

TOWN OF LIBERTY GROVE PUBLIC MEETINGS

Plan Commission *via Zoom*

Date: Wednesday, December 8, 2021

Time: 7:00 PM

Place: Town Hall, 11161 Old Stage Road

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 11/29/21
5. Public Input
6. Conditional Use application: Yacht Haven LLC – parcels 018-02-32322844M & 018-02-32322844C5
7. Correspondence
8. Future meeting dates
9. Adjourn

Anastasia Bell, Clerk/Treasurer

****Deviation from posted order may occur****

****Audience members must ask for permission, during public input, to speak on topics they wish to address****
Members of the Liberty Grove Town Board or any other Liberty Grove Town committee, who are not members of the body whose meeting agenda is published in this notice, are entitled, as any other citizen of the Town of Liberty Grove, to attend this meeting in an unofficial capacity. It is possible the attendance of one or more non-members may create a quorum of the membership of another body. Such a quorum is unintended and the non-members are not meeting for the purpose of exercising the powers or duties attendant upon their membership on any Town committee or board.

Town of Liberty Grove is inviting you to a scheduled Zoom meeting (teleconferencing). To join the Zoom Meeting enter the following on your computer:

<https://us02web.zoom.us/j/83628890171?pwd=c2RWSTBaSHdVSHRMMkdXMUQ0dTczdz09>

Meeting ID: 836 2889 0171

Password: 457175

To find your local number visit <https://zom.us/u/atMFqvZKe>. To join the meeting by telephone dial one of the numbers below based on your location.

(312) 626-6799 US (Chicago)

(301) 715-8592 US (Germantown)

(646) 558-8656 US (New York)

(346) 248-7799 US (Houston)

(253) 215-8782 US (Tacoma)

(669) 900-9128 US (San Jose)

Town of Liberty Grove
Minutes of the Plan Commission meeting on November 29, 2021
(This meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 10-27-21
5. Public input
6. Variance application: Deborah Rusy & Mark Schessler – parcel 018-01-27312821B, variance from Section 3.02(3)(a) to maintain 15' setback from the side lot line.
7. Town Campground Overlay
8. Correspondence
9. Future meeting dates
10. Adjourn

Chair Nancy Goss called the meeting to order at 7:00pm. Commissioners Anne Miller, Paul Schwengel, Cathy Ward, and Dan Watts were present along with Clerk/Treasurer Anastasia Bell and 2 members of the public via teleconference (Zoom). Commissioner Bill Surbaugh was excused.

Miller moved, Goss second to approve the agenda as posted. Passed 5-0.

Ward moved, Miller second to approve the 10/27/21 minutes as presented. Passed 5-0.

Public Input – None

Variance Application, Parcel 018-01-27312821B – Deborah Rusy stated the proposed location was chosen due to the wetlands and mature trees on the property, cutting of the trees would potentially create a view and excess noise from County Q may be heard. The items would be put into the garage by hand as there would be no driveway due to the holding tank. Commissioner Paul Bokelmann connected to the meeting at 7:09pm. Goss noted that variances are not set by precedence and the application must meet the three criteria of unnecessary hardship, no harm to the public interest, and unique property limitations. After reviewing the diagrams provided it was noted that the structure could fit in another location on the property. **Goss moved, Miller second** Liberty Grove Plan Commission recommend denial of the variance for parcel 018-01-27312821B as the applicants do not appear to have a significant property limitation to meet the hardship criteria required. The structure, either through reduction in size or cutting of trees could be reasonably sited on the existing property. Passed 6-0.

Campground Overlay – Goss reported that the County can remove the small dots if desired by the Commission. It was the consensus of the Commission to submit the text amendment when the maps is finalized and not postpone until 2023.

Correspondence – None.

The next meeting will be 12/8/2021 at 7:00pm via Zoom.

Miller moved, Goss second to adjourn at 8:00pm. Passed 6-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer



County of Door
LAND USE SERVICES DEPARTMENT: ZONING

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Sue Vanden Langenberg, Zoning Administrator

Direct line: (920) 746-2221

Main office line: (920) 746-2323

FAX: (920) 746-2387

E-mail: svanden@co.door.wi.us

Website: <https://www.co.door.wi.gov/164/Land-Use-Services>

November 22, 2021

Town of Liberty Grove
C/O Anastasia Bell
Sent via e-mail

Re: Conditional Use Permit Application: Tax Parcel # 018-02-32322844M & 018-02-322844C5,
10967 STH 42

Greetings:

We are sending you this letter to notify the town that there will be a hearing regarding a request for a conditional use permit regarding a property in Liberty Grove at an upcoming Door County Resource Planning Committee meeting. The scheduling process for the hearing will begin on December 20, 2021, unless we hear from the town before that date. The hearing will be held no sooner than three weeks after the scheduling process is begun.

Enclosed is a "Town Recommendation Worksheet" which we ask you complete and send back to the Door County Land Use Services Department. (We have also included the decision-making worksheet the Resource Planning Committee uses. This is for your reference only; we do not want or expect you to fill this out.) As a reminder, comments may be submitted to the Land Use Services Department up until noon the day before the public hearing, and/or the town may offer verbal testimony at the hearing.

Yacht Haven, LLC requested a conditional use permit to establish a 20' x 80' private boat launch ramp for the Yacht Works Marina use only. This is considered an expansion of the existing marina. Since the boat launch location is actually located on the vacant lot to the north, the land encompassing the boat launch will need to be combined with the lot containing the marina use currently. The property is located at 10967 STH 42 and is zoned Mixed Use Commercial (MC).

The applicant has the responsibility to contact the Town of Liberty Grove (Anastasia Bell, Clerk: 920-854-2934) to determine if/when the town may be meeting to discuss this matter.

Sincerely,

Sue Vanden Langenberg
Zoning Administrator

Enc.: Conditional use permit application packet & town recommendation worksheet

CC: Russ Forkert, via e-mail (w/enclosure)
Property owners within 300 feet of the project (w/out enclosure).

**Door County Planning Department
Request for Town Recommendation**

Yacht Haven, LLC requested a conditional use permit to establish a 20' x 80' private boat launch ramp for the Yacht Works Marina use only. This is considered an expansion of the existing marina. Since the boat launch location is actually located on the vacant lot to the north, the land encompassing the boat launch will need to be combined with the lot containing the marina use currently. The property is located at 10967 STH 42 and is zoned Mixed Use Commercial (MC).

The (circle one) Town Board / Planning Committee of the Town of _____ held a legally noticed and posted meeting on _____, at which, by a vote of ____ (Yea) to ____ (Nay), the town recommended (check one) ____ **SUPPORT** ____ **DENIAL** for conditional use permit

Reason(s) for the town's decision:

Is the proposal consistent with the Town Comprehensive Plan?

Concerns or objections the town may wish to see potentially addressed through conditions:

Town Clerk Signature

Date

See attached for conditional use permit criteria

Return to Door County Land Use Services Department, 421 Nebraska St., Sturgeon Bay, WI, 54235. FAX: (920)746-2387.

