

Village of Egg Harbor
Plan Commission Special Meeting Minutes
March 11th, 2020 at 12:00 p.m.
Donald & Carol Kress Pavilion – Great Hall
7845 Church Street, Egg Harbor, WI 54209

PUBLIC HEARING: On the special development district relief application filed by Michael J. Schwantes (The Residences at Egg Harbor, LLC). Said special development district relief application pertains to property located at 7784 State Hwy 42 in the Village of Egg Harbor, (Tax Parcel Number: 118-0125302612D) which is located in the Village's Multi-Use (M-U) Zoning District with a Special Development District overlay. Said application is seeking relief from the following sections of Chapter 152 Zoning of the Village of Egg Harbor Municipal Code: Section § 152.046(G)(2) which stipulates that the maximum floor area of any building in any zoning district is 18,000 square feet, Section § 152.046(F) which stipulates that the maximum impervious surface ratio in the M-U District is 60%, Section § 152.048(A) which stipulates the front yard setback for parking lots in the M-U District is 75' as measured from centerline of roadway, Section § 152.047(D)(2)(a) which stipulates that fences shall not include trees but shall include vegetative hedges planted along the immediate lot line, and Section § 152.048(D)(1) which stipulates that residential household activities require two (2) parking spaces per active unit and commercial retail shops required one (1) parking space per 400 square feet and one (1) parking space per four (4) employees. Section § 152.060 Special Development District of the Village of Egg Harbor Municipal Code allows the applicant to apply for special development district relief. The applicant requests relief from the above provisions as the proposed design includes an overall building floor area of approximately 76,400 sq. ft., an impervious surface ratio of 81.3% which incorporates interior parking and a storm water system for exterior impervious surfaces, 54 on-site parking spaces, and a fence to screen the driveway from the neighboring property.

Smith opened the public hearing regarding the matter listed above:

- Village Attorney, Attorney Kalny, stated that there are a lot of people here today and the Plan Commission would like to hear from everyone who would like to speak, but the important thing today is to make sure that the Plan Commission gets a lot of information and understands the information presented.
- Attorney Kalny said that it is important to maintain order to make sure that that can happen, so he asks that everyone be respectful to those that are speaking and to stop and listen. A public hearing is not designed for back and forth it is designed to get as much information as possible to the Plan Commission.
- The Plan Commission gets to ask questions, but the members of the public do not and asked that everyone keep that in mind today.
- Attorney Kalny said that if there are questions that people would like to see the Plan Commission ask, when testimony is given questions should be addressed to the Plan Commission and the Plan Commission can ask them if they find it necessary.
- Schwantes stated that he is with Creative Real Estate, which he started in 1980.
- Schwantes said that his company was hired by Mueller family about three years ago to sell their convenient store.
- Schwantes said that it was clear that this was going to be a difficult sale for a lot of reasons so in talking with the family the decided that maybe there was other options and maybe there is an opportunity to develop the property.
- Schwantes said that when the project team decided to develop the plan they took into consideration the Village's Comprehensive Master plan and looked at it closely to try and address some of the needs that are needed in Egg Harbor.
- Schwantes said that there has been interest in this type of development and there there is definitely a market for the project.
- Schwantes said that the team wanted to create a project that takes into consideration architecture with elements that fit with downtown Egg Harbor.
- Schwantes said that this is the project team's third meeting they have listened to a lot of things that the Plan

Commissioners have had to say. There has been a number of changes that have been made since the project was originally presented.

- Schwantes said that the project team appreciates everyone coming today and is hear to listen to what everyone has to say to take it into consideration because they want to do the right thing as the developer.
- Rick Fisher said he is the project architect, with Fisher and Associates Architects. Fisher said that he would like to thank the Plan Commission for all of the comments that they have had thus far and there have been several changes made to the design since the original presentation.
- The building is a three-story building with 22 residential units on the top two floors, with commercial on the street front, and mixed-use development on the main level.
- Fisher shared a new rendering of the building which is the next evolution of the progress so far.
- Fisher said that the team understands that through the land use permit they still need to finalize the site plan, the drainage plan, the use plan, and the landscape plan.
- Fisher said that comments made today will be reflected in future design development of the building.
- Fisher stated that something that is unique about the project unlike other developments is that they are taking all of the parking and putting it within the footprint of the building.
- Originally there was a request for parking in front of the building, but after looking at that and reevaluating the design, this has been eliminated.
- The existing sidewalk will be left where it is, and a walkable surface has put in front of the building. The building has been setback a bit to add some green space in front of the building.
- The project team went from multiple driveway entrances to one.
- As a result the project team was able to reduce the amount of impervious surface, when the team originally presented the impervious surface was over 80% and is now below 70%.
- Fisher said that the project team had to think about how to get a car into the building. Fisher said that this is important space especially in the downtown and what the team likes about the enclosed parking is that they are not using land to park cars on. All of the pollutants will be contained inside the building.
- Storm water is going to be improved from its current condition.
- Fisher said that it has been very good working with the Commission so far and there have been some good suggestions.
- The comments from the Plan Commission helped the project team rework the parking where originally they only had 44 cars inside the building and now have 54.
- All of the parking needs for all of the residences are within the footprint of the building.
- First floor planned to be retail along the street front, with any retail development the team is not sure what the needs or wants are for potential retail owners.
- Retail designated all across the front with up to possibly four residential units
- The number of parking spaces remains the same for the first floor regardless of use.
- Fisher said that he knows last meeting there were some questions on the square footages of the building itself. For the first floor the square footage itself is 19,000 sq. ft. but a significant portion is designated for parking.
- Not even the ramps to enter the parking area are exposed to the outside everything is within the footprint of the building.
- The upper floors are about 17,280 sq. ft. each.
- The basement is larger and the total building's footprint is 73,500 sq. ft. but there is a significant part of this that is parking because the basement level is all parking and the majority of the grade level is also parking.
- What they like about the building overall is that even though the footprint it large compares to the site it handles the street front appropriately based on the setback from the road. Fisher said that he thinks the team is getting closer to the right feel of the building.
- Most of the building is back down the sides that is not visible from the street front.

