



## LAND INFORMATION DEPARTMENT

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John Lefebvre  
*Director*

Greg Cleereman  
*Conservationist*

Linda Christensen  
*Property Lister*

### MEETING OF THE LAND INFORMATION COMMITTEE MONDAY, APRIL 11, 2011 BEAVER TOWN HALL

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

**Others Present:** John Lefebvre, LID; Greg Cleereman, LID-LWC; Aleta DiRienzo, LID-LWC; and the Peshtigo Times. Please see Attachment A for other people present.

1. The meeting was called to order by Chairperson Sauve at 12:00 p.m.
2. APPROVAL OF AGENDA  
**MOTION** (Baumgarten/Nichols) to approve the April 11, 2011 agenda as presented. Motion carried no negative vote.
3. APPROVAL OF MINUTES  
**MOTION** (Guarisco/Policello) to approve the March 14, 2011 minutes as presented. Motion carried no negative vote.
4. PUBLIC COMMENT  
It was decided to take Public Comment during the agenda items.
5. PUBLIC HEARING  
**MOTION** (Fendryk/Pillath) to open the Public Hearing at 12:08 p.m. regarding the dam failure analysis for the Grosse Dam located in the Town of Beaver and the Lake Noquebay Dam in the Town of Lake prior to the County's acceptance of this information and incorporation of this information into the County Floodplain Zoning Code. Motion carried no negative vote.

#### **Public Comment regarding the Grosse Dam**

**Ralph Patz** – owns ½ mile along Murphy Creek, dam is blocking Salmon and should be removed.

**Amy Schaffer** - Grandparents owned the dam and feels that they have been good stewards of it. Feels the dam has been an asset to the community.

**Robert Holley** – Feels that the Grosse Dam should get the same consideration as the Coleman Lake Club Dam.



**John Guarisco** – A reminder that this is just to approve the floodplain study cannot take out the dam.

**John Lefebvre** – explained how the Dam Failure Study and the purpose for public hearing.

### **Lake Noquebay Dam**

**Kenneth Markeson** – Wanted to bring up 3 issues to the committee.

- There are 2 dams on Lake Noquebay. One is an earthen dam and the other a gated dam.
- If the dam fails there will be a home in the Town of Lake destroyed wants to know if they will be able to rebuild.
- Is the floodplain taxable or do they get a tax break.

**John Roland** – Concerned because he paid a surveyor to prove his property was not in the floodplain and now according to the new map his property is in the floodplain, would like clarification.

**Jeff Mursau** – Has the same concern as Mr. Roland. He too hired a surveyor and his property shows to be in the floodplain on the new map.

**Jim Zwick** – Why is the FEMA mapped floodplain extended beyond the area inundated by a dam failure

**MOTION** (Guarisco/Policello) to close the Public Hearing at 12:21 p.m. Motion carried no negative vote.

### 6. DAM FAILURE ANALYSES FOR THE GROSSE DAM AND THE LAKE NOQUEBAY DAM

Discussion was held regarding the comments during the public hearing. Lefebvre responded to the questions presented at the hearing by saying, yes, people can rebuild in a floodplain but has to be rebuilt according to floodplain standards. All land is taxed, even floodplain land and FEMA is responsible for updating the floodplain maps and it is highly unlikely that FEMA will ever update the maps in such a fashion to recognize the LOMA's they have issued however your LOMA's are still valid even though they are not recognized on the map.

**MOTION** (Guarisco/Nichols) to recommend to the Marinette County Board of Supervisors Ordinance Number 349-11 Amending the General Code of Ordinances of Marinette County Chapter 19 Floodplain Zoning Code contingent upon county Corporation Counsels approval of the Ordinance. Motion carried no negative vote.

### 7. CONDITIONAL USE PERMIT

**Troy Process** – Gave a short report regarding the history of the property and the proposed campground.

**Chet Holzbauer** – Read through his April 6<sup>th</sup> correspondence to the committee and provided the committee with pictures.