CONDITIONAL USE PERMIT WORKSHEET

Applicant

Project

The Door County Resource Planning Committee (RPC) decision to approve, approve with conditions, or deny a Conditional Use Permit (CUP) must be supported by substantial evidence. A CUP applicant has the burden of proof. S/he must demonstrate, by substantial evidence, that the application and all requirements and conditions established in the ordinance and by the RPC relating to the conditional use are or shall be satisfied. If an applicant meets their burden of proof, then the RPC must grant the CUP.

If an applicant fails to meet their burden of proof, the CUP will be denied. The CUP may also be denied if substantial evidence exists to support the opposite conclusion, i.e., that the conditions and requirements the applicant must meet to obtain the conditional use permit are not or will not be satisfied.

Substantial evidence: Facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Standard	Has the applicant met their burden of proof? (Yes / No / N/A)	Has convincing opposing substantial evidence been provided? (Yes / No / N/A)	Are there conditions which should or can be attached, whether to: a) insure ordinance compliance, b) address the lack of substantial evidence, and/or c) address convincing and substantial opposing evidence?
1) Whether the proposed project will adversely affect property values in the area.			
2) Whether the proposed use is similar to other uses in the area.			
3) Whether the proposed project is consistent with the Door County Comprehensive and Farmland Preservation Plan or any officially adopted town plan.			
4) Provision of an approved sanitary waste disposal system.			
5) Provision for a potable water supply.			
6) Provisions for solid waste disposal.			
7) Whether the proposed use creates noise, odor, or dust.			

8) Provision of safe vehicular and pedestrian access.			
9) Whether the proposed project adversely impacts neighborhood traffic flow and congestion.			
10) Adequacy of emergency services and their ability to service the site.			
11) Provision for proper surface water drainage.			
12) Whether proposed buildings contribute to visual harmony with existing buildings in the neighborhood, particularly as related to scale and design.			
13) Whether the proposed project creates excessive exterior lighting glare or spillover onto neighboring properties.			
14) Whether the proposed project leads to a major change in the natural character of the area through the removal of natural vegetation or alteration of the topography.			
15) Whether, and in what amount and form, financial assurance is necessary to meet the objectives of this ordinance.			
16) Whether, and to what extent, site-specific conditions should be imposed to mitigate potentially problematic impacts of the use.			<i>For example: Access restrictions? Parking? Hours of operation? Hours open to public? Screening? Increased setbacks? Restrictions on signs?</i>
17) The impact of the proposed project on public health, public safety, or the general welfare of the County.			<i>For example: Compliance with local, state, and federal codes, laws, orders, ordinances, and rules?</i>
Other topics? (The RPC may consider topics in addition to the above.)			

The Resource Planning Committee shall establish a completion date for the proposed project: _____

The Resource Planning Committee may impose conditions regarding the permit's duration, transfer, or renewal.

Return to Door County Land Use Services Department, 421 Nebraska St., Sturgeon Bay, WI, 54235. FAX: (920)746-2387.



County of Door LAND USE SERVICES DEPARTMENT

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

DRAFT STAFF REPORT Conditional Use Permit Application

Applicant Information

- **Name & property address:** Yacht Haven, LLC, 10967 STH 42
- **Parcel identification number:** 018-02-32322844M and part of the lot to the north (018-02-3232284C5)
- **Zoning district:** Mixed Use Commercial (MC)
- **Petition request, including sections of zoning ordinance requiring permit:** The applicant is requesting a Conditional Use Permit to establish a 20' x 80' private boat launch ramp for Yacht Works Marina use only. This is considered an expansion of the existing marina.

Since the boat launch location is actually located on the vacant lot to the north, the land encompassing the boat launch will need to be combined with the lot containing the marina use currently.

Sections: 2.05(3)(a) & 11.04 of the Door County Comprehensive Zoning Ordinance

Description of Subject Property and Surrounding Area

Subject Property

- **Lot area:** Irregular-shaped lot is .44 acres in area.
- **Frontage - water, road:** Approximately 99 lineal feet of road frontage along STH 42 and approximately 260 feet along the water.
- **Existing uses/structures:** The marina property contains two existing buildings, one used for a retail operation and the other used for boat sales. The lot to the north is vacant and is approximately 300' in length along the ordinary high water mark and contains approximately 26,136 square feet in area.
- **Access:** Access is taken from STH 42.
- **Traffic patterns/road usage:** High levels of traffic on STH 42.
- **Water and sanitation:** Neither are needed.
- **Significant topography or vegetation:** The property is entirely developed with the two buildings and pavement.

Surrounding Area (include zoning districts): The property is surrounded entirely by MC zoning district. There are two buildings to the south that operate as restaurants. The boat storage and service operate directly east, across STH 42. Condominiums are located south of the restaurants and to the northeast.

Background/History

- 8/21/2020: Shoreland and comprehensive permits for filling and grading between the ordinary high water mark and highway (44C5).
- 11/9/2021: Submitted a shoreland zoning application for additional vegetation management within the shoreland buffer zone (within 35' of the ordinary high water mark) to replace the vegetation that will be removed as part of the boat launch project (44C5).
- 11/22/2021: Variance obtained to allow the boat launch within the water setback (44C5).

Zoning Considerations

- **Purpose of zoning district: DCCZO Section 2.03(17), Mixed Use Commercial (MC):** This district permits both residential and commercial uses and is designed to accommodate those areas of Door County with an existing desirable mixture of uses, or where such a mixture of uses is wanted. Typically, this district will be located within or near existing communities, but it is also intended for outlying or smaller nodes of development. In addition, this district can be used as a transition between business centers and strictly residential areas. Lot sizes of at least 20,000 square feet are required for new lots which are not served by public sewer.
- **Does the use meet the zoning ordinance's stated purpose and intent?** Yes
- **Specific requirements for proposed use and/or possible conditions that may be relevant.** If the Resource Planning Committee determines that the proposed use at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to the public health, public safety, or character of the surrounding area, the following are possible conditions that may be relevant.
 - 1) *The entire project shall be completed by _____, 20__.*
 - 2) The portion of the lot (PIN: 0180232322844C5) which is to contain the boat launch shall be combined with the marina lot (PIN: 0180232322844M) with a new legal description prior to construction of the boat launch.
 - 3) The project(s) shall comply with all applicable local, state, and federal building codes and ordinances.
 - 4) Any outdoor lighting erected in conjunction with this use shall utilize fixtures whose lens, hood, or combination thereof allow no direct beams to be seen from off the property or cast skyward, and the lighting elements of which shall not be visible from adjacent properties.
 - 5) An affidavit shall be recorded with the CSM to provide successors in interest notice of the conditional use permit and conditions and requirements.

Comprehensive Plan Considerations

- **County comprehensive plan land use map designation(s) and description(s):**

This property is designated as Woodland/Wetland/Natural and Commercial on the comprehensive plan's future land use map, as described below and shown on the attached map. The majority of the property, and also where the boat launch is being proposed is located in the Woodland/Wetland/Natural area.

