

**PUBLIC HEARING MINUTES**  
**VILLAGE OF EGG HARBOR PLAN COMMISSION**  
**Tuesday, December 22, 2020 12:00 p.m.**

**Members of the public can join the meeting by video conference:**

**<https://villageofegg Harbor.zoom.us/j/94130060330>**

**Members of the public with limited internet are encouraged to dial in:**

**Call in Number: 312 626 6799 Meeting ID: 941 3006 0330**

Joe Smith, Chair  
Kathy Navis, Commissioner  
Emily Pitchford, Commissioner  
Jon Kolb, Commissioner

Paula Cashin, Commissioner  
Lou Nyberg, Commissioner  
Cambria Mueller, Commissioner

TO WHOM IT MAY CONCERN:

Notice is hereby given that at 12:00 P.M. on Tuesday, December 22nd, 2020 the Village Plan Commission of the Village of Egg Harbor will hold a public hearing on the virtual platform Zoom <https://villageofegg Harbor.zoom.us/j/94130060330> to receive testimony from the public on the conditional use permit application filed by Carlson and Erickson Builders on behalf of Anderson – Peters Group LLC. Said conditional use application pertains to the property located at 7942 State HWY 42 (Parcel # 118-0124302614M5) which is located in the Village’s Recreational District.

Said application is required by Chapter 152 Zoning of the Village of Egg Harbor Municipal Code per section § 152.024 (B) (8) Accessory Dwelling Units, (9) Designated Employee Dwelling, and per section § 152.030 Off Street Parking; Driveways (F) General requirements (2) Driveways connecting to Village and County streets. In all zoning districts and in connection with every use, there shall be provided adequate access to public streets in accordance with the following: c) There shall be no more than two access driveways to public streets from each lot. This application may be permitted upon issuance of a conditional use permit in accordance with § 152.040 *et seq.*; The applicant plans to build this structure to provide Employee Housing on a section of this parcel facing Church Street.

- Chair Joe Smith opened the public hearing regarding the conditional use permit application filed by Carlson/Erickson on behalf of the Anderson – Peters Group LLC.
- Joe Smith presented the information above regarding this conditional use permit application.
- Joe Smith swore in the witness Tom Strong
- Testimony Tom Strong 5033 Shady Lane, Egg Harbor, WI on behalf of the Village of Egg Harbor:

1. That an application for a Conditional Use Permit was filed by the Applicant with the Village on November 17<sup>th</sup>, 2020 (the “Application”) for that property located at 7942 State HWY 42 Egg Harbor, WI 54209 more particularly described as parcel number (Parcel # 118-0124302614M5).

2. That a Public Hearing regarding the application was duly noticed and published as a Class 2 Notice under Chapter 985, Wis. Stats., which notice was published in the Peninsula Pulse on

December 11, 2020 and December 18, 2020 as appears on the Affidavit of Publication on file herein.

3. That the Property is currently zoned Recreational under and pursuant to § Sec.152.025 of the Village of Egg Harbor Municipal Code.

4. That testimony was presented by Tom Strong, on behalf of the Village that in order for the Project to obtain Village approval, a Conditional Use Permit under the provisions of § Sec. 152.040, et. Sec. of the Code would be required.

5. Village staff strongly supports this project as there is a significant need for seasonal workforce housing. This project requires the conditional use approval in part due to the large and unusual situation with frontage on both HWY 42 and Church Street.

6. Village staff recommends approval of this conditional use permit under 152.024 Recreational District, REC (B) Conditional Uses: (8) Accessory Dwelling Units, (9) Designated Employee Dwelling.

7. Village staff recommends approval as Designated Employee Dwelling subject to all requirements under §152.055.

8. Village staff recommends approval of a third driveway following all requirements under § 152.030 Off Street Parking; Driveways (F) General requirements 2) Driveways except for item c) There shall be no more than two access driveways to public streets from each lot.

- **Conclusions of Law**

1. That the Plan Commission has proper jurisdiction to hear this matter.

2. Due notice was properly given to all parties and public of the Public Hearing was duly and properly made.

3. That there is sufficient evidence in the record to conclude that the Project is in compliance with the zoning regulation for the Recreational Zoned area including setback requirements, building height requirements, and minimum floor area requirements.

- Joe Smith opened the floor to additional testimony.
- Hearing none, Chair Smith closed the public hearing at 12:05 PM.

# VILLAGE OF EGG HARBOR PLAN COMMISSION MINUTES

TUESDAY DECEMBER 22, 2020 – 12:00 P.M.