**Emil Smith** – Wondered who will enforce the rules, worried about trash, noise stealing firewood. Very much opposed.

**Mark Fuller** - Concerned that fishing populations will decline, there will be garbage in the water, opposes development.

**Tom Jagielo** – Handed the committee a CD of 19 pictures showing the nature around the lake. All 25 property owners purchased the property for the same reason – very unique lake. The

negative effect will outweigh the positive effect.

**Dan Hollous** - Owns a lot on the lake, intended to build and retire here. Stated that he camps a lot and knows how it will be, opposes the campground 100%. Doubts he will build there if the campground goes in.

**David Mitchell** - Live on Little Nelligan checked out zoning and lot sizes and wanted a quiet lake. Didn't want recreational lake, use will double and can't imagine it. Opposed.

**Sheila Kubiayk** - Agrees with everyone. With 24 campsites will be lots of extra people. The Loons, Meadow Larks and Cranes will go away. Who will patrol? Stayed at a campground that was similar and it was a free for all. Opposed.

**Crystal Bund** - Not a property owner, but my grandparents are. She is worried that people will be reckless and go anywhere without regard of property and worried about people stealing wood. Opposed and so are my grandparents.

**Peter Rhodes** - I own property next to the proposed camp ground. I question the debarking. I want to know if the RV's will be able to park there all year long, question whether decks and lean-to's will go up. Took some photos of campground on Lake Hilbert, gave to committee to show the evolution of a campground.

**Robert Holley** - Member of the Town of Beaver wanted everyone to know that the Town didn't approve or disapprove the campground. Just told the Whites the process they needed to follow.

**Shawn Lamal** - What is the attraction to come to bring the campers in? No hiking trails and water frontage for swimming is poor.

**Gary Holzbauer** - For the people using the campground the only place they will have to access the water is the boat landing, or off Island A. Where will the boats be docked the water by the island is only 2 - 3 feet deep? Where are they all going to go?

**Allan Utecht** - We are in a democracy, only 4 people want this campground the others are against it.

**Jim Smith** - Owns property on lake, been visiting the lake since he was 10, has seen the loons nesting on the lake, opposed, bad idea.

**Troy Odeja** - Strongly opposed.

**Sheila Holbus** - Not a whole lot to do there and is worried about too many all terrain vehicles.

**Clay Erickson** - Worried about campers bringing in own wood and getting Emerald Ash Borers.

**Jeff Mursau** - Owns property on the lake and came to listen to comments and has some of the same concerns.

**Jim Zwick** - The ATV trail is not allowed on County Road P.

**Ray Mattrish** - Own land north of the proposed campground. The channel is actually an old existing dam that washed out.

**Supervisor Guarisco** - Does any ATV trail intersect with 43<sup>rd</sup> Road?

**Chet Holzbauer** - There are no ATV trails that intersects with 43<sup>rd</sup> road.

**Ken Marcuson** - With all the comments about nature and the loons, why do the property owners allow a 16' boat on the lake.

**Cheryl Ondrus** - Never had a lot of boats until the county made the boat landing cement.

**Supervisor Guarisco** - The Town monitors who and what goes on a lake. Residents petition the town if they want a no wake lake. Boat landing was improved by the town not the county.

**Supervisor Nichols** - Has there been any talk about a Lake Association being developed? A Lake Association can help with some of these concerns.

**Chet Holzbauer** - In the past there hasn't been a need for a Lake Association, now confronted

with this, may need to look into developing one.

**Greg Cleereman, County Conservationist** – If the lake is interested in developing a lake association the Land & Water Conservation Division can help.

**Supervisor Guarisco** – I have a question for Rob Kamps. The Whites property runs along 43<sup>rd</sup> Road, what is the reason that it is not being used?

