

MINUTES
PORTAGE COUNTY BOARD OF ADJUSTMENT
MARCH 14, 2022

Call to Order

Chairman Jazdzewski called the Portage County Board of Adjustment (BOA) to order at 4:00 pm in Conference Room 5, County Annex, Stevens Point, Wisconsin.

Roll Call

Stewart called the roll. Members present included John Jazdzewski, Don Rusch, Dennis Meis, James Garbe, and James Hopp. Member excused was Mike Pagel (Alternate).

Staff present included Chris Mrdutt, Jen McNelly, Tracy Arnold, and Gayle Stewart, Planning and Zoning Department.

Others present included Ryan Rose, Portage County Parks Director.

Pledge Allegiance to the Flag

Garbe led the Pledge.

Board of Adjustment Procedures

Jazdzewski explained the meeting was properly advertised by a class 2 notice in the local newspaper and explained the functions of the BOA by reading the Portage County BOA Function Introduction. Jazdzewski stated testimony and questions should be addressed during the public hearing portion of the meeting and anyone wanting to speak should sign in at this time.

Public Hearings and Decisions

Wimme Sand & Gravel Inc., Kyle Wimme, Owner (PET-2022-001)

The Wimme Sand & Gravel Inc., Kyle Wimme, Owner, Special Exception request from the provisions of Portage County Zoning Ordinance sections 7.1.3.6(C)(1), 7.1.3.1(C)(11) &(21) to operate a sand and gravel extraction site as a nonmetallic mine, and to erect signs exceeding 6 square feet, in the A3, Low Density Agricultural District, Town of Stockton, Parcel #s 034230921-07.02, 034230921-09, 034230921-10, 034230921-11.01, 034230921-12.02, & 034230921-12.03, was opened by Jazdzewski.

Mrdutt explained the request in detail relating to the mining operation and signage, noting all parcels are zoned A3, Low Density Agricultural, and this is a permitted use with Special Exception approval. Mrdutt also explained public comment will be taken for the reclamation plan. Additionally noted was the Town of Stock has approved this request.

Kyle Wimme was sworn in and explained his request in detail; adding they are celebrating 75 years in business this year. He detailed the site they are looking to expand into and explained the reclamation plan.

Lengthy discussion amongst Wimme and BOA members regarding the request.

Jazdzewski asked if any members of the public wanted to speak on this matter. Matt Jacowski, Portage County Highway Committee Chair, discussed wording of proposed condition #13 and explained the reasoning. He then spoke as a member of the general public and not as Committee Chair.

Tammy Borgen was sworn in and explained in detail her concerns and opposition to the mining operation. Lengthy discussion with Borgen, the Committee, and Wimme.

Jason Rohde was sworn in and explained his concerns with traffic in the area and how it may be affected by this operation. Additional discussion with Rohde, the Committee, and Wimme.

It was noted there were no other members of the public wanting to speak on this matter. Jazdzewski noted there was no correspondence received. Jazdzewski closed testimony and opened deliberations.

Garbe read the Special Exception Standards.

The Board is Required to Evaluate the Effect of the Proposed Use Under 7.1.6.5(D)(2)(b)(1) in Order to Approve the Petition

- (a) The maintenance of safe and healthful conditions;
- (b) The prevention and control of water pollution including sedimentation;
- (c) Existing topographic and drainage features and vegetative cover on the site;
- (e) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover;
- (f) The location of the site with respect to existing or future access roads;
- (h) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
- (i) The amount of liquid waste to be generated and the adequacy of the proposed disposal system;
- (j) Location factors under which domestic uses shall be generally preferred, uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source, and uses location within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility;
- (k) The importance of the services provided by the proposed facility to the community;
- (l) The availability of alternative locations;
- (n) Such other factors as are relevant to the purposes of this Ordinance.