The Plan Commission Meeting will begin immediately  
after the 12:00 PM Public Hearing.

Members of the public can join the meeting by video conference:

<https://villageofegg Harbor.zoom.us/j/94130060330>

Members of the public with limited internet are encouraged to join by phone:

Call in Number: 312 626 6799 Meeting ID: 941 3006 0330

Joe Smith, Chair  
Kathy Navis, Commissioner  
Emily Pitchford, Commissioner  
Jon Kolb, Commissioner

Paula Cashin, Commissioner  
Lou Nyberg, Commissioner  
Cambria Mueller, Commissioner

## Agenda:

### 1. Call Meeting to Order

- Chair Joe Smith called the meeting to order at 12:05 PM
- Commission Members Present: Joe Smith, Chair, Paula Cashin, Kathy Navis, Lou Nyberg, Emily Pitchford, Cambria Mueller, Jon Kolb.
- Village Staff: Lydia Semo, Tom Strong, Ryan Heise.
- Public Attendees: Sophie Parr, Fred Anderson, Stephanie Burke, Alyssa Rasmusson, Chris Roedl, Ann Harvey, Erin Anschutz

### 2. Approve agenda

- **Paula Cashin moved to approve the agenda. Second by Lou Nyberg. Motion unanimously approved.**

### 3. Pledge of Allegiance

### 4. Approval of November 24, 2020 Meeting Minutes

- Emily Pitchford: Page 11, 5<sup>th</sup> bullet has an unfinished sentence. Page 7, 7<sup>th</sup> Bullet working should read wording. Page 9, 7<sup>th</sup> bullet, ADA compliant, not complaint
- **Joe Smith moved to approve the November 24, 2020 minutes as amended. Second by Emily Pitchford. Motion unanimously approved.**

### 5. Open Session

- Chair Joe Smith Opened the floor for public comment.
- No Comments from the public or commission members.

### 6. Deliberation for the Conditional Use Permit application filed by Carlson Erickson Builders on behalf of Anderson/Peters Group, LLC for an Employee Housing Project at 7942 STH 42 (Parcel # 118-0124302614M5)

- Joe Smith: We had our public hearing at 12:00 PM today. We have the findings of fact and

conclusions of law. We will have a few tweaks to that document.

- Determination
- Paula Cashin: Can we under Wisconsin Law put in item 5 which excludes use as short-term rental use.
- Tom Strong: I included this as a specific ask during the preliminary meeting last month. I believe this is already covered under item four, but I included it in the draft for consideration. I see no issue with item five being removed from the conditions list.
- Commission members expressed consensus for removing item five from the conditions.
- **Emily Pitchford moved to approve the Conditional Use Application as presented. Kathy Navis Second.**
- **Motion unanimously carried.**

7. Review of Special Development District application paperwork filed by Erin Anschutz for a project located at 7667 Hwy 42 (Parcel # 118-0125302641J) and scheduling of public hearing if necessary.

- Erin Anschutz: I would like to move the Christine's (Be Beauty the last few years) house and garage to my southernmost lot on Hwy 42. The current structure on that parcel is in bad shape. I saw this opportunity to repurpose that building and it fits in with the other buildings on that stretch. My builder would remove the existing small cottage on that lot to some other location. The good well is in the middle of the parcel the buildings don't fit within the buildable envelope. That is why I am asking for the side setback relief.
- Tom Strong gave background on the application provided in the packet starting on page 26 highlighting 3 reasons this project needs to go through SDD Approval – side setback to the south, side setback to the north, and shared driveway. The existing building is only five feet from the south lot line so this proposed project is actually farther away from the lot line than the current structure. The proposed project is similar to other properties along this stretch. Village staff believes that the side setback relief and shared driveway relief are worthy of consideration.
- Emily Pitchford: So there is only one side setback is required?
- Tom Strong: No she is asking for relief from both the north and south.
- Emily Pitchford: Has the property owner to the south been contacted?
- Tom Strong: I talked with him about two months ago. He stopped in to make sure we were aware of this possible project to ensure it would go through the proper channels. His main concern is the existing walking path from the existing building which would go away with this proposal. He would have the opportunity to testify at the public hearing.
- Erin Anschutz: I sent him the site plans. The current cottage is really close and you walk out on his property. I'm eliminating that. He is happy that the driveway is on the other side. I didn't heard yea or nay but he has all the information. That is Dennis Joski.
- Paula Cashin: Is that the new owner or the old owner?
- Erin Anschutz: That is the current owner. He had it for sale, but the sign is down now. On the building plans in the packet, the right side is the current layout. The upper left is the proposed new layout. There is also the more detailed site plan that will be included for the public hearing.
- Jon Kolb: Is there room to put in a second driveway?
- Erin Anschutz: Not really. I bought the two parcels at different times. The driveway has always been in that location and shared by both parcels but there is no shared use agreement in place.
- Ryan Heise: From a general standpoint, it is great to see Erin making this investment in Egg Harbor. She is saving an existing building from going into the trash stream by repurposing it is generally good for the Village.