- One of the features that the team would like to bring to the project is a roof top patio for the residents. The patio would be located in the front corner of the building.
- There would be limited access with an elevator and a stair. The intended for use of the roof is for residents and not open to the public.
- Like to provide access to that level with handicap accessibility and stairwell as a secondary exit. The area does not require a secondary exit, but the team would like to provide it for the safety of the users and for fire department and first responders.
- There would be a fire department water supply on the roof as well.
- Schwantes asked Fisher to speak on the green aspect of the building.
- Part of the plan is the installation of roof top solar panels. Fisher said that the project team hasn't gone too far into the capabilities of these and what they will be used for. Solar panels would be located more centrally so that they are not as visible and a parapet wall along the edge has been added to help screen.
- The building will have a flat roof top so a lot of the equipment will be on the roof top and will be screened.
- The materials of the building at this point are masonry and siding like the current stone building. The team plans to possibly reuse material of existing structures if they can keep a similar street front to what exists as well as to provide the green space along the sidewalk.
- The current design has siding and stone. There is space on the site in front of the building for trees and open spaces.
- Schwantes said that the team need to redefine the landscape and the lighting. Schwantes said that landscaping and lighting is everything.
- Smith said that originally the team was asking for five items of relief, now they are down to two items. One of original relief requests was for parking but now more was added and they have two per unit. The driveway was moved so now the screening fence on the north property line was removed so now relief from the landscape requirement is not needed.
- Smith said that one of the things the team is still asking relief on is the impervious surface and impervious surface as got a lot to do with storm water control and run off. Smith asked the team to talk about what their plan is for this or what they have done that they think makes the Plan Commission inclined to provide relief for that.
- Fisher said that this is somewhat technical, and the current site condition has 65% impervious surface with no storm water controls such as basins or inlets. With this project because it is new construction development there needs to be storm water capture and control so that the storm water does not affect the neighbor.
- Fisher said that with this project a lot of the water can be captured on the roof and is essentially clean water because it doesn't have the chance to capture contaminants.
- The site is not regulated for storm water management but is the team is going to incorporate this into the design.
- The flow off the roof can be controlled to some extent, at least to the levels they are at currently except the water will be cleaner because it will be captured on the roof.
- The team as investigated more modern storm water controls but because of the current use of the site and the shallow level bedrocks, this project wouldn't be acceptable for infiltration so it would need to be done through mechanical storm water methods.
- Fisher said that overall, the proposed project will have a better discharge condition than what current exists.
- Vander Heiden asked what the ratio is currently in the plans Fisher said that the current ratio is 69.8% which is about 1,600 sq. ft. more than what currently exists.
- Navis how the team calculated the parking spaces for the retail area because if the whole first floor area were to become retail this would equal about 9,000 sq. ft. which would require 30 parking spaces for the retail area. There is currently 10 spaces noted as being required for the retail area.
- Ed Fisher said that the first-floor area includes public bathrooms and other common areas, but the parking calculation is based on the sales floor area.
- Navis said that she tried to take out the common areas and still came up with about 30 spaces.

- Rick Fisher said that originally when the project was presented the project team took into the consideration the provision in the zoning ordinance that allowed counting of on street spaces within 500 ft. of the parcel but this doesn't really work well.
- Fisher said that what the project team is suggesting based on not knowing what the use might be is participate in the new zoning ordinance by paying a fee.
- The use would determine at what extend the development would participate in the public parking program.
- Ed Fisher said that on the second and third floor the required parking is 44 spaces and if there is retail space on the first floor of 4,000 sq. ft. of actual retail space this would require 10-12 additional spaces.
- Navis said that employees also need to be taken into consideration so more like 14-16 additional spaces would be needed.
- Schwantes said that he asked the blaster to join the meeting because there seemed to be a lot of concerns about blasting at the last meeting.
- Schwantes asked Pashke to talk about the actual preparation of the site.
- Pashke Drilling and Blasting was formed in Ephraim and is licensed in 7 states.
- Pashke has dealt with all types of blasting such as building implosions and underwater blasting. Pashke said that this project can definitely be done safety. The noise is a concern and the noise can not be eliminated. The operators that send next to the drilling wear earplugs, but the noise is not a danger to someone who is 25 to 30 ft. away.
- There will be dust control and the equipment have giant vacuum cleaners that suck up the dust.
- Pashke shared an example of a project that was done in the Fox Valley across the street for an elementary school.
- The job site will be fenced.
- The blast itself could be eliminated or is no louder than a firecracker.
- Navis asked what depth from ground level needs to be blasted and Pashke said that depth is 11ft.
- Navis said that when there is a blast for an 11ft. wall how far the blast will venture from the spot of the blast and asked if there will be rock crumbling from the edges. Pashke said that this will not happen as the developer is going to spend the money to perform cushion blasting which means before there is any blasting holes will be drilled about 11 ft. deep one foot apart around the perimeter and then the blasting will be done in the center so that all the energy is going away from the other buildings. The closest hole to the perimeter will be about six or seven ft. and all the material will be pulled out with an excavator in the end. This reduces vibration and provides a firm foundation for the walls as well.
- Cashin asked about blasting in Ellison Bay in 2006 that caused an explosion and destroyed a lot of damage.
- Pashke said that this was not blasting it was a utility gas line issue.
- Cashin said that there is a propane tank not very far from the property on the south property line and asked if this is of any concern. Pashke said that there are no buried lines that come onto the project property so that is not a concern.
- Pashke said that there is also a pre-blast video tape required for the inside and outside of the neighboring property within 300 ft. which is required by the state.
- Cashin said that last meeting she did ask for a certificate of insurance which appreciates receiving. Cashin asked about the name listed on the insurance certificate and Pashke said that that name listed is the legal name of the company.
- Attorney Kalny asked that prior to any construction activity that would take place if Pashke would put together a protocol of the plan similar to what was described today as well as the timing and the location of blast.
- Pashke said that this could be provided prior to any work.
- Cashin asked if Pashke has ever had a claim filed through their insurance company or if the company has ever been sued for blasting interference.
- Pashke said that he has only had one claim that was settled through insurance versus going through a lawsuit.
- Pashke said that there was one other major claim that was actually reimbursed because it wasn't the company's fault.

- Pashke said that the company is very proud of the insurance record and would not be in business if they lost their insurance.
- Pashke said that the State of Wisconsin is one of the toughest states as far as blasting regulations. Pashke said that the company is licensed in several states and Wisconsin is right up there with New York as far as blasting regulations.
- Navis asked if there is any reason related to the time of year that blasting has to be done and Pashke said that his company can work year round.
- The following provided testimony as listed above: Charles Pashke 660 N Northview Road Green Bay, WI 54311, Michael Schwantes 3428 N Lake Michigan Drive Sturgeon Bay, WI 54235, Rick Fisher, Fisher & Associates Architects W136824 Bollsum Lane Road Two Rivers, WI. Ed Fisher 325 East Call Avenue Green Bay, 54301.
- Angela Lensch – 7653 STH 42 Egg Harbor, WI 54209
 - Lensch said that as a Village of Egg Harbor Trustees and the point person for Green Tier Legacy program she is opposed to the project as currently outlined.
 - Although there is some positives regarding high density development and the mention of solar panels, there are some things that negatively impact the Village’s involvement in Green Tier.
 - Lensch said that she has a few points of reference, first being the Village of Egg Harbor Green Tier Resolution that was signed in 2017 as well as the Village of Egg Harbor Sustainability Statement.
 - Lensch reviewed the sustainability mission statement, “We are committed to bringing sustainability to our municipal buildings and properties as well as working with area businesses, community groups, and property owners to improve the place we live and do business by implementing environmental and sustainability projects that benefit the Village socially and economically.”
 - Lensch said that she is also going to reference Roger Kuhns’ nine-page letter that the Plan Commissioners have as he made very important sustainable points in his letter.
 - Lensch said that regarding the Green Tier Resolution, the main point she is going to touch on is to assist the Village of Egg Harbor, WI in achieving superior environmental performance the following two areas one water resistance management and sustainability practices and goals related to economic development, public health, and social equity.
 - It is crucial that the Plan Commission not issue relief for the building size and the impervious surface ratio. This goes against point number one of the Green Tier Resolution. One of the key points made in the language of smart growth is the importance of maintaining a 60-40 ratio of impermeable surface.
 - A large part of permeable surface is needed to manage storm water as well as maintain habitat. Lensch said that she knows that the rooftop collection was mentioned but we also have as Roger Kuhns stated the high ran fall and a lot of water would be coming from higher elevations surrounding the property.
 - Lensch reviewed the number of serve storms per summer for the past 19 years.
 - The record rainfall surpassed itself from 2018 to 2019 and this is an important thing to keep in mind because of the underground parking and this area flooding.
 - Lensch said that she did talk to the Village’s Wastewater Treatment Plant Supervisor who said that he does not personally like the idea of drains going into the sanitary sewer because of concerns if the basement were to flood.
 - Lensch said that the Wastewater Treatment Plant Supervisor would not want to overload the beach lift station.
 - Lensch said that as a Green Tier Community we must stick to the allowed ratio unless a meaningful alternative substitute can be implemented.
 - Though there would be economic development and a potential for more property tax and room tax gained she is very concerned the potential detrimental side effects of blasting as well as the size and design of the building.
 - Lensch said that Roger Kuhns also makes points to this in his letter.

