VILLAGE OF SISTER BAY
HYBRID PLAN COMMISSION MEETING MINUTES
TUESDAY, OCTOBER 22, 2024
APPROVED VERSION

1. Call Meeting to Order

Chair Bhirdo called the hybrid meeting to order at 5:30 p.m. at the Sister Bay-Liberty Grove Fire Station.

2. Roll Call

Roll call was taken and a quorum declared.

Commission Members Present: Plan Commission Chair Denise Bhirdo; Village President and Trustee Nate Bell; Trustee Patrice Champeau (virtual); Citizen Members Laurel Harff and Mitch Ohnesorge

Commission Members Excused: Citizen Member Ron Kane

Staff: Village Administrator Julie Schmelzer

Others: Trustee Kurt Harff, John Zacek, Mark Nelson, Rachell Stollenwerk, Skyler Witalison, Steve Musinsky, David Matasek, Mary Deviley, Ed Walchessen, Lissa Parr, Walt Swietlik, Bjorn Johnson (virtual), Sydney Swan of Bay-Lake Regional Planning (virtual). (Others were present but did not identify themselves.)

3. Approval of Agenda

Motion by Bell, second by Harff, to approve the agenda as presented. Motion carried unanimously.

4. Approval of September 24, 2024 Meeting Minutes

Chair Bhirdo found two errors on page 3 of the minutes: An added "as" and unnecessary "as a moratorium is in effect". There was a motion by Bell, second by Harff, to approve the amended minutes. Motion carried unanimously.

5. Comments, Correspondence and concerns from the Public

An email from Steve Musinksy was in the meeting packet; Musinksy appeared in person at the meeting and discussed issues with campfires at short-term rentals. He encouraged the commission to recommend amending the short-term rental rules to require operating rules have a link to the DNR burn ban website.

6. Discussion/Action Items

a. Site Plan Review; Aquatics Facility; Highway 57; Rachel Stollenwerk

Schmelzer shared her staff report and summarized the plans received for the project. Committee members discussed concerns with the number of trees along Highway 57 by the stormwater pond; asked shrubs be dispersed between the pines; and perennials do not include orange daylilies. Stollenwerk indicated the beds will have stone for ease of maintenance, and Skyler Witalison, of Stantec Consulting, indicated he would amend the landscaping plan to add the tree and shrubs requested. In response to other questions raised, Stollenwerk indicated there would be a bike rack for cyclists and no blasting was required for the pools. Most of the conversation focused on the lighting and it was ultimately agreed no outdoor lighting would exceed 3000K, motion detectors would be allowed on the building, but all parking lot lights, and exterior building lights not using a motion senser, were limited to the same hours of operation for the business. It was noted Stollenwerk had not selected the color of the outdoor light fixtures for the building, and the commission felt they had sufficient information to recommend approval of a development agreement to the Village Board, and leave the fixture color to Stollenwerk to decide. In reference to conversations from earlier commission meetings that year, Stollenwerk asked if the village was going to require the condition her access be relocated, should the village install a road on the north side of her property, to which members agreed should be a condition of approval.

Motion by Bell, second by Champeau, to recommend to the Village Board approval of a development agreement, to include the standard language required in all of the village's development agreements, but specifically adding the following: Landscaping be per the commission's October 22, 2024 request to add more shrubbery; the outdoor lighting approved shall not exceed 3000k; all lights shall be on a timer and not remain on after or before business hours; motion detection lights are allowed on the building, should the owner want them, but they too are limited to 3000k; the color of the light fixtures shall be up to the owner; Stollenwerk agrees that, if the village opts to locate a road along the north boundary of the property, PCI Holdings, LLC will be required to move the access from the state highway to the village road. Motion carried unanimously.

b. Site Plan Review; Parking Lot; 2669 S. Bay Shore Drive; Open Hearth Lodge

Staff shared the highlights from the staff report and plans submitted noting the request was for an additional parking lot on the south side of the property, parallel to the road. John Zacek of Open Hearth Lodge and Skyler Witalison of Stantec Consulting were present to answer questions about the proposal. Zacek explained they have 55 rooms for rent and 61 parking stalls, and when people have boats or trailers, they end up parking on the road. Bhirdo shared concerns about the lot being close to a curve, the amount of asphalt, the code doesn't allow a parking lot in a front yard, and concern over the water that accumulates in that area and whether the lot would impede the flow of water. Bell thought the lot should have one way traffic and also expressed dislike of parking in the front yard. Zacek explained the pond on the property serves as the retention area for runoff. Witalison explained there are wetlands at the back of the lot, but not where the parking lot would be located, the parking lot will be built up, and any runoff onto the neighboring property would be addressed through a drainage easement. Bhirdo reminded them the code requires all water to be contained onsite, so a drainage easement would not be allowed. The question arose as to how the current lot got approved, and the applicant explained the village approved the addition to the current lot in 2020. Members discussed adding parking to the existing parking lot, along the north lot line, and extending it towards the rear of the lot.