**Rob Kamps, Land Surveyor** – The assumption of the only access being on the private road only seven sites will be accessed from there. There is some confusion about the assumption that all campers are renegades drink and shoot off fireworks. The White family won't allow that, they are professionals and campers will have to play by the rules or they will be out. The concerns about runoff and erosion can be answered by the Whites engineer firm.

**Troy Process** – Want to answer some of the concerns. This will be a high end campground. We are willing to work with the community. There will be wood to sell at the campground. Everyone knows they can't bring in own wood. As for the beach, obviously can't disturb the wetlands, but there are 3 or 4 rafts from other land users on west side of the lake. Intention is to bring people to something they have not been exposed to. If the campers violate any of the rules they will be out.

**Supervisor Baumgarten** – What is a sleep shack?

**Troy Process** – It is an 18' x 26' hard shell cabin/shack.

**Supervisor Baumgarten** – with the seven sleep shacks puts the total campground sites to 31. This is a whole new ballgame.

**Chad Fradette and Joel Ehrfurth, Engineers** – Retained by the Whites, have a plan for storm water runoff and erosion, committee can see those plans at any time. Are following the permit process, have notified the DNR with Notice of Intent and all practices will be in line with local and county ordinances.

**Supervisor Pillath** – expressed three (3) concerns with the proposed development. The first related to his concerns regarding issues with the Certified Survey Map, the second being his belief that his development would require a variance and the third issue being that the proposed use is incompatible with adjacent uses.

**MOTION** (Pillath/Baumgarten) to deny the Conditional Use Permit for the White Family Trust to develop a campground based on the incompatibility with uses of adjacent land.

#### **Amended Motion**

**MOTION** (Guarisco/Nichols) to postpone the decision on this Conditional Use Permit till Corporation Counsel can give legal opinion as to the authority of the committee to deny this permit and to gather additional information. Motion carried, Supervisor Pillath voting no.

#### 9. TOWN OF PESHTIGO ZONING AMENDMENTS

**MOTION** (Nichols/Policello) to recommend to the Marinette County Board of Supervisors approval of the Town of Peshtigo's zoning amendments to zone parcel 024-01935.000 (portion of Green Island) described as a Frac. Of S19 and S20 T30N R25E, Town of Peshtigo, Marinette County as listed:

- Proposed Lot Numbers 1 thru 18 as R1 Single Family Residential District
- Proposed Lot Number 19 as A-1 Agricultural/Low Density District
- Proposed Lot Numbers 20 thru 24 as B-1 Business District

Contingent upon a plat being recorded in the Register of Deeds Office that coincides with the development map provided by the Trapezium Consulting Group, LLC which is attached and made a part of the Land Information Committee minutes of April 11, 2011. Motion carried no negative vote.

10. PROPOSED AMENDMENTS TO CHAPTER 21 (SHORELAND/WETLAND ZONING) TO ADDRESS THE RECENT AMENDMENTS TO NR 115  
The background was given on the recent amendments to NR 115. The three major items that will change are non-conforming, mitigation and impervious surfaces. The committee decided to place on next month's agenda.
11. 2010-2015 LAND RECORDS MODERNIZATION PLAN  
The Committee members had no specific changes at this time. The committee agreed that when a committee member has suggested changes they will request that the plan be placed back on the agenda for further discussion.
12. TAX LISTING PROCESS  
An informational packet was given out to the committee addressing the concerns raised by Supervisor Pillath at the March Meeting. The Land Information Director agreed to open the lines of communication with the local assessors in an effort to resolve any issues they may have with the Property Listing Division.
13. COUNTY DIRECT FEATURE IN MARKET DRIVE  
Lefebvre agreed to give further consideration to utilizing County Direct Services next year.
14. RESOLUTION SUPPORTING SIX TARGETED RUNOFF MANAGEMENT GRANTS  
**MOTION** (Guarisco/Fendryk) to recommend to the Marinette County Board of Supervisors approval of Resolution Number 355- 11 Supporting Six Targeted Runoff Management Grants. Motion carried no negative vote.
15. POWTS MAINTAINER QUALIFIER COURSE  
**MOTION** (Baumgarten/Nichols) to approve the attendance by the Land Information Director to the Private Onsite Waste Treatment System Maintainer Qualifier Course on April 28, 2011 in Arlington, Wisconsin. Motion carried no negative vote.
16. CORRESPONDANCE  
Sauve brought the Committee's attention to a letter inviting the Committee to the Peshtigo River State Forest Annual Meeting.
17. REPORTS BY LAND INFORMATION STAFF  
Greg Cleereman, County Conservationist gave a report on his attendance at the Spring County Conservationist Meeting.
18. MARCH SCHEDULE OF INVOICES  
The March Schedule of Invoices (\$25,761.27) was reviewed by the committee.

