

TOWN OF LIBERTY GROVE PUBLIC MEETING

Board Meeting

Date: Wednesday, April 19, 2023

Time: 7:00 PM

Place: Town Hall, 11161 Old Stage Road

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Chair Announcement: Rules of Deliberation
5. Approve Minutes: 4/5/2023
6. Public Input
7. Payment of Bills: Sanitary District, Town
8. Treasurer's Report: Sanitary District, Town
9. Petition for Variance: Lakeview Lodge LLC – parcels 018-01-01312821K and 081-01-01312821A1, Ordinary High Water Mark Setback and Wetland Setback
10. Parks Committee recommendation: Sauna in Town Parks
11. Plan Commission Recommendation: HL-10 Text Amendment Language Clarification
12. Highway Recommendation: 2023 Paving
13. Town Board Supervisor Vacancy
14. Resolution 2-23, Recognizing Christine Bridenhagen
15. Remove Future Mariner Park Development Plan of Action from the table
16. Future Mariner Park Development Plan of Action
17. Patrol Truck Equipment
18. Survey—endangered resources—Europe Bay Road proposal
19. Commercial Launch Pass(es)
20. Correspondence
21. Future meetings
22. Adjourn

***Report items will not be discussed or voted on, all other agenda items may include discussion and possible action.*

*Deviation from listed order may occur***

***Audience members must ask for permission, during public input, to speak on agenda items ***

Anastasia Bell, Clerk/Treasurer

Members of the Town Board or any other 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
Minutes of the Town Board meeting on April 5, 2023
(this meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Approve Minutes: 3/15/23
5. Public Input
6. Door County North Activity Report
7. Payment of bills
8. Administrator's report
9. Library Petition for Emergency Funds: Roof
10. Recycling Day Quotes
11. Fire station glass replacement
12. Water treatment-Ellison Bay harbor
13. Consider Retaining Rate Consultant
14. Ordinance 5-23, Regulating Short-Term Rentals
15. Future Mariner Park Development Plan of Action
16. Short Term Rental License(s)
17. Correspondence
18. Future meetings
19. Adjourn

Chairman John Lowry called the meeting to order at 7:00pm. Supervisors Janet Johnson, Nancy Goss, Cathy Ward (virtual), and Dan Watts were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell and approximately 29 members of the public.

Lowry moved, Goss second to approve the agenda with #14 to follow #8. Carried 5-0.

Johnson moved, Goss second to approve the minutes from 3/15/23 as presented. Carried 5-0.

Public Input –Paul Haan, DC Kayak Tours, requested permission to collaborate with the Door County Maritime Museum for electronic bike rentals at the Museum in Gills Rock.

Door County North – Mickie Rasch reported the 2023 guides are available and the organization's goal is to balance tourism with the quality of life for residents. There are currently two- newsletters each month and events being planned to support the business community.

Lowry moved, Goss second to approve payment of bills as presented totaling \$245,042.78. Carried 5-0.

Administrator – Kalms reported the endangered species will be surveyed and reported to the DNR for the next steps, the Historical Society has asked about the watch factory, the fire station elevator control module is no longer made and estimates are \$10,000 for replacement, little league may use Fitzgerald Park, a quote has been received for the audio/video equipment in the hall, boring permits received for the Northport Pilot project, and "No Mow May" promotes pollinators.

Ordinance 5-23, Regulating Short-Term Rentals – Alan Kroll asked how the 180-day limit will affect funds received by the Town. Anne Miller, asked about water samples, agent designation statements, long-term rentals, water meters, Town police powers, noting "person" is not clearly defined, and that the number of rented nights is reported to DCTZC. Alyssa Schwalbach noted rentals are a way for people to keep a piece of their heritage until they move back to the area. Karen Berndt indicated the need to support small businesses, the 180-day restriction is short-sighted. Mr Schwalbach noted rental income is invested in the local contractors. Kate Lindsley noted locals are contracted for cleaning, plowing, maintenance, etc., the 180-day limit will limit the community by forcing people to stay in other areas. Michael Servis noted taxing the owners shrinks the pie and houses will continue to be purchased as 2nd/3rd homes, solving the issues is better than adding restrictions. Marc Savard noted the 180-days will limit income and meetings should be in the summer after adequate notification. Sam Forkert indicated a person's profitability cannot be limited and asked if zoning could be considered in the ordinance. Dawn Anderson asked the

Board to consider the broader implications of the ordinance. Mike Repp noted his concern is control of renters, the groups increase noise and traffic with little respect for the residents. They trespass and residents often have different neighbors. Lynn Brunsen reported his primary concern is the safety of children. He is aware of an owner that allowed hunting without knowledge of surrounding homes and further noted the economic system will reach its limit. He asked the Board to consider limiting the number of stays in a week instead of the number of days. Lowry noted the regulation of STR process has been ongoing for more than a year and the 180-day limit is a compromise. Goss noted the recommendation was for 180-consecutive days and the statutes don't allow different rules depending on the property zoning. This ordinance is the result of legal recommendations aiming to protect the loss of residential communities. Watts noted STR growth has resulted in a decline in housing. The increase brings more taxes and upset neighbors, but it also makes less homes and emergency personnel available. There will need to be a compromise for the long-term impacts on everyone. Ward noted the State definition has set fire to the mandated municipal comprehensive plan and this ordinance is an attempt to save the community by creating a balance of rights for those that rent and those that do not rent. She asked STR owners to identify where the 180-day limit will be detrimental to their business, noting occupancy is typically 50% during the summer months and 30% in the winter from the Tourism Zone reports. Johnson requested language to clarify the 180-days is within a calendar year, not a specific time of year. The board should add compliance and the hotline to the monitoring service. Language to allow long-term rentals could be added and current STR permit holders should be notified of the draft ordinance and when discussion will occur. **Lowry moved, Ward second** to table this discussion until the 1st May meeting. Roll call: Watts, Lowry, Ward, Johnson, and Goss voted aye, no nays. Carried 5-0.

Library Roof Emergency Funds – Kalms noted the roof needs replacement, and the funds were not budgeted. Goss asked why it was not budgeted and requested assurances that they will budget for such expenses in the future. **Goss moved, Johnson second** to fund the Liberty Grove portion of the emergency request from contingency not to exceed \$44,655.00. Roll call: Ward, Watts, Goss, Johnson, and Lowry voted aye, no nays. Carried 5-0.

Recycling Day Quotes – **Lowry moved, Johnson second** to use B3 Recycling for the 2023 event. Roll call: Goss, Lowry, Johnson, Watts, and Ward voted aye, no nays. Carried 5-0.

Fire Station Glass – Kalms noted quotes were received a while back but there was a concern about the availability of the plastic moldings. It was the consensus to request a quote from Windows of Wisconsin for replacement of the entire window units.

Ellison Bay Harbor Treatment – Johnson moved, Goss second to treat the water in the Ellison Bay Harbor, as proposed to cost \$730.00. Carried 5-0.

Rate Consultant – Kalms noted the Village has not responded to the wastewater treatment agreement. Our attorney has reviewed the current billings and recommended hiring a rate consultant to confirm the rates are fair. **Goss moved, Lowry second** to retain a rate consultant at a fee not to exceed \$1,500. Carried 5-0.

Future Mariner Park Development Plan of Action – Kalms reported all three companies will assist with grants. Baylake is only a plan, Stantec is a plan and construction management, and Ayres has phases to create a plan and may include some construction management. The application for a grant may depend on how the funds are to be used. **Johnson moved, Ward second** to table this item until the next board meeting on 4/19/2023. Roll Call with Johnson, Ward, Goss, and Watts voting aye, Lowry voting nay. Carried 4-1.

Short-Term Rental License(s) – **Goss moved, Lowry second** to approve licenses for 12747 Highway 42 unit 1002, 744 Isle View, 1938 Hillside Dr, 497 Europe Lake Road, and 10210 N Sand Bay Lane. Carried 5-0.

Correspondence – Kalms reported library minutes received, Door County Broadband is now Bertram, a riprap permit for Luther, and the DNR is changing mining permits.

The Annual Town meeting will be Tuesday, April 18, 2023 at 7:00pm. The next Board meeting will be Wednesday, April 19, 2023 at 7:00pm. Handicap silent sport launch for Parks to consider.

Lowry moved, Goss second to adjourn at 9:26pm. Carried 5-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer

Liberty Grove Sanitary District
4/18/2023 Meeting

Name of Payee	Description of bill	Amount
WPS	Lift Station electric	
	Monthly Lift Station Flushing, Electric, Meter software,	
Sister Bay Utilities	HydroCorp, Billing software	\$ 134.40
Sister Bay Utilities	1st Quarter 2023	\$ 37,407.12
	TOTAL	\$ 37,541.52

Liberty Grove Utility District #1

	2023	2022
Checking account		
Balance as of March 31,	\$ 57,250.04	\$ 81,029.61
Add Deposits		\$ 38,959.23
Less Disbursements		(\$36,750.57)
Add Interest		\$ 2.03
Balance as of March 31,	\$ 57,250.04	\$ 83,240.30
Savings account		
Balance as of March 31,	\$324,076.80	\$290,931.45
Add deposits		\$ -
Less Disbursements		\$ -
Add Interest		\$ 11.56
Balance as of March 31,	\$ 324,076.80	\$ 290,943.01
Savings Restricted account		
Balance as of March 31,	\$ 107,125.50	\$ 78,160.14
Add Deposits		\$ 2,803.75
Less Withdrawals		\$ -
Add Interest		\$ 1.87
Balance as of March 31,	\$ 107,125.50	\$ 80,965.76
North Shore Bank CD (23 months Closed 7/18/2022)	\$ -	\$ 149,963.56
Nicolet Bank CD (90 days ending 11/2022)	\$ -	\$ -
Nicolet Bank CD (90 days ending 5/2023)	\$ 150,440.36	\$ -
Balance as of March 31,	\$ 638,892.70	\$ 605,112.63

Town of Liberty Grove balance as of March 31,	2023	2022
1 Municipal Checking Account	2,489,538.46	2,021,613.55
Transfer to General Checking	270,000.00	320,000.00
Interest (1.00%)	1,967.83	78.23
Balance as of March 31,	2,221,506.29	1,701,691.78
2 Money Market Account	1,481,432.87	1,354,651.39
Transfer from Checking	-	-
Interest (2.50%)	3,724.28	57.53
Balance as of March 31,	1,485,157.15	1,354,708.92
3 General Checking Account	137,536.12	263,285.41
Plus deposits and transfers	297,793.26	339,837.22
Less FICA	9,674.09	14,760.13
Less State withholding	1,526.45	1,540.05
Less payroll	27,323.22	29,305.18
Less disbursements	96,758.39	306,304.01
Balance as of March 31,	300,047.23	251,213.26
4 Utility District Checking	57,250.04	81,029.61
Utility District Savings	324,076.80	290,931.45
Utility District Restricted Savings	107,125.50	78,160.14
North Shore Bank CD (23 months ending 07/17/2022)	-	149,963.56
Nicolet Bank CD (3 months ending 11/16/2022)	-	-
Nicolet Bank CD (6 months ending 5/04/2023)	150,440.36	-
Balance as of March 31,	638,892.70	600,084.76
Municipal Checking	2,221,506.29	1,701,691.78
Money Market Acct.	1,485,157.15	1,354,708.92
Checking	300,047.23	251,213.26
Utility Dist.	638,892.70	600,084.76
As of March 31, 2023, the total in all Town accounts is:	4,645,603.37	3,907,698.72

**TOWN OF LIBERTY GROVE
2023 PAVING BID CHART**

	A	C	D	G	H
2					
3	<u>Paving:</u>	<u>NE Asphalt</u>	<u>Door Co. Hwy</u>	<u>Budget #'s</u>	
4	Cedar Dell-0.54 mi.@ 20 ft	\$85,665	\$117,245	\$81,000	
5	Beach Tr-0.17mi+300 ft @ 20 ft	39,887	47,250	25,500	
6	Cedar Ln-.11 mi.@ 20 ft	20,210	28,450	16,500	
7	Hillside-0.80 mi @ 20 ft	126,837	157,100	120,000	
8	Twin Pine-0.16 mi @ 20 ft	32,087	39,600	24,000	
9	Juice Mill-0.50 mi @ 20 ft	82,042	104,925	75,000	
10	Skaugum-0.56 mi @ 20 ft	87,553	116,420		
11	Alternates:				
12	Porc Bay hill-0.25 mi, 20 ft	44,001	55,850	37,500	
13	Newport Ln-0.51 mi,20 ft	80,383	109,975		
14	TOT PAVE***	598,665	776,815		
15	Europe Bay-.95			142,500	
16	Country Ln-.50, 24' wide				
17	Total Bids	474,281	610,990		
18	Total budget			522,000	
19	Additional \$'s:				
20	Road prep(75,000 less 28,500 for crushing)			46,500	
21	Extra patch			<u>15,000</u>	
22	Available			583,500	
23					
24					

Town of Liberty Grove
Resolution # 2-23, Recognizing Christine Bridenhagen

WHEREAS, the Town of Liberty Grove is the largest municipality in Door County; and

WHEREAS, service on Town Committees is an important function for the Town to operate; and

WHEREAS, Christine Bridenhagen has served as a member of the Parks and Property Committee since 2010; and

WHEREAS, Christine Bridenhagen has served the Town through community service groups; and

WHEREAS, Christine Bridenhagen has retired after many years of valuable service to the Community;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Town Board of the Town of Liberty Grove gives recognition to Christine for her valuable service and insight.