Motion by Bhirdo, second by Bell, to deny the site plan request. Motion carried unanimously.

c. Site Plan Review; Contractor Sales and Service Building; Highway 57; Eagle Mechanical, Inc.

Schmelzer briefly summarized the project and the materials sent to the commission. She also showcased the siding and roofing samples provided by the applicant. Present to answer questions were Mark Nelson, the General Manager for Eagle Mechanical, and Skyler Witalison of Stantec Consulting. Nelson explained a highway access approval was a condition of their purchase of the lot, and the access would need to serve both their business and any future lot they create. There was concern over the amount of asphalt and the location of the lot in that it was slightly closer to the road than the east wall of the showroom, and concern over the trees to be planted and whether they adequately would screen the building. Nelson explained the lot was as large as it was to allow for delivery trucks, and the stalls were located slightly closer to the highway so customers didn't have to walk around the vehicles to get into the building. He did say however he could shift the parking stalls one to two feet further from the road. Stantec agreed to revise the plan to address concerns, as well as add a medium size tree to the front of the building to address landscaping concerns about the building wall being too visible to passersby. Other items discussed were all exterior lighting be limited to soffit lighting, and members wanted the lighting limited to 3000k, which Nelson agreed to. It was noted the back of the property has sufficient vegetation to screen the development from the residential properties on Northwoods, and any signage would need a permit.

Motion by Bell, second by Ohnesorge, to recommend to the Village Board approval of a development agreement, to include the standard language required in all of the village's development agreements, but specifically adding the following: Landscaping be per the commission's October 22, 2024 request to add another tree, medium in size, and the species at the owner's discretion, to the front of the lot approximately where the '6' is shown on the plan that was presented to them; the parking area be further from the road so no portion extends closer than the wall of the showroom; colors and materials be per the samples reviewed at the meeting; all exterior lighting be limited to soffit lighting, 3000k, and, the lighting be shut off during the hours the business is closed. Motion carried unanimously.

d. Development Agreement Amendment; Reduce No. of STRs; Marina View Condominiums; 10722 N. Bay Shore Drive; Chris Crotty

Crotty was not present but a letter from him was in the meeting packet. The letter explained he would like to sell his unit and asked if the commission would remove the deed restriction from his unit requiring four units to be rented as short-term rentals at least 100 days a year. Walt Swietlik commented that he owned a unit in the condominium and owners should be allowed to do what they want. Members that were on the commission when the Marina View Condominium project was approved shared with the commission the challenges the commission had in approving the condominium project, and said it was not advisable to now start switching the deeds and trying to manage what deeds had restrictions and which didn't, and rather, their original decision should remain and unit buyers should need to comply with the conditions which allowed the project to move forward.

Motion by Bhirdo, second by Champeau, to deny the request. Motion carried unanimously.

e. Comprehensive Plan Working Session.

Sydney Swan of BayLake Regional Planning Commission virtually led the group through the final review of the various draft land use maps. Members then focused on the Future Land Use Map, making many edits to reflect how they envisioned the village developing over the next twenty years. Of discussion was whether to have extraterritorial zoning. Schmelzer explained she has a meeting scheduled with the town and she would discuss the topic with them to see if they would be interested in a joint plan for the extraterritorial areas. Members also briefly discussed the draft plan and noted there were several chapters left to be written and reviewed. A timeframe for adoption was discussed, and it was noted the plan was supposed to be completed by fall and the commission should strive to have the public hearing in January, if possible.

Due to the length of the meeting the commission agreed to postpone action on items f, g and h until the next meeting. Therefore, the discussions on the B-2 and B-3 overlays, and the location for the Grutzmacher Little Library, will be on the November agenda.

7. Permit Report.

(No discussion.)

8. Administrator's Report

(No discussion.)

9. Matters to be Placed on Future Agenda or Referred to a Committee, Official or Employee

Members agreed they need to finish working on the comprehensive plan to try and get it completed, and revisit the items they did not have time to address that evening, which were items 6.f., g. and h on the meeting's agenda. Schmelzer explained CHOP needed approval of a temporary vestibule for the winter weather, and due to the meeting schedules, they may not get approval before winter, but it would be discussed in November; members agreed the Chair and staff could review the design, and if acceptable, allow the temporary vestibule to be erected, and proceed with the hearing thereafter as planned. Also discussed was scheduling a public hearing to rezone the former Wiltse site, Logerquist site, and some text amendments that need to be addressed; these items should be brought forward for discussion at the next meeting.

10. Next Meeting

The members discussed their upcoming schedule and agreed there would be no December meeting, but they would meet for their regular meeting in November. The meeting was set for November 26, 2024, at 5:30.

11. Adjournment

Motion by Harff, second by Champeau, to adjourn. Motion carried unanimously. The meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Julie Schmelzer

Acting Recording Secretary