19. SCHEDULE NEXT MEETING

Next meeting scheduled for Monday, May 9, 2011 at 9:00 a.m. at the Marinette County Courthouse.

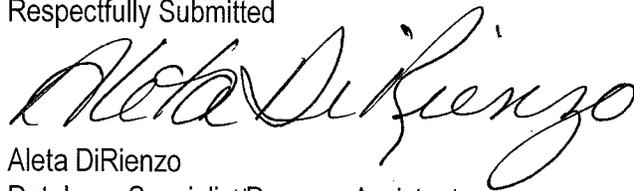
20. ITEMS FOR DISCUSSION AT NEXT MEETING

- ◆ Conditional Use Permit for the White Family Trust
- ◆ Chapter 21 Amendments concerning impervious surfaces, mitigation and non-conforming structures.

21. ADJOURNMENT

**MOTION** (Nichols/Pillath) to adjourn 4:48 p.m. Motion carried, no negative vote.

Respectfully Submitted



Aleta DiRienzo  
Database Specialist/Program Assistant

Attendance Record April 11, 2011 Land Information Committee Meeting

Name (Please Print)	Address	City	State	Zip	White Campground	Grosse Pointe Dam	Lake Noyahay Dam	Town of Festigo Zoning (Green Island)	Chapter 21	Land Records Plan	Targeted Runoff Management	Other
Daniel Holbus	4936 Tudor Hills Dr	Revere	WI	53406								
Sheila Holbus	4936 Tudor Hills Dr	Revere	WI	53406								
Bona Meyer	15461 43rd Rd	Pound	WI	54161								
Walter Meyer	15461 43rd Rd	Pound	WI	54161								
Berta Meyer	W 10120 Cgr P	Pound	WI	54161								
Therese Marcus	2761 Old Coach Rd	Green Bay	WI	54302								
Alvin D. Cuddeback	534047th Town of Brown / 2761 Old Coach Rd	Green Bay	WI	54302								
Paula J. Paz	5173 43rd Rd	Pound	WI	54161								
Rick Lomal	2776 Otto Ct Green Bay	Green Bay	WI	54313								
EJ Kersley	4466 Creek Val. DR	Green Bay	WI	54156								
Shirley Kersley	4466 Creek Valley Overlook	Green Bay	WI	54156								
Robert Phillips	15772 Circuit Dr	Arvids	WI	54119								
Shaun Kimmel	NS354 45th Road	Pound	WI	54161								
Blake Lamm	NS872 33th Road	Pound	WI	54161								
Tom Saville	1733 Sunnyside Dr	De Pere	WI	54115								
Alan Chubb	NS404 47th St	Pound	WI	54161								
Devin Lentz	11287 Pioneer Lake	Albany	WI	54116								
Robert Kayward	P.O. Box 757	CAVITE	WI	54114								
Zach Kasper	N 4198 19th Rd	Pound	WI	54161								
Ted Kymel	W 11021 Wisconsin	Pound	WI	54161								
Jim Smith		De Pere	WI									
Dave Bedora	N4880 Hwy 14	Beaver	WI	54119								

Agenda Item of Interest (Please check all that apply)



