

**Village of Egg Harbor
Plan Commission Meeting Minutes
November 27th, 2018 at 6:00 p.m.
Paul J. Bertschinger Community Center
7860 STH 42, Egg Harbor, WI 54209**

1. Call Meeting to Order

Cashin called the meeting to order at 6:00 p.m. Those in attendance were Paula Cashin, Emily Pitchford, Jon Kolb, Joe Smith, Lou Nyberg, Jim Vander Heiden, Ryan Heise and Megan Vandermause. Absent was Kathy Navis. Also in attendance were Amy Sullivan with Pinkert Law Firm, Robert Pollman, Bill Vande Castle, Lynn Anschutz, Kaaren Northrop, Lisa Van Laanen, and Luke Bentley.

2. Approve agenda

Smith moved to approve the agenda, second by Pitchford, motion carried.

3. Pledge of Allegiance

4. Approve minutes of October 23rd, 2018

Cashin moved to approve the October 23rd, 2018 meeting minutes, second by Smith, motion carried.

5. Open Session (limited to 10 minutes)

- Cashin introduced the new Plan Commission member Jim Vander Heiden.
- Pollman stated that he would like to buy a property that would be used house his employees. He stated that he feels as though most of the people in the room do not understand the employee situation in the county.
- Pollman explained that his employee housing project would allow the company to bring in more employees.
- Pollman stated that he does not understand how anyone who lives in the county or has a business in the county would be against employee housing as the lack of housing is a very big problem.
- Pollman stated that he would like to commend whoever did the holiday decorations this year because he thinks they are wonderful.
- Heise stated that he will pass the compliant along to the Public Works Superintendent, Jeff Meyer, and the Public Works crew.
- Northrop stated that she is here to discuss the home that her business currently uses for employee housing. The existing home is in need of a lot of repair, but instead of repairing the existing house the plan is to tear the home down and rebuild using the existing basement which is too close to the existing setback.

6. Review of Special Development District Relief paperwork filed by B&N Investments of Wisconsin LLC for 7682 STH 42 Egg Harbor, WI and scheduling of public hearing if necessary

- Sullivan explained that the Pollmans have a real need for employee work force housing and they are currently contracted to purchase 7682 STH 42 contingent on their ability to use the property as workforce housing.
- The Pollmans would like to be able to house approximately 18-22 workers on the property. There are 9 motel units on the property and one single family home.
- Each motel room as a full bathroom and the only kitchen is located in the house which is to be shared by all of the tenants.
- Sullivan stated that the language in the ordinance was not strong enough for Sullivan to advise the Pollmans to move along with the project without the blessing of the Plan Commission.

- Low density multi-family housing not to exceed three dwelling units per acre is a permitted use in the recreational district.
- Two employees would occupy each motel unit and four employees would occupy the house.
- Pollman stated that the current motel units could be occupied by three or four people in the summer under the property's current use.
- Cashin stated that the number of the people on the property would not really be increasing.
- Cashin asked Attorney Vande Castle about his correspondence that was included in the agenda packet.
- Vande Castle explained that the real issue that the project boils down to is how the Plan Commission defines density.
- The recreational district does allow for low density multi-family housing not to exceed three dwelling units per acre.
- The Plan Commission needs to determine if the change in use moves the property out of low density and into medium density or high density.
- Vande Castle stated that the Village's definition of low density in the multi-district is not to exceed three dwelling units per acre, so density is defined by buildings not occupants of the property.
- The Plan Commission agreed that because the number of the structures is not changing on the property, the property isn't changing in terms of density.
- Vander Heiden asked if there is any precedent in neighboring communities.
- In all of Attorney Vande Castle's research, density is defined by buildings not the number of people on the property.
- Smith stated that what the Plan Commission or the Village Board had discussed years ago density was determined for hotel and motel units by parking spaces.
- Smith stated that there is certainly enough parking on the property for the number of people that would be housed on the property.
- Sullivan stated that she would argue that the congestion in the area would decrease because a lot of the seasonal workers do not have vehicles.
- Pitchford stated that in addendum b of the application, it is mentioned that the application refers to the portion of property located in the Village and asked if there is a section of the property that is not in the Village.
- Sullivan explained that there is a 30 ft. section of the property that is in the Town of Egg Harbor.
- Sullivan did call the Town of Egg Harbor in regard to the project, but because there are no structures on the Town portion of the property no permission from the Town was needed.
- Pitchford asked if both of the buildings on the property would be consider dwelling units and Vande Castle stated that the Plan Commission could consider both buildings dwelling units.
- Heise pointed out that dwelling units are to contain full bathroom and kitchen facilities and the motel units do not have a full kitchen, but access to a full kitchen is provided.
- Pollman explained that there would be a microwave a small refrigerator in each of the motel units.
- Cashin stated that she feels as though the project should move forward and that the density on the property is not really changing.
- Vander Heiden asked if this decision would create a precedent for future decisions and Attorney Vande Castle stated that this decision will help guide similar projects in the future.