Woodland/Wetland/Natural – *Lands designated as "Woodland/Wetland/Natural" are primarily in a natural state, and include wetlands, woodlands, and public and private conservancy areas. Note that lands in this category can – outside of wetland and conservancy areas – and most likely will, contain very low-density residential uses in upland areas. The character of these regions should be protected by discouraging any development that would adversely impact the environmental quality or natural beauty of these areas. Maintenance of these natural areas should include continued private stewardship and public ownership or, if necessary, acquisition of easements or additional public lands.*

Commercial – *"Commercial" areas are those intended for development with retail sales, trade of goods and/or services, commercial offices, and commercial lodging establishments and are found largely in community centers, core areas, or "downtowns." Commercial areas should maintain defined boundaries, avoid excessive access points to major roads by encouraging shared driveways or internal circulation patterns, and have buffering or screening of light industrial uses and storage and parking areas from adjacent public rights-of-way and residential areas. Highway corridor development should avoid further strip development and loss of community separation by limiting future development density, employing stringent setbacks, and requiring screening of new uses. Note that the future land use maps depict many "outlying" (i.e., non-core) commercial areas, reflecting existing commercial zoning or businesses such as multiple occupancy developments; when redevelopment is proposed for the latter, it should be undertaken carefully and with consideration for neighborhood compatibility.*

The Woodland/Wetland/Natural area designated on this parcel is completely developed and the designation does seem applicable to existing conditions. The area on this parcel is part of a long strip of Woodland/Wetland/Natural area that runs along the shoreline and measures approximately 75' in width. The intent with this strip may have been to represent the typical 75' setback from the ordinary high water mark. In this situation, however, it is not very relevant because the area is already developed and boat ramps have to be in and next to the water.

- **Relevant goals/objectives/action items from comprehensive plan:** None.
- **Other relevant text from county comprehensive plan:** None.

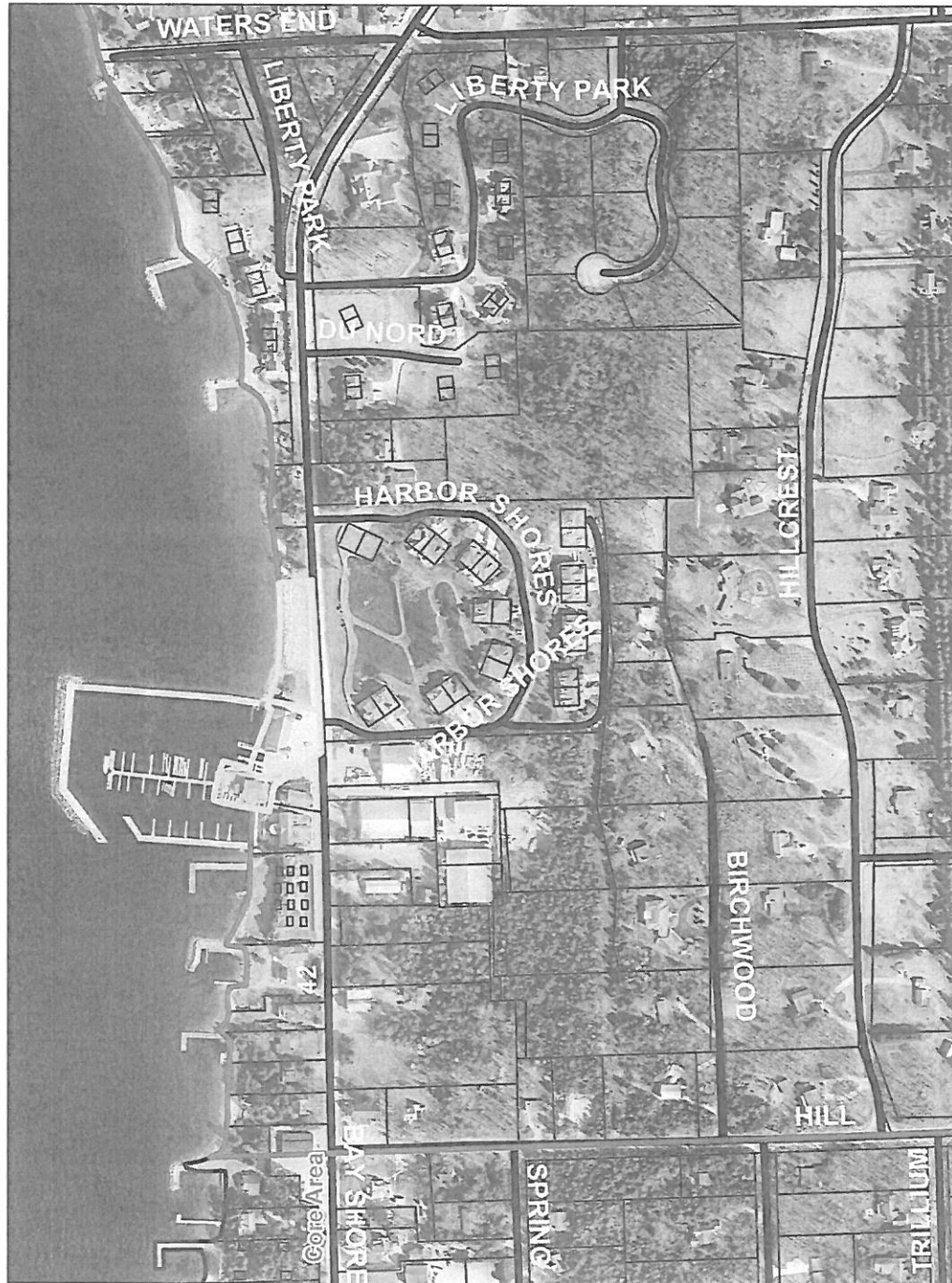
SKV/RVK
11/22/21

Aerial Map (neighborhood)

Conditional Use Permit

Yacht Haven, LLC: 018-02-32322844M

Proposed Use: Marina



Aerial Map (close-up)
Conditional Use Permit
Yacht Haven, LLC: 018-02-32322844M
Proposed Use: Marina