The Board is Required to Find All of the Following Conditions under 7.1.6.5(D)(2)(c) in Order to Approve the Petition

- (1) The use would not substantially harm the public health, safety, and general welfare, and would not be contrary to State Law or Administrative Code;
- (2) The use would be consistent with surrounding uses and the neighborhood would not be injured thereby;
- (3) The use is consistent with this Ordinance and any County or municipal plan which is based on historic, geographic, and socio-economic facts.

The Board May Attach Any of the Following Conditions Under 7.1.6.5(E)(2) in Order to Further the Purposes of this Ordinance

- (b) Increased setbacks and yards.
- (c) Specified sewage disposal and water supply facilities.
- (d) Landscaping and planting screens.
- (e) Period of operation.
- (f) Operation control.
- (g) Sureties
- (h) Deed restrictions.
- (j) Requirement for construction of channel modification, dikes, levees and other protection measures.

Additional discussion amongst BOA members and staff; the following was noted:

- Jazdzewski said the Town's Comprehensive Plan does include this use and it's a historical use; Wimme has operated in this area a long time.
- Garbe asked Mrdutt about previous requests on other mining sites and the request to not remove fill below six feet above the high groundwater table in order to prevent contamination of groundwater. This request shows a 50' deep lake. Mrdutt explained how in one request the reclamation of the site was for agricultural fields/use; this is why that standard would have been imposed in that case. In this case, the proposed reclamation use will be a pond/lake. Wimme explained how they will do this.
- Garbe referenced the engineering studies that show the cross section of the pond. He noted the horizontal scale and vertical scale are not the same thing; this is not depicting an accurate picture of what they're looking at.
- Rusch addressed road safety and it was noted that Planning and Zoning and BOA do not deal with these types of road issues; these would be dealt with by other bodies.
- Jazdzewski addressed the signs; six square feet is standard. This request is for two signs, 32 square feet each. Wimme explained these are directional signs and won't be lighted or flashing.
- Hopp addressed the road situation and asked if the Town told Wimme he had to get a driveway permit. Wimme said they will utilize the field driveway. From that point to the south, there is about 100' from where Portage County had the road widened. Wimme discussed shared road costs based on percentage of usage with other companies that have semis that use the roads in that area as well. This would be similar to what they do on the south side of County Road B with Custer Road. Jazdzewski said something like this would have to be developed with the Town or County depending on the road.
- Hopp asked about the well on the property. Wimme said he didn't know there is a well there. McNelly said

she could not locate a well on the property either. Based on the construction report handed to her by Borgen, it appears the well they discussed earlier is for Wimme Sand and Gravel constructed in 1962. Wimme said that is on the opposite side of the road where the old farm is and that was properly abandoned years ago. There is no well located on this parcel.

