

1 PLAN COMMISSION MEETING MINUTES
2 TUESDAY, APRIL 19, 2016
3 Sister Bay-Liberty Grove Fire Station –2258 Mill Road
4 UNAPPROVED VERSION
5

6 The April 19, 2016 meeting of the Plan Commission was called to order by Chairperson Dave
7 Lienau at 5:34 P.M.

8
9 **Present:** Chairperson Lienau and members Scott Baker, Nate Bell, Don Howard and Marge
10 Grutzmacher.

11
12 **Excused:** Eric Lundquist

13
14 **Others:** Denise Bhirdo, Ron Kane, Tom Brown, Jackson Parr and John Clove

15
16 **Staff Members:** Village Administrator Zeke Jackson and Assistant Administrator Janal Suppanz

17
18 **Comments, correspondence and concerns from the public:**

19 Lienau noted that no new correspondence had been received and then asked if anyone wished
20 to comment regarding a non-agenda item. No one responded.

21
22 **Approval of the agenda:**

23 *A motion was made by Baker, seconded by Grutzmacher that the Agenda for the April 19,*
24 *2016 meeting of the Plan Commission be approved as presented. Motion carried – All ayes.*

25
26 **Approval of minutes as published:**

27 **As to the minutes for the April 12, 2016 meeting of the Plan Commission:**

28 *A motion was made by Grutzmacher, seconded by Howard that the minutes for the April 12,*
29 *2016 meeting of the Plan Commission be approved as presented. Motion carried – All ayes.*

30
31 **Business Items:**

32 **Item No. 1. Discussion on the “Schaffer Property” architectural proposal by Bill Anderson;**
33 **Consider appropriate motions for action:**

34 *Bill Anderson informed Jackson that he was not ready to make an architectural presentation at*
35 *this time, and, therefore, it was the consensus that this agenda item should be tabled.*

36
37 **Item No. 2. Presentation on a draft text amendment to the Sister Bay Zoning Code regarding**
38 **location of utilities in the right-of-way; Consider a motion to hold a public hearing on the**
39 **proposed text amendments:**

40 **Item No. 4. Discussion regarding matters to be placed on a future agenda or referred**
41 **to a Committee, Official or Employee:**

42 State Statutes dictate that as long as proper notice is given and proper documentation
43 filed, utilities may be erected in cities, towns and villages throughout the State unless a
44 municipality has a regulation precluding a particular location based on the
45 municipality’s police powers. The Village just spent a considerable amount of money to
46 bury the power lines downtown and requires that utilities for any new structures be
47 buried, and, therefore, erection of any new poles/towers, especially in the downtown
48 area, would be quite problematic and counter-productive. A draft of Zoning Code text
49 amendments which pertain to placement of utilities in the right-of-way was included in

1 the meeting packets, and the Commission members jointly reviewed that document. If
2 the regulations are approved no poles would be permitted within the boundaries of TID
3 No. 1. Further, after April 1, 2016 poles which do not exceed 35 feet and will be
4 placed in the right-of-way in other areas of the Village would require a permit, and
5 poles exceeding 35 feet in height could be allowed in those areas if a Conditional Use
6 Permit is issued. During the review process a few grammatical revisions were suggested
7 and Jackson took note of them.

8
9 Howard voiced concerns about the implications the proposed regulations could have
10 on people wishing to build new structures on their property.

11
12 *A motion was made by Bell, seconded by Grutzmacher that at a future meeting of the*
13 *Plan Commission a public hearing shall be conducted on the draft text amendment to*
14 *the Sister Bay Zoning Code regarding location of utilities in the right-of-way. Motion*
15 *carried – All ayes.*

16
17 **Item No. 3. Report by the Zoning Administrator regarding development activities, various**
18 **enforcement actions, and issuance of Sign and Zoning Permits:**

19 Jackson indicated that he didn't have anything further to report at this time.

20
21 **Adjournment:**

22 *A motion was made by Grutzmacher, seconded by Howard to adjourn the meeting of the Plan*
23 *Commission at 6:10 P.M. Motion carried – All ayes.*

24
25 Respectfully submitted,

26 

27 Janal Suppanz,
28 Assistant Administrator



Plan Commission Public Notice

The Sister Bay Plan Commission will hold a public hearing at the Sister Bay Fire Station, 2258 Mill Rd, Door County, Wisconsin on **Tuesday, May 24, 2016 at 5:30 P.M.** or shortly thereafter, for the purpose of considering proposed text amendments to the Zoning Code.

The purpose of this public hearing is to obtain comments and input from the public on the proposed text amendments.

A copy of the proposed amendments and the current Zoning Code are available for inspection. The Zoning Code and Zoning Map for the Village are also on file at the Zoning Administrator's office and may be viewed at 2383 Maple Drive weekdays between 10:00 a.m. and 4:00p.m.

Written testimony, including email, will be accepted at the Sister Bay Administration Building, 2383 Maple Drive, Sister Bay, WI 54234, (FAX 920-854-9637) until 3:00 P.M. on the day of the meeting. Letters will be available for public inspection during normal business hours, until the close of business on the day of the hearing. Letters will be entered into the record; and a summary of all letters will be presented at the meeting, but individual letters may not be read. Anonymous correspondence will not be accepted.

All application materials for Regular Zoning Permits, Conditional Use Permits and zoning amendment petitions may be viewed at the Sister Bay Administration Building, 2383 Maple Drive, Sister Bay, WI during normal business hours, 8:00am. -4:00p.m.

By order of the Plan Commission of the Village of Sister Bay.

