

**VILLAGE OF SISTER BAY
HYBRID PLAN COMMISSION MEETING MINUTES
TUESDAY, MAY 27, 2025
APPROVED**

1. Call to Order & Roll Call

Chair Bhirdo called the meeting to order at 5:30 p.m. and took roll call.

Present: Plan Commission Chair Denise Bhirdo, and Commission members Steve Bacsi, Nate Bell, Patrice Champeau, Laurel Harff, Skip Heidler, Ron Kane

Staff Member(s): Village Administrator Julie Schmelzer

Others: In person were Jill Wiebe, Alison Werner, Ellie Soderberg-Guger, Scott Penniston, Kathleen Penniston, Al Gokey, Garritt Bader, John Blossom, John Lijewski, Terrence Rogers, Tina Rogers, Karl Fauerbach, Jeannie Fauerbach, Blake McAllister, Barb Feiner, Tom Feiner, Steve Musinsky, Andrew Torcivia, Sue Lundquist, Cal Lundquist, Sheila Lundquist, Louise Howson, Kurt Harff

2. Approval of Agenda

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

3. Approval of April 22, 2025, Meeting Minutes

Motion by Bell, second by Champeau, to approve the minutes as presented. Motion carried unanimously.

4. Comments, Correspondence and concerns from the Public

(None)

5. Public Hearing & Recommendations

a) Ord. 2025-009; Map Amendment; Former Wiltse Property; I-1 to R-4 & P-1

Bhirdo opened the hearing at 5:32 p.m. Schmelzer read the notice and shared a brief summary of the ordinance. Alison Werner testified in opposition citing the rezoning would allow for too many people in the village, density would be too high. There was no further testimony and no correspondence. The hearing closed at 5:35 p.m.

Commission discussion: Bell explained the proposal was consistent with the village's adopted land use plan; Harff questioned, and it was clarified, the zoning can be changed at a later date if needed; Champeau commented the housing is desperately needed and the village needed to rezone the property so they can continue planning for housing.

Motion by Bhirdo, second by Champeau, to recommend to the Village Board adoption of Ordinance 2025-009. Motion carried unanimously.

b) Ord. 2025-010; Map Amendment; Former Logerquist Property; I-1 to I-1 & P-1

Bhirdo opened the hearing at 5:41 p.m. Schmelzer read the notice and presented a brief summary of the ordinance. There was no public testimony and no correspondence. The hearing closed at 5:43 p.m.

Commission discussion: Bell again explained the proposal was consistent with the village's adopted land use plan; Heidler questioned, and it was clarified, the zoning can be changed at a later date if needed.

Motion by Champeau, second by Kane, to recommend to the Village Board adoption of Ordinance 2025-010. Motion carried unanimously.

c) Ord. 2025-011; Text Amendment; R-4 Dimensional Standards

Bhirdo opened the hearing at 5:44 p.m. Schmelzer read the notice and gave a brief summary of the ordinance. Steve Musinsky explained he supports depression era style housing and questioned the lot size standards. There was no further testimony and no correspondence. The hearing was closed at 6:02 p.m.

Commission discussion: Kane explained the commission did a lot of research to make sure affordable sized homes could fit on the parcels and these home sizes and smaller lots are what is needed; Bell commented he thought the home size standards should be maximum sizes not minimum standards, supports zero lot line development; Heidler asked why the village doesn't plan for alleys, with Schmelzer explaining on Wiltse, alleys actually increase home costs.

Motion by Champeau, second by Harff, to recommend to the Village Board adoption of Ordinance 2025-011. Motion carried:

Aye: Bhirdo, Champeau, Harff, Ron Kane

Nay: Bell, Heidler

Abstain: Bacs

6. Discussion/Action Items

a) Courtesy Review/Proposed Conditional Use Permit Application; Nonconforming Multiple Occupancy Development (Cottage Development) Expansion; 10885 N Bay Shore Dr. (Unit 4); Karl Fauerbach

Schmelzer referred the commission to the staff report and information from the applicant. Karl and Jeannie Fauerbach were present and offered testimony indicating they use and plan to continue to use the cottage seasonally only; it is not a short term rental and the owners have no intention of the property being used as a short-term rental; the condominium bylaws allow short term rentals but none of the units have opted to rent on a short-term basis; three other cottages have been modified and the Fauerbach's would be the last one in the resort to be modified. Heidler questioned the close proximity of the proposed addition to the shed on the property with the applicant explaining the shed is in a common area and not on Fauerbach's lot; Heidler then asked how the contractors will work with the building being so close to the lot line and the owner said he wasn't sure but he would discuss the matter with the builder; Heidler then asked how many trees would need to be removed and the owner anticipated "2-3 cedars".

Motion by Champeau, second by Bell, to schedule the matter for public hearing. Motion carried unanimously.

b) Change of Use/Architectural Review; Waterfront Museum; 10697 N Bay Shore Dr. (Village Boathouse); Sister Bay Historical Society

Members of the Historical Society were present but based on commission discussion, no testimony was requested or provided. The commissioners were given a staff report which provided information from the previous month's meeting and a draft Development Agreement. The only change suggested to the draft agreement was to item h) events, requiring approval from both committees.