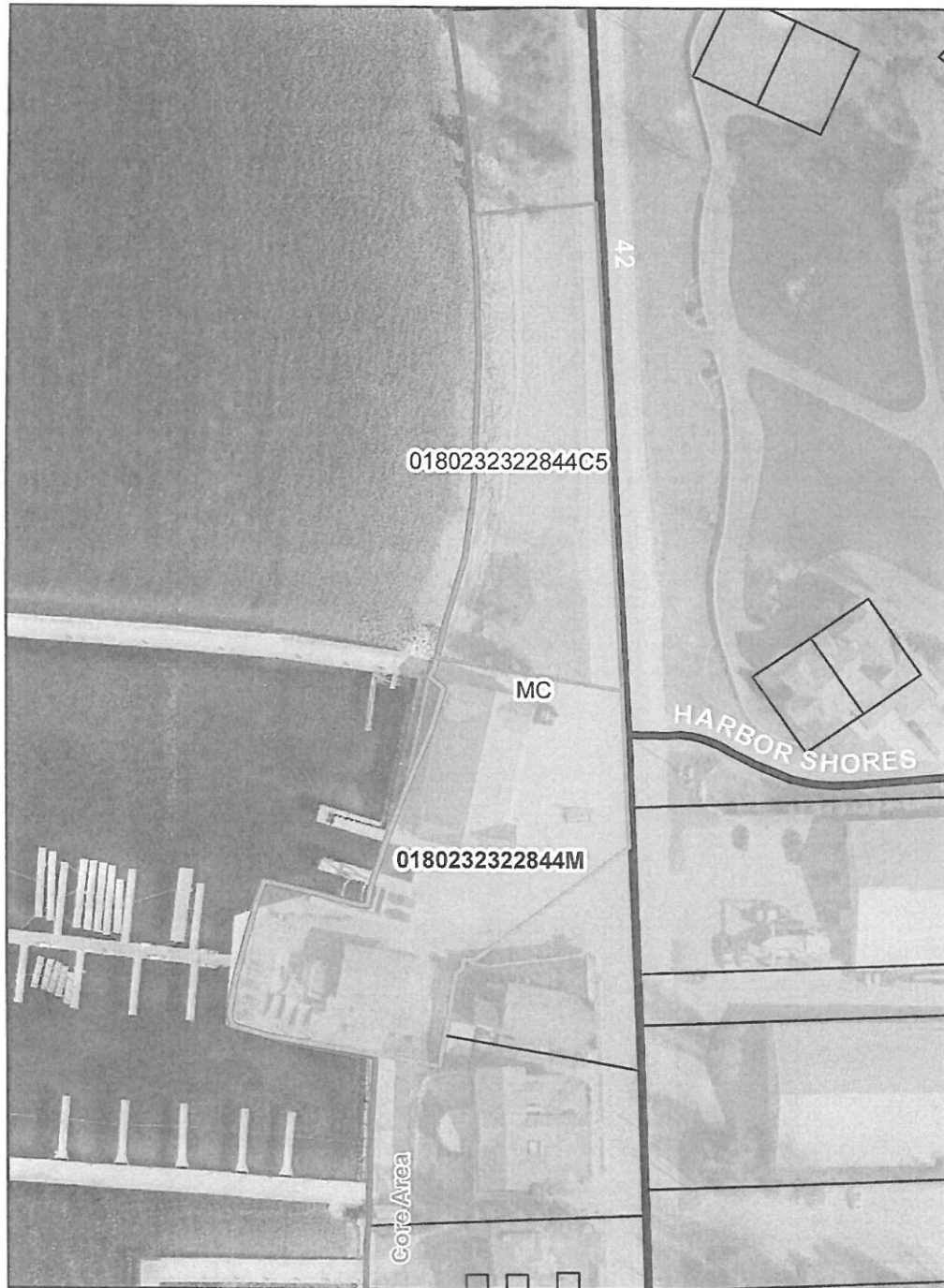


Zoning Map

Conditional Use Permit

Yacht Haven, LLC: 018-02-32322844M

Proposed Use: Marina

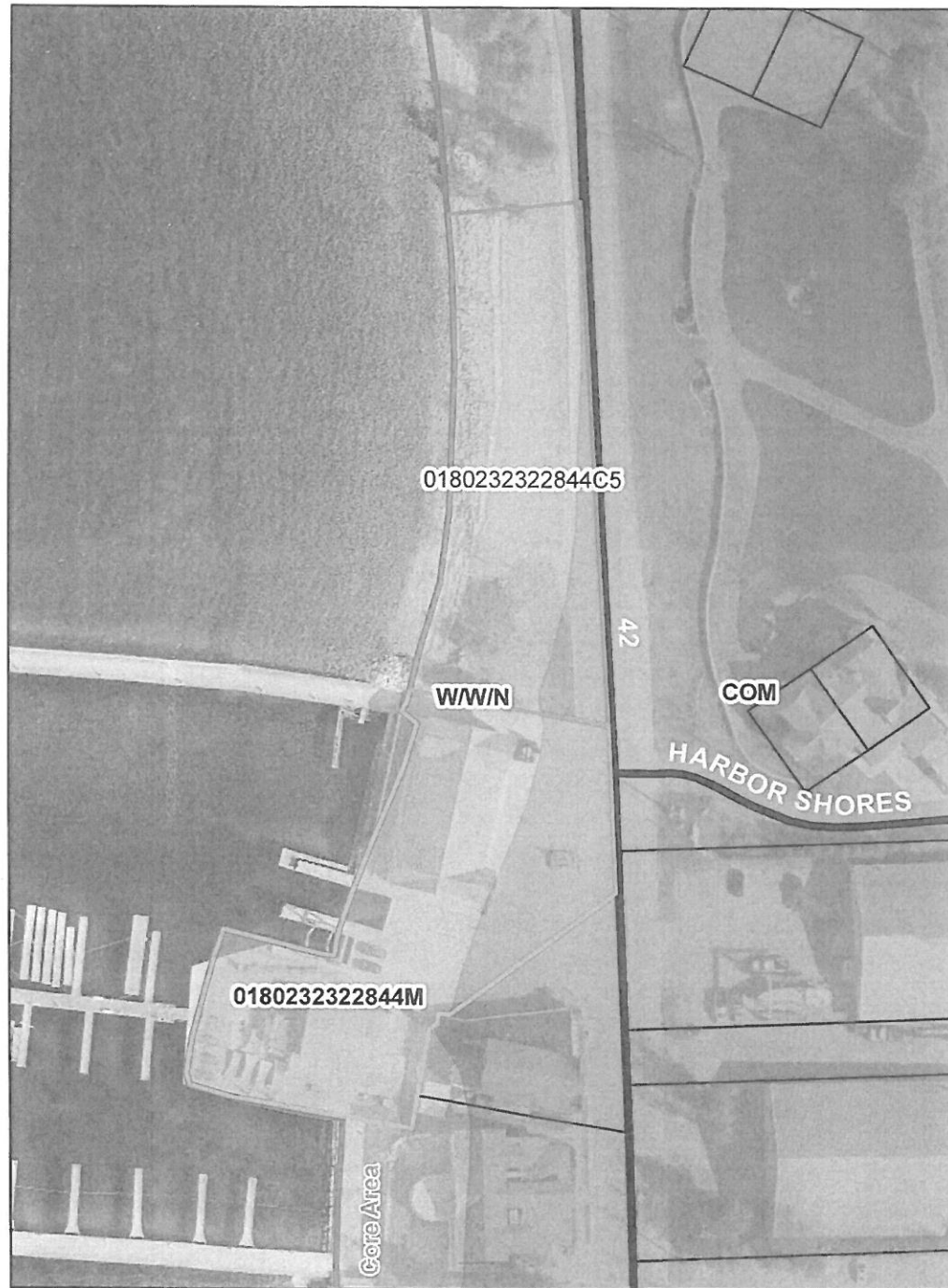


Future Land Use Map

Conditional Use Permit

Yacht Haven, LLC: 018-02-32322844M

Proposed Use: Marina



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OCT 25 2021

APPLICATION FOR CONDITIONAL USE PERMIT

DOOR COUNTY

TO THE ZONING ADMINISTRATOR: The undersigned hereby makes application for a **CONDITIONAL USE PERMIT** for the work described and located as shown herein. The undersigned agrees that all work shall be done in accordance with the requirements of the Door County Comprehensive Zoning Ordinance.

