

**VILLAGE OF SISTER BAY
PLAN COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 24, 2026
APPROVED AS AMENDED**

1. Call to Order & Roll Call

Chair Denise Bhirdo called the Plan Commission meeting to order on Tuesday, February 24, 2026, at 5:30 P.M., and roll call was taken.

Present: Plan Commission Chair Denise Bhirdo, and Commission members Steve Bacci, Nate Bell, Laurel Harff, Skip Heidler, and Patrice Champeau via Zoom.

Staff Member(s): Village Administrator Benjamin Andrews, Administrative Assistant Sarah Bertges.

Others: Kurt Harff. VIA ZOOM: Ellie Soderberg-Guger, Jonathan Leeb, Louise Howson, "JEG", "RGAZL".

2. Approve of Agenda

Motion to approve the agenda as presented was made by Bell, second by Heidler. Motion carried -all ayes.

3. Approve Meeting Minutes: January 27, 2026

Two items of concern with the January 27, 2026 minutes were identified prior to approval. The first concerned the language on page 3, line 33, where the minutes recorded a motion to "table." Bhirdo noted that the Commission had moved away from tabling items, as doing so requires a subsequent motion to take the item off the table. Andrews confirmed that the motion had in fact been one to postpone, and that "table" may have been used as an informal synonym. The minutes were to be corrected to reflect "postpone."

The second item concerned page 4, line 33, regarding the standard zoning permit application. Bhirdo noted that additional information had been received on January 27, 2026, the day of the last Plan Commission meeting, and questioned whether the 45-day clock ran from the original application date of January 19 or from the date of the supplemental submission, which would have pushed the deadline to March 13. Andrews clarified that per the village's ordinance, the 45-day clock is triggered by receipt of the complete application, determined within 5 days of submission, and that the relevant date was January 19, making the deadline March 5.

Motion by Bacci to approve the January 27, 2026 minutes as amended. Second by Heidler. Motion carried- all ayes.

4. Comments, Correspondence and Concerns from the Public

Bhirdo noted that an email had been received from Steve Musinsky pertaining to the zoning map to be discussed later in the meeting. The substance of the email was already reflected in her notes and would be incorporated into the official record. No members of the public present or joined via Zoom raised their hands to comment.

5. Discussion/Action Items

a. Standard Zoning Permit Application; Review/Approve Modifications To Existing Tower; 2530 S Bay Shore Drive

Andrews provided a follow-up report from the January 27, 2026 meeting, where the Commission had postponed action on a zoning permit application for modifications to an existing cellular tower at 2530 S Bay Shore Drive, pending an opinion from village legal counsel. Andrews reported that the village attorney confirmed two key points: first, that a decision must be rendered within 45 days of a complete application—received January 19, making the deadline Thursday, March 5—or the

1 application would be automatically approved; and second, that the village does have authority to
2 impose requirements beyond state law concerning panel size, which triggers the conditional use
3 criteria in the village ordinance and would allow for a public hearing. In preparation, a public hearing
4 had been scheduled for March 4, 2026, at 5:30 PM. Legal counsel recommended that the public be
5 given an opportunity to provide input and testify as part of the review process.

6 Bell provided technical background, noting that multiple entities were involved in the project—
7 Cellcom as the tower owner, Vertical Bridge as the company holding a 20-year lease on the tower, and
8 Terra Consulting acting on behalf of Verizon as the installer. Bell explained that this arrangement is
9 common industry practice. He stated that the upgrade would benefit Sister Bay, as Verizon customers
10 would connect directly to Verizon's network rather than Cellcom's, likely improving service quality. He
11 further noted that this would likely improve the functionality of the village's SCADA system, which
12 uses Verizon-based equipment and has experienced lower priority during busy holiday weekends on
13 Cellcom's network. Bell expressed a concern that the Lundquist tower serves as the backbone for
14 Verizon, AT&T, T-Mobile, and Cellcom communications, and that any failure of that tower would affect
15 all carriers simultaneously. He also observed that Cellcom retains reserved space on the tower under
16 the lease and that the tower would revert to Cellcom in approximately five more years.