- Meis said he has no issue with the change in language for the proposed condition on flashing traffic safety signs, if warranted. Rusch said the wording "if warranted" is pretty vague; what is the criteria and who makes this determination. Nathan Check, Portage County Highway Commissioner, said the standards they look at on whether or not flashing lights or other signs are warranted would be the Manual on Uniform Traffic Control Devices. Any new sign requests, they refer to that as there are certain standards that they apply to each situation. Check added ultimately it will be the decision of the Highway Department for any sign installation on their County Roads. He would be hesitant to put it in as a requirement not knowing if the signs are even warranted as it hasn't been studied at all. Based on the amount of truck traffic at that intersection with the other three business there, he doesn't necessarily see that it will apply for flashing signs. If BOA chooses to keep that condition and keep "if warranted," he will be fine with that.
- Meis discussed having a condition regarding a locking gate at the entrance of the mining site. Hopp said they already have one.
- Garbe noted the Town has several suggested conditions, most of which are addressed in conditions proposed by staff. The Town requested installing and maintaining a berm around the entire property, but staff did not mention installing a berm. Wimme is planning on doing this already where he will be storing the soil. Garbe does not consider this an issue. Another condition recommended by the Town is looking at increasing the noise abatement along the northern boundary of the property. He is not sure how to abate the noise but suggested a wording change for proposed condition #7. This would dictate where the berms would go, but it does not say they have to have berms. It also references a vegetative buffer must remain. He is questioning if a vegetative buffer must remain, but a tree dies and falls over, is anyone going to re-plant it. As a way to maintain a sound barrier they could say a vegetative buffer must be maintained along property lines. This way if a tree dies, something will get planted. Jazdzewski said the don't want to say they have to place a buffer all around the property because that would mean they have to put the buffer in now. Garbe suggested they be required to maintain what is there.
- Hopp said there is a lot of concern about berms and Wimme said he will be starting in a hole in the bottom of the mining site. Wimme said looking at the topo map, on average by the old railroad tracks they will be at an elevation of 1170. They are looking at starting where the hole is existing which is closest to Highway B on the southwest corner. This is at 1150 to 1160, which is 10'-20' below grade. Hopp said they will begin digging to start to get material out and will continue going down from there; Wimme agreed. Jazdzewski said operations will be on the surface. Hopp said the crushing unit will be down in the hole bringing the material up to the top; Wimme agreed. All the noisier machines are in the bottom which will address some of the concerns.
- Garbe said the crushing operation exists today on the south side of County Road B at the old mine site; Wimme agreed. Garbe asked if the crushing operation will stay there for quite a few years or be moved to the new site. Wimme said they have two sets of crushers; one set will be going back and forth between the current site and to the new site to open the new site up and get it established. The other set of crushers will be staying in the current mine site as well as the wash plant. Based on economic conditions, it could be upwards of 10-15 years before they move the other crushing spread and wash plant across to the new mine site.

Jazdzewski closed deliberations and asked for a motion to approve, deny, or postpone the request. There was additional discussion amongst the BOA on the following:

- Meis asked about vegetation being maintained and berms and noise abatement. It was noted it appears this is what Wimme is going to be doing as standard operating procedures. The major concern is to maintain the quality of planting around property. Garbe said he is unsure how they would handle noise abatement other than trying to maintain some buffering areas through berms or vegetative cover. It was noted most of the noise generation will be operating below what is now the surface level. That should absorb some of the noise. Additionally, the berm as developed will be seeded which will help.
- Rusch asked about condition #13 if signs are warranted with flashing lights and discussed being installed per owner's expense. He said this is a highway safety issue and asked why these signs be at the owner's expense versus any other signage along the highways. Meis said there are other businesses in that area, and he suggested scrapping that as well. Jazdzewski said although they are generating the condition that would warrant it, it is not just Wimme. There are other operations as well. Rusch does not think they should be imposing those costs on a private entity as it is a public road; Meis agreed. Rusch recommended striking the last sentence from condition #13.

Motion by Meis to approve the request as presented, with the following conditions:

1. Obtain a Portage County Zoning Permit.
2. Road access must be off Custer Road. No access road allowed directly onto County Road B.
3. All hazardous waste is to be stored in 150% containment containers and any waste must be properly disposed of.
4. A Stormwater and Construction Site Erosion Control Plan must be approved by the Portage County Land and Water Conservation Division.
5. Normal hours of operation are 6am - 6pm, Monday - Friday, with exception for emergency situations. Additional exceptions may be approved after review by the Town of Stockton and the Planning and Zoning Department.
6. Approval must be obtained from the Town of Stockton for hauling on Custer Road. If a performance bond is needed, a copy must be on file with our department.
7. All mining activities including stock piling and berms must be begin a minimum of 50' from property lines and right-of-way lines. A vegetative buffer must remain along property lines and right-of-way lines for a minimum depth of 50'. Existing vegetation is adequate but must be maintained.
8. A surveyor will need to stake the property boundaries to insure property lines are clearly marked.
9. Allow yearly inspection by the Portage County Planning and Zoning staff to document all conditions of approval are being met.
10. The operator must reclaim the side slopes and do continual reclamation as the pit gets larger.
11. Final reclamation slopes must be 3:1 or flatter along with terracing where necessary.
12. No blasting is allowed for this site.
13. Portage County Highway Department must be contacted about installation of flashing traffic safety signs located on County Road B, if warranted.
14. This Special Exception Permit approval will expire after 40 years from date of approval.
15. Violations of approved conditions may be cause for revocation.
16. Two signs are allowed; 32 square foot maximum size is allowed per sign.
17. Locking gate at the entrance to the pit must be installed and locked when pit is not in use.