BE IT FURTHER RESOLVED that the Town Board wishes Christine the best in her future years.

Town Chairman

Town Supervisor

Town Supervisor

Town Supervisor

I, Anastasia P. Bell, Clerk/Treasurer of the Town of Liberty Grove, hereby certify that the above resolution was passed at a properly noticed meeting of the Liberty Grove Town Board on April 19, 2023.

*Anastasia P. Bell, Clerk/Treasurer
Town of Liberty Grove*



County of Door
LAND USE SERVICES DEPARTMENT: ZONING
County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Kristin Rankin, Zoning Administrator

Direct line: (920) 746-2266

Main office line: (920) 746-2323

FAX: (920) 746-2387

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

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

March 22, 2023

Town of Liberty Grove
C/o Anastasia Bell, Clerk
(via e-mail)

Re: Petition for variance for Parcels 018-01-01312821K and 018-01-01312821A1: Ordinary High Water Mark Setback and Wetland Setback.

Dear Ms. Bell,

We are sending you this letter to notify the town that there will be a hearing regarding a request for a variance on a property in the Town of Liberty Grove at an upcoming Door County Board of Adjustment meeting. The scheduling process for the hearing will begin on April 28, 2023, 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. Comments may still be submitted to the Land Use Services Department concerning the proposal up to noon the day before the hearing and/or the town may offer verbal testimony at the hearing.

Enclosed is a "Town Recommendation Worksheet" which we ask you to complete and send back to the Door County Land Use Services Department after you review the case at an upcoming meeting.

Renee Borkovetz, on behalf of Lakeview Lodge LLC, owner is requesting a variance from section IV.B.2.b. of the Door County Shoreland Zoning Ordinance, which requires all structures to be located at least 75' from the ordinary high water mark, and a variance from section 5.10(2) of the Door County Comprehensive Zoning Ordinance which requires all structures to be located at least 10' from the edge of a wetland.

The applicant is proposing a bridge and driveway to be located across a navigable stream and a wetland to give access to the buildable area on the lot to the south. The proposed bridge is to be located as close as 9" to a wetland and a driveway to be located as close as 4' to a navigable stream. The bridge is an exempt structure under the shoreland zoning ordinance and does not require a variance.

The applicants have the responsibility to contact the Town of Liberty Grove (Anastasia Bell, Clerk: 920-854-2934) to determine if/when the town may discuss this matter at a future meeting.

Sincerely,

Kristin Rankin
Zoning Administrator

Enc.: Variance application packet and town recommendation worksheet
C.C.: Renee Borkovetz, via email
Lakeview Lodge LLC, via mail
Adjacent property owners within 300', letter only

Door County Land Use Services Department Request for Town Recommendation

Renee Borkovetz, on behalf of Lakeview Lodge LLC, owner is requesting a variance from section IV.B.2.b. of the Door County Shoreland Zoning Ordinance, which requires all structures to be located at least 75' from the ordinary high water mark, and a variance from section 5.10(2) of the Door County Comprehensive Zoning Ordinance which requires all structures to be located at least 10' from the edge of a wetland.

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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 a variance._

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 reverse for variance criteria.**

GENERAL CRITERIA REGARDING ZONING HEARING CASES IN DOOR COUNTY

This document is intended to provide a general guide to the issues and criteria to consider when making decisions regarding this type of zoning hearing. It should not be considered a complete guide to applicable statutes or ordinances.

PETITION FOR VARIANCE

(See Door County Zoning Ordinance section 11.06 and Wisconsin Statutes section 59.694.)

A petition for variance is a request to relax one or more of the dimensional requirements or restrictions of the ordinance (road, water, or property line setbacks; building size or height, etc.). The Door County Zoning Ordinance only allows so-called “area” variance petitions – it does not permit application for a variance where a use not allowed in that zoning district would be established (a “use” variance). Note that variances “run with the land” and not with the applicant; an approved variance is permanently attached to the parcel in question.

By state statute, petitions for variance from the county zoning ordinance are heard and decided upon at a public hearing before the board of adjustment or appeals (called the Board of Adjustment in Door County), members of which are appointed by the County Board of Supervisors. Appeals of Board of Adjustment decisions are heard in the court system.

Criteria for evaluating “area” variance petitions

(Note: Responses to the three bolded questions below should be “yes” in order to justify granting the variance in accordance with legal/case law criteria.)

- **Do physical limitations of the property prevent compliance with ordinance standards?**
Examples of physical limitations include wetland presence, parcel shape, steep slopes, etc.
- **Will granting the variance have no affect on the public interest?**
 - *Public interest includes additional runoff, affects on the quality of fish or wildlife habitat, impacts on scenic beauty, etc. Cumulative effects must be considered.*
 - *Public interest includes the interest of the public at large, not just that of nearby property owners.*
 - *Lack of local opposition does not in itself mean that a variance will not harm the public interest.*
 - *A variance should include only the minimal relief necessary to allow reasonable use of the property.*
 - *The board's actions should be consistent with stated ordinance objectives.*
- **Is an “unnecessary hardship” present?**
 - *Does compliance with the ordinance unreasonably prevent the owner from using the property for a permitted purpose, or is conformity with restrictions unnecessarily burdensome for the property owner?*
 - *Is there a unique physical property limitation? (See above.)*
 - *The variance is not warranted if the physical character of the property allows a landowner to develop or build in compliance with the zoning ordinance.*
 - *Financial hardship is not grounds for a variance.*
 - *Self-imposed hardship or personal preference are not grounds for a variance. (Note that “self-imposed hardship” has been determined by courts to mean either current or former owners.)*
 - *The hardship cannot be one that would have existed in the absence of zoning.*

One final consideration: Will granting the variance serve an overriding public interest? (If yes, granting the variance may possibly be justifiable even if other criteria point toward denial.)



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The applicant is proposing a bridge and driveway to be located across a navigable stream and a wetland to give access to the buildable area on the lot to the south. The proposed bridge is to be located as close as 9" to a wetland and a driveway to be located as close as 4' to a navigable stream. The bridge is an exempt structure under the shoreland zoning ordinance and does not require a variance.

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Town Clerk Signature

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***See reverse for variance criteria.**

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One final consideration: Will granting the variance serve an overriding public interest? (If yes, granting the variance may possibly be justifiable even if other criteria point toward denial.)

Petition for Grant of Variance

STAFF REPORT

Applicant Information

Current Owners: Lakeview Lodge LLC

Parcel: 018-01-01312821K, 10908 S Sand Bay Ln and 018-01-01312821A1

Request: Renee Borkovetz, on behalf of Lakeview Lodge LLC, owner is requesting a variance from section IV.B.2.b. of the Door County Shoreland Zoning Ordinance, which requires all structures to be located at least 75' from the ordinary high water mark, and a variance from section 5.10(2) of the Door County Comprehensive Zoning Ordinance which requires all structures to be located at least 10' from the edge of a wetland.

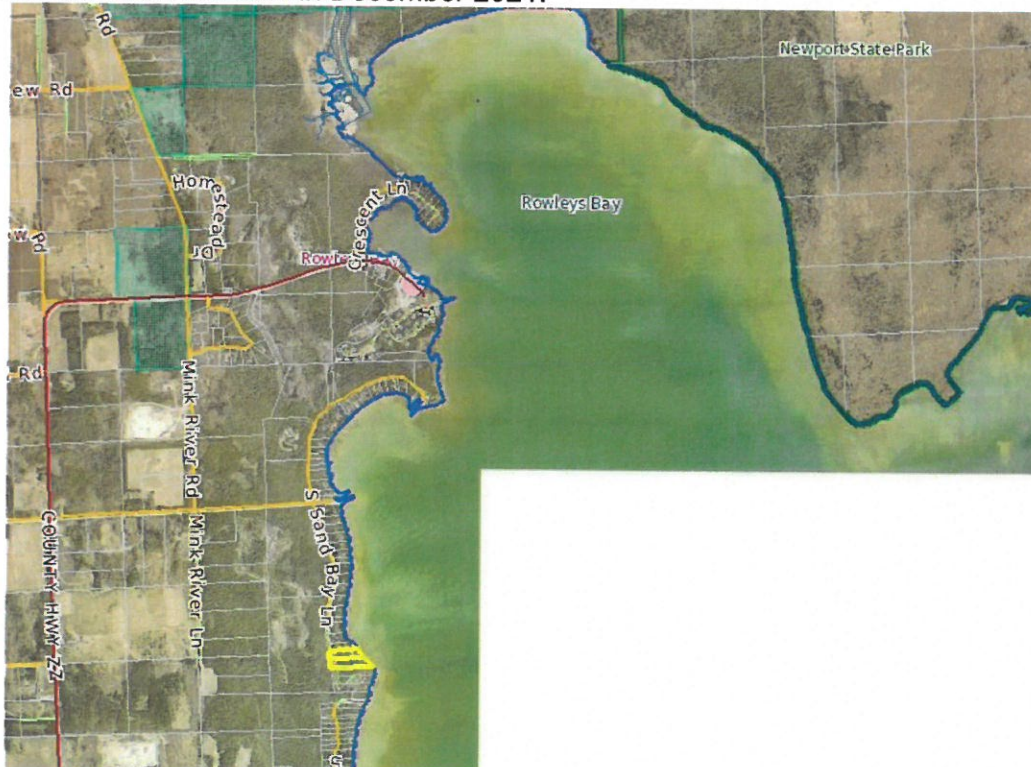
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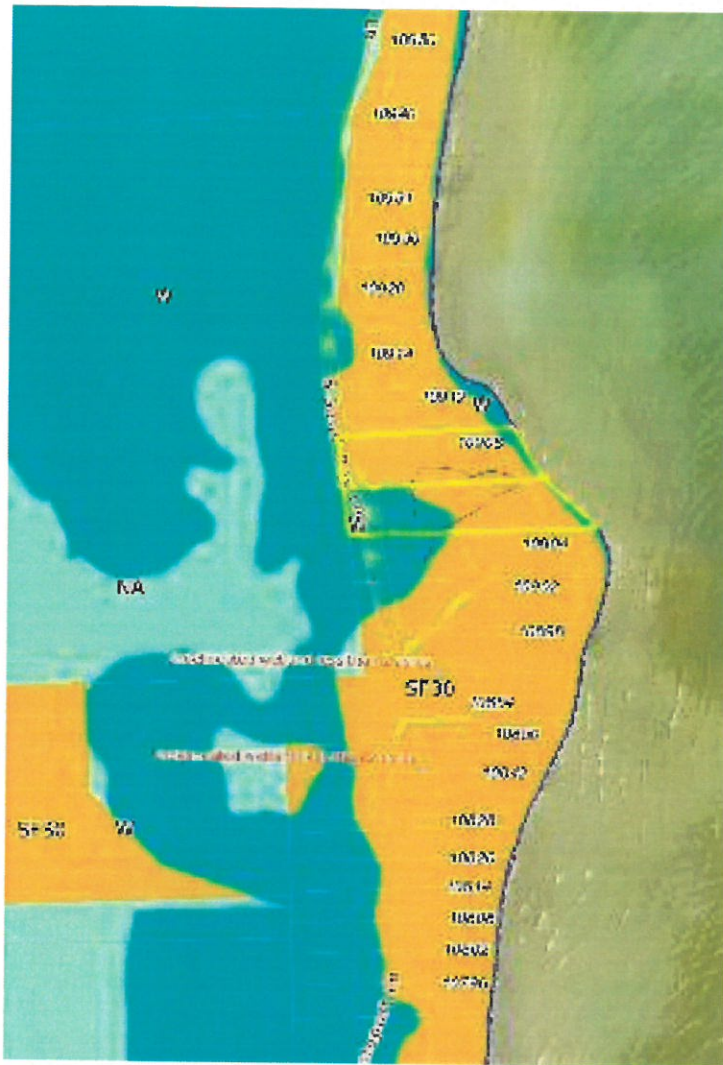
Parcel Description: Parcel ending in 21K is 2.14 acres with approximately 200 feet of frontage along Lake Michigan. There is 165' of frontage along the private easement S Sand Bay Ln. Parcel ending in 21A1 is 2.38 acres with approximately 206' of frontage along Lake Michigan. There is 147' of frontage along the private easement S Sand Bay Ln.

There is a navigable stream that enters parcel 21A1 from the west and curves north, loops through parcel 21K then curves back down into 21A1 and continues south.

Zoning: Both parcels are zoned Single Family-30,000 (SF30). There are wetlands on the western third of parcel 21A1.

Background: The single family residence at 10908 S Sand Bay L. was constructed prior to zoning. A garage was built in 1984. A navigability determination was completed in 2015. The entire single family residence was built completely with the 75' setback. In 2016 vertical expansion of the nonconforming structure (single family residence) was built. A wetland delineation was done July 2021. A navigability determination was conducted by Door County Land Use Services staff in December 2021.





Surrounding area: The parcels to the north and south are zoned SF30. On the opposite side of S Sand Bay Ln the parcels are zoned Natural Area (NA) and contain Wetlands.