- Jon Kolb: How does this move take place? Are power outages anticipated?
- Erin Anschutz: I don't believe there would be disconnections. They run additional power lines during the move. The mover gets all the permits.
- Kathy Navis: I don't have any issues with this proposal. The well in the middle is a problem. She is increasing the setback from the south lot line. I think it looks like a good plan.
- Emily Pitchford: I agree. Do we need a public hearing?
- Joe Smith: It says in the special development district that we do need to have a public hearing. The next regular meeting is January 26<sup>th</sup>.
- Tom Strong: That is correct. Eric would like to get this project moving so we could conduct it on January 12<sup>th</sup> if you are willing to entertain that date. I would have to have the public hearing notices into the Peninsula Pulse by next Monday. I have the notice written up.
- Erin Anschutz: My main concern is getting the utilities booked. Pullmans have indicated they want the building moved by March 15<sup>th</sup>.
- **Joe Smith moves to hold a public hearing via zoom on January 12, 2021 followed by a Plan Commission meeting to deliberate. Second by Paula Cashin.**
- **Motion unanimously carried.**
- Erin Anschutz: Is there an additional permit needed for removal of the existing building?
- Tom Strong: That is covered in the standard building permit application. We can cover that with the building inspector.

#### 8. Residential (R1) Household Occupation Definition

- Sophie Parr: Provided an overview of her written definition of a home-based business examples presented in the packet on page 34 of the meeting packet.
- Emily Pitchford: I know we talked about the 600 accessory building before. Is there a possibility that someone builds a 600 square foot building and they rent it out?
- Joe Smith: The person who is the employee has to be a resident.
- Emily Pitchford: I'm not saying the person would work there. I'm saying like an Air BNB or VRBO rental.
- Sophie Parr: In the example there is a list of occupations that you would allow. If someone wants to open a business that is not on this list they would need to get a conditional use permit. There are other ways that people can open a short term rental other than the household occupation route.
- Kathy Navis: Are you asking if someone builds a 600 square foot structure then later turns it into a short-term rental?
- Emily Pitchford: I'm saying if someone builds it and claims it is their occupation.
- Tom Strong: The fact that it is an accessory dwelling unit would trigger a conditional use approval whether it is a short-term rental or not.
- Jon Kolb: Would we have the legal right to deny it? I don't want to be in the situation again where we say we have to approve it.
- Kathy Navis: Is a short-term rental an appropriate use for a household occupation?
- Tom Strong: I believe the answer is yes. It would need conditional approval as an accessory dwelling.
- Sophie Parr: I don't think anyone would actually pursue this as a home occupation as your code already allows short term rentals in all districts.
- Ryan Heise: I would agree with that.
- Jon Kolb: I am in favor of the proposed definition. It is a great improvement over what we have now.
- Paula Cashin: Under item f, I prefer that no signs are allowed in an R1 district.
- Ann Harvey: I agree but I'm not a member of the commission. I'm not familiar with what 155.07 looks like currently.

- Tom Strong: It basically allows for a four-square foot sign in R1. Just my opinion that it would be fine to not allow any sign. People are coming to a residential area, you generally know where you are going. The need isn't the same as it is for a business drawing in foot traffic like you would do right on Hwy 42.
- Ann Harvey: Are there restrictions on things like lighting or color. Who ever said that about not needing a sign is a good point.
- Cambria Mueller: I agree that four square feet is too large.
- Jon Kolb: This may seem odd coming from me but I think a sign is beneficial if it is limited to a 1 square foot sign to confirm that people are in the right place.
- Sophie Parr: One of the examples that I provided last month included simply states that it allows name plates not to exceed one square foot. That would essentially be a name plate on the door.
- Jon Kolb: I would be in favor of that to confirm they are in the right spot.
- Joe Smith: Let's change item f to what Sophie just said, limiting it to one square foot.
- **Joe Smith moves to direct Village Staff to present this to the board of Trustees for approval in ordinance form. Jon Kolb Second.**
- Paula Cashin: Item k, e – committee need to be changed to commission.
- Ann Harvey: Have you considered that we aren't going to be allowing pharmacy's? I'm coming from a state where pot is legal right now. I don't want it to come to a neighborhood near me. I don't care if it is legal or not. I'm coming from Illinois and it is a total mess. I think it would be forward looking to put something into place.
- Emily Pitchford: I wonder if it is covered elsewhere in our ordinance.
- Joe Smith: It is not. It might fit in near the adult entertainment section. That would be a separate discussion.
- Ann Harvey: I'm curious if this household occupation would include a provision that excludes items for medical use. It seems it would fit clearly under the household occupation. It is becoming legal. I don't want them selling pot next door. I think there are a lot of people who could like to sell that out of their homes.
- Joe Smith: I think that is different enough that we are not going to include it in today's conversation. Perhaps we can include it on a future agenda. Any other corrections? Hearing none, let's take a vote.
- **Motion unanimously carried.**