Garbe asked if Meis would reconsider condition #7 and use vegetated buffer must be maintained, instead of must remain. Meis clarified he added "must be maintained" at the end of the condition; Stewart clarified as well.

Motion to approve seconded by Garbe. Motion to approve passed 5-0 by roll call vote.

Mrdutt said per NR135 requirements, BOA is now required to take comments from the public on the reclamation plan. The following was discussed:

- Rohde asked if they will be going into the water table or are they in the aquifer. McNelly said they will be intersecting the water table. This is how they plan on getting water into the pond. Rohde asked about contamination going southwest and how will that be mitigated. McNelly said the source of the contamination there would be from the equipment and any work they are doing; adding they would require that when the shop moves over to the new site, they will have to have containment for any of their hazardous materials. McNelly said they will also require a hazard plan be on file. As far as the washing plant goes, that is all native materials that is being washed so that doesn't pose a contamination risk from a washing standpoint. Any water that is being pumped out there for the washing purposes is being returned and infiltrated into the ground. Rohde asked what happens in 30-40 years when someone is enjoying the pond and McNelly responded that happens with any pond site; that is inherently a risk with any ponds, lakes, or surface waters. That is the nature of the aquifer here in this area. Jazdzewski explained there will still be the perimeter of the undisturbed soil filtering it. Back and forth discussion regarding Rohde's concerns of contamination. It was noted this is a safety issue and there are other departments and agencies in the County and State who monitor this; this is not the role of BOA. No additional comments.

Art Mortgage Borrower PropCo 2013 LLC, (MFG)/Americold Logistics, LLC, Owners, Lampert-Lee Associates, Agent for Owners (PET- 2022-002)

The Art Mortgage Borrower PropCo 2013 LLC, (MFG)/Americold Logistics, LLC, Owners, Lampert-Lee Associates, Agent for Owners, Special Exception request from the provisions of Portage County Zoning Ordinance sections 7.1.5.1(C)(1) to expand cold storage warehouse and office facilities in the Industrial Zoning District, Town of Plover, Parcel# 030230733-16.05, was opened by Jazdzewski.

Mrduft explained the request in detail, noting he has been working with the petitioners and agent for over a year on this project. Owners acquired the property next to the existing facility and worked with the town to rezone just over 18 acres to Industrial to allow for expansion of their current operation.

Larry Koopman, Lampert Lee & Associates and Kevin Petrill, Americold, were sworn in and explained the request in detail. Lengthy discussion amongst Koopman, Petrill, BOA, and staff regarding the project.

Jazdzewski asked if any members of the public wanted to speak on this request. Richard Pingel, Town of Plover Plan Commission Chair, was sworn in. There was discussion regarding Plover requesting that overnight parking of trailers be allowed, as well as the possible security issues involved.

It was noted there were no other members of the public wanting to speak on this matter. Jazdzewski closed testimony and opened deliberations.

Garbe read the Special Exception standards.

The Board is Required to Evaluate the Effect of the Proposed Use Under 7.1.6.5(D)(2)(b)(1) in Order to Approve the Petition

- (a) The maintenance of safe and healthful conditions;
- (b) The prevention and control of water pollution including sedimentation;
- (c) Existing topographic and drainage features and vegetative cover on the site;
- (d) The location of the site with respect to floodplains and floodways of rivers or streams;
- (e) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover;
- (f) The location of the site with respect to existing or future access roads;
- (g) The need of the proposed use for a shoreland location;
- (h) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
- (i) The amount of liquid wastes to be generated and the adequacy of the proposed disposal system;
- (j) Location factors under which domestic uses shall be generally preferred, uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source, and use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility;
- (k) The importance of the services provided by the proposed facility to the community;
- (l) The availability of alternative locations;
- (m) Such other factors as are relevant to the purposes of this Ordinance.