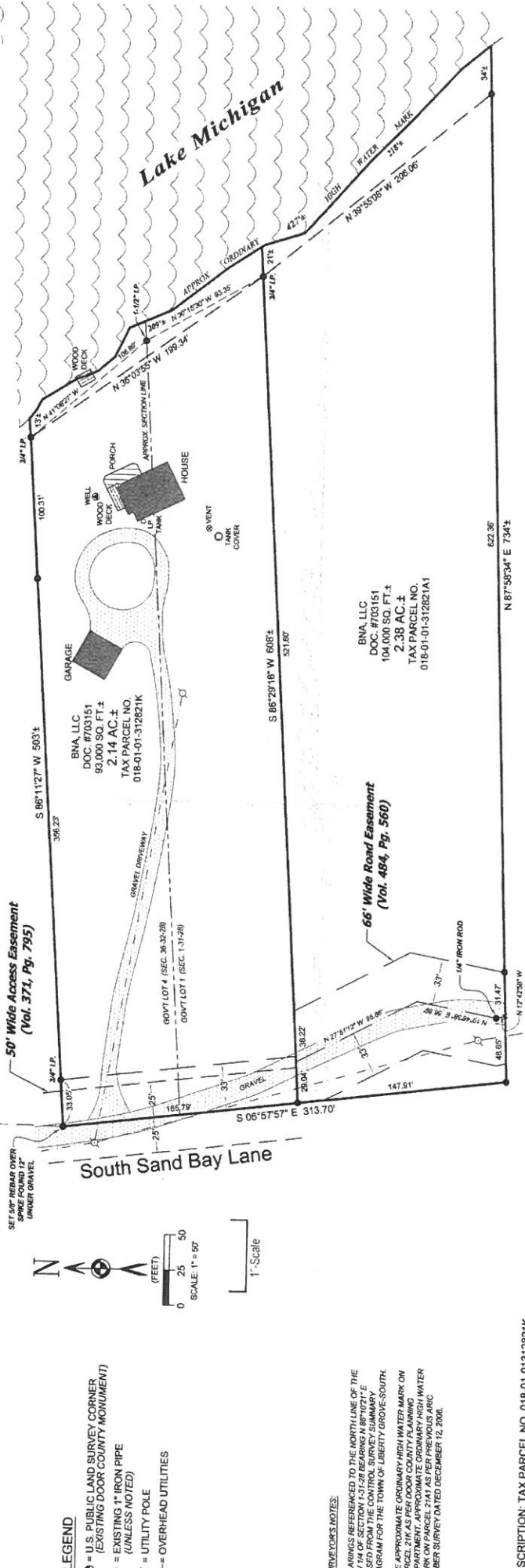
Plat of Survey

LOCATED:
PARTLY IN GOV'T LOT 1 OF SECTION 1, T. 31 N., R. 28 E.,
AND PARTLY IN GOV'T LOT 4 OF SECTION 36, T. 32 N., R. 28 E.,
ALL IN THE TOWN OF LIBERTY GROVE, DOOR COUNTY, WISCONSIN

W 1/4 CORNER
SEC. 36-32-28
N 86°10'21" E
2563.82'
N LINE - SW 1/4 (SEC. 36-32-28)
CENTER
SEC. 36-32-28

PREPARED FOR:
BNA, LLC
10008 SOUTH SAND BAY LANE
ELMHURST, IL 60126

PREPARED BY:
BRIAN FRISQUE SURVEYS INC.
JOHN S. BAUDHUIJ
PROFESSIONAL LAND SURVEYOR
3121 MATTHEY ROAD
STURGEON BAY, WI 54235
(920) 743-7185



LEGEND

- = U.S. PUBLIC LAND SURVEY CORNER
(EXISTING DOOR COUNTY MONUMENT)
- = EXISTING 1" IRON PIPE
(UNLESS NOTED)
- = UTILITY POLE
- = OVERHEAD UTILITIES

SURVEYOR'S NOTES:

BEARINGS REFERENCED TO THE NORTH LINE OF THE
SW 1/4 OF SECTION 1-31-28 BEARING N 86°10'21" E
BASED FROM THE CONTROL SURVEY SUMMARY
DIAGRAM FOR THE TOWN OF LIBERTY GROVE-SOUTH.
THE APPROXIMATE ORDINARY HIGH WATER MARK ON
PARCEL 21K AS PER DOOR COUNTY PLANNING
DEPARTMENT, APPROXIMATE ORDINARY HIGH WATER
MARK LINE WAS USED TO LOCATE THE MONUMENTS AND
WAS SURVEYED DATED DECEMBER 12, 2006.

DESCRIPTION: TAX PARCEL NO. 018-01-01312821K

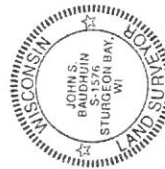
A parcel of land located in Government Lot 1 of Section 1, Township 31 North, Range 28 East, and Government Lot 4 of Section 36, Township 32 North, Range 28 East all in the Town of Liberty Grove, Door County, Wisconsin, more particularly described as follows:

Commencing at the west 1/4 corner of said Section 36; thence N 86°10'21" E, 2563.82 feet along the north line of the fractional Section 36 to the Center of said Section 36; thence S 01°05'46" W, 2793.11 feet to the point of beginning of lands to be described; thence S 06°37'37" E, 165.79 feet; thence N 86°29'16" E, 586.86 feet to a found 1/2" iron pipe near the shore of Lake Michigan; thence continue N 86°29'16" E, 214.41 feet to the high water mark of Lake Michigan; thence S 06°37'37" E, 13.41 feet to a found 1/2" iron pipe being N 36°03'55" W, 169.34 feet from the aforementioned 1/2" iron pipe; thence continue S 86°11'27" W, 489.59 feet to the point of beginning. Said parcel contains 2.14 acres +/-, and includes all riparian rights appurtenant thereto, said parcel is also subject to a road easement over the westerly 33 feet and also subject to 25 feet of a 50 foot wide access easement as recorded in Volume 371, Page 795.

DESCRIPTION: TAX PARCEL NO. 018-01-01312821A1

A parcel of land located in Government Lot 1 of Section 1, Township 31 North, Range 28 East, Township 32 North, Range 28 East all in the Town of Liberty Grove, Door County, Wisconsin, more particularly described as follows:

Commencing at the west 1/4 corner of said Section 36; thence N 86°10'21" E, 2563.82 feet along the north line of the fractional Section 36 to the Center of said Section 36; thence S 01°05'46" W, 2793.11 feet; thence S 06°37'37" E, 165.79 feet to the point of beginning of lands to be described; thence continue N 86°29'16" E, 586.86 feet; thence N 86°29'16" E, 147.91 feet; thence N 87°58'34" E, 700.48 feet to the shore of Lake Michigan; thence continue N 87°58'34" E, 34.41 feet to a found 1" iron pipe near the shore of Lake Michigan; thence S 06°37'37" E, 214.41 feet to the high water mark of Lake Michigan; thence S 06°37'37" E, 13.41 feet to a found 1/2" iron pipe being N 36°03'55" W, 169.34 feet from the aforementioned 1/2" iron pipe; thence continue S 86°11'27" W, 489.59 feet to the point of beginning. Said parcel contains 2.38 acres +/-, and includes all riparian rights appurtenant thereto, said parcel is also subject to a 66' wide road easement as recorded in volume 484, page 560.



SURVEYOR'S CERTIFICATE:

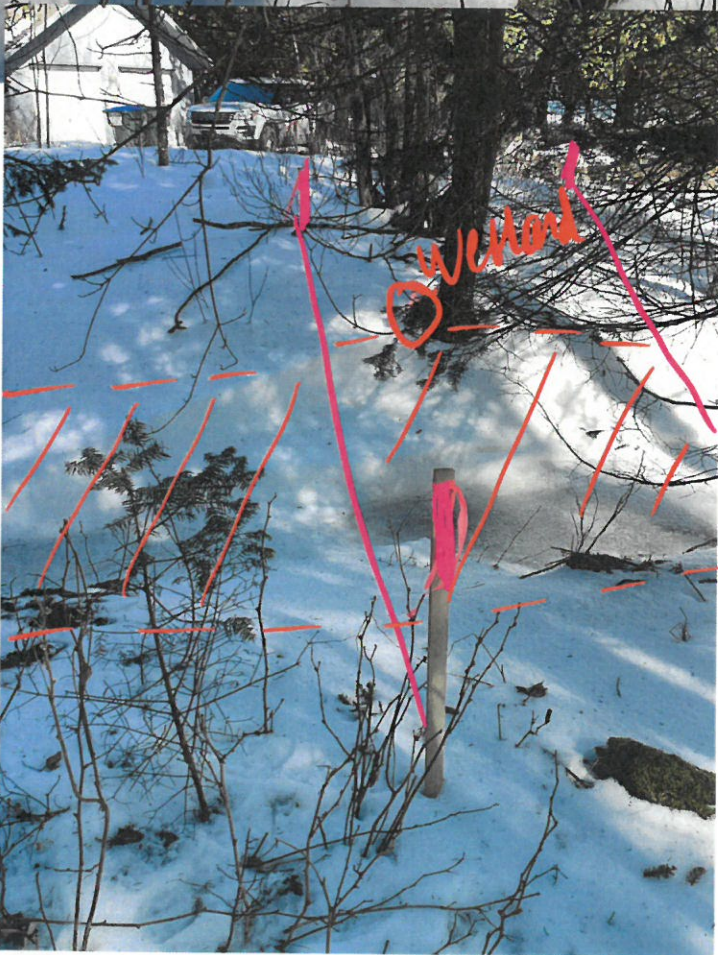
I, John S. Baudhuin, Professional Land Surveyor for Brian Frisque Surveys Inc., do hereby certify that I have surveyed the property described herein and to the best of my knowledge and belief the adjacent map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures, boundary fences, apparent easements, roadways and visible encroachments, if any. I further certify that this map complies with Chapter A.E.T. of the Wisconsin Administrative Code.

This survey is made for the use of the present owners of the property and also those who purchase, mortgage or guarantee title thereto.

Dated 4-18-16
John S. Baudhuin
P.L.S. S-1576

3/8/23 KR





PETITION

A variance is a relaxation of a standard in a land use ordinance. Variances are decided by the zoning board of adjustment. The zoning board is a quasi-judicial body because it functions almost like a court. The board's job is not to compromise ordinance provisions for a property owner's convenience but to apply legal criteria provided in state laws, court decisions and the local ordinance to a specific fact situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden.

PETITION: (I) (We)

Full name(s): Renee Borkovetz, Professional Engineer at Stantec Consulting Services, on behalf of the property owner Lakeview Lodge LLC

Propose to:

Build a new residence on parcel 018-01-01-312821A1 in the identified upland buildable area. The new driveway to access this residence will share the existing driveway on parcel 018-01-01-312821K and then branch off, crossing an existing wetland and creek, leading to the proposed residence. A bridge structure will be installed for the driveway to cross the wetland and creek without disturbing either of these resources.

The wetland was identified and located per the wetland delineation, dated July 21, 2021. The creek location was identified and located by Door County Land Use Services.

We are requesting a variance for this proposed driveway for the following:

- 1 –The footings of the proposed bridge structure, which will be located in the 10' wetland buffer setback area. The wetland and creek will remain undisturbed, and
- 2 – The proposed driveway, which will be located within the 75' shoreland setback area.

The existing use of structure or land in question is:

Both parcels identified are zoned SF30 for single family residential use. The proposed residence and associated driveway are in keeping with this existing land use.

QUESTIONS

Please provide complete responses regarding a), b), and c) below. Attach additional pages if necessary. To qualify for a variance, the applicant must demonstrate that their request/situation meets the following three requirements:

a.) UNIQUE PROPERTY LIMITATIONS

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not factors in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance.

Unique features of this property prevent compliance with the terms of the ordinance, including:

Parcel 018-01-01-312821A1 is currently undeveloped and zoned for SF30 Single Family Residential use.

The owners plan to build a residence on this parcel in the available upland buildable area as identified on the attached site plan. The unique features on this parcel include wetland areas and a navigable creek, along with their respective structure setback distances, that limit the driveway placement to access this buildable area and proposed residence.

b.) UNNECESSARY HARDSHIP

An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restrictions effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests.

Unnecessary hardship is present because:

Without the requested variance to install the proposed driveway, the owners would not be able to access the proposed residence on this parcel. The proposed residence is designed and located to meet all required zoning setbacks and requirements.

c.) NO HARM TO PUBLIC INTERESTES

A variance may not be granted which results in harm to public interests. In applying this test, the Board of Adjustment must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community and the general public. These interests are listed as objectives in the purpose statement of an ordinance and may include:

- Public health, safety and welfare
- Water quality
- Fish and wildlife habitat
- Natural scenic beauty
- Minimization of property damages
- Provision of efficient public facilities and utilities
- Achievement of eventual compliance for nonconforming uses, structures and lots
- Any other public interest issues

A variance will not be contrary to the public interest because:

The proposed driveway elements requiring this variance request do not harm public interests for the following reasons:

1. The location of the proposed bridge structure is located and positioned so that it crosses the wetland and creek at its narrowest location therefore minimizing potential infrastructure impact to both resources.
2. The proposed bridge structure size is based on the maximum width needed to span the wetland and avoid any wetland disturbance. Therefore, the footings of the bridge structure are located outside of and as close as 9-inches to the wetland. By keeping this bridge structure outside of the wetland, the wetland and creek will be left in their current state without any soil or vegetation disturbance, therefore maintaining its natural qualities and benefits to the environmental habitat and wildlife.
3. The proposed bridge structure will be span the existing creek and provide adequate open area between the creek bed and under body of the structure to continue providing creek flow when active. This creek is not constantly flowing year-round, but does have enough flow occasionally to constitute it as a navigable creek. By installing the proposed bridge structure as designed, the

water flowing through the creek, even when at it's peak, will not be impeded, therefore public safety is addressed by preventing water flow from being blocked or causing potential flooding issues upstream.