- Lensch said that we must take care to protect the existing businesses that have been supporting the economy of the village for many years. The potential of wells being contaminated from the blasting and development are because of the carst stone or lack of bedrock.
- Lensch said that like Kuhs mentions in his letter the Village has very old foundations on buildings in and old plumbing, which is different from schools and other areas.
- The blasting and fabrication of this building could be detrimental to the existing businesses.
- Let alone the dust and noise that will be caused from the blasting.
- Lensch said that Roger Kuhns also went into detail in his letter about the different types of dust and all the various ways they can affect public health as well as the noise.
- The character of the village would be negatively affected by the sheer volume of the building, let alone the generic modern architecture.
- Lensch said that Roger Kuhns mentions in his letter that this type of architecture is commonly referred to as double loaded corridors and if it is kept close to the sidewalk it will create a condo wall close to the sidewalk.
- Lensch said that she is also concerned about the bedrooms in the design that do not have windows because this is a fire safety although she knows that can be somewhat eliminated with sprinklers there is also a mental health issue.
- If the units were qualified for renters assistance it is required that all bedrooms have a window in them.
- Lensch said that this goes with her last point of social equity. These condos would not be afforded by 90% of the community so there is a potential for many of them to sit empty.
- Lensch said that there was a really great video that was taken during the Earth Day Festival that speaks to the topic of attainable housing.
- If this is allowed and the Plan Commission does issue relief, Lensch requests that the Plan Commission require the building to be LEED gold standard and that solar should supply at least 50% of the electricity for the building.
- Lensch said that she would also like to suggest that the Plan Commission suggest extensive research to storm water management and said that in his letter Kuhns references a geological hydraulic assessment of ground water flow, surface water infiltration and flow, and impacts to and from open fractures in area of high permeability.
- Barbara Tuch – 4492 Braburn Court Egg Harbor, WI 54209
 - Tuch said that she came with the same intention as Lensch.
 - Tuch said that the geology studies seem not to have been done.
 - The 2008-2020 Comprehensive Plan that was developed prior to the latest comprehensive plan states that at the time the geology depth of bedrock is less than 2 ft. throughout most of the village and in some cases, it is just inches. Because property owners in the Village have private wells, development in areas with high bedrock should be closely monitored to recognize potential negative impacts based on soil characteristics the potential for basements if very limited in the Village of Egg Harbor. Areas shown as not rated in depth to bedrock less than ten inches.
 - Tuch said that she is just wondering if studies have been done to indicate the kind of blasting and the depth of which will affect the water table in the Village of Egg Harbor.
 - Tuch said the concept of a basement that deep and large filling up with water is not unimaginable with the kind of water levels and run offs we've been having.
 - Tuch said that the other thing that she has wondered about is also in the same 2008-2020 comprehensive plan, people indicated that one thing that they did not want to see in the village was more condominiums and she is wondering why we are opening that concept up again to more condominiums.
 - Tuch asked who we are looking to live in the condos, for the price of up to \$800,000 which doesn't seem to be meeting needs of the type of residences the village has envisioned.

- Tuch said that she is wondering who we are trying to attract here.
- Tuch said that the Village has a lot of condominiums that are vacant now. Why do we need more condos?
- Tuch said that she is worried about blasting regardless of insurance.
- Karen Peterson – 7763 STH 42 Egg Harbor, WI 54209
 - Peterson said that what she wanted to talk about a little bit was parking situation that has been ongoing and has been a large discussion here.
 - Peterson said that the project team came up with having 54 parking space and needed 61 at least but she wanted to get back to the last meeting with the new ordinance for parking for vacation rentals.
 - Peterson said that it has been mentioned that these units would most likely be rented out as vacation rentals. So, all of the three-bedroom units would require three parking spaces but have only been allocated two in the plans. Peterson said that this would create an additional six spots that are short.
 - Peterson said that Commissioner Kolb who is not here, who lives in a place that has a lot of vacation rentals realizes that guests bring a lot of vehicles. Hence the change in the ordinance to satisfy parking needs.
 - Peterson said that she would also like to point out that Navis and Smith have both signed a letter specifically talking to the point of how skinny the parking situation is in that downtown location and looking at with the change of the highway how to best utilize not losing anymore parking. Peterson said that she thinks these two appreciate the need for downtown parking and the fact that there isn't enough to go around. Peterson said that the idea of adding a project that is over a dozen spaces short is very short sighted.
 - Peterson said that the concept of the project is good, but the building is massive.
 - For anything that is over 2.5 times what is allowable she thinks is inappropriate for Egg Harbor and she thinks that the concept should be brought down to a scale that is appropriate for the Village.
 - Peterson said that this is going to be a legacy to Egg Harbor, and she thinks we need to keep working at this to bring it to an allowable size.
- Cambria Mueller – 7750 Sleepy Hollow Road Egg Harbor, WI 54209
 - Mueller said that her main concern although she agrees with what Peterson said is that this project is going to be here for generations to come.
 - Mueller said that her concern is that when you give relief to something that is very crucial and the way that Egg Harbor is moving forward with their Green Tier and being more conscious of the residents and people coming into the Village, she thinks that what you do for one you have to do for all.
 - Where does the Plan Commission draw the line? What is the point of having provisions that align with the Village's sustainability practices going forward if we are going to allow relief on them?
 - Mueller said that if the Village grants relief on this project, the next project might ask for 75% impervious surface. Mueller said she thinks this is a very slippery slope and the Village is working hard on sustainability so far, so this development needs to meet the regulations that Egg Harbor has set forth and not allow any relief items.
 - Mueller said that with the impervious surface it is not just about the water run off but also about allowing the green space along the building so that there is something other than a building or pavement on the property.
 - By allowing the developers to exceed the impervious surface ratio, they have addressed the water issues, but the Village is still allowing them to use the maximum amount of property.
 - Mueller said that she feels like a lot of the businesses have done a really great job of making Egg Harbor a place to come and visit and as a resident we are loving it right now but it is scary to see things going down this path forward and where it might lead.
- Jennifer Thompson, 7828 STH 42 Egg Harbor, WI 54209 President of the Board of Main Street Shops
 - Thompson said that she has a couple of concerns, first parking is huge.
 - Thompson said that if these units are going to be rented which we've heard and we know, people are going to need a place to park.