The Board is Required to Find All of the Following Conditions under 7.1.6.5(D)(2)(c) in Order to Approve the Petition

- (1) The use would not substantially harm the public health, safety, and general welfare, and would not be contrary to State Law or Administrative Code;
- (2) The use would be consistent with surrounding uses and the neighborhood would not be injured thereby;
- (3) The use is consistent with this Ordinance and any County or municipal plan which is based on historic, geographic, and socio-economic facts.

The Board May Attach Any of the Following Conditions Under 7.1.6.5(E)(2) in Order to Further the Purposes of this Ordinance

- (a) Type of shore cover;
- (b) Increased setbacks and yards;
- (c) Specified sewage disposal and water supply facilities;
- (d) Landscaping and planting screens;
- (e) Period of operation;
- (f) Operation control;
- (g) Sureties;
- (h) Deed restrictions;
- (i) Location of piers, docks, parking, and signs;
- (j) Requirement for construction of channel modification, dikes, levees, and other protection measures.

Jazdzewski feels these uses complement each other; the food manufacturer production and storage are the most efficient. They are minimizing the trucking in taking product from one place to another. Rusch agreed,

adding the use of this facility is complementary to the agriculture and industry in the area. There being no further discussion, Jazdzewski closed deliberations and asked for a motion to approve, deny, or postpone the request.

Motion by Rusch to approve the request as presented, with the following conditions:

1. Obtain a Portage County Zoning Permit.
2. A Stormwater and Construction Site Erosion Control Plan must be approved by the Portage County Land and Water Conservation Division.
3. Obtain a WI-DNR Stormwater Permit prior to the start of construction.
4. The 20' wide "Wooded Buffer" identified in the Project Plot Plan must remain in a wooded vegetated state.
5. The structure cannot exceed 136' in height.
6. The two previous tax parcels that were combined to make Parcel# 030230733-16.05 need to be surveyed to create one lot on a certified survey map.

Motion to approve seconded by Hopp. Discussion on the motion. Garbe noted the issue of overnight parking on-site. He said BOA normally imposes conditions or restrictions; there is no restriction they are imposing that says they cannot have overnight parking. This leaves the option open in the future if their business model wants to allow overnight on-site parking.

Motion to approve passed 5-0 by voice vote.

6 Spaces LLC, Owner, and Sam Brundidge, Agent for owner (PET-2022-003)

The 6 Spaces LLC, Owner, Sam Brundidge, Agent Special Exception request from the provisions of Portage County Zoning Ordinance sections 7.1.5.1(C)(1) for Fairchild Equipment to operate a sales, rentals, parts, and repairs businesses of industrial equipment in the Industrial Zoning District, Town of Stockton, Parcel #034550109, was opened by Jazdzewski.

Mrdutt explained the request noting the property is zoned Industrial and this is a change of use only. The use will be going from a machine-type operation to the new Fairchild Equipment which is sales, rental, parts, and repair.

Sam Brundidge, appearing via video, was sworn in and explained the request in detail. Discussion amongst Brundidge and BOA regarding the operation.

Jazdzewski asked if any members of the public wanted to speak on this matter. It was noted there was none. Jazdzewski closed testimony and opened deliberations.

Garbe read the Special Exception standards.

