

**TOWN OF GIBRALTAR
PLAN COMMISSION
TUESDAY, APRIL 28, 2020
GIBRALTAR TOWN CENTER
7:00 P.M.**

Call to Order

Linda Merline called the meeting to order at 7:09 p.m. This meeting was conducted via Zoom and phone conference line due to COVID19 and the state of Wisconsin's "Safer at Home" order.

Roll Call / Quorum: A quorum was present.

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

Members absent: Tom Blackwood

Also present: Gaetano and Amanda Auricchio, Chris Renier

Proper Notice / Adopt Agenda: Sara Lancaster stated that proper notice was given. *Motion (Freix, Adent) to adopt the agenda as posted. Carried*

Approve Minutes of Previous Meeting(s): *Motion (Hackbarth, Freix) to approve the minutes from the February 25, 2020 meeting. Carried*

Public Comment: None

Petition for Grant of Variance: Parcel #014-25-0004A, 8749 White Cliff Rd.

Gaetano and Amanda Auricchio petition for a variance from section IV.B.2.b. of the Door County Shoreland Zoning Ordinance which requires accessory structures be setback at least 75 feet from the ordinary high-water mark of Green Bay. The petitioners propose to construct a 16' by 35' in-ground pool 50 feet from the ordinary high-water mark. This property is located at 8479 White Cliff Road in Section 18, Town 30 N, Range 27 E, in the Town of Gibraltar.

Merline opened the Hearing and Explained the Procedures.

Testimony in Support: Property owners Gaetano and Amanda Auricchio, along with their architect Chris Renier of C. Renier Architects, Inc., presented their plan. Amanda Auricchio explained that they are requesting the 25-foot variance so that the new inground swimming pool can be located in an existing parking area on the property. It would be placed in the impervious driveway section so that it would be flush with the current grade.

Len Adent asked about the purpose of the 75-foot setback as it pertained to this request. Chris Renier explained that it was his understanding the 75-foot setback helped eliminate visual clutter from the water and mitigate potential run-off and pollution into the bay. Renier said he doesn't believe this project negatively impacts either by being less than the current 75-foot setback.

Don Freix asked about pool maintenance and concerns that any water drained from the pool be properly eliminated and not drained into the existing septic or the bay.

Merline asked about soil removal during excavation and what steps will be taken to prevent any soil from moving down into the bay. Renier said they would follow proper erosion control procedure and trucking out any soil removed from the site.

Merline asked if other locations were considered for the pool. Renier explained the petitioners also own the parcel to the north, however per a covenant agreement with the previous owner, they are not allowed to build on that parcel. On the current parcel, there is not enough property to the north or the east for a pool due to the road setback requirements. There is a 24-foot wide strip set back on the far southeast side of the residence, but it is an unappealing location as it relates to the existing structure. It is also a wooded location and the property owners do not wish to remove any trees. The proposed location on the existing driveway is already a cleared area and existing impervious surface. Merline asked about the location at the end of the driveway. Renier explained the road setbacks prevent that area from being an option.

There were no further questions from the Plan Commission.

Testimony in Opposition: None

Rebuttal: None

Correspondence in Support: None

Correspondence in Opposition: None

Merline Closed the Hearing:

Merline reiterated to the commission that this is a petition for a variance. She further explained that it is a request to relax one or more of the dimensional requirements of the current ordinance. Variances run with the land, so if this variance were to be granted it would stay with the property, not the property owners.

Hackbarth said he believes the petitioners' request does not go against the intent of the law and is comfortable with recommending the grant of variance for this project. He added that Door County Soil & Water has regulations to be followed, so he does not have concerns pertaining to those issues.

Motion: (Adent, Hackbarth) to recommend to the Town Board to support the grant of variance. Carried

Reports

Chair Report:

- a. The DNR did award the Town the Surface Water Management Grant in the proposed amount of \$46,312.50 to be used toward the second part of the Fish Creek culvert project. Merline said now begins the task of figuring out next steps. One of those items is determining the exact ROW in that area. She had Myrv

Somerhalder, who did the original survey of the area, take a look at the area. It needs to be determined so it is known what area can be accesses/used when construction of the new culvert begins.

- b. **Ground and Surface Water:** None
- c. **Town Board/Parks and Lands:** None

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

Adjourn: *Motion (Freix, Merline) to adjourn at 7:46 p.m. Carried*

Respectfully submitted,

Sara Rae Lancaster

Administrative Assistant