- Where are the cars going to end up, either in Main Street Shops parking lot, Main Street Markets parking lot, or parked on Church Street for the entire weekend.
- Thompson said that everyone needs to think about this parking thing because everyone is already cringing over the work.
- Parking should be something that needs to be thought about.
- One of the major concerns that Thompson has in reviewing the project is that there is one drive in and they have to come in and out the same way. They have created no emergency exit out the back of that piece of property. What if there is a fire truck or an emergency, there is no emergency relief because everything has to come and go from the same driveway. She really thinks that this is something that should be looked at.
- Thompson said that she does realize that the road behind the property is a driveway, but this is something that is very viable and should be looked at as a real safety concern.
- If this project does go through, one of the things that really concerns her is the equipment, all of the heavy equipment is going to be coming into town as well as construction workers which bring us back to the parking concern. Do they have enough room on this lot for parking all of the equipment and worker vehicles and where do they go? Which way are they going to exit and enter in and how much disruption beyond regular construction is the Village going to have?
- We have a major virus, which they are calling a pandemic which every business owner is the room is worried about and now we are adding a major construction project in the middle of summer.
- The Plan Commission needs to think about where all this extra stuff is going to go and from the perspective of the Plan Commission asking the question and how the developers are providing for it.
- Thompson said that this is a big project and she knows that Main Street Shops has a big building and they have been around a long time, but this is different, this is gargantuan. The Plan Commission really needs to think about the size and logistics of this project.
- Lauren Schar - 7755 STH 42 Egg Harbor, WI 54209
 - Schar said that she lives, works, and operates a business in the Village of Egg Harbor.
 - Schar said that ten years ago her husband was lucky to be chosen to move to Door County to run three restaurants.
 - Schar said that they knew after nine months from when they got here that this place was special, and they couldn't do this anywhere else and they have lived all over the country. Schar said that their customers come here because of this.
 - If we give up on the things that make Door County special we are giving up on the county and giving up on the small business owners, the people that work hard for the privilege to call this place their home.
 - Schar said that the Village should leave the space for a small business owner to run a business to put their heart and soul into and to make a mark on this community.
 - Schar said that the plans that she sees on the long pieces of paper are not what should qualify as making a mark on the community.
 - Schar said that a village is a place that isn't a city or a town, this is the first village that visitors see when they drive north of Sturgeon Bay.
 - Schar said that we should leave them the village that we built because we are proud of it.
 - Schar said that she worries that if we let this go and we don't stand up now we are going to be like the other Village's that have let it go and we can't stop the train once its moving.
- Sarah Bonovich - 3329 Wooded Lane Baileys Harbor, WI 54202
 - Bonovich said that lives in Baileys Harbor and co-owns 80 acres of developable land on County E
 - Bonovich stated that the intent and purpose of a zoning ordinance is to protect the safety and welfare of residents and visitors as well as to protect property values on the agreed-on character of a municipality.
 - Bonovich said that deviations and variances are to be granted cases in proven cases of hardship to the owner or developer.

- Bonovich said that in this case, that is not a factor. The requested variances are only to increase density and impervious surface coverage and basically to circumvent the intended protections of the zoning ordinance.
- Bonovich said that she therefore urges the Plan Commission to deny this project.
- Kaaren Northrop -7770 STH 42 Egg Harbor, WI 54209
 - Northrop said that a lot of the questions have been about the size and the scale of the project in the middle of the Village and at the last meeting it was requested that the Plan Commission request some type of rendering so that we can see what this project would look like in the Village.
 - Northrop said that before the Plan Commission makes any decisions she would love if this is requested from the developers.
- Giz Herbst – 7892 STH 42 Egg Harbor, WI 54209
 - Herbst said that he has been listening intently to all of the appeals regarding ground water and parking but there is something else to be said about the project.
 - What is door county? Herbst said that Door County is thought of as a tourism area but when he thinks of Door County he thinks of two things tourism and vacation rentals.
 - Herbst said that tourism is the people that come up for one or two days and are friends and relatives of those who live here. Now, Herbst will invite this people up to come and a take a look at Egg Harbor’s new three story square box condominium.
 - Herbst said that when we are looking at the hub of the village and the hub of Door County. Herbst said that no one is address or has said anything about the building that stands on the property and is an icon.
 - Herbst said that every attempt should be made to save the building.
 - Herbst said that he knows there is potential there for invest and development but we have to save what has been here in Door County for many many years, which is the old Birchsein Gas Station, the old Point Beach gas station which was built in 1931 and is an icon in the Village for many years.
 - Door County has had a habit of tearing down the historic buildings. We have to start saving them because there are many people that come to Egg Harbor and Door County for heritage tourism.
 - Herbst said that the Plan Commission should think about where they go for vacation and many of them go to places and visit museums or historic villages. People have to strive to save the heritage.
 - Herbst said that he had the pleasure of attending 22 meeting for the planning of the Kress Pavilion. There was a lot of time spent and a lot of time invested in planning the facility correctly. Herbst said even though the building is a few years old, it feels like to him like it has been here for 30 years because the planning was done right.
 - Herbst said that he encourages the Plan Commission to save heritage.
 - Herbst said that we lost Shipwrecked through fire, are we going to lose this last heritage hub to the development of a box facility. The building might look beautiful some place. Herbst said that Navis asked for a perspective drawing last meeting and would like to see what that building would like from all angles in the Village.
- Robert Hawley 2735 West Meadow
 - Hawley said that his wife and him own a business across the street from the project property.
 - Hawley said that if people have driven through the Village recently, they will see that they are working on the building façade and replacing the windows.
 - Two tenants live upstairs, and it has always been an affordable rental situation.
 - Hawley said that the Mueller’s have always been wonderful neighbors and they wish them well but they are extremely concerned about the blasting.
 - Hawley said that being involved in the business for many years he knows that insurance companies do not offer you a check and you fill in the amount.
 - Hawley said that what they are concerned about is cracked foundations, loss of business, loss of product, and more importantly being involved in a lawsuit with the insurance company to try to prove their losses,

business products, and renters.