1. OWNER NAME AND MAILING ADDRESS

Name Yacht Works, Inc
No. 10967 Street Hwy 42
City Sister Bay State WI Zip 54234
Phone # _____
Cell Phone # 920 - 421 - 0300
Email: ruess@yachtworks.com

2. BUILDING SITE LOCATION

Fire # 10967 Road Hwy 42
Town of LIBERTY GROVE
Local Phone # 920 - 854 - 2124

3. BUILDER NAME AND MAILING ADDRESS

Name Yacht Works, Inc
No. 10967 Street Hwy 42
City Sister Bay State WI Zip 54234
Phone # 920 - 854 - 2124
Cell Phone # 920 - 421 - 0300
Email: ruess@yachtworks.com

4. SURVEYOR/ENGINEER CONTACT INFORMATION

(If applicable)

Name _____
No. _____ Street _____
City _____ State _____ Zip _____
Phone # _____
Cell Phone # _____
Email: _____

5. PROPERTY IDENTIFICATION

Parcel No. 018 - 023 - 23228 44C5

6. PROPOSED USE OF LAND OR STRUCTURE

PRIVATE Launch Ramp for ~~only~~
Yacht Works Marina use
only

7. SANITARY PERMIT

Type of System _____
Sanitary Permit No. N/A
Date of Issuance _____
Approximate date of installation _____

8. BUILDING PLANS AND SITE PLAN

TO SCALE BUILDING PLAN AND SITE PLAN REQUIRED. IF PLANS EXCEED AN 11" X 17" FORMAT, SUBMIT ONE COPY OF EACH SHEET REDUCED TO 11" X 17".

9. FEE \$500.00

Make check payable to the Door County Treasurer.

Receipt # 4323 Fee 500 - Date 10-25-21

10. AUTHORIZATION FOR INSPECTION

I hereby authorize the Zoning Administrator(s) to enter and remain in or on the premises for which this application is made at any reasonable time for all purposes of inspection relative to this petition.

11. SIGNATURE OF APPLICANT OR AGENT

Russell Ruess
Date 10/18/2021



**County of Door
LAND USE SERVICES**

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Phone: (920) 746-2323

FAX: (920) 746-2387

Website: www.co.door.wi.gov/164/Land-Use-Services

**PROJECT SCOPE DECLARATION
[2017 Wisconsin Act 68; Effective November 29, 2017]
and AUTHORIZATION FOR INSPECTION**

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Please provide a description of your project.

20x80 Boat Launch Ramp

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

§ 66.10015(2)(b), Wisconsin Statutes, provides as follows:

"If a project requires more than one approval or approvals from one or more political subdivisions and the applicant identifies the full scope of the project at the time of filing the application for the first approval required for the project, the existing requirements applicable in each political subdivision at the time of filing the application for the first approval required for the project shall be applicable to all subsequent approvals required for the project, unless the applicant and the political subdivision agree otherwise."

Please check which of the following two statements applies to this project.

- ☒ This is the first application filed for the project in which the full scope of the project has been identified. I acknowledge and understand that, for purposes of § 66.10015(2)(b), Wis. Stats., the full scope of the project is identified in this application.
- ☒ This is not the first application filed for this project where the full scope of the project was identified. The first application was filed with the Town/Village/City/County/State of WI on the 27 day of May, 2021. I acknowledge and understand that, for purposes of § 66.10015(2)(b), Wis. Stats., the full scope of the project was identified in the first application.

This Declaration is incorporated into and made part of the associated Door County application.

By signing and submitting this form, I also hereby authorize the Zoning Administrator(s) to enter and remain in or on the premises for which this application is made at any reasonable time for all purposes of inspection relative to this application.

Property Owner(s) Name(s):

Signature: [Signature]

Date: 10/18/2021

Signature: _____

Date: _____

Parcel Number (of Project): 018 - 023 - 23228 44C5

Fire Number & Street Address (of Project): 10967 N. BAYSHORE

APPLICATION FOR CONDITIONAL USE PERMIT – ADDENDUM

A conditional use permit applicant has the burden of proof. S/he must demonstrate that the application and all requirements and conditions established by the Resource Planning Committee relating to the conditional use are or shall be satisfied, all of which must be supported by substantial evidence. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

If an applicant meets this burden of proof, the Resource Planning Committee will grant the conditional use permit. If an applicant fails to meet this burden of proof, the conditional use permit application will be denied.

To aid in its review of the proposed project, the Committee will consider the Door County Comprehensive Zoning Ordinance criteria set forth below. Answer all portions of all questions completely. State "not applicable," if appropriate, offering an explanation as to why facts and information were not provided.

Please provide the Resource Planning Committee members substantial evidence regarding:

- 1) Whether the proposed project will adversely affect property values in the area.

An acre assessment will up the value of the property and have no effect on nearby properties

- 2) Whether the proposed use is similar to other uses in the area.

Closest launch ramp is in Sister Bay over a mile away - This ramp will be for our use only and help eliminate cars using Sister Bay ramp & remove some of the congestion there

- 3) Whether the proposed project is consistent with the Door County Comprehensive and Farmland Preservation Plan or any officially adopted town plan.

This is consistent

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OCT 29 2021

- 4) Provision of an approved sanitary waste disposal system.

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

☒ Public Sewer

☐ Private Onsite Wastewater Treatment System (POWTS)

Check One

☐ Existing
☐ New

Check One

☐ Conventional Septic
☐ Other In-ground System
☐ Holding Tank

n/a
no need for sewer

- 5) Provision for a potable water supply.

☒ Public Water Supply
(Liberty Grove Sanitary District #1 and Maplewood only)

☐ Well

Check One

☐ Existing
☐ New

Check One

☐ Private Well
☐ Shared Well

6) Provisions for solid waste disposal.

☐ Commercial hauler
☐ Private delivery to collection site *AT*
☐ Other *no need - Marina has garbage collection*

7) Whether the proposed use creates noise, odor, or dust.

Noise: *no more than what goes on daily at our facility*

Odor: *No*

Dust: *No*

8) Provision of safe vehicular and pedestrian access.

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Vehicular Access

OCT 25 2021

☒ Existing Driveway(s) to *our dock*
(Road Name)

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

☐ New Driveway(s) to _____
(Road Name)

Pedestrian Access

☐ Sidewalks

☐ Path or Trail

☐ No Pedestrian Traffic

There is a walk way along our private dock

9) Whether the proposed project adversely impacts neighborhood traffic flow and congestion.

Existing traffic: ☐ High Levels ☐ Medium Levels ☐ Low Levels

Should have little or no effect -

CONDITIONAL USE PERMIT ADDENDUM – PAGE 3

10) Adequacy of emergency services and their ability to service the site. PLEASE SEE SEPARATE PAGE.

11) Provision for proper surface water drainage.

OCT 25 2021

☐ Natural Infiltration (explain below)

☒ Some Grading of the Site (explain below)

☐ Engineered Stormwater and/or Erosion Control Plan (attach)

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

some grading to allow for incline of ramps for safe launching of our trailer boat

12) Whether proposed buildings contribute to visual harmony with existing buildings in the neighborhood, particularly as related to scale and design.

not a building - will flow from road already in place

13) Whether the proposed project creates excessive exterior lighting glare or spillover onto neighboring properties.

no lighting to be installed

14) Whether the proposed project leads to a major change in the natural character of the area through the removal of natural vegetation or alteration of the topography.