The Board is Required to Evaluate the Effect of the Proposed Use Under 7.1.6.5(D)(2)(b)(1) in Order to Approve the Petition

- (n) The maintenance of safe and healthful conditions;
- (o) The prevention and control of water pollution including sedimentation;
- (p) Existing topographic and drainage features and vegetative cover on the site;
- (q) The location of the site with respect to floodplains and floodways of rivers or streams;
- (r) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover;
- (s) The location of the site with respect to existing or future access roads;
- (t) The need of the proposed use for a shoreland location;
- (u) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
- (v) The amount of liquid wastes to be generated and the adequacy of the proposed disposal system;
- (w) Location factors under which domestic uses shall be generally preferred, uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source, and use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility;
- (x) The importance of the services provided by the proposed facility to the community;
- (y) The availability of alternative locations;
- (z) Such other factors as are relevant to the purposes of this Ordinance.

The Board is Required to Find All of the Following Conditions under 7.1.6.5(D)(2)(c) in Order to Approve the Petition

- (1) The use would not substantially harm the public health, safety, and general welfare, and would not be contrary to State Law or Administrative Code;
- (2) The use would be consistent with surrounding uses and the neighborhood would not be injured thereby;
- (3) The use is consistent with this Ordinance and any County or municipal plan which is based on historic, geographic, and socio-economic facts.

The Board May Attach Any of the Following Conditions Under 7.1.6.5(E)(2) in Order to Further the Purposes of this Ordinance

- (k) Type of shore cover.
- (l) Increased setbacks and yards.
- (m) Specified sewage disposal and water supply facilities.
- (n) Landscaping and planting screens.
 - (o) Period of operation.
 - (p) Operation control.
 - (q) Sureties.
 - (r) Deed restrictions.
 - (s) Location of piers, docks, parking, and signs.
 - (t) Requirement for construction of channel modification, dikes, levees, and other protection measures.

Additional discussion; the following was noted:

- Jazdzewski said Brundidge already noted they will have a hazardous material handling system.
- Rusch noted there is mention of a large sign on the face of the existing building. Although there are no sign restrictions in Industrial Zoning, he feels the BOA should review the proposal for consistency. Brundidge said they have an existing sign from a building in Minnesota that they may utilize. Mrdutt said a zoning permit would be required for this change of use.

Jazdzewski asked for a motion to approve, deny, or postpone the request.

Motion by Hopp to approve the request as presented, with the following conditions:

1. Obtain a Portage County Zoning Permit.
2. All hazardous materials shall be stored in double walled containers or with secondary containment and all used products shall be disposed of properly through a disposal company.

Motion to approve seconded by Garbe. Motion to approve passed 5-0 by voice vote.

Portage County, Owner, Portage County Parks Department, Agent (PET-2022-004)

The Portage County, Owner, Portage County Parks Department, Agent, Special Exception request from the provisions of Portage County Zoning Ordinance sections 7.1.3.2(C)(3) to construct a boat landing in the Conservancy Zoning District, Town of Almond, Parcel# 004210901-04.01, was opened by Jazdzewski.

Mrdutt explained the request. Portage County owns this property, known as Wolf Lake Park. The existing boat landing is inundated and under water; therefore, they are looking at constructing a new one that will open the lake to public access.

Ryan Rose, Portage County Parks Director, was sworn in and explained the request. Discussion amongst Rose, BOA members, and staff regarding the need to move the boat landing.

Jazdzewski asked if any members of the public wanted to speak on this matter. Leroy Belter, surrounding property owner, was sworn in. Lengthy discussion amongst Belter and BOA members regarding his concerns and opposition to this request.

Jazdzewski asked if any other members of the public wanted to speak on this matter. Lengthy discussion amongst Matt Jacowski, BOA members, and others in attendance regarding the history of the lake and Jacowski's support for this request.

There being no additional members of the public wanting to speak on this matter; Jazdzewski closed testimony and opened deliberations. Garbe read the Special Exception Standards.