- Just because the developers have insurance it really might not be enough.
- Hawley said that more importantly when they go to sell the building someone is going to point at blasting damage that was settled out and ask what is going to assure them that there won't be more damage in the future.
- Hawley said that they are very very concerned about this because they are right across the street and you could literally take a softball and hit the building and if this could be done then the tremors could also effect the business.
- Dave Callsen 7770 STH 42 Egg Harbor, WI 54209
 - Callsen said that he cannot disagree with anything he has heard today and thinks that this is a great output of community feelings on what should be or shouldn't be done in the Village. Callsen said that he hopes that the Planning Commission takes this into account.
 - Callsen said that if we want to know what it's like to despoil a village go to Sister Bay and see what they have done there. Callsen said that we don't want to be like Sister Bay.
- Dennis Delorit 5048 Alpen Lane Egg Harbor, WI 54209
 - Delorit said that his family has properly one of the oldest buildings in Door County, Mojo Rosa's. Delorit said that he is concerned with the blasting because the entire foundation is old stone.
 - Delorit said that he is not much against the new building, but he does think that it is going to damage the look and feel of the Village.
- Ann Johnson -7881 STH 42 Egg Harbor, WI 54209
 - Johnson said that her biggest concern is losing the quaintness of the Village. When she and her husband came her four plus year ago they recreated a home and tried to make it as quaint as possible because this was important to them.
 - Johnson said that she thinks a building of this nature is going to change the quaint look so she is concerned and opposed to this.
- Renee Schwaller 4234 CTH E Egg Harbor, WI 54209
 - Schwaller said that she agrees with everything said so far and her family moved here full time in 1996 refurbished an old farm house that was falling apart.
 - Schwaller said that it was very important to her family to take something that was 130 years old and fix it up and try to keep the quaintness and beauty that they say in Door County when they moved here.
 - Schwaller said that they have an old timber frame barn which is part of their gallery and they put a new metal roof on and have been remodeling the place for 22 years. All of the money that they make goes to keeping their small far beautiful and almost every person that visits the gallery in summer comments on the beautiful location.
 - Schwaller said that she has had lot of people lately asking what is happening to Door County and saying that it is just not the same as it used to be, that they come up here for beauty and nature and its becoming completely commercialized.
 - Schwaller said that she understands there's progress but she thinks we need to be growing in a smart way and for all the reasons everyone else stated we really need to think about how we are moving forward in Door County in general so that we don't ruin the future.
- Coleen Bins 7631 STH 42 Egg Harbor, WI 54209
 - Bins said that she operates and owns Chief Oshkosh.
 - Bins said that she has had damage to her property.
 - Bins said that she commuted to Oneida from 1997 until she quit her teaching job in 2007 and she is still a resident artist.
 - Bins said that she commutes a lot and did not notice damage but, the person who repaired it said that it could have done by some kind of tremor or if she had a too hot a fire in her fireplace.

- Bins said that she never had a fire in the chimney and trusts who made the repair.
- Bins said that there was other things that happened with the flooding and when you don't know what to do and don't have money you are stuck with it.
- Bins said that she feels like the Village is making a place that is only for a certain type of people.
- Bins said that she doesn't agree with size of the building but does agree with the rest of the comments.
- Bins said that the Plan Commission reconsiders what is planned for the little people and all the people here struggling to stay.
- Dawn Patel 6223 Indigo road Egg Harbor, WI 54209
 - Patel said that she has recently moved her business from Sister Bay to Egg Harbor and she is so happy to be here.
 - Patel said that thinks the fact that everyone is speaking really reinforces the fact that everyone is concerned with things that are also very important to her.
 - Patel said that she speaks to every customer that comes into the door and really gets into conversations with them and what she hears mirrors what everyone has said. She has even had countless people say to here that it's great that she left Sister Bay because Egg Harbor has such a different feeling to it.
 - Patel said that people talk about the way Egg Harbor feels and if you have a building that is set against the highway squeezed between two other buildings this is going to make people feel a certain way.
 - Patel said that the Plan Commission should think about why people come here and what they love about Egg Harbor.

Smith closed the hearing.

PUBLIC HEARING: On the conditional use permit application filed by Michael J. Schwantes. Said conditional use permit application pertains to property located at 7784 State Hwy 42 in the Village of Egg Harbor, (Tax Parcel Number: 118-0125302612D) which is located in the Village's Multi-Use (M-U) Zoning District with a Special Development District overlay. Said application is required by Chapter 152 Zoning of the Village of Egg Harbor Municipal Code per section § 152.045 Multi Use District (M-U), (B) Conditional Uses, (8) Multi-family dwellings; There is no density standard for multi-family dwellings in the MU district. Density will be governed by the applicable permeable surface requirements, setbacks, landscaping and building height requirements. Parking, garage and driveway orientation. All off-street vehicle parking including surface lots and garages, loading docks, and overhead doors shall be oriented to alleys, or located in parking areas located behind or to the side of the building; except that side yards facing a street (i.e. corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g. structured parking) shall be recessed behind the front building elevation by a minimum of four to six feet. Corner lots, garage entrances shall be oriented to a side street when access cannot be provided from an alley. The applicant is proposing the construction of a 27-unit condominium development with 2 retail units, 3 live/work units, and 22 residential units with a mixed-use retail along the street.

- Smith opened the hearing for the conditional use permit noted above.
- Smith reviewed the following: Under the provisions of the recently adopted Sec. 62.23(7)(de) of the Wisconsin Statutes, conditional use permit decisions must now be made on the basis of oral testimony before the Plan Commission that establishes, by substantial evidence the necessity of a conditional use and reasonableness of each condition. Documents in support of or in opposition to the conditional use can be submitted but they must be done through testimony by the presenter at the hearing. Oral testimony must be given under oath. Conditions to be established during the public hearing through Finding of Fact and Conclusions of Law. Commissioners can ask questions to those testifying, audience members cannot.
- Smith sworn the following individuals in to provide testimony:

Megan Vandermause
Deputy Administrator/Deputy – Clerk Treasurer

7860 STH 42
Egg Harbor, WI 54209

Michael Schwantes
3428 N Lake Michigan Drive
Sturgeon Bay, WI 542035

Rick Fisher
Fisher & Associates Architects
W136284 Bollsum Lane Road
Two Rivers, WI

Angela Lensch
7653 STH 42
Egg Harbor, WI 54209

Vandermause Testimony –

- Vandermause stated that she reviewed the application against the factors deemed reasonable for the Plan Commission consideration as identified in the zoning ordinance and found the following:
 - The number of living units in the proposed area; Revised plans include two dedicated retail areas and two to four retail or residential areas on the first floor as well as 22 residential units on the second and third floors.
 - The effects of traffic control on abutting Village roads and streets and safety to Villagers, pedestrians, and motorists; The revised plan includes a single two-way driveway on the south end of the property in order to minimize the access points on STH 42. The location of the driveway as presented is preferred as it is as far from the CTH G and STH 42 intersection as possible, therefore reducing congestion of the intersection. Revised project plans include 54 onsite parking spaces contained within the building. Material through the excavation process is to be loaded in dump trucks and hauled off site. In the letter provided by the project's general contractor, if road closures are required due to material hauling or equipment deliveries, a flagman will be provided as needed. The letter from the general contractor also notes that traffic control signage in each direction will be provided. According to the WisDOT's website a permit is required to work in the right of way of an interstate, a permit will be needed from the WisDOT for blocking and/or detouring STH 42 prior to the start of any work.
 - The general health and well-being of the Village residents; The proposed project complies with building setback requirements for the M-U district as outlined in section 152.046 (A) (1) (c) of the zoning code. A special development district relief application has been submitted for relief from the maximum impervious surface ratio of 60% and the maximum floor area of 18,000 sq. ft. Number of special development district relief items has been reduced from five items to two items with the submittal of the revised plans. Because the development is centrally located in the middle of the Village's downtown, the residents at the development will have the ability to walk to several amenities in the Village, therefore creating a walkable residential development. Vandermause noted that unless the special development district relief is issued, the project does not comply with the zoning code.
 - The increase in area noise; Area noise to increase during blasting and construction. In a letter provided by the general contractor regarding blasting for the project it is sited that "the drilling process will be noisy, drilling will start 8:00 a.m. each day Monday through Friday for a period of three weeks. Charges for blasting will occur three times per day at 9:30 a.m., 12:30 p.m. and 3:30 p.m." No specific information identified by staff regarding increase of area noise after construction is completed.
 - The increase in potential public or private nuisance; Based on Chapter SPS 307 Explosives and Fireworks of the State of WI Code, specifically section SPS 307.42 Blasting schedules, "all surface blasting shall be conducted before sunrise and sunset unless one of the following conditions apply: 1. More restrictive time periods are specified by the department, 2. The blasting is approved by the department based on showing by the operator that the public will not be adversely affected by noise and other impacts. Although information has been presented by the applicant regarding the process of blasting, no specific information has been presented that references or shows that the public will not be adversely affected by noise and