## 9. Correspondence

- Correspondence has been received by Village Staff from David Pollman, Kaaren Northrop and Karen Peterson. Letters start on page 35 of the meeting packet. See Attachments at the end of these minutes.

## 10. Parking Ordinance Review

- Joe Smith: In our packet we have the correspondence above leading into the parking discussion. The Village board voted against changing the 500-foot limit for on street parking to just those spots adjacent to the business. Those who voted against are looking to remove counting of any on street parking. The trustees can't make the change to the ordinance during the meeting so it will have to come back to the board next month.
- Ryan Heise: Staff has been directed to modify the recommendation to eliminate counting on street parking completely.
- Emily Pitchford: As it stands today the 500-foot limit is still in there.
- Joe Smith: Correct.

- Emily Pitchford: The residential tourist rooming houses, a minimum of two off street parking spaces shall be provided. From my experience one parking spot is enough for the one-bedroom cottage. On page 45, the last item, I would say if there is a new owner it should trigger a parking review. We are already doing that.
- Joe Smith: In that case, who would buy Chocolate Chicken?
- Emily Pitchford: I don't think a person buying a business should be able to skip that because they bought an existing business. I believe we are running into issues by doing that.
- Joe Smith: Ten years ago, Egg Harbor was quiet and lagging behind. Egg Harbor is now full of excitement. Yes there are some hiccups and it isn't perfect. People come here because they are excited about what is going on. To slam on the brakes because of what is happening with one business is short sighted.
- Emily Pitchford: I do think it should be a consideration.
- Jon Kolb: I thought our intent was any new business or any existing business that makes a change.
- Ryan Heise: That is correct. To Joe's point, some of our businesses are very constrained. That is why you have been focused on the fee in lieu of parking.
- Joe Smith: We didn't just pull this out of thin air. We reviewed other similar municipalities like Cedarburg. Downtown Sturgeon Bay doesn't have any downtown parking requirements. They want to keep the shops within walking distance. People should try to put parking into the extent possible, but to do it at the expense of a core downtown feel isn't right. If Casey's or Shipwrecked decides to add 50 seats, they do need to come into compliance. Let's say someone wants to retire the new owner that might want to buy it has to pay the fee in lieu of parking. I don't buy that.
- Jon Kolb: Isn't that just a business expense?
- Joe Smith: The problem is it is currently in the fee schedule and it is not stable. If Casey's decided to expand, the first year maybe it's \$50. If the board changes it to \$500 dollars, all of a sudden, they get hit with a large bill? How do you budget for that?
- Ryan Heise: Parking has been talked about for years with several studies presented. Not much has changed in the parking ordinance for good reason. You are already on the right track. Walkability is important. Don't put so many ordinances that requires impervious surface. Where I see the debate at this point is what is the dollar amount per parking spot. This commission recommended \$200 to start. One or two businesses spoke up to the trustees saying they don't want to come to the Village if the fee is going to be \$200. I think you are on the right track and are really close to having some good ordinances on the books.
- Cambria Mueller: How many parking spots will Church Street add again?
- Ryan Mueller: 180 spots on Church street plus another 50 spots at the dog park parking lot. Hwy 42 will be an additional 40 parking spots.
- Cambria Mueller: Does the Village have their eye on any other land for parking?
- Ryan Mueller: No specific land other than discussions with the Main Street Shops. I think the Village is wise to improve the parking on the existing infrastructure. Look around the Village right now.
- Cambria Mueller: I don't want what ever ordinance we put into place to have people put in more parking spaces. I know we need parking, but I don't think it should take away from the beauty of Egg Harbor.
- Kathy Navis: I am in the middle of this. I agree with Joe, there should be a review of their parking. If someone is selling their building and the new owner is running the business as is, they shouldn't need to meet the new parking requirements.
- Lou Nyberg: I agree with that. You are putting a burden on someone with an unknown dollar amount. You need to define the problem. We just talked about adding parking on Church Street. On a busy weekend you don't need three or four extra spaces. You need a hundred extra spaces. People have to walk a little bit. You can't put that burden on the main area of

