feels five members would be a good number. Merline will follow up with Beth to contact the Wisconsin Town's Association to make sure she isn't missing any rules pertaining to forming a subcommittee.

Adent mentioned concern over a lack of communication between the various economic areas in town. Hackbarth feels most of that responsibility falls on the Fish Creek Civic Association, but it would also fall on the subcommittee to identify this challenge and others and suggest solutions.

Hackbarth stated his concerns that Fish Creek's local economy is falling behind the other communities. This subcommittee and the ideas that come from it could be one way to help.

Merline said another thing talked about at the joint meeting in relation to this is the importance of having involvement from people from both the downtown area and the rural countryside to help foster more understanding between the two groups.

Hackbarth stated his concerns related to room tax dollars and the amount the Town gives to FCCA. He questioned whether those dollars are being used in the best possible way to help the community and its economy. Hackbarth also added the suggestion that this subcommittee include younger residents as well as people who have been in the community for a while.

There was discussion about when to put it on the agenda. Merline was worried March might be too early with not enough people back from winter destinations. April might be a better time. Merline also suggested postponing or pushing back the March meeting to the 5th Tuesday in March, March 31, so the meeting would occur after spring break.

Hackbarth asked if the FCCA could send out an email blast to let people know this will be on the Plan Commission's agenda. Sara Lancaster will follow up with the Civic Association about having their help to spread the word about the meeting and the subcommittee.

There was discussion about who would chair the subcommittee. Hackbarth said he was uncertain he would chair, and suggested the commission wait and see who expresses interest.

Don Freix suggested speaking with Ryan Heise of Egg Harbor in advance of the next meeting to get ideas that have worked for their village that this new subcommittee might explore.

Reports

Chair Report – The town lost Digger (James DeGroot) in February. Digger was on the Planning Committee twice, and also filled a seat when the Commission couldn't fill one. Merline said she admired his dedication and stated that he will be missed.

Merline wanted to report that she did get in touch with Gary VanVreede, as she stated she would do at the joint meeting. However, she was not able to get in touch with Nick from the DNR. May 26 and May 27 are the dates Parks & Lands has set to plant the trees. The Town will need to know any information Gary VanVreede and Nick before then.

In relation to the tree planting, the 5th grade field trip has been set for the end of May. This year's 5th grade consists of three classes. One class will come in the morning and the others will come in the afternoon. There will be three sessions: 1) planting trees, 2) one macroinvertebrates and 3) a short hike. Merline said the plans for the field trip are proceeding along.

Merline mentioned she and Sara Lancaster submitted the application for the Surface Water Grant by the deadline. If received, it is a 25/75 grant. They should hear whether they received the grant in a few weeks.

Merline recapped the discussion about looking for consultants for the Town's comprehensive plan. She found a list of consultants online, five of which were in the Gibraltar area. Don Freix also talked to Ryan Heise of Egg Harbor and got the name and contact information for the person they used. Merline said she will stay on top of this project to see where it should go from here, and if an RFP will be necessary.

Merline thought that down the road housing and the current housing issue in Gibraltar and northern Door County will be on the agenda. She said she hasn't done much in regard to that except looking at the zoning map. Merline said this will eventually go on the agenda, but feels it's best to wait until more people are back in town. Hackbarth asked about using the term middle-class housing seeing as even attainable housing has been viewed here in a negative light.

Merline reported that she submitted the Town's assessment to Green Tier.

Ground and Surface Water – None

Town Board/Parks and Lands – None

Set Next Meeting Date: Tuesday, May 26, 2020 at 7 p.m.

Adjourn: *Motion (Adent, Freix) to adjourn at 8:37 p.m. Carried.*

Respectfully submitted,

Sara Rae Lancaster