Cashin moved to approve B&N Investment's project to use the property at 7682 STH 42 as workforce housing as a permitted use of low density housing in the recreational district, second by Kolb, motion carried. Smith abstained.

7. Review of Special Development District Relief paperwork filed by DVSK LLC for 7689 STH 42 Egg Harbor, WI and scheduling of public hearing if necessary

- Cashin stated that there will need to be a public hearing for the project which would be done before the next Plan Commission meeting.

Cashin moved to accept the paperwork filed by DVSK LLC for 7689 STH 42 Egg Harbor, WI and to schedule the public hearing prior to the next Plan Commission meeting, second by Pitchford, motion carried.

- Smith confirmed that the current structure is also too close to the setback and the existing basement would be used when the house is rebuilt.
- Steve Northrop explained that the proposed project is to tear the existing structures on the property down and rebuild the structure using the existing basement.
- The proposed structure would be 5 ft. too close to the property line on the south side setback.
- Steve Northrop explained that the current structure is located in the same location.
- Steve Northrop explained that the timeline is to tear the house down right after Christmas and rebuild by May.

8. Mobile Food Vending Ordinance update

- The mobile food vending ordinance was approved by the Village Board of Trustees and they made one change to hours of operation which changed to 7:00 a.m. to 10:00 p.m.

9. Comprehensive plan and zoning code update

- Vandermause explained that the CIVIC 4 proposal was approved by the Village Board.
- A project kick off meeting has been scheduled for December 3rd, 2018 starting at 8:30 a.m.
- Vandermause invited the Plan Commissioners to attend.
- The agenda for the kick off meeting was included in the agenda packet.

10. Permitted and conditional uses review

- Vandermause stated that she was recently at a conference and attended a session on the recent legislation change regarding conditional use permits.
- The Village has reviewed a number of conditional uses since the legislation has changed.
- Vandermause suggested that the Plan Commission review each of the permitted and conditional uses for each of the zoning districts and make any necessary changes.
- Vandermause stated that conditional uses that the Plan Commission feels no longer reflect the goals for the comprehensive plan could be eliminated or uses that are frequently permitted under conditional uses such as restaurants could become permitted uses until the zoning ordinance is updated.
- Vandermause stated that this would eliminate the need for the new conditional use permit process; however, if the Plan Commission is comfortable with the new Plan Commission process, the ordinance doesn't have to be changed at all.
- Cashin suggested staff provide the Plan Commission with some recommended changes.
- Vandermause stated that staff is willing to make recommendations, but staff also feels it is very important that the Commissioners also review the uses because they will be voting on conditional use permits and hearing from community members.
- Vande Castle stated that it would also be beneficial to create a list of changes that could be made when the zoning code is updated.
- The Plan Commission could choose not to make any changes to the ordinance currently and wait until the comprehensive plan is updated.
- Pitchford stated that she thought the joint meeting was important because it confirmed that the Plan Commission and the Village Board are on the same page.
- The Plan Commission would like this item on next month's agenda.

11. Code Violations

- Vandermause stated that she does not to verify if a permit was pulled for a fence that is being installed on White Cliff Road.
- Vande Castle explained that if the Village ever gets to the point of taking someone to court for a code violation, everything has to be filed electronically and money needs to be set up on an account.
- Vande Castle explained that this process is very expensive.
- Vand Caslte stated that this will be change next year, but right now the Village would be paying for fees that would be not be recovered.

12. Next Meeting

The next meeting is December 18th, 2018 at 12:00 p.m. The Plan Commission agreed to meet at noon in the winter months.

13. Adjourn

Cashin moved to adjourn, second by Pitchford, motion carried.