the Village. We don't have the space to do that. I think the approach we are taking with the improved spaces and signage, that is the right direction. My son who is an architect says you don't build the church for Easter Sunday. It will take a while. The nature of businesses is different. If someone is coming in to look at a building in Egg Harbor, are we going to say in order to set that business up you have to come up with 6 spaces? Where am I going to find those or afford those? I think that makes it more difficult than it needs to be. If any one has any better ideas, please bring them forward. The price of \$50 per space isn't going to solve the problem. The problem is going to be solved by putting parking spaces within walkable distance to the downtown.

- Jon Kolb: Wouldn't a shuttle on the busy weekend resolve that problem?
- Lou Nyberg: That is something we talked about 18 times already. You need the remote parking to start with. If you think a shuttle is going to work then by all means put the money toward that program.
- Jon Kolb: So at the next board meeting they are going to vote on eliminating counting on street parking completely, correct? Should we as a commission make a recommendation in support of counting no on street parking at all? I think it's important as the plan commission that we show our support.
- Joe Smith: You could do that.
- Kathy Navis: I thought we proposed last month to count only those spots adjacent to the business property.
- Joe Smith: Correct but that recommendation was voted down by the trustees.
- Kathy Navis: I think we leave it up to the board at this point.
- Paula Cashin: I agree. Let's leave it up to the board.
- No action taken.

## 11. Parking Mitigation Planning with EHBA

- Ryan Heise: The Plan Commission directed staff to start the discussion with EHBA to get them involved. We reviewed the issue and came to the same conclusion about where we would best focus efforts.
- Chris Roedl: Based on looking at other business associations and a general study, I don't think the EHBA is in the position to get a shuttle started. From the EHBA standpoint, the parking discussion is a great problem to have. It is great to have strong businesses in the Village. We are in favor of encouraging people to walk. Speaking as the owner of Hatch, the more leeway you take out of that ordinance the better. We honored the intent of that ordinance to the point that I could probably eliminate 10 parking spots to expand outdoor seating. I think EHBA is in the position to
- Ryan Heise: We could use those funds for improved signage. The Village did invest in some directional signage, but we could do a better job. Sturgeon Bay just invested a lot of money into their way finding that helps people get around. I think there are opportunities there.
- Cambria Mueller: I think this is a Village issue more than an EHBA issue. Maybe Alyssa can help market the parking information to drive people to where they can park.
- Chris Roedl: Let's cut to the chase. This is about One Barrel. They have more business than they have parking for. If we offer a shuttle, we are basically subsidizing their business. I think that is where it gets tricky.
- Alyssa Rasmusson: The Sister Bay shuttle was basically empty during the day. They now run it Friday night through Sunday from 5:00 PM to 2:00 AM. It cost \$30,000 to run from June to the end of August.
- Jon Kolb: I think EHBA needs to step forward to look at this. As a Village we provide parking. The businesses need the parking. I don't think it's right for the EHBA to say they can't take this on.