other impacts. The effects of blasting reflect a concern because the under the currently proposed construction schedule blasting is to take place during the peak tourism season in August.

- The availability of municipal services such as fire protection, waste disposal, and sewage; the proposed structure would be required to connect to the Village sanitary sewer system and can be serviced by the Village's fire protection services as well as will be required to display a fire number per Village ordinance. The proposed structure will be fully sprinkled per Wisconsin State Building code as noted on the proposed plans provided by the project team. Interior refuse storage area noted on the plan set.
- The adverse effects on the environment; The applicant has noted that a storm water system will be developed for exterior impervious surfaces, however no specific storm water or drainage plan has been reviewed to date. Impervious surface area was reduced from 81.3% as originally presented to 69.8%. The maximum impervious surface ratio allowable in the multi-use district is 60%. The applicant has filed a special development district relief application to seek relief from this zoning provision. The existing site has 65.3% impervious surface.
- The protection of lake shore, lake, and ground waters; information identified in item (g) also applies.
- Effects on surrounding plant foliage and vegetation; The applicant notes that the landscaping that will be provided on site will be concentrated near and incorporated into the streetscape.
- The kind and quality of amusements or entertainment; The proposed residential and retail use are uses as allowed by the MU District per section 152.045 of the zoning code.
- General growth and dynamics of the Village; Proposed use is a conditional use of the zoning district. The future land use map included in the Village Comprehensive Master Plan lists this property as a commercial land use.
- The Village Master Plan; Housing was identified as a challenge during the Village's recent Comprehensive Master Plan update. Project is proposing to increase the number of housing units in the Village.

Fisher Testimony –

- Fisher said that at the beginning of the project, the project team reviewed the master plan and felt that the project was appropriate based on the plan. The project team realized that there were challenges because there is limited property in the downtown area, but they wanted to incorporate some of the retail components as well as the use of the availability of land on site.
- Fisher said that the site is uniquely challenged because it is a gas station because there are concerns with infiltration.
- Fisher said from the report he got from the civil engineer because of the current use of the site and the high level of bedrock that this site would not be allowed to have permeable surface in order to infiltrate.
- Fisher said that through the construction and through the storm water management now that they are collecting all the water, they can adjust the impervious surface ratio to the 60% discharge rates based on the roof top storage.
- One of the things that is good about this project is if you look at the number of units versus trying to make these all individual uses in the Village it takes up a much smaller site than the combination of individual units.
- Fisher said that the site will be difficult to develop in different ways because of its previous use.
- Fisher said that the project maintains street frontage, reduces the overall land use, stores all the vehicles within the building, and stores the refuse in the building.
- Fisher said that the team is trying to make this a neat, tidy controlled, clean site.
- There will be good pollution control from the vehicles because they will be inside, and waste is required to go to the sanitary. When there is vehicle waste involved there is a special prefilter on the drain, so what goes into the sanitary system is pretreated.
- Obviously, there are several conditions that could be put on the project, but the project team is willing to continue to work with the group on conditions and architecture.

Schwantes –

- Schwantes said that this is a process and he certainly acknowledges the concerns that the residents have.

- Schwantes said that this is a process and there could be some more changes based on the concerns.
- The team will go through the process and try to do the best they can.
- The project team knows that other concerns are going to come up and they would like the opportunity to address those concerns.

Lensch Testimony –

- Lensch said that she will be referencing the following as evidence: the Village of Egg Harbor Sustainability mission statement – “We are committed to bringing sustainability to our municipal buildings and properties as well as working with area businesses, community groups, and property owners to improve the place we live and do business by implementing environmental and sustainability projects that benefit the Village socially and economically.”, the Village of Egg Harbor Green Tier Resolution from 2017 main points that are drawn from that is water resource management. Lensch said that she does not feel that the developers have adequate evidence in management of water.
- Economic development is a key point in the resolution regarding sustainability practice and the economic development of the existing businesses has the potential to suffer from the acceptance of this conditional use permit as well as public health do to blasting and potential well contamination.
- Lensch also referenced the letter the Plan Commission received from Roger Kuhns regarding social equity and as a Village Trustee she will work to make sure that the Village has proper language that addresses this.

Kalny -

- Attorney Kalny said that there have been some issues raised concerning where the water in the basement is going to be and it was generally addressed but interestingly apparently special relief from the impervious surface might be avoidable by some design. Kalny said that this would be relevant to the Commission’s decision in both the special development district case and the conditional use permit case.
- Kalny said that the Plan Commission might want to gather some more information on that before making the decision.
- Smith said that Attorney Kalny is referring to the testimony that referenced getting the flow rate down to the same as rate as a site with 60% impervious surface.
- The blasting is a concern of everybody with the potential of impacting neighboring property especially those with older foundations.

Cashin reviewed that the main concerns are the look, potential flooding, parking, blasting and the size of the building.

Kalny said that interestingly normally with a conditional use under the new law you don’t look at the look of the building under conditional use law because this is so much of a subjective issue. The conditional use is now supposed to be evidence based, based on substantial evidence provided during the public hearing.

Kalny said that this project also has special relief and under special relief over section on of the specific thing that should be taken into consideration is the impact on surrounding properties and the impact on the character of the zoning district. Smith said that as far of the conditional use permit goes it doesn’t seem like more information would be needed on the blasting, but this is something that should be taken into consideration with the special development district relief application.

Smith close the hearing.

1. Call Meeting to Order

Smith called the special meeting to order at 1:56 p.m. Those in attendance were Joe Smith, Lou Nyberg, Jim Vander Heiden, Emily Pitchford, Kathy Navis, Paula Cashin, Ryan Heise, Megan Vandermause, and Village Attorney Jim Kalny. Also in attendance were Ed Fisher, Rick Fisher, Margaret Schmal, Dolly Swagel, Cambria Mueller, Victoria Cernich, Giz Herbst, Char Mueller, Jane Lautenbach, Bob Woelter, Michael Schwantes, Rick Koehler, Judith James Blahnik, Mary Mueller, Renee Schwaller, Kevin & Mary Tall, Adolf Walser, Karen Peterson, Kathryn Crosson, Dave & Vonnie Callsen, Donald Butera, Cozy & Donald Helm, Robert J Mueller, Kaaren Northrop, Lisa Van Laanen, Chris Herl, Ali Gibbs, John Heller, Jen & Mark Thompson, Chris Roedl, Bobbi Brashculer, Geoff Hansen, Mary Jo Delorit, Dennis Delorit, Katie Harding, Dawn Patel, Ann Johnson,

Kevin and Dawn Bartschinger, John Norstrom, Bill White, Sarah Bonovich, Coleen Bins, Rick Malkemus, and Bob Hawley.