17 Heidler questioned the practical significance of antenna size as a triggering criterion, noting that the
18 tower already carries antennas of comparable dimensions and that such equipment is barely
19 distinguishable at 150 feet. Bell acknowledged the tower's visual impact, noting that transmission lines
20 have a greater visual impact than the panels themselves, but clarified that aesthetics are not a
21 legitimate basis for approval or denial under applicable law. Andrews confirmed that under the 2018
22 ordinance and subsequent legal guidance, aesthetics are not among the listed criteria for evaluation.
23 Heidler also noted that a coverage map, which is required as part of the application under village
24 ordinance section 66.0505-5-B-16 (page 99 of the packet), had not been included in the submitted
25 materials. Peter Schau, representing Terra Consulting, responded that state law preempts local
26 requirements in defining a complete application for this type of collocation, and that a propagation
27 map is not required under state statute. Bhirdo acknowledged the point but directed that the
28 discrepancy between the village's ordinance and state law be noted and placed in the Plan
29 Commission's tickler file for future review. Andrews confirmed the ordinance was last revised in 2018
30 and may not reflect subsequent changes to state or federal law. Bell suggested that a review involving
31 an FCC-specialized attorney may be warranted, given the complexity of the regulatory landscape.

32 Schau further addressed the Commission's broader deliberations, noting that state and federal law
33 classify this application as a class 2 collocation-permitted use—and that public hearings for such
34 applications are exceedingly rare. He stated that in his experience, a public hearing for a permitted
35 collocation use had not occurred in Wisconsin since 2014, and that any denial would need to be
36 supported by substantial evidence.

37 The Commission turned to a question raised by Bhirdo regarding page 24 of the packet, which stated
38 that Verizon must remove existing equipment at four heights—143.5 feet, 129 feet, 115 feet, and
39 156.5 feet—before installing the proposed equipment. Schau clarified that the equipment to be
40 removed is existing, non-operational equipment that the tower owner has tasked Verizon with
41 removing as part of their tower work. Bell also identified on page 114 that the existing Sprint platform
42 and associated equipment were to be removed as part of the installation. Heidler noted that, since
43 the full application serves as the basis of the agreement, the individual items within it are technically
44 already binding. However, the Commission agreed that drawing explicit attention to the removals in
45 the motion was worthwhile to ensure clarity.

46 The Commission debated the merits of proceeding with the March 4 public hearing. Bacsí observed
47 that no members of the public had appeared at the current meeting, despite the matter being publicly
48 available, suggesting low attendance. Bell stated he personally favored a public hearing as a matter of
49 good governance, but acknowledged it may not be practical given the narrow scope of permissible
50 considerations and the imminent 45-day deadline. Champeau noted the public's primary concern
51 would likely be the aesthetics criterion that cannot legally be considered in the decision, and

suggested that most residents would welcome improved service. The Commission ultimately concluded that forgoing the public hearing was the most prudent use of staff resources.

Motion by Bell to approve the zoning permit application as presented, subject to: (1) removal of existing equipment at the levels identified on page 24 of the application (143.5 feet, 129 feet, 115 feet, and 156.5 feet); (2) removal of the existing Sprint platform and associated equipment as identified on page 114; and (3) to forego the scheduled public hearing. Second by Heidler. Motion carried- all ayes.

b. Ord. 2026-002; Adopting A New Zoning Map For The Village Of Sister Bay

The Commission reviewed the draft zoning map dated February 13, 2026. Several issues and proposed corrections were raised during the discussion.

CBRF/Glen Estates Parcel (R1/R2 Designation): Bhirdo identified that a parcel currently labeled "Proposed R1" on the map near Fieldcrest Road is incorrectly annotated. The parcel in question, the Glen Estates property, should be designated R2. Bhirdo also indicated the Commission should verify whether an adjacent rear parcel, for which a Phase 2 development had been proposed, should similarly be redesignated to R2. Andrews confirmed that the correction would align with the future land use map.

Fieldcrest Road Parcel – 10585 Fieldcrest (R1 Designation): Heidler identified a parcel at 10585 Fieldcrest that was designated CS1 on the draft map but should be changed to R1, consistent with the future land use map's designation for that area. Heidler noted that the adjacent parcel fronting Highway 42 should remain B1.

Woodland Overlay – Fieldcrest Road Area: Heidler raised concerns about the Woodland Overlay District as applied to properties along Fieldcrest Road, noting that satellite imagery shows these parcels to be largely unforested orchards with little or no tree canopy. He questioned the logic of including half of a parcel within the overlay when the entire parcel lacks trees. Bell expressed broader concern that the Woodland Overlay, as presented, is too arbitrary and inaccurate across the village, citing areas with significant tree canopy that are not included, while open orchard land is included. After discussion, the Commission reached a consensus to pull the overlay boundary back to the property lines along Fieldcrest, removing areas that are clearly unforested, while retaining coverage on a single elongated rectangle parcel (parcel 18100073128-41C) that satellite imagery confirms is half forested and has no assigned address.