- Cambria Mueller: I don't think it should be a partnership with the Village and it shouldn't be just thrown in their lap.
- Jon Kolb: I do agree with that. We're talking about this for year. I haven't seen a partnership to this point.
- Joe Smith: I think we need to be realistic about the resources they have available. This isn't the Green Bay Chamber of Commerce. Chris gives a lot of time to this organization, probably more than he should. No one is going to volunteer to drive this trolley. We can barely find someone to wash dishes for \$15 an hour.
- Kathy Navis: With Alyssa's feedback about the trolley mainly being used to take people to and from the bars, I don't think we need that here.
- Paula Cashin: I agree with that.
- Alyssa Rasmusson: There is an opportunity to coordinate with some other communities for the festival weekend. We have tried to work on it just for Egg Harbor as well.
- Ryan Heise: We ran a shuttle on Pumpkin Patch weekend to and from Horse Shoe Bay Farms. That worked really well.
- Cambria Mueller: With the lodging facilities in the Village, are guests usually walking or driving?
- Joe Smith: That generally depends on where the hotel is. People walk to downtown from the Landing and Newport. People staying at the Ashbrook about 10% to 20% walk, Egg Harbor Lodge and The Landmark pretty much everyone drives. Does the Village still do the shuttle from the boat parking? That was effective.
- Ryan Heise: A part of the reason we applied for the TAP grant was to extend the sidewalks. Part of the reason people don't walk from there is because it isn't safe right now. If
- Kathy Navis: I feel like we have beat this to death. The Trustees are going to drop the 500-foot limit. Let's wait to see what the impact of Church Street is.
- Cambria Mueller: Chris, could you expand on the point you made that you would be fine with removing 10 spaces?
- Chris Roedl: Our business has been busy enough that I'm considering taking out the front spaces to extend the patio. I would still meet the parking requirements. On peak requirements, many of those spots are taken by people who are visiting neighboring businesses. I consider that to be a good thing.
- Joe Smith: I think Kathy said it well. We are at where we are at and it's time to wait for church street. Does anything else have anything to add?
- Cambria Mueller: Regarding the One Barrel brewing, why don't they have the amount of parking they need?
- Ryan Heise: They do have the amount of parking they need. Parking wasn't a specific condition that was imposed on the conditional approval. At this point he has done everything he said he was going to do.
- Jon Kolb: Hasn't he added outdoor seats?
- Ryan Heise: Seats and tables come and go. If it seems to be a permanent installation, we can take a look at that.
- Joe Smith: Tom Strong, did you count outdoor and indoor when you were on the Utility committee? Do you still have that data?
- Tom Strong: The Utility Committee recommended one fourth of a year usefulness for those outdoor seats as far as the utility charges go. That went to the Village Board, but it was shut down.
- Joe Smith: That would be very important information to have. That would be important information to have as a snapshot. If businesses added seats since then they would need to be reviewed. We could put together a list with that seating capacity to preemptively notify all the restaurants in town.

## 12. Zoning Administrator Report

- Paula Cashin: The Zoning administrator's report, I would like a copy for my binder.
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## 13. Open Session

- Joe Smith: Lisa Van Laanen provide some zoning height information from other municipalities. That will be on our next agenda.
- Emily Pitchford: Could we get a copy of what Lisa found? The conversation last month with Village View developers, nothing went to the board of trustees. Did that come up at all at the trustee meeting?
- Joe Smith: I gave them an overview and let them know that we voted to make no recommendation to the trustees. The Village View Condo project will need to come back to the Plan Commission probably next month.
- Ryan Heise: I would recommend this commission review the conditions imposed on that project. There are quite a few including the schedule for construction as well as having a bond in place.
- Kathy Navis: Could I request from Tom to sends out the conditions imposed on that project?
- Tom Strong: Yes it will be included in the packet when it comes back for approval.
- Tom Strong: Fred Anderson expressed his thanks in the Zoom chat window.

## 14. Next Meeting

- January 12 special meeting. January 26 regular meeting. Both at noon on Zoom.

## 15. Adjourn

- Cambria Mueller moved to adjourn the meeting. Second by Paula Cashin.
- Motion unanimously approved.

Meeting adjourned at 1:40 PM.

Minutes submitted by Tom Strong on December 23 for approval on January 12, 2021.

## **Attachments:**

### **Parking debate in Egg Harbor**

Egg Harbor's parking debate has raged on for some time. Opportunities have been presented to alleviate the problem in one way or another, yet not until one influential business owner has a problem with her parking lot's unintended use by a neighbor has it become a full blown debate with Anti-business and protectionary ordinances and proposals being discussed and or passed every meeting. While I am in favor of parking ordinances that promote growth and business in the village without eliminating opportunity, how many ordinances must pass and new rules created to elicit the desired balance? Do we have a balance now? When will the village consider all businesses, residents, and tourist's welfare over the select few in an equal and fair manner?

### **Anti-Business**

The \$50/parking space fee for shortages of parking spaces creates an environment that discourages new businesses on Hwy 42 in Egg Harbor. A new business would not have the protection of being grandfathered in, and therefore would have to "pay-to-play" for parking spaces in addition to all the other expenses incurred with doing business in Egg Harbor. These additional fees may lead a person to make a decision to open their business in a different village. This is not only a loss for anyone desirous of being in Egg Harbor, but also the village would lose out on additional revenues. I don't like seeing empty buildings because no one wants to open a business here? Sister Bay keeps expanding and growing, adding new business constantly while Egg Harbor has empty stores and business fronts in the most visible locations.

