

**GREEN LAKE COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes – Friday, May 20, 2011**

CALL TO ORDER

The meeting of the Board of Adjustment was called to order by Chair Nancy Hill at 9:04 a.m., in the County Board Room #0902 of the Government Center, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: Janice Hardesty, Nancy Hill, Kathleen Moore (Alternate 2), Roger Ladwig,

Absent:

Also present: Assistant Corporation Counsel Jeff Haase
Al Shute, County Surveyor/Land Development Director
Matt Kirkman, Code Enforcement Officer
Carole DeCramer, Board Secretary

APPROVAL OF AGENDA

Motion by Ladwig/Hardesty, unanimously carried, to approve the agenda.

APPROVAL OF MINUTES

Motion by Hardesty/Ladwig, unanimously carried, to approve the February 11, 2011, and February 18, 2011, minutes.

RECESS FOR FIELD INSPECTION

Time: 9:05 a.m.

PUBLIC HEARING MATTERS

Board reconvened at 10:03 a.m.

Chair Hill read the Rules of Order.

Item I: Owner/Applicant: Wilbert E Erickson Wisconsin Revoc Trust of 2001 **Address:** W3543 Meredith Ln, Lot 4 Certified Survey Map 286 V1 & Lot 3B Certified Survey Map 286A V1, Section 3, T15N R12E, Town of Green Lake **Explanation:** The owner is requesting a variance from Section 338-14.A. of the Shoreland Protection Ordinance to construct retaining walls within the required 75-foot shoreyard setback.

- a. Public hearing.

Kathleen Moore, W6710 Marine Dr., Town of Marquette – Asked why the applicant was not considering one solid wall.

Wesley Stibb, Outdoor Impact Landscaping, Green Lake – Explained that the applicant wants to excavate as little as possible because of the sandy hills. He also explained what materials they are proposing to use.

Hardesty – Asked if the big poplar tree will be removed.

Stibb – Nothing will be removed.

Ladwig - Commented that he thought the tree would stabilize the bank.

Stibb – Presented pictures to the Board of what the retaining wall will look like. (Exhibits 2-4)

Assistant Corporation Counsel Haase – For the record, each Board member should have a letter from the WI-DNR (Exhibit 1). The letter is in support of the request and the department's conditions.

Public hearing closed.

- b. Board discussion and deliberation for the first variance request.

Motion by Ladwig/Hill , to approve the variance request to construct retaining walls within the required 75-foot shoreyard setback with the following conditions:

- 1) **That a shoreland vegetative buffer restoration plan be designed in accordance with NRCS Interim Standard #643A, Shoreland Habitat and Wisconsin Biology Technical Note 1: Shoreland Habitat), be evaluated and approved by the Land Use Planning & Zoning Office prior to Land Use Permit issuance, and be installed within one year of land use permit issuance.**
- 2) **The shoreland vegetative buffer restoration shall be maintained via the Shoreland Vegetative Buffer Agreement that shall be recorded in the County's Register of Deeds Office.**
- 3) **That the owner/applicant consult with the Land Conservation Department to:**
 - a. **Determine, through the scope of the proposed project, if any negative impact will occur to adjoining properties from stormwater produced on the subject site.**
 - b. **Create, if deemed necessary by the Land Conservation Department, a stormwater drainage plan that will address any stormwater issues on the subject site that will negatively impact an adjoining property.**
 - c. **Execute the stormwater drainage plan pursuant to standards developed with the Land Conservation Department.**
- 4) **That, prior to land use permit issuance, the Land Use Planning & Zoning Department receive a written certification by a qualified professional stating that the structural integrity of the retaining walls has the ability to withstand the forces exerted upon them.**

- 5) That the new masonry block walls be screened with native vegetation to minimize visual impact, and enhance the shoreline's natural scenic beauty.

Roll call: Ladwig - yes, Hill – yes, Hardesty – yes.

Findings:

Hill – The owner has proved that they have an unnecessary hardship. It is not self-imposed. The retaining walls are necessary because of the slope and the failing of the previous wall. There are also unique property limitations to this piece of property. The steep sloop is 44%. There is no harm to the public. It is, in fact, in the interest of the public to prevent more erosion into the lake. There is no objection from adjoining neighbors. The land owner did meet the burden of proof for the above and the variance request will be approved.

CORRESPONDENCE

a. Update - Thomas & Linda Kloosterboer matter.

Shute – Updated the Board of Adjustment on the status of the Kloosterboer matter. All signatures for the stipulation for dismissal have been received. We're waiting for the executed order from the judge.

BOARD DISCUSSION/ACTION

Shute – All of the Board of Adjustment members attended the May 11th training session. Hill asked if another training session could be arranged that would more particularly address board of adjustment issues. Shute will contact the UW-Stevens Point extension office.

NEXT MEETING DATE

August 19, 2011.

ADJOURN

Motion by Hardesty/Ladwig, unanimously carried, to adjourn.

Time: 10:24 a.m.

Recorded by,
Carole DeCramer
Board of Adjustment Secretary

**APPROVED ON:
September 16, 2011**