4. The proposed driveway will be sloped up when crossing this bridge structure on both sides, therefore surface water runoff from the driveway and bridge structure will flow with the driveway, away from the bridge structure, before flow to either side of the driveway. When the surface runoff flows off the driveway, it will flow across the upland area before reaching the wetland or creek. By designing the bridge and driveway surface elevations in this way, water quality is being provided by directing this impervious surface runoff from the driveway to be pre-treated by the vegetated 10' wetland buffer before reaching the wetland and creek.
5. Outside of the bridge structure, the proposed driveway is located so it is outside of the 10' wetland setback, at a minimum. This 10' buffer does provide water quality from surface water runoff from the proposed driveway before reaching the surrounding wetland and creek.

Lastly, the proposed bridge structure is submitted for DNR and US Army Corps of Engineers for plan approval and permitting. The proposed bridge structure follows DNR and USACE standards.

AUTHORIZATION FOR INSPECTION:

I hereby authorize the Zoning Administrator to enter upon the premises for which this petition is made at any reasonable time for all purposes of inspection related to this petition.

CERTIFICATION:

I hereby certify that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

SIGNATURE OF PETITIONER/AGENT:



DATE: 3/1/23

Rankin, Kristin

From: Borkovetz, Renee <Renee.Borkovetz@stantec.com>
Sent: Thursday, March 16, 2023 1:26 PM
To: Rankin, Kristin
Cc: Al Shefchik (ashefchik@portsidebuilders.com)
Subject: FW: Lakeview Lodge LLC Clear Span Bridge

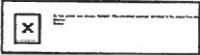
Kristin,

Army Corps reviewed the proposed clear span bridge structure at Hildebrand's and they're response is below, stating that no permit from the Corps is needed for this project.

Thanks,

Renee Borkovetz P.E.
Civil Engineer
Renee.Borkovetz@stantec.com

Office: 920-743-8211
Direct: 920-298-1760
312 N. 5th Ave.
Sturgeon Bay, WI 54235



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From: Woboril, Samuel J CIV USARMY CEMVP (USA) <Samuel.J.Woboril@usace.army.mil>
Sent: Thursday, March 16, 2023 9:10 AM
To: Borkovetz, Renee <Renee.Borkovetz@stantec.com>
Subject: Lakeview Lodge LLC Clear Span Bridge

Hi Renee,

I have reviewed the project plans for the Lakeview Lodge LLC project and I have confirmed that the proposed project will not result in a discharge of dredged or fill material into a water of the U.S. Therefore, no permits are required to complete this work.

Please let me know if you have any questions.

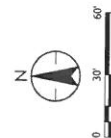
Thanks,

Sam Woboril – Lead Project Manager
USACE – St. Paul District, Regulatory Division
2926 Post Road, Suite B
Stevens Point, Wisconsin 54481

(651) 290-5878
samuel.j.woboril@usace.army.mil

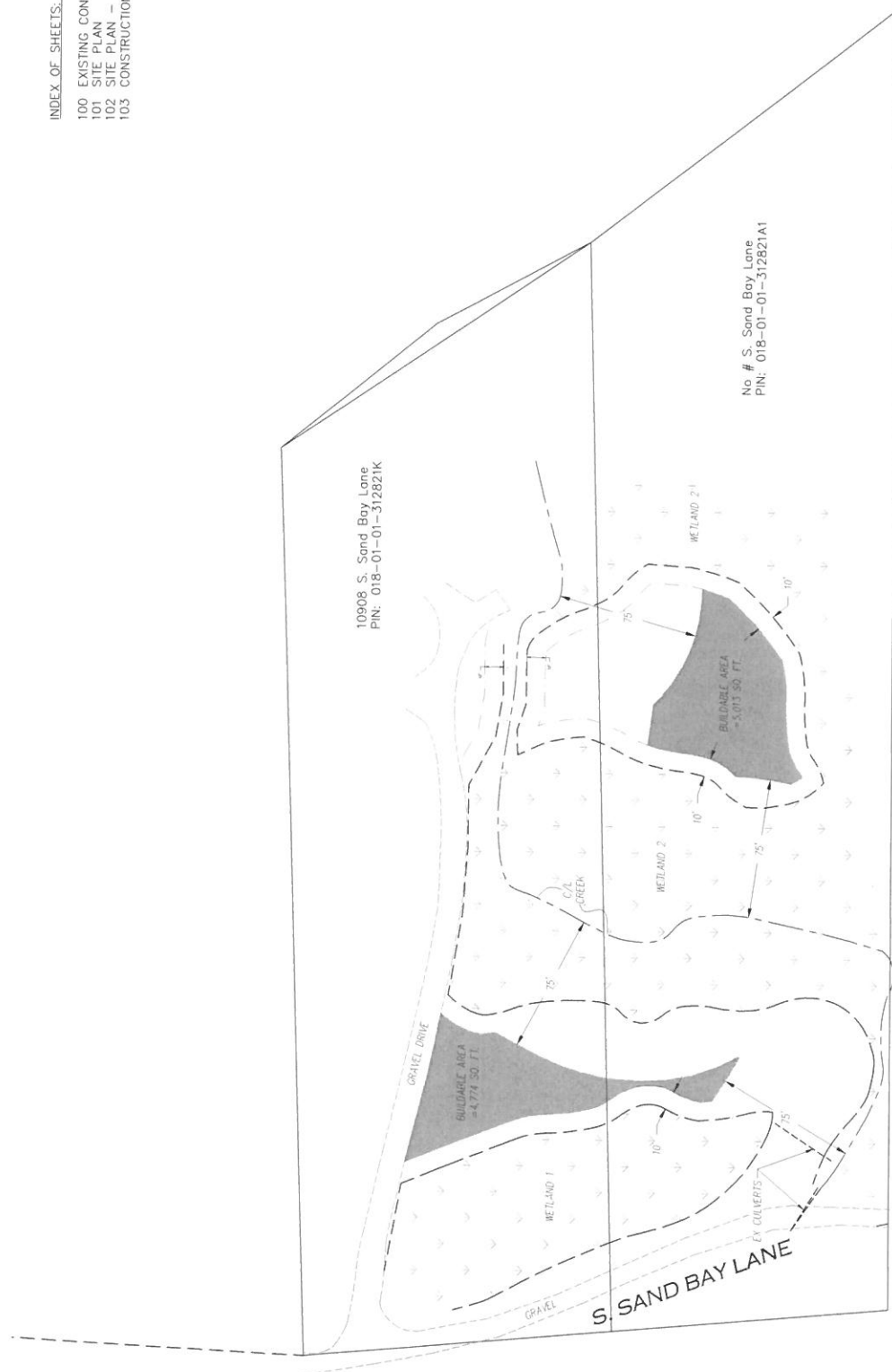
[illegible]

C101 SAVE IT. REUSE IT.

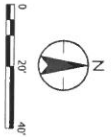


INDEX OF SHEETS:

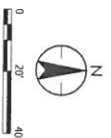
100	EXISTING CONDITIONS
101	SITE PLAN
102	SITE PLAN - DRIVE
103	CONSTRUCTION DETAILS



The map is a site plan showing a property layout. A central area is shaded gray and labeled "BUILDABLE AREA = 5,013 SQ. FT.". This area is surrounded by a dashed line. To the left of this area is a larger area labeled "WETLAND 2" with a pattern of small 'v' marks. To the right of the shaded area is another area labeled "WETLAND 2" with a similar pattern. A solid line labeled "LOT LINE" runs vertically through the right side of the map. A dashed line labeled "CREEK" runs horizontally across the top of the map. A north arrow is located in the bottom left corner, and a scale bar below it indicates distances of 0, 20, and 40 feet.



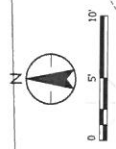
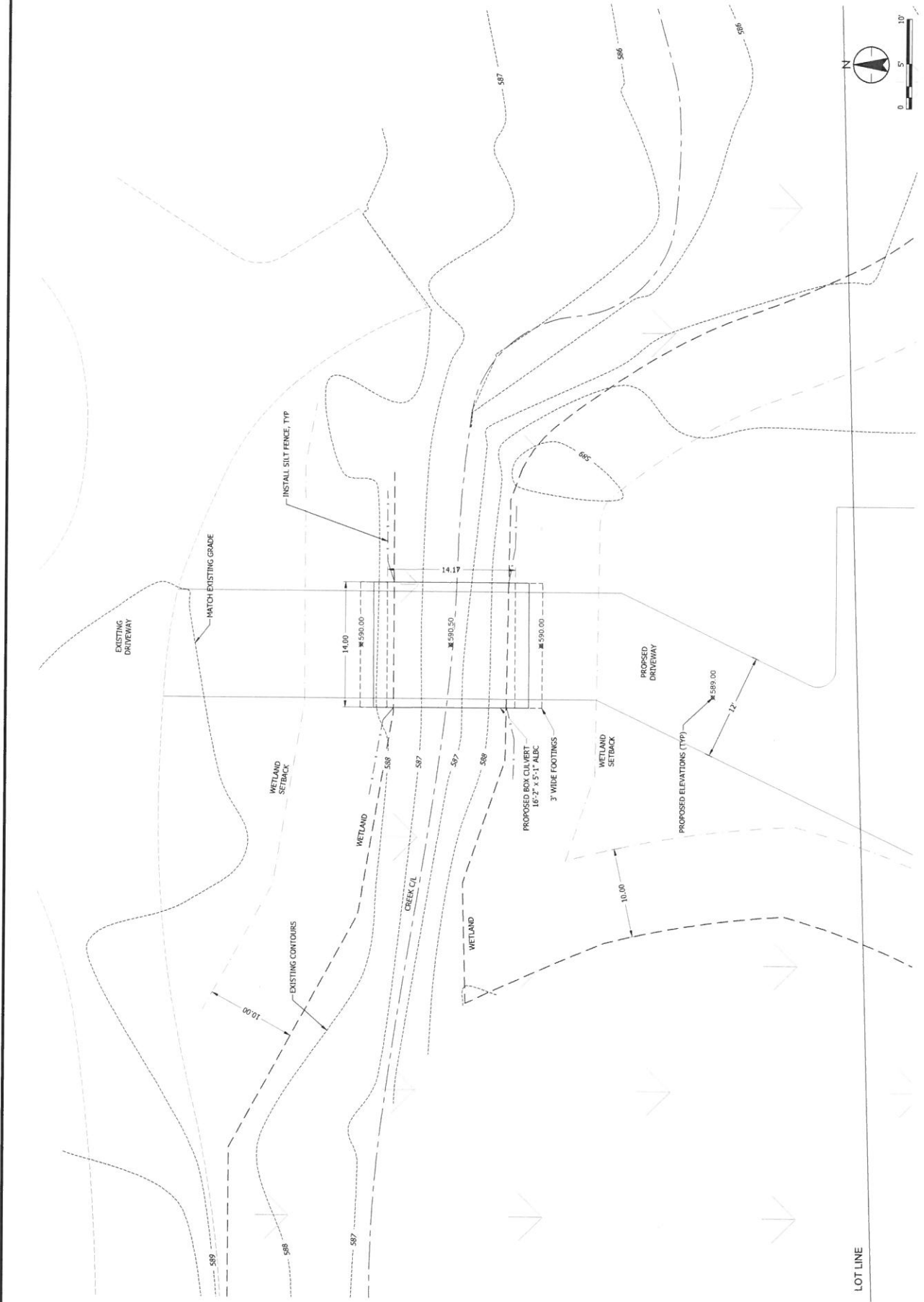
The site plan shows the PR Residence, a large rectangular building with a smaller section on the right. To the left of the residence is a large area labeled 'WETLAND 2' with a dashed boundary and numerous small 'v' symbols. A 'C/L CREEK' flows from the top left towards the center. A 'PR DRIVE' runs horizontally across the middle of the site. A 'PR BRIDGE' is located on the PR Drive, crossing a 'LOT LINE' which is indicated by a vertical dashed line. Another area labeled 'WETLAND 2' is located to the right of the lot line. A north arrow and a scale bar (0, 20, 40 feet) are located in the bottom left corner.