2. Approve agenda

Vander Heiden moved, second by Nyberg, motion carried.

3. Pledge of Allegiance

4. Approve minutes of February 25th, 2020 meeting minutes

Navis moved to approve the minutes of the February 25th, 2020 meeting minutes with changes, second by Pitchford, motion carried.

5. Review and possible approval on site plan changes for the conditional use permit filed by Paul & Mert Larsen for 7695 STH 42

- At the last meeting there was a public hearing and a conditional use permit approved for Paul & Mert Larsen for having a secondary principal structure on the lot.
- Vandermause said that one of the conditions that the Plan Commission imposed on the conditional use permit were that any changes to the site plan or drainage plan be reviewed and approved by the Plan Commission.
- Vandermause said that there is a letter in the agenda packet from Paul Larsen that explains that after some brush clearing was done on the property there was a ridge discovered which the property owner would like to avoid.
- Vandermause said that avoiding this ridge would make the project better as far as the drainage on the property goes.
- Vandermause said that also last month there was a hand drawn sketch and a drainage plan submitted and there were some discrepancies between these two documents.
- Vandermause said that the drainage plan was more accurate. Larsen is planning on moving the building 10 ft. to avoid the ridge.
- The project is still in compliance with the zoning code and Larsen would still need to follow the drainage plan that was submitted.

Pitchford moved to accept the changes in the site plan submitted by Paul Larsen, second by Navis, motion carried.

6. Final review of the updated zoning code and recommendation to Village Board

- Smith said that this is the final iteration of the updated zoning code.
- Cashin said that the second line item on line page three still references a fee in lieu of parking of \$200 and the board changed this to \$50.
- Cashin referenced the trash pick up under the tourist rooming housing section and Smith said the Trustees changed this.

Smith moved to recommend that the zoning code be approved by the Village Board with the one correction of the fee in lieu of parking amount, second by Cashin, motion carried.

7. Deliberation and possible action on the special development district relief application filed by Michael J. Schwantes (The Residences at Egg Harbor LLC) for 7784 STH 42

- Smith said that this is the special development district relief and is discussion on the impervious surface, the parking potentially, the blasting potentially, and the square footage of the building.
- Cashin said that she thinks that the team needs to go back and take into consideration all the testimony that was heard today.
- Cashin said that she is concerned that the building is too large for that area and is concerned about flooding and parking.
- Cashin said that she doesn't think the Plan Commission can approve this with what the project team has presented so far.
- Cashin said that she likes the idea and doesn't have a problem with a condominium. She thinks that if they

downsize it or make the first-floor parking this would be better.

- Cashin suggesting leaving the building that is already there to be used as retail.
- Cashin said that she thinks it needs to be down sized.
- Navis said that she likes the concept of the project and thinks it great to have greater density downtown Egg Harbor and would much prefer to see the 22 living units in this arrangement than on 22 acres of land for sustainability.
- She thinks it's great that the parking is in the basements and likes the walkability and things about this design that are brilliant, and she really agrees with but she thinks the building is too big.
- Navis said that the Plan Commission has heard from every person in the crowd that they don't want a 175 ft. 35 ft. tall flat surface right in the center of town because it is too much and too big.
- Navis said that she thinks the impervious surface ratio needs to be maintain at 60% and doesn't have a problem going over 18,000 sq. ft. but this is too big.
- Navis said that she would love to see somewhere a provision for affordable housing to be incorporated into the project. She doesn't know if this is possible that maybe in the back some units could be made affordable for residents of Egg Harbor to actually live there.
- Navis said that she liked Roger Kuhns suggestion about adding solar. Navis said that she has studied solar energy and she loves the idea that solar is incorporated but it is nowhere near adequate. Because of the huge flat roof, she wants to see the whole roof covered in solar panels because there is no reason that a large portion of the electricity couldn't come from the solar panels. Its expansion in the short term but worth it in the long term.
- Navis said that maybe instead of a flat front maybe the building could be designed so that if there are four or five units that have some variant in the entrances so that its not one big flat surface.
- Navis said that she owns Greens N Grains and her building is about 30 ft. wide by 60 ft. long and tall. So, when she looks at the south side of her buildings and envisions a building that is about three times the length and that height it is overwhelming for the Village of Egg Harbor.
- Navis said that she also likes Roger Kuhns idea of meeting the LEED gold standard. There is no reason that for this kind of new construction that this shouldn't be done.
- Navis said that she agrees with the idea of the rear exit there because if there is a crisis there and a fire truck is parked in the driveway there isn't a way to get out the back.
- Navis said that she thinks somehow there needs to be a rear exit and access not only for an emergency but also for construction. Maybe some of the huge trucks can be kept off of the highway if there is a backway out.
- Navis said that she thinks that every single parking space that is required on the project should be on the property. The only reason there is not enough room for parking is because there are so many units. By decreasing the number of units, the project team could easily but all of the parking on site.
- Navis said that she does think the Plan Commission needs a perspective drawing but does not think the project is at that point because not sure what it is going to look like.
- Smith said he appreciates the comments about the solar and LEED certifications but the conditions on the special development district relief have to be specific to what they are seeking relief from.
- Kalny stated that this is correct because the Plan Commission has issued relief in the past they haven't really gone off from what the applicant was seeking relief from.
- Kalny said that he does hear some incapability issues with the surrounding buildings which is something that can be taken into consider as well as the construction planning and the concern for the welfare of the community.
- Onsite parking also goes with the welfare.
- Navis said that the proposed construction timeline is a game stopper for her because there cannot be blasting in August. Navis said that she knows that this is what the project team thinks they need to keep the project flowing but this will shut down the Village of Egg Harbor.
- Navis said that the business owners are already worried about the virus going around effecting the season and cannot have the center of the village affected by noise and dust as well.
- Cashin agrees that there will be an impact on the business community if the blasting is done in August.
- Smith said that he likes the roof water collection design which could adequately address the runoff concerns.
- Nyberg said that he sees most of what was heard today is technical stuff that can be worked out.

