



## LAND INFORMATION DEPARTMENT

John Lefebvre  
*Director*

Greg Cleereman  
*Conservationist*

Linda Christensen  
*Property Lister*

### MEETING OF THE LAND INFORMATION COMMITTEE MONDAY, JUNE 27, 2011 MARINETTE COUNTY COURTHOUSE – COUNTY BOARD ROOM

**Members Present:** Ted Sauve, Alice Baumgarten, Larry Nichols, Joe Policello, John Fendryk, Jerry Pillath, and John Guarisco.

**Others Present:** John Lefebvre, LID; Gale Mattison, Corp. Counsel; James Morrison, Attorney; Dean Richards, Attorney; Chad Fradette, Mach IV Engineering; Rob Kamps, Surveyor/Soil Tester and others as identified on the attached attendance sheet.

1. The meeting was called to order by Chairperson Sauve at 6:30 p.m. in the County Board Room of the Marinette County Courthouse.
2. APPROVAL OF AGENDA  
**MOTION** (Nichols/Pillath) to approve the agenda as printed and distributed. Motion carried, no negative vote.
3. PUBLIC HEARING  
Conditional use permit application for White Family Trust to develop a campground on property they own adjacent to Nelligan Lake located in Part of the SW ¼ SW ¼ and Part of NW ¼ SW ¼ S16 T31N R19E, Town of Beaver.

**MOTION** (Guarisco/Policello) to open the hearing. Motion carried, no negative vote.

Applicant presented details of application:

Attorney Richards, Chad Fradette and Rob Kamps presented information regarding the applicant's conditional use permit application and answered questions of the Committee. Attorney Richards asked that his correspondence to the Committee dated June 20, 2011 be entered into the record. Attorney Richards stated that the original plan was downsized from what was originally proposed. Mr. Fradette discussed the various details of the storm water management plan and the vegetated buffer to be established along the water frontage. Rob Kamps answered questions pertaining to the Private Onsite Wastewater Treatment System.



Public comment:

Attorney Morrison representing 31 property owners on Nelligan Lake spoke in opposition to the proposed campground and asked that a packet of e-mails he had assembled from his clients be entered into the record. Attorney Morrison referred to correspondence submitted previously by Attorney Holzbauer concerning the need for a variance not a conditional use and that the standard should be undue hardship. Also, Attorney Morrison questioned if the applicants had enough water frontage for 2 residences and 21 camping units. He stated that he saw nothing from the Beaver Town Board approving the development as he heard may have been the case. He believed that the proposed campground would add another 100 people to the population of those using the lake. He stated that the property owners around the lake have an expectation that zoning will protect their property values and preserve the peace and tranquility of the area.

Alan Utecht questioned who will follow up to ensure that the proposed mitigation is completed.

Wil Reichman asked if anyone had considered the amount of lighting to be installed.

David Mitchell the existing single family homes around the lake are on large parcels.

Jim Zwick questioned what runoff coefficient was used, questioned who would be responsible for cleaning out sediment basin and was concerned with only the one access road into and out of the campground.

Shawn Lamal stated that the lake was only 37 acres and asked where Mr. Lefebvre got his information that the lake was 50 acres.

Attorney Richards responded to the comments received by stating that the proposed campground would have an effect on the surrounding area but not a significant adverse effect. The rules are put in place to ensure that the post condition can not be worse than the predevelopment condition. He reminded the Committee that through this conditional use permit the county maintains jurisdiction over the campground for as long as it exists and if the conditions are violated could rescind the permit and the owners of the campground would be out their investment.

**MOTION** (Pillath/Fendryk) to close the hearing. Motion carried, no negative vote.

4. **CONDITIONAL USE PERMIT APPLICATION**

**MOTION** (Pillath/Baumgarten) to deny the issuance of the conditional use permit based on a number of the standards identified below. Each standard was discussed independently by the committee prior to voting. Roll Call vote: Pillath, Guarisco, Policello, Fendryk, Baumgarten, and Sauve in favor with Nichols voting in opposition.

Standards Applicable to Conditional Uses. –

1. The effect of the proposed use on the maintenance of safe and healthful conditions.  
***The consensus of the Committee was that based on the presentation by the applicant maintenance of safe and healthful conditions will be met.***

2. The prevention and control of water pollution including runoff of nutrients and sediment.  
***The consensus of the Committee was that the proposed plan has the potential to increase the runoff of nutrients and sediment into the lake especially if the engineered structures fail.***
3. The size, depth, shape, present and potential use of the affected water body as it relates to the proposed use.  
***The consensus of the Committee was that the proposed use would have an adverse affect on the water body based on its size, depth, shape, and present use.***
4. The effect of the proposed use on public rights in navigable waters.  
***The consensus of the Committee was that the proposed use would not affect the public rights in the navigable water.***
5. The effect of the proposed use on shoreline and near shore fish and wildlife habitat.  
***The consensus of the Committee was that the proposed use on the shoreline would affect fish and wildlife habitat because of the increased number of persons accessing the shore and the increased number of water craft.***
6. The effect of the proposed use on the aesthetic objectives of this chapter.  
***The consensus of the Committee was that the aesthetics objectives would be maintained if not improved by the proposed revegetation of the shoreline.***
7. Compliance with local floodplain zoning codes or ordinances and opportunity for damage to adjacent properties due to altered surface water drainage.  
***The consensus of the Committee was that damage to adjacent properties due to altered surface water was not a problem.***
8. The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.  
***The consensus of the Committee was that the degree and direction of the slope would be an issue if there was a problem with the proposed plan.***
9. The location of the site with respect to existing or future access roads.  
***The consensus of the Committee was that 43<sup>rd</sup> did not provide good access to the site because it is narrow and hilly.***
10. The need of the proposed use for a shoreland location.  
***The consensus of the Committee was that the need for the campground to be located in a shoreland location was not an issue.***
11. The proposed uses compatibility with uses on adjacent land.  
***The consensus of the Committee was that this development would not be compatible with the single family home residential properties around the lake and would negatively impact property values.***