Natural Vegetation: ☐ No Removal

☒ Some Removal

☐ Significant Removal (provide Landscape Plan)

removal of some already dead trees & invasive plants on water along with a few bushes some of which are dead - mostly a clean up of the area

Topography: ☐ No Change

☒ Some Change

☐ Major Change (provide Grading Plan)

a leveling of land to pave ramp to water

CONDITIONAL USE PERMIT ADDENDUM – PAGE 4

15) Whether, and in what amount and form, financial assurance is necessary to meet the objectives of this ordinance.

NONE

16) Whether, and to what extent, site-specific conditions should be imposed to mitigate potentially problematic impacts of the use.

There are no needs for any site-specific conditions

17) The impact of the proposed project on public health, public safety, or the general welfare of the County.

no impact on health or safety

The Resource Planning Committee will establish a completion date for the proposed project.

By what month and year will the project be completed? September, 2022

The Resource Planning Committee is allowed to consider topics in addition to the above. Please provide information on additional topics you think the Committee should or may consider in evaluating this project.

With traffic becoming more & more significant in Sister Bay having our own private ramp will come with mitigation that. Keeping us from having to drive through town every day during summer to launch our watercrafts

Note that a conditional use permit will generally remain in effect as long as the conditions and requirements upon which the permit was issued are followed. Subsequent owners of the property are generally allowed to continue the use, subject to those conditions and requirements. An affidavit is to be recorded with the deed to provide successors in interest notice of the conditional use permit and conditions and requirements.

The Resource Planning Committee may, however, impose conditions regarding the permit's duration, transfer, or renewal, in addition to any other conditions pertaining to ordinance standards or the specific criteria listed above. For example, the Committee may grant a limited term conditional use permit if a reasonable basis exists for such limitation. Any limited term conditional use permit may be subject to renewal after a re-evaluation of the use via a hearing before the Resource Planning Committee.

RECEIVED

OCT 25 2021

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

VandenLangenberg, Sue

From: Deb Duren <deb@yachtworks.com>
Sent: Thursday, November 4, 2021 3:51 PM
To: VandenLangenberg, Sue
Subject: Fire Chief OK
Attachments: scan.pdf

Sue –

The below was sitting in my draft – for some reason never sent last week. Not sure why...

Attached is the Addendum page 6 signed by the Fire Chief for Sister Bay/Liberty Grove that was missing from the Application for Conditional Use Permit.

Do you need me to send you the original by mail?

He actually said it would be better for them because they will be able to access the dock much more easily with the ramp there.

Let me know if you need anything else – I will remind Russ to do the vegetation diagram and will get the Application filled out that goes with it in the mean time.

Thank you for your help and explanations yesterday –

Deb Duren
Yacht Works, Inc
10967 Hwy. 42 – P.O. Box 199
Sister Bay, WI 54234

Question 10, Emergency Services

Applicants are responsible for returning the completed form to the Land Use Services Department: 421 Nebraska Street, Sturgeon Bay, WI, 54235. FAX: (920) 746-2387. E-mail: lierner@co.door.wi.us.

- As Fire Chief of the Sister Bay & Liberty Grove Fire Department, I have reviewed the plans of this project. Our Department CAN / CANNOT (circle one) access this site for fire protection purposes.

No issues

_____, Fire Chief

(Date)

NOV - 4 2021

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

178215-008

1871-1872

DOOR COUNTY
LAND USE SERVICES DEPARTMENT

178215-008

400 L.F. - NEW STEEL SHEETING-

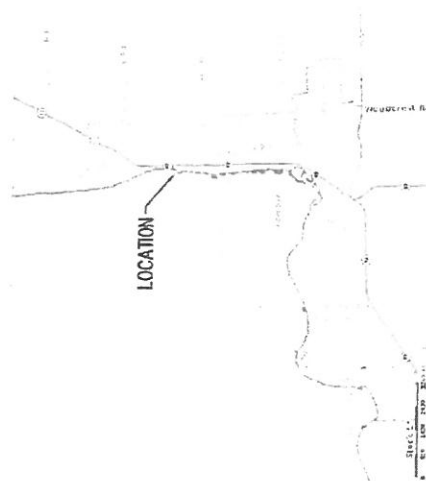
450 L.F. - NEW STEEL SHEETING-

NEW LAUNCH RAMP

NORTH
1" = 40'

 $\tau^0 = 40^\circ$

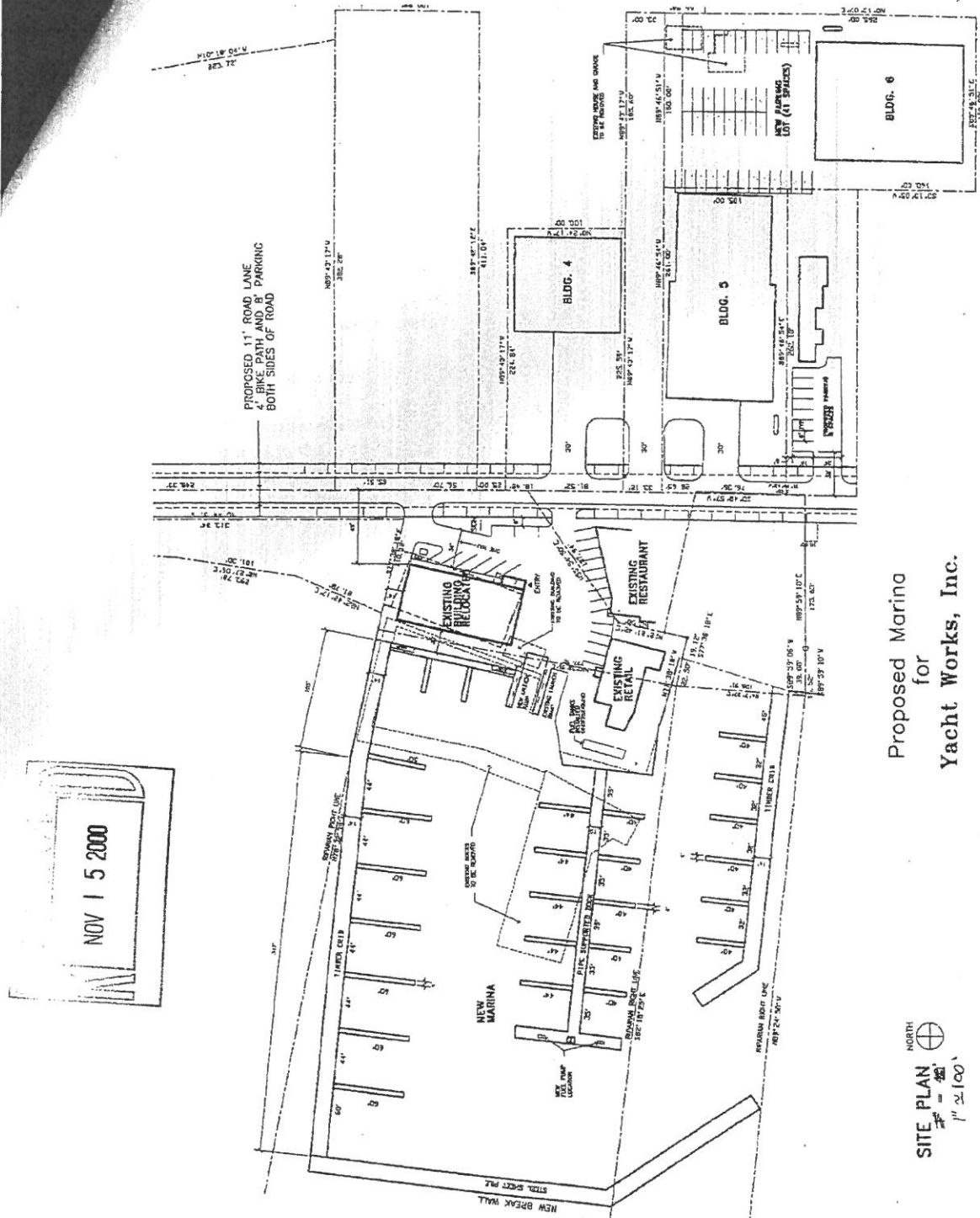
0 20 40
FEET



LAUNCH RAMP
CONSTRUCTION PLAN

Yacht Works
10967 S.T.H. '42.
Sister Bay, Wisconsin

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NOV 15 2000

Proposed Marina
for
Yacht Works, Inc.