1
2 Motion by Bell, second by Champeau, to recommend to the Village Board approval of the Development
3 Agreement, as edited at the meeting. Motion carried unanimously.
4

5 **c) Change of Use/Site Plan Review/Parking Fee; Office to Retail, Fee-In-Lieu of Parking; 10668 N**
6 **Bay Shore Dr.; Bay Blue, c/o Scott & Kathleen Penniston**

7 The meeting packet included a staff report and letter from the Pennistons who were requesting some
8 type of waiver to the fee-in-lieu of parking, which for the subject property is four stalls a year, requiring
9 \$1000 per stall, per year. Penniston shared information about the improvements they made to the
10 building; rationalized retail customers typically are passersby and don't drive to a gift shop just to buy a
11 product and leave thereby negating the need for customer parking; the fee is a hardship to a small
12 business; and if required, they'd be willing to restrict employee parking to the public Marketplace lot.
13

14 Bhirdo explained the village just revised their code so she was reluctant to provide relief at this time, with
15 Heidler stating he has concern about the precedent that could be set. Bhirdo did add though the
16 commission needs to be flexible and look at each property on a case-by-case basis. Champeau shared her
17 concern over the hardship being imposed on a small business with Bhirdo adding the owner had the
18 option of not having a short-term rental so the hardship was somewhat self-created. Kane said the
19 commission invested a lot of time revising the code, but he did support reducing the amount for
20 Penniston.
21

22 Motion by Bhirdo, second by Bell, to approve the change of use to retail, and reduce the parking fee for
23 the floor area shown on plans that required no more than two employees, based on the following
24 conditions: a) the use approved is retail with no more than two employees at the busiest shift, b) there
25 shall be no employee parking on Highway 42, c) Penniston is to pay for two employee stalls and no
26 customer stalls, the rate of which is \$1000 each annually. Motion carried unanimously.
27

28 **d) Change of Use/Site Plan Review; Service to Retail; 2414 Country Walk Dr. (Unit 1); Door Stop**
29 **Furniture, c/o Terrence Rodgers**

30 Heidler recused himself from the discussion.
31

32 Mr. Rodgers was present to answer questions about his proposed store and the building he was leasing.
33 The staff report provided most of the information needed by the commission. Discussion focused on the
34 condition of the parking lot and main sign, both of which showed deterioration and needed upgrading.
35

36 Motion by Kane, second by Bell, to approve the change of use subject to the following questions: a) The
37 north side of the parking lot be striped to provide 19 parking stalls, b) Schmelzer is to send a letter to the
38 owner explaining no more change of use requests will be reviewed until the owner re-asphalts the parking
39 lot, stripes it, and installs perimeter landscaping that meets code. Motion carried all ayes with Heidler
40 abstaining.
41

42 **e) Development Agreement Amendment; Completion Deadline & Driveway Location; 10623 &**
43 **10627 Sister Bluff Dr.; Coming of Age in Sister Bay, LLC**

44 The staff report was accompanied by a letter and site plan from Garritt Bader, who was present at the
45 meeting. Mr. Bader argued with tariffs their project cannot proceed as originally scheduled and was
46 looking for a completion date extension, and, the way the driveway is designed the turnaround area is
47 small and trees will need to come down to accommodate the required runoff collection areas, requiring
48 an amendment to the site plan.

Plan Commission members were concerned about drainage and approving an amendment without a drainage plan; felt there were too many changes to the original approved plan; and did not feel comfortable recommending the Development Agreement be amended. Rather, Bader should wait until he's ready to build his second duplex and seek a new Development Agreement.

Motion by Bell, second by Heidler, to deny the request to amend the Development Agreement. Motion carried unanimously.

f) Development Agreement Amendment; Parking Deadline; 10553 Country Walk Dr.; Torch Brothers, LLC

Schmelzer explained Torcivia was not able to meet the deadline established to install his parking lot and therefore he requested an extension. During the meeting, Torcivia explained he also needed more time to install his fence and complete his landscaping. At the meeting he also inquired if he could use his neighbor's lot as overflow parking, which normally would not be allowed; Bhirdo agreed to consider the request if it were in writing with a parking plan and brought back to the commission.

Motion by Heidler, second by Harff, to recommend to the Village Board an amendment to the Development Agreement per the following conditions: a) the original conditions regarding the need for design approval of the parking lot shall remain as written, but the deadline to have the lot resurfaced and striped shall be extended by 90 days, b) bike racks can be reduced to one rack, c) the landscaping and fence deadline shall also be extended 90 days, d) the businesses can't open to the public until a Certificate of Compliance inspection has been made by the Zoning Administrator. Motion carried unanimously.

g) Development Agreement Amendment/Permit Extension; Stormwater Pipe Delay; 2399 Maple Dr.; Luna View, c/o Al Gokey

Schmelzer referred to the staff report explaining the need for the time extension and that until Gokey receives the stormwater pipe, he cannot complete the driveway. Bhirdo asked Mr. Gokey if a ninety-day time extension was sufficient, and he said it was, explaining he should have the pipe by July.

Motion by Kane, second by Harff, to recommend to the Village Board an amendment to the Development Agreement extending the deadline for compliance on the driveway, and landscaping around the driveway, by ninety days. Motion carried unanimously.

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

Aside from the matters discussed during the meeting, no other items were referred to the Village Board.

8. Next Meeting

It was confirmed the next regular meeting would be June 24, 2025, at 5:30 p.m. in the large meeting room at the Sister Bay-Liberty Grove Fire Station. That meeting would include the public hearing on the Fauerbach request.

9. Adjournment

Motion by Harff, second by Champeau, to adjourn. Motion carried unanimously. The meeting adjourned at 7:54 p.m.

Respectfully recorded and submitted by Julie Schmelzer, Village Administrator