12. The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal systems.  
***The consensus of the Committee was that this is not an issue because any and all development would need to comply with various state requirements.***
13. Location factors under which:
  - a. Domestic uses shall be generally preferred;  
***The consensus of the Committee was that this was not an issue.***
  - b. Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source;  
***The consensus of the Committee was that this development is not anticipated to be a pollution source.***
  - c. Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility.  
***The consensus of the Committee was that this location because of its slope towards the lake would increase the possibility of runoff (pollution) into the lake.***

5. ADJOURNMENT

**MOTION** (Pillath/Guarisco) to adjourn. Motion carried, no negative vote. (Meeting adjourned at 8:40 p.m.)

Respectfully Submitted



John Lefebvre, Director  
Land Information Department

Attendance Record June 27, 2011 Land Information Committee Meeting

Name ( Please Print)	Address	City	State	Zip
NIM ZWICK	N6098 5TH P. CRIVITZ	CRIVITZ	WI	54114
David Kanitzer	408 Meyer street	Pound	WI	54161
Agnieszka Kowalski	211 Maple Street	Pound	WI	54161
Mary Bault	205 Maple Street	Pound	WI	54161
Tom Degard	18th Rd	Pound	WI	54161
Anne Silvester	18th Rd	Pound	WI	54161
Mard Stuhler	N5328 45TH RD	Pound	WI	54161
Klee Sakowicz	N5380 43rd Rd.	Pound	WI	54161
Ed Sakowicz	N5380 43rd Rd	Pound	WI	54161
Walter (Murd)	N5461 43rd Rd	Pound	WI	54161
Norma Murdy	N5461 43rd Rd	Pound	WI	54161
Valecie P. Goff				
Arian LEBECHT	47th Road N5424	Pound	WI	54161
Paul Thibault	N5424 47th Road	Pound	WI	54161
JIM MORRISON	PO 406 MARYNEHE	MARYNEHE	WI	54443
MARY HOLZBAUER	N5325 43rd Rd	Pound	WI	54161
Will Reichmann	N41 W5913 Hamilton Rd.	Cedarburg	WI	53102
Robert H. Bocham	N1876 Forest Lake Rd	Campbellsport	WI	53010
Larry Muthler	205 Vernon Ave.	Thiensville	WI	53092
Steve Mueller	2805 N. 11th St.	WAUWATOSA	WI	53226
David Bedora	N4880 Hwy 141 Beaver WI	Beaver	WI	54114
Bob Helle	N5137 2650 Rd Crivitz WI	Beaver	WI	54114
Gary Holzbauer	N5325 43 Rd. Pound, WI	Pound	WI	54114
Robert Nordquist	N733 Hwy 577 Menaishine	Menaishine	WI	49853
Melanie Thuesen	W10897 City P. Beaver	Beaver	WI	54161

Attendance Record June 27, 2011 Land Information Committee Meeting

Name (Please Print)	Address	City	State	Zip
S/ Sharella Kelley	5310 N 45 Rd	Pound	WI	54161
David Mitchell	W11040 W 18TH Rd	Pound	WI	54161
Chris Ondrus	5340 N 45 Rd	Pound	WI	54161
Rick Lamal	2776 Otto Ct	Green Bay	WI	54313
WAYNE LAMAL	2151 NELLIE LN	GREEN BAY	WI	54311
Clayton Erickson	5340 N 45 Rd	Pound	WI	54161
Carla Erickson	5340 N 45 Rd	Pound	WI	54161
Joy Huska	5310 43rd Rd	Pound	WI	54161
Robert Rasmussen	2026 Mason St - new lot	New Holston	WI	53061
AMBER RICHARDS	2026 MASON ST NEW LOT	NEW HOLSTON	WI	53061
Jane Alberto	5345 43rd Rd	Pound, WI	WI	54161
TRAY PROSS	N5404 43rd Rd	Pound, WI	WI	54161
Nancy Pross	"	Pound	WI	54161
Sharon White	15395 43rd Rd	Pound, WI	WI	54161
Charles Furdotta	Mach IV Engineering 21 N Broadway	Green Bay	WI	54303
LOU MAYS	705 FURK ST	CRIVITZ	WI	54114
BOB KAMPS	PO BOX 757	CRIVITZ	WI	54114
Buck Cochran	10 South US Hwy 141	Crivitz	WI	54114
Kari Katz	2716 Campus Blvd	GB WI	WI	54302
Angela Kubiak	W152 N 787 W 1st Ave	Menomonee Falls	WI	53051
ELLEN SEATH	8253 So. 85 St	MILWAUKEE	WI	53132
Shirley Brandman	Prospecta Terrace			
DEAN RICHARD	REINARD BOGUM	W AUSTRALIA		57168