SITE PLAN
1" = 40'
NORTH



File: 018 92-323228 44M

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



05/27/2021

Russ Forkert
P.O. Box 199
Sister Bay, WI 54234
[sent electronically]

IP-NE-2021-15-01101

RE: Application to place steel sheeting in front of an existing and failing wood crib dock, to place riprap, and a launch ramp on Green Bay in the Town of Liberty Grove, Door County.

Dear Mr. Forkert:

The Department of Natural Resources has completed its review of your application for a permit to place a pier on Green Bay located at 10967 State Hwy-42, Sister Bay, WI 54234, in the SE 1/4, SW 1/4, Section 32, Township 32, Range 28E, Town of Liberty Grove, Door County. You will be pleased to know your application is approved.

I am attaching a copy of your permit, which lists the many important conditions that must be followed to protect water quality and habitat. **A copy of the permit must be posted for reference at the project site.** Please read your permit conditions carefully so that you are fully aware of what is expected of you.

Please note you are required to submit photographs of the completed project within 7 days after you've finished construction. This helps both of us to document the completion of the project and compliance with the permit conditions.

Your next step will be to notify me of the date on which you plan to start construction and again after your project is complete.

If you have any questions about your permit, please call me at 715-416-3827 or you can reach me by email at sarah.szabo@wisconsin.gov.

Sincerely,

Sarah Szabo

Water Management Specialist

Email cc:

U.S. Army Corps of Engineers
Richard Brauer, Door County Zoning Administrator
Ben Degner, Door County Zoning Administrator
Mike Neal, Conservation Warden, DNR
Mike Kahr, Engineer, Death's Door Marine Inc.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

PIER PERMIT
IP-NE-2021-15-01101

Application of Russ Forkert is hereby granted under Sections 30.12 and 30.208, Wisconsin Statutes, a permit to place a pier on Green Bay located at 10967 State Hwy-42, Sister Bay, WI 54234, in the SE 1/4, SW 1/4, Sec. 32, T. 32, R. 28E, Town of Liberty Grove, Door County, subject to the following conditions:

PERMIT

1. You must notify Sarah Szabo at phone (715) 416-3827 or email sarah.szabo@wisconsin.gov before starting construction and again not more than 5 days after the project is complete.
2. You must complete the project as described **on or before 05/27/2024**. If you will not complete the project by this date, you must submit a written request for an extension prior to expiration of the initial time limit specified in the permit. Your request must identify the requested extension date. The Department shall extend the time limit for an individual permit or contract for no longer than an additional 5 years if you request the extension before the initial time limit expires. You may not begin or continue construction after the original permit expiration date unless the Department extends the permit in writing or grants a new permit.
3. This permit does not authorize any work other than what you specifically describe in your application and plans, and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Department.
4. Before you start your project, you must first obtain any permit or approval that may be required for your project by local zoning ordinances and by the U.S. Army Corps of Engineers. You are responsible for contacting these local and federal authorities to determine if they require permits or approvals for your project. These local and federal authorities are responsible for determining if your project complies with their requirements.
5. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the project's construction, operation, maintenance or permit compliance.
6. The Department may modify or revoke this permit for good cause, including if the project is not completed according to the terms of the permit or if the Department determines the activity is detrimental to the public interest.
7. **You must post a copy of this permit at a conspicuous location on the project site, visible from the waterway**, for at least five days prior to construction, and remaining at least five days after construction. You must also have a copy of the permit and approved plan available at the project site at all times until the project is complete.
8. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this permit.
9. **You must submit a series of photographs to the Department, within one week of completing work on the site.** The photographs must be taken from different vantage points and depict all work authorized by this permit.
10. You, your agent, and any involved contractors or consultants may be considered a party to the violation pursuant to Section 30.292, Wis. Stats., for any violations of Chapter 30, Wisconsin Statutes, or this permit.
11. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters. Erosion control measures (such as silt fence and straw bales) must meet or exceed the technical standards of ch. NR 151, Wis. Adm. Code. The technical standards are found at: http://dnr.wi.gov/topic/stormwater/standards/const_standards.html.
12. All equipment used for the project including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps shall be de-contaminated for invasive and exotic viruses and species prior to use and after use.

The following steps must be taken every time you move your equipment to avoid transporting invasive and exotic viruses and species. To the extent practicable, equipment and gear used on infested waters shall not be used on other non-infested waters.

1. **Inspect and remove** aquatic plants, animals, and mud from your equipment.

2. **Drain all water** from your equipment that comes in contact with infested waters, including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps.

3. **Dispose** of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another.

4. **Wash your equipment** with hot (>140° F) and/or high-pressure water,

- OR -

Allow your equipment to **dry thoroughly for 5 days**.

13. Banks and other erodible areas must be seeded, mulched or sodded to prevent erosion. Temporary and final erosion control measures are to be installed immediately and must be kept in place until site stabilization is completed. Temporary erosion control measures such as straw bales and silt fences must be put in place prior to any precipitation or if work ceases for longer than 24 consecutive hours.

14. To protect spawning fish and nursery habitat, no construction shall occur between March 15 or "ice-out", whichever is earlier and July 1 of any year.

15. Disturbance of bank vegetation must be kept to a minimum during construction. Any vegetative removal must comply with local zoning regulations.

16. You must not **temporarily or permanently** deposit or store any materials in any wetland, floodplain, or below the ordinary high watermark of any waterway.

17. Irregular shaped riprap shall be placed randomly, not result in a flat surface, and have sufficient gaps to absorb wave energy.

18. No waterward extension of the property is permitted other than what is necessary to construct the project and protect the existing bank.

19. You are required to properly install a turbidity barrier in the waterway around your project if the project is to be completed during open water conditions. The barrier shall be designed for rough water conditions and be installed prior to commencement of any work and shall remain in place for 48 hours upon completion.

FINDINGS OF FACT

1. Russ Forkert, P.O. Box 199, Sister Bay, WI 54234, filed an application with this Department on 03/26/2021, under sections Sections 30.12 and 30.208, Wisconsin Statutes, to place a pier on Green Bay located at 10967 State Hwy-42, Sister Bay, WI 54234, in the SE 1/4, SW 1/4, Sec. 32, T. 32, R. 28E, Town of Liberty Grove, Door County.