[illegible]

HILDEBRAND RESIDENCE
10908 SOUTH SAND BAY LANE
TOWN OF LIBERTY GROVE, DOOR COUNTY, WISCONSIN



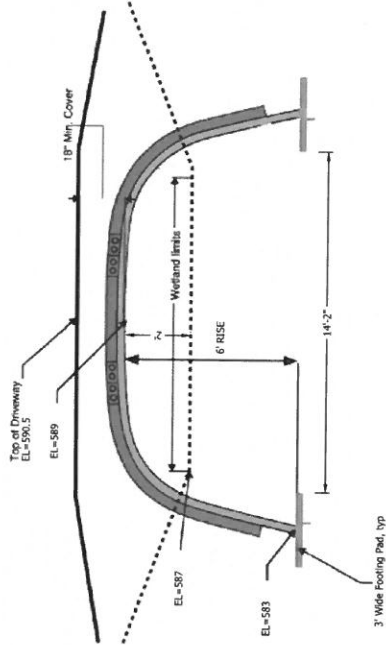
DATE OF ISSUANCE	10/11/2023
PROJECT NO.	1906006
PROJECT NAME	HILDEBRAND RESIDENCE
PROJECT ADDRESS	10908 SOUTH SAND BAY LANE
PROJECT CITY	LIBERTY GROVE, WI
PROJECT STATE	WI
PROJECT ZIP	54235
PROJECT PHONE	
PROJECT FAX	
PROJECT EMAIL	
PROJECT WEBSITE	
PROJECT SOCIAL MEDIA	
PROJECT VIDEO	
PROJECT AUDIO	
PROJECT PHOTO	
PROJECT DRAWING	
PROJECT PLAN	
PROJECT SECTION	
PROJECT ELEVATION	
PROJECT ANNOTATION	
PROJECT DESCRIPTION	
PROJECT NOTES	



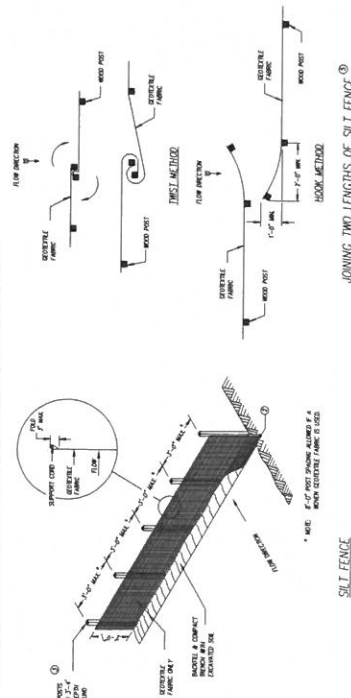
EROSION CONTROL NOTES

- [illegible]

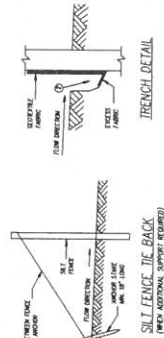
B^{N.T.S.} BRIDGE STRUCTURE



- NOTES:
1. BRIDGE TO SPAN ENTIRE WETLAND AND BE USED FOR DRIVEWAY ACCESS FOR THE PROPOSED RESIDENCE.
 2. BRIDGE FOOTINGS TO BE INSTALLED OUTSIDE OF WETLAND LIMITS, THEREFORE ALL WETLANDS WILL REMAIN UNDISTURBED.
 3. USE CONTECH BOX CULVERT BRIDGE STRUCTURE, OR APPROVED EQUAL, SHALL MAINTAIN MINIMUM 12" TRAVEL WIDTH AND BE CAPABLE OF CARRYING 4,500# MINIMUM LOAD, FOR EMERGENCY SERVICE VEHICLES.



SILT FENCE



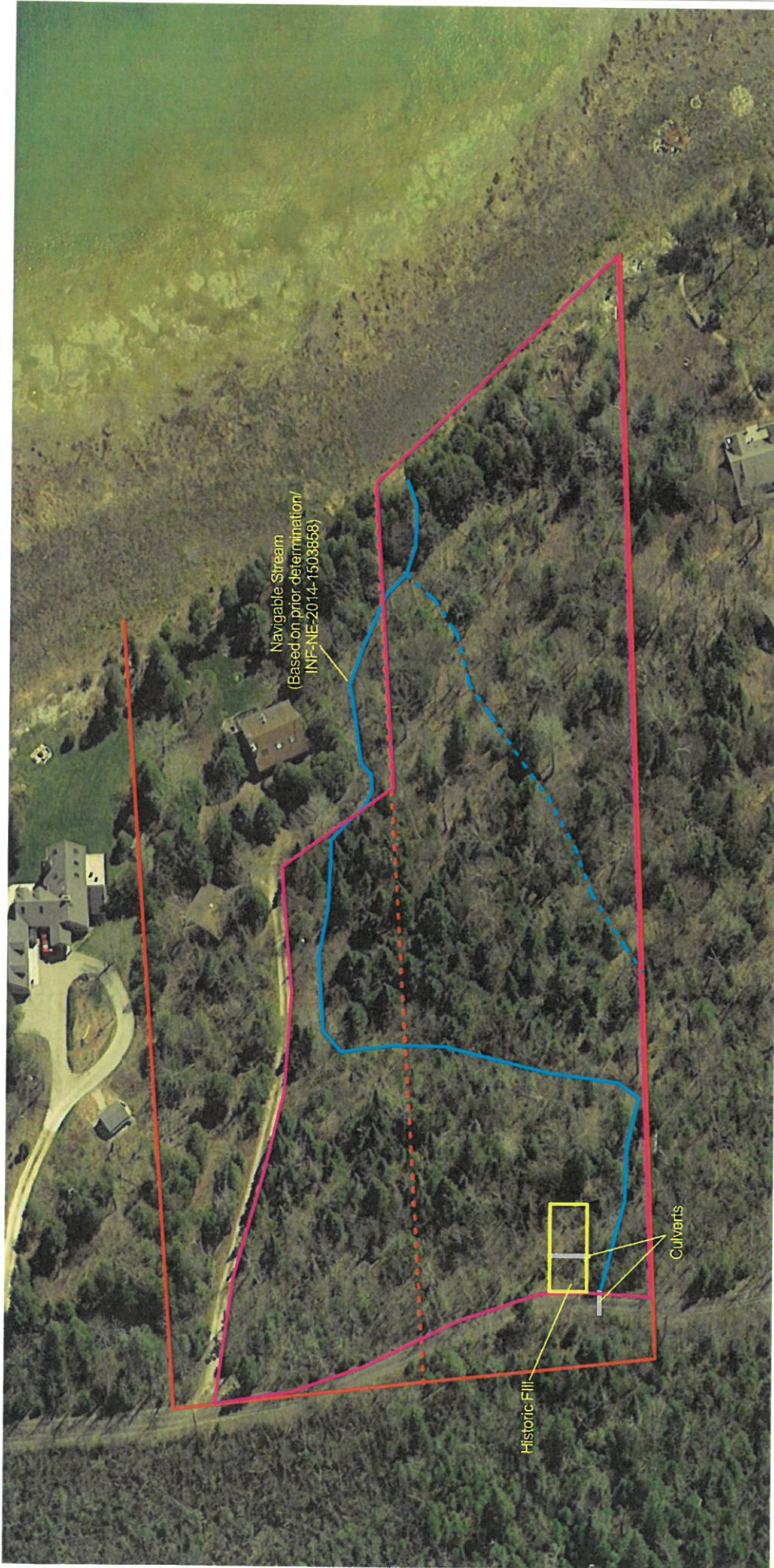
TRENCH DETAIL

SILT FENCE TIE BACK

- SHEET KEY NOTES:**
1. MINIMUM LEADGE REQUIRED WITH 2" X 4" WOODEN FRAME OR EQUIVALENT AT TOP OF POSTS.
 2. FRENCH SHALL BE A MINIMUM OF 2" WIDE AND ANCHOR THE DEXTRELLA FABRIC. FOLD MATERIAL TO FIT OVER THE POSTS.
 3. FRENCH AND BACKFILL & COMPACT TRENCH WITH EXCAVATED SOIL.
 4. WOOD POSTS SHALL BE A MINIMUM SIZE OF 1" X 1" OF OAK OR HICKORY.
 5. SLOD FENCE TO EXTEND ABOVE THE TOP OF THE PIPE.
 6. SLOD FENCE TO EXTEND AROUND A CONTINUOUS HOLL IF POSSIBLE BY CUTTING LENGTHS TO AVOID JOINTS. IF A JOINT IS NECESSARY USE ONE OF THE FOLLOWING METHODS: A) OVERLAP THE END POSTS AND TWIST OR ROTATE, AT LEAST 180 DEGREES. B) LOCK THE END OF EACH SLOD, ENDELENGER.

GENERAL NOTES

- SILT FENCE SHALL CONFORM TO DNR TECHNICAL STANDARD 1056.
- ADDITIONAL POST DEPTH OR TIE BACKS MAY BE REQUIRED IN UNSTABLE SOILS.
- ATTACH THE FABRIC TO THE POSTS WITH WIRE STAPLES OR WOODEN LATH AND NAILS.



Note: Parcel boundary based on Door County GIS Mapping

LEGEND

- Parcel Boundary
- Project Area Boundary

Figure 2 - Site Detail Map	Hildebrand Property 10908 S. Sand Bay Lane Liberty Grove, Door County, WI		
	Client:	Hildebrand	
Source:	Map:	Date:	July 2021
Door County GIS/2015 Aerial Photo		Scale:	1"= 65' (+/-)
BAVE environmental		Drawn By: MOL	



Note: Parcel boundary based on Door County GIS Mapping

LEGEND

- Parcel Boundary
Project Area Boundary

Figure 3 - Site Topography Map	
Hildebrand Property 10908 S. Sand Bay Lane Liberty Grove, Door County, WI	Client: Hildebrand Date: July 2021 Scale: Not to Scale Drawn By: MOL
Door County GIS2015 Aerial Photo	



Figure 4 - NRCS Soils Map
 Hildebrand Property
 10908 S. Sand Bay Lane
 Liberty Grove, Door County, WI
 NRCS Websoil Survey

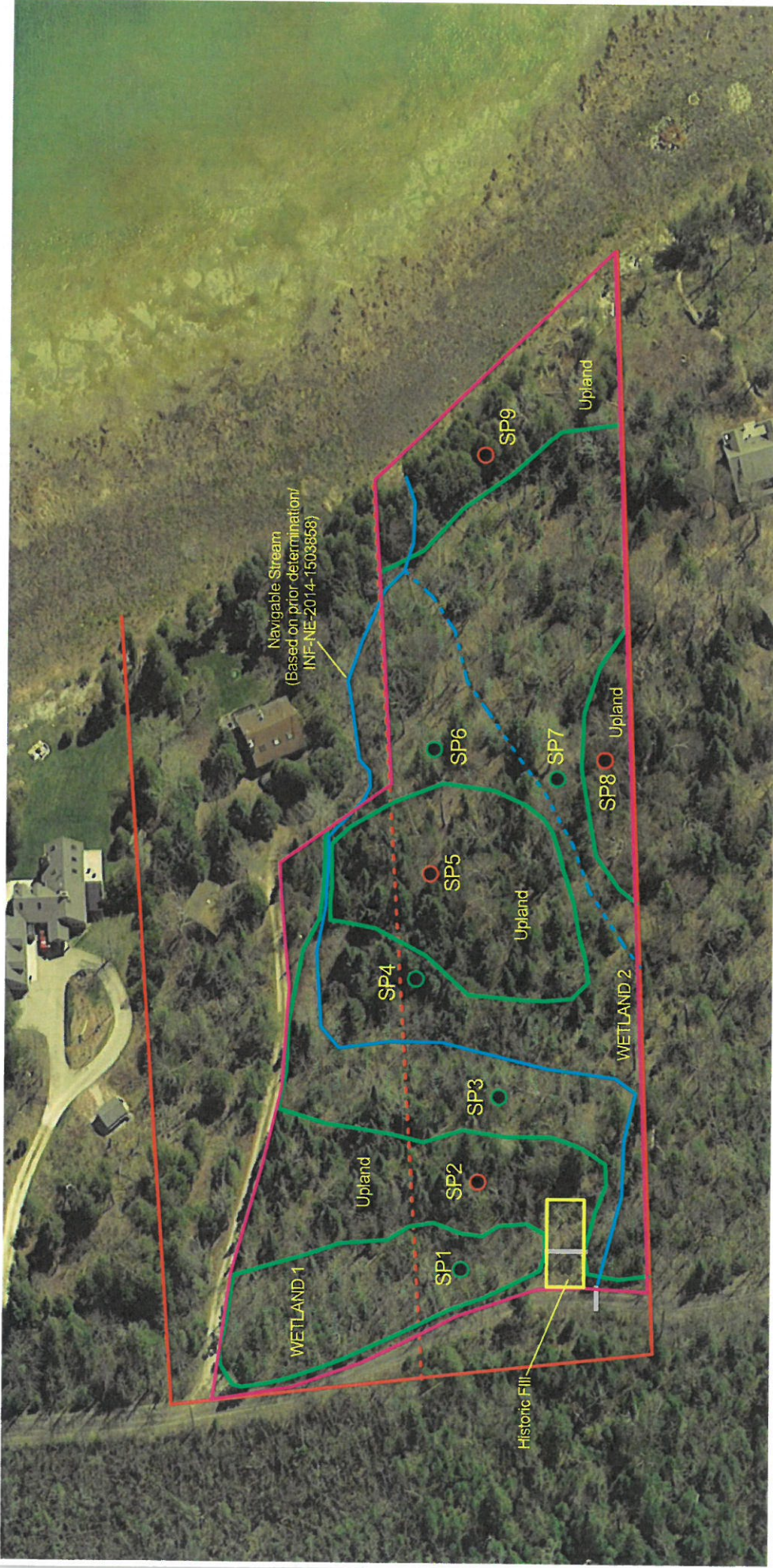
Client: Hildebrand
 Date: July 2021
 Scale: Not to Scale
 Drawn By: MOL