### **Protectionary**

If entering the business market in Egg Harbor is met with too many restrictions and hurdles due to ordinances passed by the Village creating a high-cost of entry, then the Village is effectively protecting existing businesses and preventing new ones from opening and doing business here. As a result, there is less competition, less choice for consumers and less revenue for the village. Eventually, Egg Harbor, intentionally or not, will be a less desired destination.

At \$50/parking space, this is one protectionary hurdle. If that fee is increased, the hurdle is raised. Shouldn't the village create ways to encourage business and new entrants into the market? The Grandfathering of the \$50 space is another protectionary measure. Potential new businesses aren't afforded this financial protection.

### **Limited property**

Any business in the downtown corridor, especially on Hwy 42, is for the most part boxed in and unable to either purchase more property or expand what property they do have into additional parking spaces. We would love to add more parking spaces at Shipwrecked, but we are boxed in by a state hwy and a county hwy, both being expanded leaving us with less room to navigate these ordinances. In our case, we are losing 8 spaces with the highway expansions without being given credit for those losses. We are not alone in lost spaces to the expanded highway projects either. Any business in our vicinity has the same challenges.

In addition to limited property, we also have to navigate having a 60% impermeable surface ordinance, making adding parking even more challenging. Both are necessary, but rather than adding to the challenges of being a local business, lets allow for some leeway so businesses can come up with creative solutions themselves.

**Ordinance that allows businesses to count parking spaces with-in 500 feet**

This is a creative solution that accounts for our tourist's behavior. It seems many visitors to the Village will park in a spot, and then walk their way around the village. People park in our lot, have lunch with us, maybe walk down the sidewalk to the sunglass shop, and some other shops before heading back towards their car with a quick stop in Blacksmith before leaving. The best part of this ordinance is it accounts for the fact many people park once and visit many shops. Almost any parking spot in the village has seen a similar affect of folks parking once while visiting many shops. It benefits the whole village. Eliminate this, and businesses may start to protect their parking spaces with attendants, may close to exorbitant governmental fees, or not even open at all in Egg Harbor.

While at its worst, it relies on its neighbors parking spaces to come into compliance with local ordinances, but at its best acknowledges the reality of consumers and their actions when in the village.

**Where is parking money going to be used?**

Since the village passed the ordinance to charge a business \$50/parking space they are short, there hasn't been any direction regarding where that money will be used? Shouldn't the village specifically dictate and state where and how the parking money gets used? I would assume it would go towards adding parking in the village? Would there be any other use that's not parking related? And at what point does the village say, "We have enough parking for the busiest of days" and eliminate the fee? Will it go on for perpetuity? Addressing this issue should be a priority in any parking conversation.

**Summary**

A few years ago, the village owned a piece of property they practically gave away when they sold it to Hatch, in my opinion. This would have made an excellent solution to the village parking problem considering there was discussion by the village about purchasing Double Delights to add parking spaces. The only thing that's changed in that time is One Barrel's and Main Street Markets disagreement, and since then the whole village is on notice it seems. Rather than make the whole village pay for an oversight regarding One Barrels parking, lets address that problem first. Additional regulations are never the answer in a successful community.

David Pollman  
Shipwrecked

**From:** Kaaren Northrop <[kaaren.northrop@gmail.com](mailto:kaaren.northrop@gmail.com)> **Sent:** Wednesday, December 16, 2020 2:45 PM **To:** John Heller <[jheller@villageofegg Harbor.org](mailto:jheller@villageofegg Harbor.org)>; Joe Smith <[jsmith@villageofegg Harbor.org](mailto:jsmith@villageofegg Harbor.org)>; Ryan Heise <[rheise@villageofegg Harbor.org](mailto:rheise@villageofegg Harbor.org)> **Subject:** parking, again

Gentlemen:

I zoomed the trustee meeting Monday night, December 14. Karen Peterson made some great points and comments regarding the parking issue. I was disappointed that all of the points in the letter she sent prior to the meeting were not discussed. It was yet another lengthy discussion.

I realize the majority of the discussion has taken place at Plan Commission level. However, the trustees have been well-informed and the issue has been on their agenda as well the past 18+ months. Trustee Lensch mused about surveys and impact on individual businesses, and needing more information to make a decision.

Both the Plan Commission and Village Board have heard from the owners of the private parking lots in the downtown core often. We have supplied data, evidence and hard costs of our parking lots at the multiple meetings we have attended. The village has had two professional surveys, heard from many business owners in the village and numerous residents and customers on this issue. I sincerely do not know who else you could ask about parking in this village.