2. The project consists of placing steel sheeting in front of an existing and failing wood crib dock, placing riprap, and a launch ramp on the north side.

3. The Department has completed an investigation of the project site and has evaluated the project as described in the application and plans.

4. Green Bay is a navigable water (and no bulkhead exists at the project site).

5. The proposed project, if constructed in accordance with this permit will not adversely affect water quality, will not increase water pollution in surface waters and will not cause environmental pollution as defined in s. 283.01(6m), Wis. Stats.

6. The proposed project will not impact wetlands if constructed in accordance with this permit.

7. The Department of Natural Resources has determined that the agency's review of the proposed project constitutes an equivalent analysis action under s. NR 150.20(2), Wis. Adm. Code. The Department has considered the impacts on the human environment, alternatives to the proposed projects and has provided opportunities for public disclosure and comment. The Department has completed all procedural requirements of s. 1.11(2)(c), Wis. Stats., and NR 150, Wis. Adm. Code for this project.

8. The Department of Natural Resources and the applicant have completed all procedural requirements and the project as permitted will comply with all applicable requirements of Sections 30.12 and 30.208, Wisconsin Statutes and Chapters NR 102, 103, and 326 of the Wisconsin Administrative Code.

9. The structure or deposit will not materially obstruct navigation because the steel sheeting will be placed around an existing solid pier.
10. The structure or deposit will not be detrimental to the public interest because the project will be completed in accordance with permit conditions.
11. The structure or deposit will not materially reduce the flood flow capacity of a stream because the riprap is being placed along the shoreline of the Great Lakes, the steel sheeting will be placed around an existing solid pier, and no stream will be blocked off from this project.

CONCLUSIONS OF LAW

1. The Department has authority under the above indicated Statutes and Administrative Codes, to issue a permit for the construction and maintenance of this project.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions shall be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing of any individual permit decision pursuant to section 30.209, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources, P.O. Box 7921, Madison, WI, 53707-7921. The petition shall be in writing, shall be dated and signed by the petitioner, and shall include as an attachment a copy of the decision for which administrative review is sought. If you are not the applicant, you must simultaneously provide a copy of the petition to the applicant. If you wish to request a stay of the project, you must provide information, as outlined below, to show that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment. If you are not the permit applicant, you must provide a copy of the petition to the permit applicant at the same time that you serve the petition on the Department.

The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30 day period for filing a petition for judicial review.

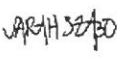
A request for contested case hearing must meet the requirements of section 30.209, Wis. Stats., and sections NR 2.03, 2.05, and 310.18, Wis. Admin. Code, and if the petitioner is not the applicant the petition must include the following information:

1. A description of the objection that is sufficiently specific to allow the department to determine which provisions of this section may be violated if the proposed permit or contract is allowed to proceed.
2. A description of the facts supporting the petition that is sufficiently specific to determine how the petitioner believes the project, as proposed, may result in a violation of Chapter 30, Wis. Stats.;
3. A commitment by the petitioner to appear at the administrative hearing and present information supporting the petitioner's objection.

If the petition contains a request for a stay of the project, the petition must also include information showing that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment.

Dated at the Northeast Region Headquarters, Green Bay Wisconsin on 05/27/2021.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By: 

Sarah Szabo
Water Management Specialist

AVERY

5160

Easy Peel Address Labels
Bend along line to expose Pop-up Edge

Go to avery.com/templates
Use Avery Template 5160

YACHT STORAGE LLC
PO BOX 199
SISTER BAY, WI 54234

YACHT HAVEN LLC
PO BOX 199
SISTER BAY, WI 54234

JAMES E & KRISTINE JOHNSON TRST
2167 SCANDIA RD
SISTER BAY, WI 54234

A stylized map of Liberty Grove, Wisconsin, showing the town's boundaries and its location within Door County. The map is oriented vertically on the left side of the page.

Town of Liberty Grove

We're Like Nowhere Else

November 23, 2021

To: Adjacent landowners of Yacht Haven, LLC
Parcels # 018-02-32322844M & 018-02-32322844C5

Ref: Conditional Use Permit Application

This letter comes to you as notice that Yacht Haven, LLC has submitted an application to the Door County Resource Planning Committee for a Conditional Use Permit to establish a 20' x 80' private boat launch ramp for the Yacht Works Marina use only. This is considered an expansion of the existing marina. Since the boat launch is actually located on the vacant lot to the north, the land encompassing the boat launch will need to be combined with the lot containing the marina use currently. This property is located at located at 10967 State Highway 42 and is zoned Mixed Use Commercial (MC).

The Town Plan Commission will discuss and act on this application at a teleconference (Zoom) meeting to be held Wednesday, December 8, 2021, beginning at 7:00 PM at the Liberty Grove Town Hall at 11161 Old Stage Road. The Plan Commission will hear comments on this application and make a recommendation to the Door County Resource Planning Committee.

You or your representative may attend this meeting on December 8th and comment on this application. If you cannot attend the meeting, you may send comments to the Town at the address below, by fax to 920-854-7366, or by email to libertygrove@gmail.com. Written, faxed, and emailed comments will be accepted until 4:00 PM on the day of the Plan Commission meeting. Documents relating to this project are available for inspection at the Liberty Grove Town Hall, by requesting a PDF file of the application from the Town Office, or at the Door County Government Center at 421 Nebraska Street in Sturgeon Bay.

Sincerely,

A handwritten signature in cursive script that reads "Anastasia Bell".

Anastasia Bell

Anastasia Bell, Clerk/Treasurer
Town of Liberty Grove

Zoom link: <https://us02web.zoom.us/j/83628890171?pwd=c2RWSTBaSHdVSHRMMkdXMUQ0dTczdz09>
Meeting ID: 836 2889 0171
Password: 457175



Town of Liberty Grove

We're Like Nowhere Else

November 23, 2021

To: Yacht Haven, LLC

Ref: Conditional Use Permit Application

This letter comes to you as notice that the Town of Liberty Grove has received a copy of your application for a conditional use permit for parcels # 018-02-32322844M & 018-02-32322844C5

The Town Plan Commission will discuss and act on this application at a teleconference (Zoom) meeting to be held Wednesday, December 8, 2021, beginning at 7:00 PM at the Liberty Grove Town Hall at 11161 Old Stage Road. The Plan Commission will hear comments on this application and make a recommendation to the Door County Resource Planning Committee.

You or your representative may attend this meeting on December 8th and comment on this application. If you cannot attend the meeting, you may send comments to the Town at the address below, by fax to 920-854-7366, or by email to tlibertygrove@gmail.com. Written, faxed, and emailed comments will be accepted until 4:00 PM on the day of the Plan Commission meeting. Documents relating to this project are available for inspection at the Liberty Grove Town Hall, by requesting a PDF file of the application from the Town Office, or at the Door County Government Center at 421 Nebraska Street in Sturgeon Bay.

Sincerely,

Anastasia Bell

Anastasia Bell, Clerk/Treasurer
Town of Liberty Grove

Zoom link: <https://us02web.zoom.us/j/83628890171?pwd=c2RWSTBaSHdVSHRMMkdXMUQ0dTczdz09>
Meeting ID: 836 2889 0171
Password: 457175