BAYE environmental

Hydric Rating by Map Unit (WI)—Door County, Wisconsin				
Map Unit Symbol	Map Unit Name	Hydric Percent of Map Unit	Hydric Category	Landform Hydric Minor Components
ApC	Alpena gravelly sandy loam, 0 to 12 percent slopes	0	WI Nonhydric	—
Ax	Angellca loam, 0 to 2 percent slopes	95	WI Predominantly Hydric	—
Cm	Cathro muck	100	WI Hydric	Depressions

LEGEND

Project Area Boundary

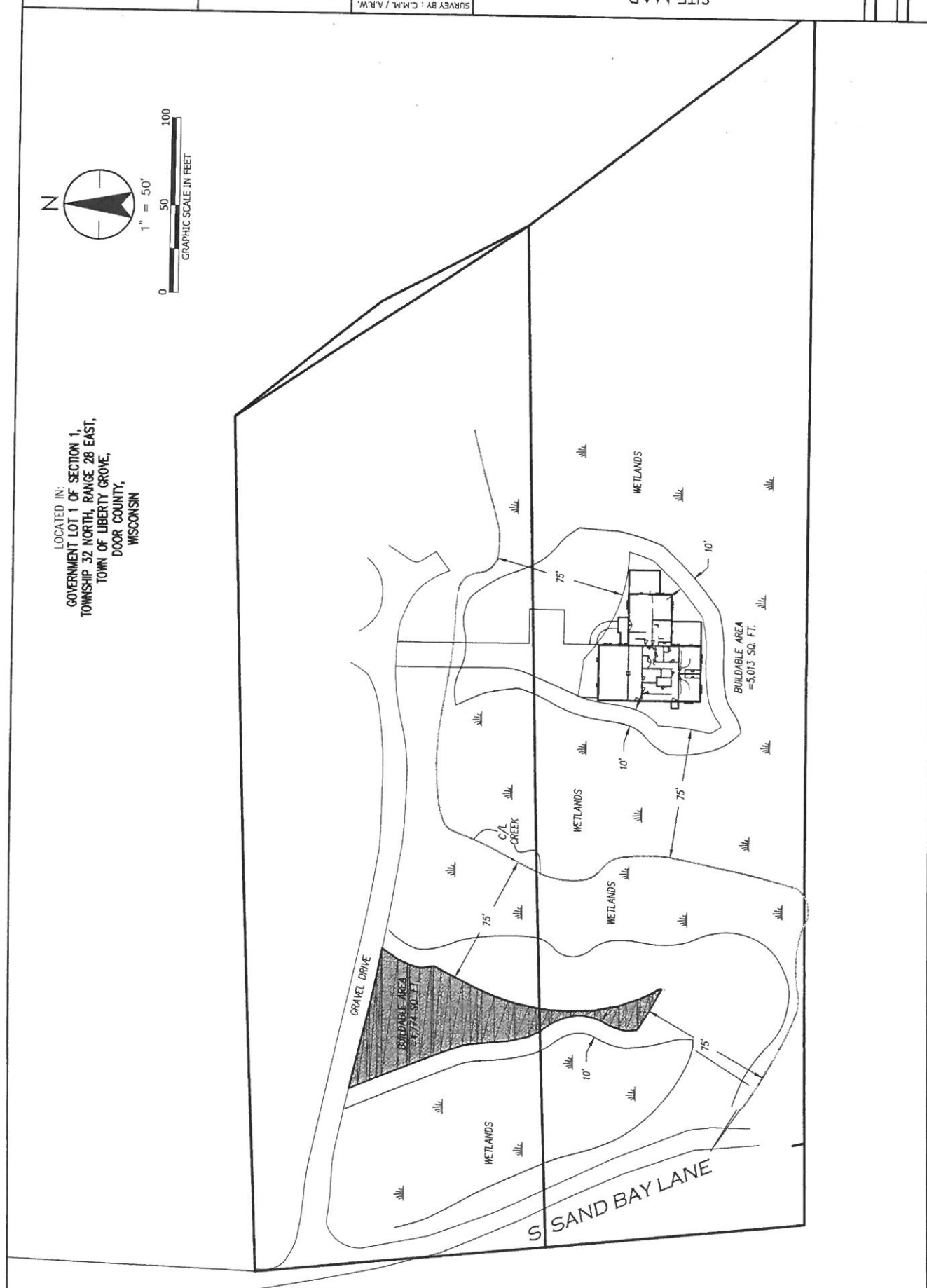


Note: Parcel boundary based on Door County GIS Mapping

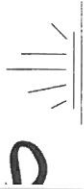
LEGEND

- Parcel Boundary
- Project Area Boundary
- Wetland Boundary
- Wetland Area
- Wetland Sample Point
- Upland Sample Point

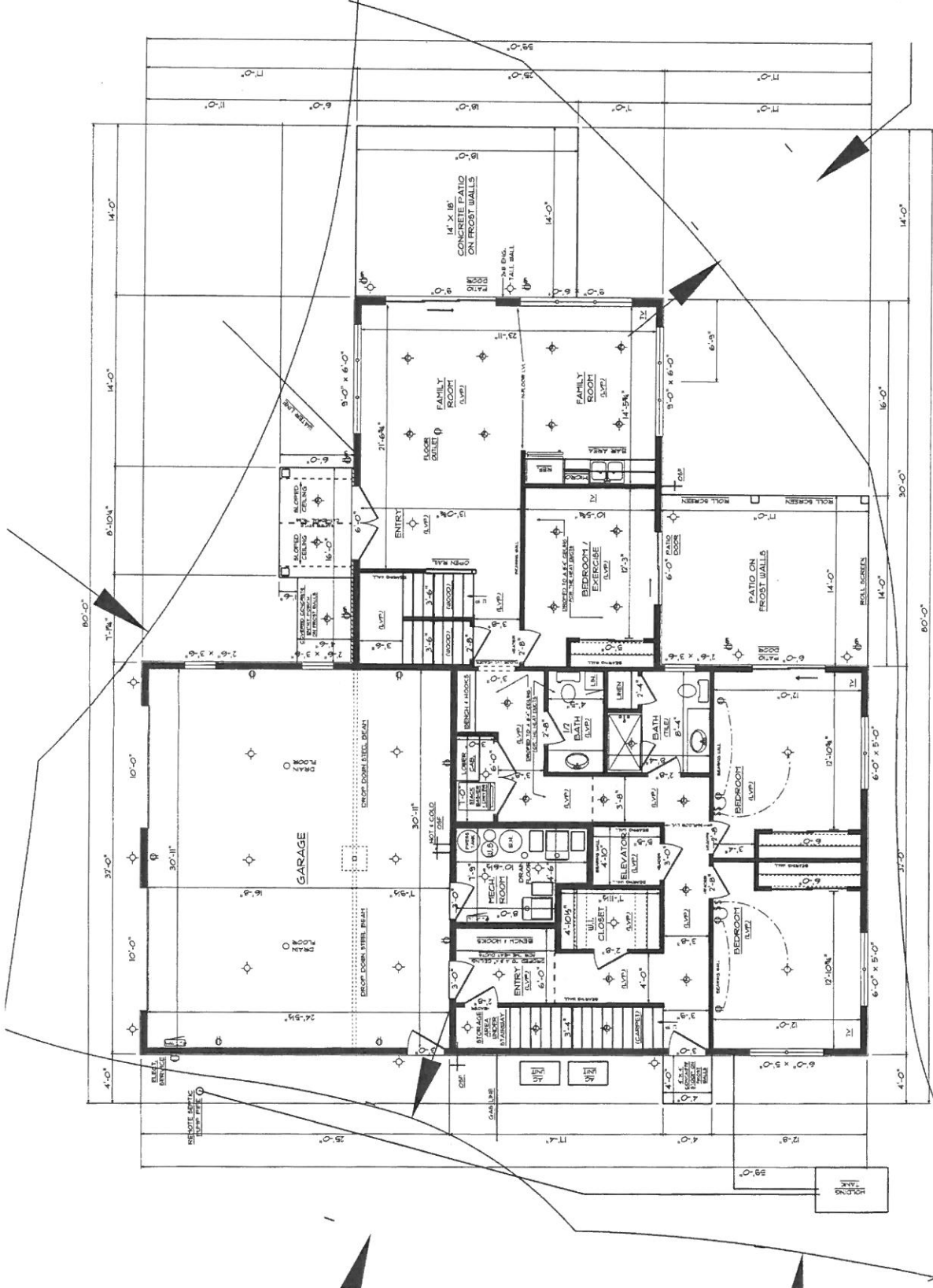
Figure 5 - Wetland Delineation Map	
Hildebrand Property 10908 S. Sand Bay Lane Liberty Grove, Door County, WI	Client: Hildebrand
Door County GIS/2015 Aerial Photo	Date: July 2021
	Scale: 1"= 65' (+/-)
	Drawn By: MOL
BAY Environmental	



LOCATED IN:
 GOVERNMENT LOT 1 OF SECTION 1,
 TOWNSHIP 32 NORTH, RANGE 28 EAST,
 TOWN OF LIBERTY GROVE,
 DOOR COUNTY,
 WISCONSIN



5.5



PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

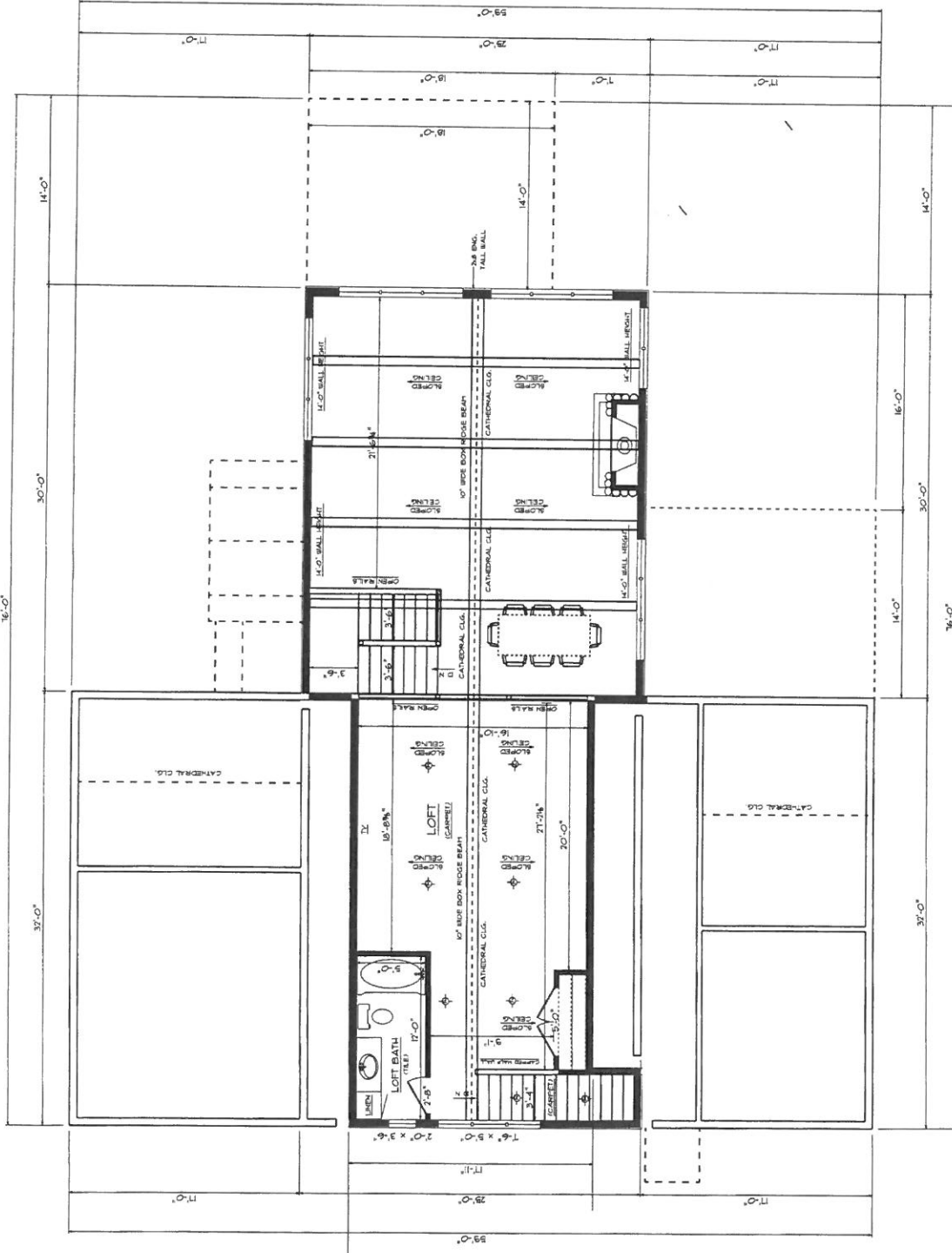
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FIRST FLOOR PLAN

1,843 SQ. FT. # 1ST FLOOR
2,517 SQ. FT. # 2ND FLOOR
5,400 SQ. FT. # 3RD FLOOR
4,900 TOTAL SQ. FT.

