

**GREEN LAKE COUNTY  
BOARD OF ADJUSTMENT  
Meeting Minutes – March 20, 2008**

**CALL TO ORDER**

The meeting of the Board of Adjustment was called to order by Board Chair Don Ahonen at 9:00 a.m., in the Demo Room, Courthouse, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: Donald Ahonen, Jill Ladwig, Roger Ladwig (Alternate 2), Charles Lepinski (Alternate 1)  
Absent: Shirley Parker  
Also present: Al Shute, County Surveyor/Land Development Director  
Matt Kirkman, Code Enforcement Officer  
Cory Zibung, Code Enforcement Officer  
Carole DeCramer, Board Secretary  
Kate Worth, Court Reporter  
John Selsing, Corporation Counsel

Charles Lepinski (Alternate 1) was seated in Shirley Parker's absence.

**APPROVAL OF AGENDA**

**Motion by J. Ladwig/Lepinski, unanimously carried, to approve the agenda. Motion carried.**

**APPROVAL OF MINUTES**

**Motion by Lepinski/J. Ladwig, unanimously carried, to approve the minutes of the December 21, 2007, meeting. Motion carried.**

**Audio Tape is available for verbatim discussion:**

**RECESS FOR FIELD INSPECTION**

Time: 9:02 a.m.

**PUBLIC HEARING MATTERS**

Board reconvened at 9:35 a.m.

Code Enforcement Officer Matt Kirkman read the Rules of Order.

**See Transcript of Proceedings for verbatim testimony:**

**Item I: Owner:** Howard E. Hamilton, Jr. **Applicant/Agent:** Norwegian Ways Builders, LLC – Michele Simon **Address:** CTH A, Terrace Beach Subdivision 2 Lot 10 Lying Between Lake & New Location of Inlet Rd, Section 27, T16N R13E, Town of Brooklyn **Explanation:** The property owners are requesting a special exception permit to fill and/or grade in excess of 2,000 sq. ft. on slopes less than 12% and within 300 feet of the ordinary high water mark of navigable waters.

a. Public Hearing

Mr. Ahonen disclosed that two parties contacted him prior to today's public hearing. The first was a telephone call from Richard and Ann Anderson, adjoining property owners to the south. The Andersons expressed concerns regarding the driveway entrance and proper engineering and planning for the filling. The second contact was a visit from Peter Vandervelde, board member of the Green Lake Sailing School, property to the south. Mr. Vandervelde has concerns about water draining onto the sailing school's property. His visit was followed by a letter, dated March 19<sup>th</sup>, of which each board of adjustment member received a copy. Mr. Ahonen read the letter into the record.

Dennis Green, Ripon Land Surveying – Explained the engineering aspect of the project and spoke in favor of the request.

Jon Loberg, Norwegian Ways Builders – Contractor for the project, spoke in favor of the request.

Michael Marks, Adjoining property owner to the north – Spoke in favor of the request.

Howard E. Hamilton, Jr., Applicant and property owner – Spoke in favor of the request.

Close public hearing.

b. Board Discussion & Deliberation

c. Board Decision

**Motion by J. Ladwig/Lepinski, unanimously carried on roll call (3-eyes, 0-nays), to approve the special exception request to fill and/or grade in excess of 2,000 sq. ft. on slopes less than 12% and within 300 feet of the ordinary high water mark of navigable waters with the following conditions:**

- 1. 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.**
  - d. A revised plan be submitted to Land Use Planning & Zoning at the time of the land use permit application showing revised elevations that comply with Land Conservation requirements and the floodplain ordinance requirements.**
- 2. That the filling/grading authorized by this process will not extend beyond the limits of the subject parcel.**
- 3. That there are no subsequent relaxations or reductions of any applicable standards of the County's Floodplain Zoning Ordinance via the variance process specific to this project.**

4. That, prior to land use permit issuance, the property owner provide written documentation certified by a professional engineer or other qualified professional showing that the proposed filling/grading of the subject site will not increase the regional flood height by more than 0.01 feet.
5. The owner shall be responsible for contacting the County Highway Department and obtaining an access permit for their driveway.

In addition, Section 338.24 of the Shoreland Ordinance conditions stated as follows and where appropriate shall apply:

1. The smallest amount of bare ground shall be exposed for as short of time possible.
2. Temporary ground cover (such as mulch or jute netting) shall be used, and permanent vegetative cover shall be established.
3. Diversion berms or bales, silting basins, terraces, filter-fabric fencing, and other methods shall be used to prevent erosion.
4. Lagoons shall be constructed to avoid fish trap conditions
5. Fill shall be stabilized according to accepted engineering standards.
6. Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
7. Channels or artificial watercourses shall be constructed with side slopes of two units horizontal distance to one unit vertical, or flatter that shall be promptly vegetated, unless bulkheads or rip rap is provided.
8. The owner obtain a letter from the neighbor, Mr. Nienhouse, acknowledging the change in grade at the lot line and that he has no objection to that.

Motion carried.

**Findings:**

**Ahonen** – Our review indicated that the owners have gone through great lengths and expense by engineer and that's in the public's best interest. The county highway department will issue a permit for the ingress and egress. The public interest is not harmed. The sanitary issue is a holding tank situation. The rainwater runoff is being handled by the engineer in conjunction with the Land Conservation Department.

**PUBLIC COMMENT** – None

**PUBLIC APPEARANCES** – None

**CORRESPONDENCE** – None

**BOARD DISCUSSION** – None

**NEXT MEETING DATE**

April 18, 2008

**ADJOURN**

Motion by J. Ladwig/Lepinski, unanimously carried, to adjourn. Motion carried.

Time: 10:47 a.m.

Recorded by,  
Carole DeCramer  
Board of Adjustment Secretary

**APPROVED ON:  
May 16, 2008**