I realize you are moving towards eliminating the use of public spaces toward private businesses parking requirements - that is a welcome step. But the FILOP is equally important, and it must be meaningful.

Yet - the opinions of those of us with the private parking lots have again been discounted. At Monday's meeting, it seemed to me that some of you are more concerned about the opinions of:

- a.) Businesses that have maxed out their properties knowing they do not have space to provide sufficient parking and,
- b.) The "potential" future buyers of businesses that may, at some point in the future, potentially try to sell their properties.

Those of us with the private parking lots are some of the oldest, and/or well-established businesses in this village. We followed the existing ordinances at a time when the village would not issue occupancy permits until all conditions were met. We are not out to discourage growth or penalize anyone.

We are simply asking for some equity and fairness on this issue. I cannot tell you how discouraging and frustrating it is to feel ignored.

I can tell you that from our perspective, it makes us - the owners of Main Street Market - disinclined to contribute anything more to this village. Which is sad, because community is very important to us.

Sincerely,

Kaaren Northrop

Dec. 8, 2020

To: Egg Harbor Village Board

Re: Need for Efficient and Effective Parking Ordinance

The time has come for the Village Board to take the reins of the much talked about parking ordinance. From Jan 2019 –Jan 2020 the Plan Commission discussed parking 9 times. The only action was a recommendation in Jan 2020 to establish an annual fee in lieu of parking of \$200 per parking space short. This was presented to the Village Board in Feb – but with a \$50 filop, not the \$200 passed by the PC. Motion passed. Starting in Sept the Plan Commission has again had monthly discussions on parking with no further action. The conversations go in circles and even the committee has verbally said they are tired of talking about this.

Time is of the essence. Existing businesses are grandfathered in so we will not talk about the past mistakes. But Egg Harbor has some significant projects coming and the situation could go from bad to worse without timely action.

1. Drop the counting of street parking in the parking calculations. This ordinance is about private parking requirements – not public. Public parking is an issue for the Public Works dept and WI DOT; the property owner has no say in the issue.
2. Establish a realistic fee in lieu of parking amount. This is a cost of doing business. Those that pay to maintain a parking lot are being taken advantage of by others. No one is thrilled to pay for plowing and resealing. It's expensive. There is also significant liability and insurance paid. The argument that it hinders some from growing is ridiculous. (Maybe some are hindered from growing because they have parking lot expenses to pay!)

This is a cost of running a business and should be shouldered by all.

3. Parking requirements need to be reevaluated when a business expands or changes use. This seems to be assumed but not implemented. When a permit is issued this should be reminded to the applicant that parking requirements will be enforced.

4. Parking requirements need to be addressed when applying for a special event permit. This seems a no brainer but it isn't addressed in the current application and has caused significant parking problems.

Another time sensitive issue is the relaxing of parking use requirements that we've had during the pandemic. This has been a creative, potentially livelihood saving measure. Hopefully we will return to "normal" and when the time is right parking use restrictions will go back into place.

Thank you for your time and efforts,  
Karen Peterson

**From:** Kaaren Northrop <kaaren.northrop@gmail.com>

**Sent:** Monday, December 21, 2020 11:37 AM

**To:** Tom Strong <tstrong@villageofeggharbor.org>

**Subject:** Plan Commission

Tom-

Please include for PC meeting tomorrow.

To the PC:

We have no objections to Erin Anschutz's proposal and plans for the former Christine's house and garage. I hope you grant her whatever variances she needs to move the house onto her property.

Kaaren and Steve Northrop

Dave and Vonnie Callsen

Also - please include the attached letter.

Thank you - Kaaren

December 20, 2020

To the Plan Commission:

The option you advanced at your last meeting regarding the counting of public parking spaces per private business' requirement may have been dismissed at the Village Board meeting. If it is still on the table please consider this.

The following businesses on Highway 42 in the business district have **zero** public spaces adjacent to their businesses:

Chief Oshkosh

Angela Lensch Gallery

The Patricia Shop

Golf 'N More

JJ's new venture, name unknown

DC Nature Works

Plum Bottom Gallery

MaCready's

Oilerie

The Old Double Delites building

Caepert Gallery

Casey's

Villagio's

Village Cafe

Harbor Hardware

I did not include lodging as they have specific parking requirements.

As was mentioned by several PC members, this could be messy and confusing. I would add arbitrary and inherently unfair.

I encourage you to keep public spaces separate from private business's requirements. Those public spaces were paid by tax dollars from every property owner in the village. They should never have been allowed to be used by private businesses.

Sincerely,

Kaaren Northrop