The Board is Required to Evaluate the Effect of the Proposed Use Under 7.1.6.5(D)(2)(b)(1) in Order to Approve the Petition

- (d) The maintenance of safe and healthful conditions;
- (e) The prevention and control of water pollution including sedimentation;
- (f) Existing topographic and drainage features and vegetative cover on the site;
- (g) The location of the site with respect to floodplains and floodways of rivers or streams;
- (e) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover;
- (f) The location of the site with respect to existing or future access roads;
- (h) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
- (i) The amount of liquid waste to be generated and the adequacy of the proposed disposal system;
- (j) Location factors under which domestic uses shall be generally preferred, uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source, and uses location within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility;
- (k) The importance of the services provided by the proposed facility to the community;
- (l) The availability of alternative locations;
- (n) Such other factors as are relevant to the purposes of this Ordinance.

The Board is Required to Find All of the Following Conditions under 7.1.6.5(D)(2)(c) in Order to Approve the Petition

- (1) The use would not substantially harm the public health, safety, and general welfare, and would not be contrary to State Law or Administrative Code;
- (2) The use would be consistent with surrounding uses and the neighborhood would not be injured thereby;
- (3) The use is consistent with this Ordinance and any County or municipal plan which is based on historic, geographic, and socio-economic facts.

The Board May Attach Any of the Following Conditions Under 7.1.6.5(E)(2) in Order to Further the Purposes of this Ordinance

- (a) Type of shore cover;
- (b) Increased setbacks and yards;
- (c) Specified sewage disposal and water supply facilities;
- (d) Landscaping and planting screens;
- (e) Period of operation;
- (f) Operation control;
- (g) Sureties;
- (h) Deed restrictions;
- (j) Requirement for construction of channel modification, dikes, levees, and other protection measures;
- (k) The following shoreland protection measures and conservation standards may be required without limitation because of specific enumeration;
 - (1) The smallest amount of bare ground be exposed for as short a time as feasible;
 - (2) Temporary ground cover such as mulch be used and permanent cover such as sod be planted;
 - (3) Diversions, silting basins, terrace, and other methods to trap sediment be used;
 - (4) Lagooning be conducted in such a manner as to avoid creation of fish trap conditions;
 - (5) Fill is stabilized according to accepted engineering standards;
 - (6) Fill will not restrict a floodway or destroy the storage capacity of a floodplain;
 - (7) Sides of channels or artificial watercourses be stabilized to prevent slumping;
 - (8) Sides of channels or artificial watercourses be constructed with side slopes of three units horizontal distance to one unit vertical or flatter, unless bulkheads or riprapping are provided.

Additional discussion; the following was noted:

- Rusch asked if there were any reasonable modifications that would alleviate the problem with the existing boat landing. Jacowski referenced one of the pictures of the existing landing and explained in detail what he believes the problem is, especially where the water comes up around the current landing and how it affects boats getting in and out.
- Hopp does not believe relocating the boat landing will bring more people in.
- Rusch said this comes down to being a safety issue.
- Garbe said the waters of the State of Wisconsin are public domain, this land is owned by Portage County and is a public park, and people have a right to use it. There is a boat landing that is not usable, but people can still use the water. He believes they have a right to continue to have a boat launch available.
- Jazdzewski said they have no idea how long these conditions will last; it could be five years or 20 years.
- It was noted the Town of Almond Board acted on and approved the request.

There being no further discussion, Jazdzewski closed deliberations and asked for a motion to approve, deny, or postpone the request.

Motion by Garbe to approve the request as presented, with the following condition:

1. Obtain a Portage County Zoning Permit.

Motion to approve seconded by Hopp. Motion to approve passed 5-0 by voice vote.

Discussion/Possible Action Regarding Special Meetings (Portage County Ordinance 3.1.47 & 3.1.48)

- Request for Special Meeting Attendance - None
- Approval of Attendance of Special Meetings - None
- Special Meeting Attendance Reports - None

Correspondence/Updates from Staff

There are currently no requests for April.

Next Meeting Date

Tentative, April 18, 2022.

Adjournment

Motion to adjourn by Hopp, second by Rusch. Motion to adjourn passed by voice vote. Meeting adjourned at 6:50 pm.

Respectfully submitted,



Gayle Stewart, Recording Secretary



James Garbe, BOA Secretary



Date of Approval