NAME: LEE & KIRSTEN HILDEBRAND
LOCATION: SISTER BAY
DATE: 9/12/22
DRAWN BY: ALAN SHEPCHIK
JOB NO.:
SCALE: 1/8" = 1'-0"





PRELIMINARY DRAWINGS - NOT FOR CONSTRUCTION

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3RD FLOOR PLAN

540 SQ. FT. 3RD FLOOR

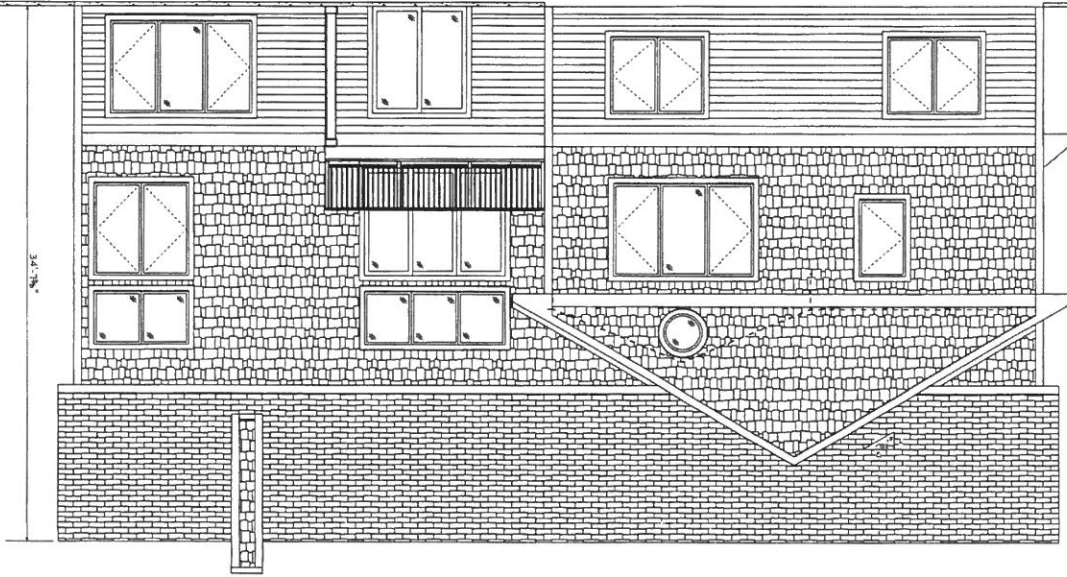
NAME: LEE & KIRSTEN HILDEBRAND
 LOCATION: SISTER BAY
 DATE: 9/12/22
 DRAWN BY: ALAN SHEPCHIK
 JOB NO.:
 SCALE: 1/8" = 1'-0"
 PAGE



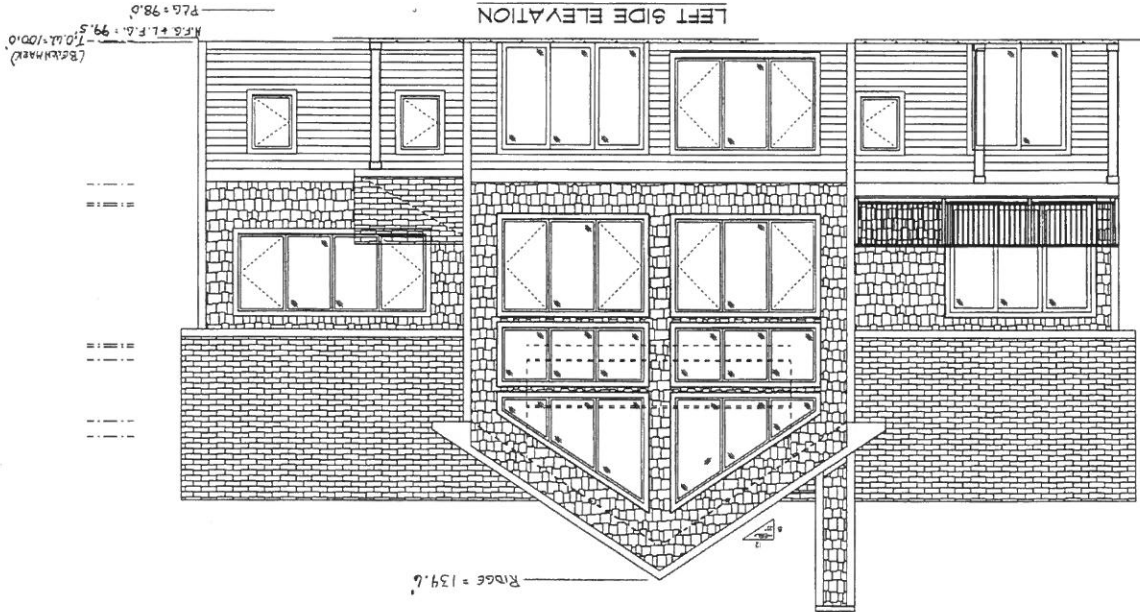
NAME: LEE & KRISTEN HILDEBRAND
 LOCATION: SISTER BAY
 DATE: 9/12/22
 DRAWN BY: ALAN SHEPCHIK
 JOB NO:
 SCALE: 1/8" = 1'-0"
 PAGE

NOTICE OF COPYRIGHT
 These plans are copyrighted and are subject to copyright.
 No part of these plans may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the copyright owner.
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BACK ELEVATION



LEFT SIDE ELEVATION



PLG = 98.0
 R.F.S. + L.F.S. = 99.5
 (B.S. MARK)

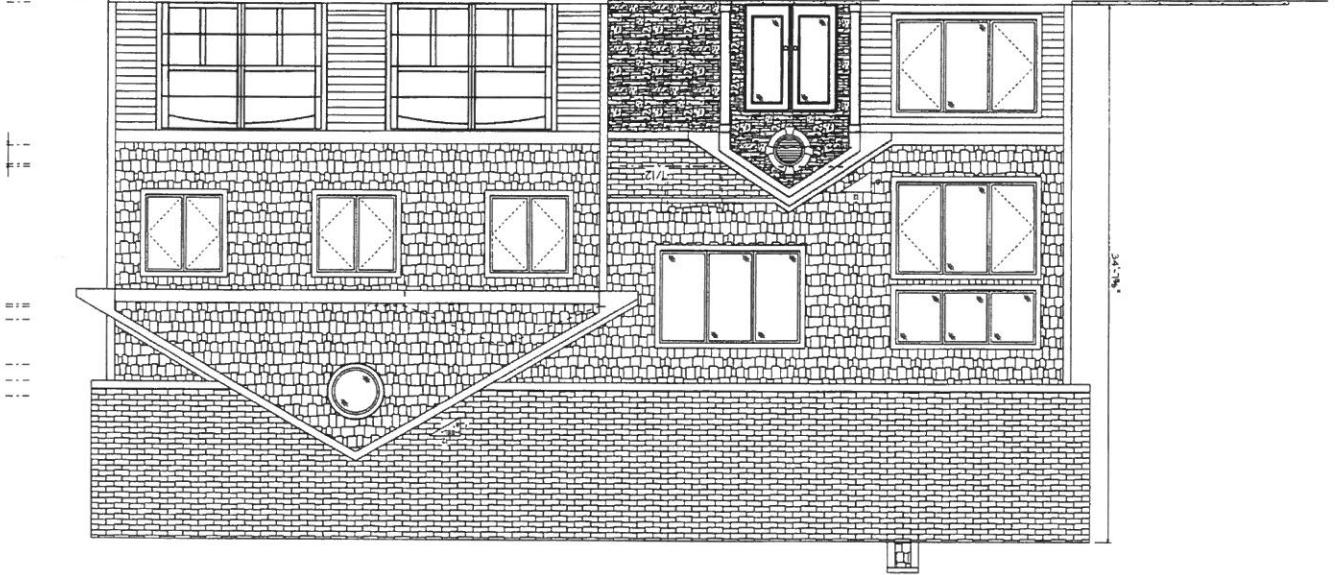
Ridge = 139.6'

3'-0"
 1'-0"
 5'-0"
 3'-0"

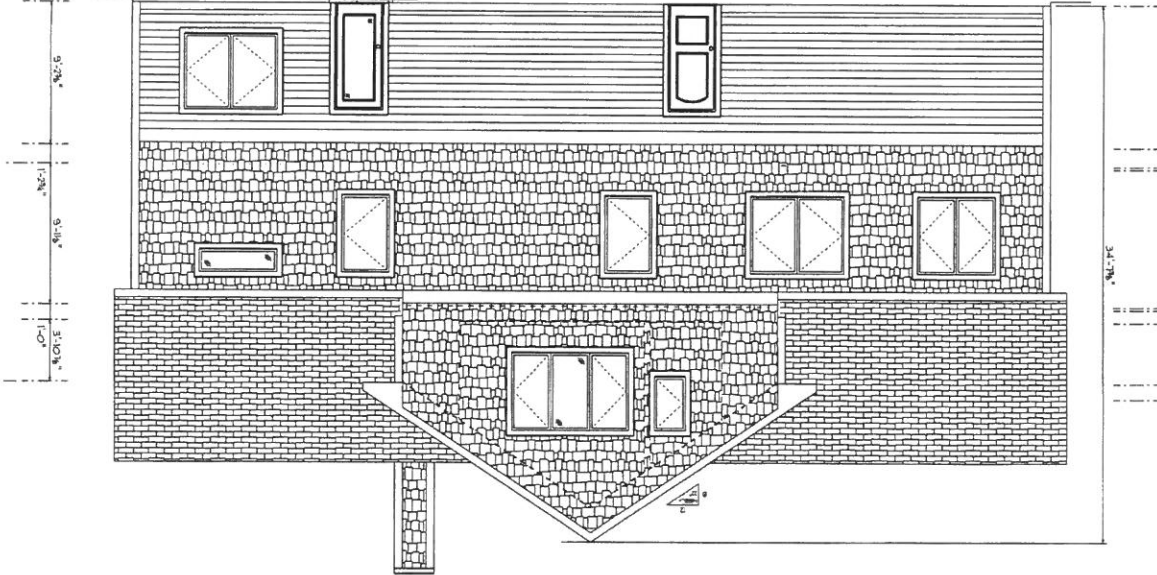
NAME: LEE & KIRSTEN HILDEBRAND
 LOCATION: 616TER BAY
 DATE: 9/12/22
 DRAWN BY: ALAN SHEPCHIK
 JOB NO:
 SCALE: 1/8" = 1'-0"
 PAGE

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FRONT ELEVATION



RIGHT SIDE ELEVATION



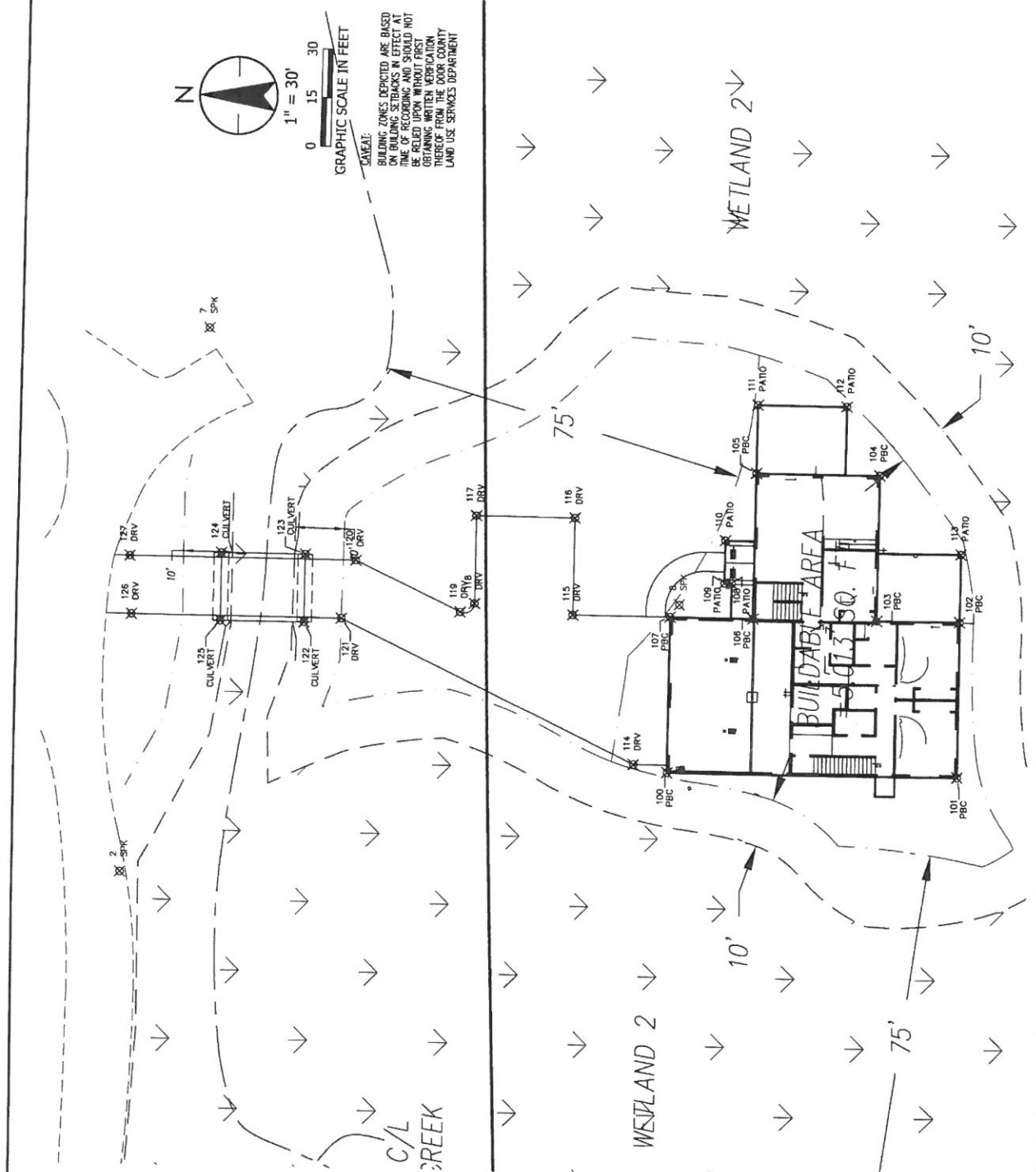
STAKING PLAN
HILDEBRADT
10908 S. Sand Bay Lane
Sister Bay, WI
54234

SURVEY BY :	OM/ARW
DRAWN BY :	M.G.M
DESIGNED BY :	
CHECKED BY :	C.M.M.
APPROVED BY :	A.R.W.
DATE :	3-3-23

Sturgeon Bay Office
312 N. 5th Avenue
Phone: 920-743-8211
Website: www.stanlec.com



Stantec





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

Grade Sheet for Regular Zoning Permit Application

Complete and submit this form for **NEW PRINCIPAL STRUCTURES ONLY**.