Woodland Overlay – 2536 Fieldcrest Road (Don Howard Property): A small exclusion box had been drawn within the Woodland Overlay at 2536 Fieldcrest Road around an existing residential structure. The Commission determined this exclusion was unnecessary and that the parcel should be shaded within the Woodland Overlay, as homes may exist within the overlay district.

Bayshore Drive Condominiums (R2 Designation): Heidler noted that a property on South Bay Shore Drive near the marina, which contains four individually owned condominium units for which a fourth unit had recently been permitted, was shown as multifamily on the future land use map. Heidler expressed the view that the property should remain zoned R2, consistent with its existing use and recent permitting history. Discussion followed regarding whether changing the designation would constitute spot zoning. Bhirdo indicated that the property's grandfathered status is likely why it has remained as-is, and the item was flagged for a future land use map discussion. Andrews was directed to note this item for future consideration.

Sister Bay Yacht Club PUD: Bhirdo raised the question of whether the Sister Bay Yacht Club had originally been established under a Planned Unit Development (PUD) designation during its development under prior ownership. Bhirdo requested that staff clarify the yacht club's status before the public hearing.

2629 South Bay Shore Drive (R1 Designation): Heidler identified parcel 2629 South Bay Shore Drive, a 1.1-acre property, as currently designated CS1 on the draft map but noted it does not meet the minimum acreage requirements for CS1 zoning. He recommended redesignating it as R1, consistent with the future land use map's residential designation for that property.

2649 South Bay Shore Drive (R3 Designation): Heidler identified parcel 2649 South Bay Shore Drive (parcel 18100073128-13B, owned by Charles Wood) as a 5.2-acre property currently designated CS1, which also does not meet the dimensional requirements for that district. He recommended it be redesignated R3.

Following the discussion, the Commission reached consensus on all proposed corrections. A motion was made to amend the draft zoning map to incorporate all identified changes.

Motion by Bhirdo to amend the draft zoning map dated February 13, 2026, to include the following corrections: (1) seek clarification on the Sister Bay Yacht Club PUD status prior to the public hearing; (2) reduce the Woodland Overlay boundary along Fieldcrest Road to align with property lines, excluding unforested orchard parcels, while retaining the half-forested rectangle parcel without an address; (3) include 2536 Fieldcrest Road (Don Howard property) within the Woodland Overlay; (4) redesignate 10585 Fieldcrest Road as R1; (5) redesignate the Glen Estates parcel and its access easement as R2; (6) redesignate 2629 South Bay Shore Drive as R1; and (7) redesignate 2649 South Bay Shore Drive as R3. Second by Heidler. Motion carried 5-1 with Bell opposed.

Andrews advised that he will coordinate with Bay Lakes Regional Planning to update both the zoning map and the future land use map following the meeting and distribute updated drafts to Commission members for review prior to the public hearing. Discussion ensued regarding whether the public hearing for the future land use map should be scheduled concurrently. Bell expressed a preference for both documents to proceed to the village board together. The Commission agreed that scheduling both items for the same public hearing would be the most efficient approach and that the notice could cover both. Andrews confirmed there is no procedural prohibition on combining the hearings. Andrews also noted he would send follow-up correspondence to the property owners who received public hearing notices for the tower application, advising them that the public hearing had been canceled.

6. Matters To Be Placed On A Future Agenda Or Referred To A Committee, Official Or Employee

The following items were identified for future action:

- Review of village ordinance section 66.0505-5-B (application content requirements) for consistency with current state and federal telecommunications law, potentially with involvement of an FCC-specialized attorney.
- Determination of the Sister Bay Yacht Club's PUD status.
- Future land use map inconsistencies identified by Heidler are to be communicated to Andrews for incorporation into the updated draft prior to the public hearing.
- The nonconforming use implications for the South Bay Shore Drive condominium property (grandfathered R2) are to be placed on a future agenda in connection with a future land use map review.

7. Next Meeting

The next regular monthly meeting of the Plan Commission is scheduled for Tuesday, March 31, 2026, at 5:30 PM, in the Large Meeting Room of the Sister Bay-Liberty Grove Fire Station.

8. Adjournment

Motion to adjourn at 6:51 PM.

Motion by Heidler second by Harff. Motion carried -all ayes.

Respectfully submitted by Sarah Bertges, Administrative Assistant