- Nyberg said that he thinks a lot of the objection is emotional and objecting to the look and the size is part of that. Nyberg said that it is hard to imagine of building of that size right in the middle of the Village, but he doesn't have a problem with replacing what is there now as far as what it looks like.
- Nyberg said that how the property could be used beyond something like this is kind of a question. Nyberg said that the Plan Commission should look about those aspects of it but he is not sure how he feels based on what he's heard here today. Nyberg said that he has heard from other people who aren't here today and most of them were acceptable to the idea.
- Nyberg said that he needs to clarify his feelings as to what can be done as far as looks. Nyberg said that he has no objection to what is there now and historically doesn't see the significance of losing a gas station.
- Smith said that the parking concerns that have been brought up merit a lot of discussion. Smith asked what degree of control the Plan Commission has over requiring one method of meeting the parking ordinance over another.
- Smith asked if the group says they are going to meet the requirement by paying the fee if that takes the control out of the Plan Commission's hands?
- Kalny said that he thinks in this situation that the Plan Commission has control because of the special development district relief and the conditional use.
- If this were a project that was a permitted use without needing special relief or conditional use the ordinance, there wouldn't be discussion from the Plan Commission.
- Navis said that the Plan Commission can discuss it because of the special relief and conditional use, and Kalny said that this is correct because what is being done is the problem is being created because of the size.
- Smith reviewed the email he received from Kolb regarding his thoughts on the project. In his email Kolb said that in general he is in favor of the plans his concern is the lack of visitor parking.
- Kolb does not think that relief should be granted for parking and because of the use of the space it will require more parking for visitors.
- Kolb was okay with the height and impervious surface relief.
- Smith said that he thinks that the Plan Commission should really think about the parking and bringing up the fact that there was just a change to the tourist rooming house parking this was something that he didn't even think about but doesn't think that the project needs to be stopped because of that.
- Vander Heiden said that generally he is a proponent of downtown housing and thinks this would be a good thing for Egg Harbor but he thinks that the scale of this is out of balance and downtown housing usually needs a balanced mix of retail and housing. The impervious surface ratio sort of speaks to the fact that this project is out of balance in that regard and that there is too much on this particular site.
- Vander Heiden said that with the types of usage turning into an expensive rental in the future seems a bit out of balance in terms of what should be downtown.
- Vander Heiden said that he places a value on the historic building and finds it as a gem in town and realizes that this is a location that would be really valuable for a larger development but he does believe that there is ways to build on the existing gas station property and preserve the existing building.
- This would compromise things in terms of the current planning, but he thinks it is probably worth taking a look at. The only place that the Plan commission can go that might motivate this type of planning is allowing the building area on the site.
- Typically, there is a fire access area of a clearance of 30 ft. around the entire building and wonders if those conversations have taken place yet.
- Vander Heiden said that when it comes to downtown housing, he sets the bar higher than other housing. The quality of the design and construction needs to be set pretty high.
- Vander Heiden said that from what he is seeing here it would be very hard for him to support the project given the high bar.
- It's a good thing that people are willing to build this type of development, but it doesn't mean that this particular project is of the right quality in his mind for this particular site.
- For Vander Heiden, it would be hard to grant the increase in square footage based on things he's heard and some of the comments he just made.
- Pitchford said to allow relief to these specific requirements is not what people are looking for.
- Fisher said that this project is in the beginning stages and the Plan Commission is going to have several more reviews.

- Fisher said that the project has been evolving and has already went through significant changes.
- Fisher said that he agrees that the architecture of the building can continued to be worked on.
- At this point of the design, the team isn't at the point of specifics in terms of architecture yet.
- In general, does this project given these future changes work.
- Fisher said that in terms of parking this building has residential units and residential units only require two spaces per unit.
- All of the spaces for all of the residents are in the building, only the transient visitors would require street parking based on the current ordinance.
- The project team as gone down the path of trying to create some on street parking and this could continue to be explored.
- Fisher said that based on the day to day use based on the ordinance the parking is appropriate.
- As far as the flooding goes, the new construction opens up the opportunity for new infrastructure to help improve the drainage and building storm sewer on all sides of the building so all water can be captured.
- The intakes of water into the basement are at the main grade level so it will take a lot to even get water into the basement.
- Fisher said that for new construction on a green field site that is not a gas station they could have changed paving to be permeable paving, but this cannot be done because of the current use.
- As far as fire department access goes the project does have two access frontages, the distances for the width of the drive lane meet the standards necessary.
- There is access on all four sides of the building where the current building doesn't.
- Fisher said that he thought that some of these concerns can be addressed through ongoing development and engineering.
- Smith said that it feels like the project team came a bit too early into their design plan and he understands this because this is conditioned on the sale.
- Why would you invest the money in the full designed plan if you don't own the property and it may or may not get approved.
- Smith said that the team is expecting approval so that they can finish up all of the design elements, but the Plan Commission wants them to figure everything out first to make a decision.
- Kalny said that there is a little be of a question on what is being approved. He doesn't think that the Plan Commission should slam the door on this because there seems to be a willingness to work things out.
- Fisher said that he assumed that there were two phases. Based on conditions imposed the project team could bring technical information back to the Commission.
- Pitchford asked if the special development district relief does not go forward if there is a period where the team could apply again.
- Pitchford said that she would like to see either a 3D model or 3D rendering that would indicate what the property would look like.
- The Plan Commission is open to the project at a smaller scale.
- Vander Heiden said that either the Plan Commission chooses a square footage or allows the project team to come up with a design that is smaller scale.
- At what stage is the reduction of the building acceptable?
- The Plan Commission said that they think it is worth exploring the idea of keeping the old building and having condos were the gas station is.
- Navis said that she feels like for the project team the Plan commission is not giving them much to go on.
- The emotional aspect ties to what it feels like to drive through Egg Harbor.
- Fisher said that he was hoping that the façade and exterior elevation concerns would be address through further architectural review.
- There is no architectural review board.
- Fisher said that he thought that if the project team was able to gain that the Commission's approval, they could come back to work out the architectural points.
- Pitchford said that she is not sure how they would approve a part of the plan.
- Navis said that the team needs to understand that the Plan Commission is the one that has to review all of these factors for the project.
- Cashin said that downsizing the project is a starting point.
- Some basic parameters for the project team might be to get closer to the 60% impervious surface. Ideally

60% but at least to the current ratio of 65%, create a number of parking stalls serving the residents the visitors and the retail customers, front façade having retail facing the street, something to soften the scale, and something not as long.

- Want to see it in a 3D.
- Navis said that the 18,000 sq. ft. requirement doesn't seem to have a size of lot attached to it.
- Smith said that he gets what they are going for as far as scale because it is more efficient to have on building instead of multiple buildings.
- Navis said that she would like to see the square footage without the parking because this wouldn't typically be counted.
- Potentially there is more like 44,000 square feet for livable space without the parking included.
- The Plan Commission reviewed the continued process and Kalny said that the Plan Commission should review new plans.
- Fisher said that he thought the Plan Commission could give the group conditional approval and the project could continued to be worked on and gain additional approvals.
- The special development district relief does not allow for this process that Fisher described.
- The Plan Commission need to take a more refined look than the conditional use review.

Smith moved to postpone the special development district relief application until additional information is presented for further review, second by Cashin, the Commission discussed:

- Relief items stay the same.
- Relief items might change.
- They may no longer need relief from the items as requested.

The Commission voted, motion carried.

8. Deliberation and possible action on the conditional use permit application filed by Michael J. Schwantes (The Residences at Egg Harbor LLC) for 7784 STH 42

Smith moved to postpone the conditional use permit application in conjunction with the special development district relief application, second by Navis, motion carried.

9. Next Meeting

The next regular meeting is March 24th, 2020 starting at 12:00 p.m. at the Donald and Carol Kress Pavilion.

10. Adjourn

Navis moved to adjourn, second by Nyberg, motion carried.