Zeke Jackson
Zoning Administrator
zeke.jackson@sisterbaywi.gov

- 1 (m) Modification of standards.
- 2 The Plan Commission may modify any of
- 3 the above standards by a 3/4-majority vote
- 4 of the Commissioners, but only if supple-
- 5 mental design elements or improvements
- 6 are incorporated into the project, which
- 7 compensate for the modification of the par-
- 8 ticular standard.
- 9 (n) Compliance.
- 10 Landscaping shall be completed within 12
- 11 months of a certificate of occupancy in ac-
- 12 cordance with the approved landscaping
- 13 and site plan. All landscaped and open
- 14 space areas shall be continually main-
- 15 tained in accordance with the approved
- 16 landscaping and site plan. It is the respon-
- 17 sibility of the owner to ensure that the
- 18 premises are properly maintained. Mature
- 19 vegetative screens shall be maintained by
- 20 the property owner to retain the required
- 21 spacing and height characteristics. Howev-
- 22 er, trees may be thinned provided an
- 23 opaque screening is still maintained.
- 24

25 **Sec. 66.1065 Utilities in Rights of Way**

26 The Village finds compelling public interest in
27 protecting the public health, safety and welfare of
28 its residents and properties in ensuring that all
29 utilities are buried or located so as to mitigate
30 damage to nearby buildings, structures, vehicles,
31 as well as to reduce risks posed by storms which
32 threaten service interruption, traffic disruption,
33 and unsafe street conditions by being located in
34 the Village Right of Way, regardless of any utility
35 easement located thereon.

36 No Public or Private Utility or other person may
37 locate any pole, tower, or other equipment on the
38 Village Right of Way without first seeking a permit
39 from the Village of Sister Bay Zoning Administra-
40 tor. Location of Public Utilities shall be restricted
41 under the police powers reserved by the Village.

42 (a) Poles placed after April 1, 2016:

43 All Utility Poles located in the Village Right of
44 Way require a permit, for which a fee of \$50 shall
45 apply for each pole. Poles must not exceed a
46 height of 35 feet.

47 Poles exceeding 35 feet may be allowed by con-
48 ditional use permit. Plan Commission must hold
49 a public hearing for each proposed pole, with a
50 Class II notice being inserted into the paper of
51 record. All property owners within 1000 feet
52 shall also be mailed notice of the proposed condi-

53 tional use. The conditional use must be approved
54 with a 3/4 vote of the Plan Commission.

55 To be considered for a conditional use permit,
56 Poles exceeding 35 feet in height must have a set-
57 back of twice their height from any driveway, fire
58 hydrant, building or structure, mailbox, flower-
59 bed, flagpole, public or private parking space,
60 public or private public parking lot, drainage cul-
61 vert, or catch basin.

62 The requester of the conditional use permit must
63 submit plans and specifications indicating to the
64 satisfaction of the Village’s engineers that the pro-
65 posed pole can manage the load of wires, equip-
66 ment, or attachments proposed. No pole shall be
67 granted approval until after a review and approval
68 by the Village’s engineers. No review of a permit
69 will begin until the requester has submitted all re-
70 quired documentation, and paid a plan review fee
71 of \$250.00, a Conditional Use Application fee of
72 \$400.00 plus a deposit of \$5000.00 to cover the
73 cost of engineering review.

74 No poles are permitted in the area depicted on
75 TID No. 1’s boundary area. No poles are allowed
76 on any public or private streets created and initial-
77 ly improved after April 1, 2016.

78 The Village shall charge an inventory and safety
79 inspection fee of \$5.00 on every pole within its
80 incorporated boundaries in order to ensure their
81 safety, and to ensure that no non-permitted poles
82 are located in the Village Right of Way. This in-
83 spection will occur in even numbered years, and
84 companies shall be invoiced for the inspection at
85 their office of record. Poles will be marked with a
86 nailed metal placard with the Village’s markings
87 to ensure that no new poles are installed without
88 a permit.

89



Village of Sister Bay

BOARD REPORT

Meeting Date: 05/24/16

Item No.: 2

Activities:

Bay Shore Drive- Done, done, done, done.....done!!!!

Remaining work: Landscaping and sod touch up, street sign replacement, sign relocation on street lights.

Sledding Hill- Pat Hockers is scheduled to complete work in early summer to regrade the hill. There is a need for safety enhancements, and for a "starter hill" at the top. Steve Mann will work to get grass on the hill following regrading.

Beach- A final inspection is scheduled for the end of May with JJR. We will address some outstanding issues at that time, largely plant viability and a bit of subsidence near the outfall pipes. Fencing will remain through most of the season as plants establish.

Harbor View-Mr. Gokey continues make progress. Engineering work is complete and now awaits state approval of utilities. He has taken deposits on two lots and hopes to build in fall.

Stony Ridge-We have a loan closing meeting scheduled for May 25 at Attorney Nesbitt's office. Keith Garot should begin building some time following that closing.

Wayfinding Signage- Bids have been received, and the Finance Committee will need to consider funding to complete the project

Braun Property- We await State approval of the sub-division plat. Engineering work for the Public Parking lots are being completed by Robert E. Lee Co. The Village staff have been working to receive bids for engineering work on sanitary, water and storm for the site. The Utilities and Finance Committee have recommended approval on the work, pending a bid approval by the Board.

Code Violations:

- There is a large back log. The Village staff is overwhelmed at the moment with a back log of work. I do not anticipate engaging in code enforcement work until that situation changes, unless there is some eminent threat to public health.

Respectfully submitted,

Zeke Jackson
Village Administrator