This form is needed for: building(s) or other structure(s) which house(s) a primary use on a property, such as a new home or other new building containing any sort of dwelling unit, a commercial building, or an agricultural building, if the property contains an agricultural use.

This form is not needed for: additions to principal structures or for new accessory structures such as decks, garages, and sheds.

Owner of property: LEE + KRISTY HILDEBRAND LAKEVIEW LODGE LLC

Tax parcel number: 018 0101312821A1

1. Benchmark.

a. Describe benchmark and location.

NAIL IN TREE NEAR PROPOSED BUILDING

b. Elevation of benchmark: 100.0'

2. Preconstruction Grade.

Elevation of highest natural grade around footprint of new structure: 98.0'

3. Plans.

a. Show benchmark location and elevation on site plan.

b. On side elevation view of building, show preconstruction grade elevation (#2 above) and highest and lowest finished grade elevations.



County of Door
PLANNING DEPARTMENT

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Phone: (920) 746-2323
FAX: (920) 746-2387
Website: map.co.door.wi.us/planning

WETLAND NOTICE & ACKNOWLEDGMENT

According to 2009 Wisconsin Act 373, no permit may be issued until the property owner signs the statement below acknowledging that s/he received the following notice:

YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE at <http://dnr.wi.gov/wetlands/localing.html> OR CONTACT THE DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER

By signing this, I acknowledge I have received this notice.

LEE + KILSTEN HILDEBRAND

PROPERTY OWNER NAME: LAKEVIEW LODGE LLC

SIGNATURE: [Signature] DATE: 2/2/23

PARCEL NUMBER: 0180101312821A1

FIRE NUMBER & STREET ADDRESS OF PROJECT: 3 SAND BAY LN.

Sturgeon Bay, WI.

54234



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: map.co.door.wi.us/planning

PROJECT SCOPE DECLARATION
(2017 Wisconsin Act 98; Effective November 28, 2017)

Please provide a description of your project.

NEW HOME
FOR CURATOR LARSEN
PERMITS FOR PLANNING

§ 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 _____ on the _____ day of _____, 20____. 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.

Property Owner(s) Name(s):

LARSEN VIEW DOORS LLC LEE + KISTEN
HILDS BAY

Signature: [Signature]

Date: 2/2/23

Signature: [Signature]

Date: 2/2/23

Parcel Number (of Project): 0180101312821A1

Fire Number & Street Address (of Project): S. SAND BAY LN.

STURGEON BAY, WI. 54234



County of Door
DOOR COUNTY LAND USE SERVICES
County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

IMPERVIOUS SURFACE RATIO WORKSHEET

IMPERVIOUS SURFACE (IS): An area that releases as runoff all or a majority of the precipitation that falls on it which includes rooftops, sidewalks, driveways, parking lots, decks/patios, concrete asphalt, gravel, retaining walls pavers and private roads. *Public roads and public sidewalks within public rights-of-way are not considered impervious surfaces for calculation purposes.*

COMPREHENSIVE IMPERVIOUS SURFACE RATIO (ISR): A measure of the intensity of use of a parcel of land determined by dividing the total area of all impervious surfaces within the site by the total area of the site.
Example: 10,000 sq. ft. (IS area) / 40,000 Sq. ft. (lot area) = 0.25 or 25%

SHORELAND IMPERVIOUS SURFACE RATIO (ISR): For waterfront (riparian) lots and non-waterfront (non-riparian) lots that are located fully within 300' of the ordinary high water mark (OHWM), ISR shall be calculated by dividing the total area of all impervious surfaces located within 300' of the OHWM within the site by the total area of the site.
Example: 4,000 sq. ft. (IS area w/in 300' of OHWM) ÷ 40,000 Sq. ft. (lot area) = 0.10 or 10%

LOT AREA: The area of a horizontal plane bounded by the front, side, and rear lot lines of a lot, but not including the area of any land below the ordinary high water mark of navigable waters.

**Complete the calculations below and make sure the site plan accurately reflects the impervious surfaces.*

DIRECTIONS:

If your lot is not located within 300' of navigable water, only complete the columns below pertaining to the entire lot (2 & 4).

If your lot is located fully within 300' of navigable water, only complete the columns within 300' of the OHWM (1 & 3).

If your lot fronts navigable water and extends inland more than 300' from that water, complete all 4 columns.

TOTAL LOT AREA = 104,000 SQUARE FEET (2.38 Acres)

	EXISTING CONDITIONS (SQ. FT.)		FINAL/AS BUILT CONDITIONS (SQ. FT.)	
	COLUMN 1 IMPERVIOUS SURFACE WITHIN 300' OHWM	COLUMN 2 IMPERVIOUS SURFACE WITHIN ENTIRE LOT	COLUMN 3 IMPERVIOUS SURFACE WITHIN 300' OHWM	COLUMN 4 IMPERVIOUS SURFACE WITHIN ENTIRE LOT
MAIN BUILDING =	0		2639	2639
DRIVEWAY =		0	1340	1340
PARKING =			1424	1424
DECKS/PATIOS =			589	589
WALKWAYS =			92	92
GARAGE =			1424	1424
SHED =				
OTHERS (S) =				
OTHERS (S) =				
OTHERS (S) =				
TOTAL IS =				4660

TOTAL IS (WITHIN 300')		÷ lot area =	× 100 =	%
TOTAL IS (ENTIRE LOT)		÷ lot area =	× 100 =	%

I, (Signature) Doug Parkesh certify that the calculations submitted above for the Impervious Surface Ratio are accurate and complete to the best of my knowledge. Date: 2-3-23.

Subject: Water Crossing Permit Coverage_ GP-NE-2023-15-00791



Soderling, Michelle R - DNR <michelle.soderling@wisconsin.gov>

Mon, Apr 3, 11:35 AM (9 days

to kristenhildebrand@gmail.com, tlibertygrove@gmail.com, USACE_Requests_WI@usace.army.mil, Borkovetz, Rene

You are viewing an attached message. Gmail can't verify the authenticity of attached messages.

Dear Mr. Hildebrand,

Please see the attached permit coverage for your clear span bridge over a navigable stream in the NE 1/4, NW 1/4, Sec. 01, T. 31, R. 28E, Town of Liberty Grove, Door County. If you have any questions about the conditions feel welcome to reach out.

Please also note that it is your responsibility to obtain all necessary local, state, and federal permits before beginning work at the site.

Thank you,
Michelle Soderling

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Michelle Soderling

Pronouns: she/her/hers

Water Management Specialist - Habitat and Outdoor Recreation Team

Wisconsin Department of Natural Resources

1027 W. St. Paul Ave.

Milwaukee, WI 53233

Phone: (414) 430 - 7129

Michelle.Soderling@wisconsin.gov



dnr.wi.gov



Caution: This email originated from outside of Stantec. Please take extra precaution.

Attention: Ce courriel provient de l'extérieur de Stantec. Veuillez prendre des précautions supplémentaires.

Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1027 W St. Paul Ave.
Milwaukee, WI, 53233

Tony Evers, Governor
Adam N. Payne, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



April 3rd, 2023

Lee Hildebrand
10123 N. Lake Shore Dr
Mequon, WI 53092

GP-NE-2023-15-00791

Dear Mr. Hildebrand:

Thank you for submitting an application for a General Permit to place a clear span bridge over a navigable stream and wetland located in the NE 1/4, NW 1/4, Sec. 01, T. 31, R. 28E, Town of Liberty Grove, Door County.

You have certified that your project meets the eligibility criteria for this activity. Based upon your signed certification you may proceed with your project. Please take this time to re-read the permit standards and conditions. You are responsible for meeting all general permit eligibility standards and permit conditions. This includes notifying the Department before starting the project, and submitting photographs within one week of project completion. We have not reviewed your plans for compliance with installation and construction standards. You are responsible for ensuring that the project meets all eligibility standards described on the attached checklist. Please note that your project must be complete within 3 years of the date of this letter.

The Department conducts routine and annual compliance monitoring inspections. Our staff may follow up and inspect your project to verify compliance with state statutes and codes. If you need to modify your project please contact your local Water Management Specialist, Michelle Soderling at (414) 430-7129 or email michelle.soderling@wisconsin.gov to discuss your proposed modifications. If you fail to comply with state statutes and code, the Department has the authority to pursue enforcement which could include site restoration and fines.

The Department of Natural Resources appreciates your willingness to comply with waterway regulations, which help to protect the water quality, fish and wildlife habitat, natural scenic beauty and recreational value of Wisconsin's water resources for future generations. You are responsible for obtaining any other local, state or federal permits that are required before starting your project.

Sincerely,

Michelle Soderling
Water Management Specialist

Copy to: USACE Project Manager
Town of Liberty Grove Zoning
Renee Borkovetz, Stantec

Application of Lee Hildebrand to install a clear span bridge over a navigable stream and wetland located in the NE 1/4, NW 1/4, Sec. 01, T. 31, R. 28E, Town of Liberty Grove, Door County, is subject to the following conditions:

ELIGIBILITY CRITERIA

1. Accumulated brush, debris or other obstructions that are trapped in or underneath the structure will be regularly removed to prevent upstream flooding and to maintain structural integrity.
2. Erosion control measures shall meet or exceed the technical standards for erosion control approved by the department under subch. V of ch. NR 151. Any area where topsoil is exposed during placement, repair or removal of a structure shall be immediately seeded and mulched to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway. These standards can be found at: <http://dnr.wi.gov/topic/stormwater/standards/>.
3. The plans ensure that any area where topsoil is exposed during the placement, repair or removal of the structure will be immediately seeded and mulched to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway.
4. Unless part of a permanent storm water management system, all temporary erosion and sediment control practices will be removed upon final site stabilization. All areas disturbed during removal of temporary erosion and sediment control practices will be restored.
5. All grading, excavation and land-disturbance activities in the plans and specs documents will be confined to the minimum area necessary for the placement, repair or removal of the structure and will not exceed 10,000 square feet. Note: If the project includes any grading, excavation or land-disturbance activity in excess of 10,000 square feet you may also need to receive approval under a Grading General or Individual permit in addition to this permit.
6. The project plans minimize adverse impacts on fish movement, fish spawning, egg incubation periods and high stream flows, the project may not occur during the following time periods:
 - a. September 15 through May 15 for trout streams and navigable tributaries to trout streams.
 - b. March 15 through May 15 for ALL waters located south of state highway 29.
 - c. April 1 through June 1 for ALL waters located north of state highway 29.

Note: Per ch. NR 1.02(7), the department identifies and classifies trout streams to ensure adequate protection and proper management of this unique resource. To determine if a waterway is a trout stream, you may use the Designated Waters Theme on DNR's Surface Water Data Viewer: <http://dnr.wi.gov/topic/surfacewater/swdvw/>

Note: The applicant may request that these time period restrictions be waived by the department on a case-by-case basis, by submitting a written statement signed by the local department fisheries biologist, documenting consultation about the proposed dredging project, and that the local department fisheries biologist has determined that the requirements of this paragraph are not necessary to protect fish spawning for the proposed project.

7. 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.
8. 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.
 - a. Inspect and remove aquatic plants, animals, and mud from your equipment.
 - b. 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.

- c. Dispose of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another.
 - d. Wash your equipment with hot (>104° F) or high-pressure water, steam clean or allow your equipment to dry thoroughly for 5 days.
9. Follow the most recent department approved washing and disinfection protocols and department approved best management practices to avoid the spread of invasive species as outlined in NR 40, Wis. Adm. Code. These protocols and practices can be found on the Department website at <http://dnr.wi.gov/topic/Invasives/bmp.html> Keyword: “equipment operator” and at <http://dnr.wi.gov/topic/Invasives/documents/EquipOper.pdf>
10. All equipment used for the project shall be designed and properly sized to minimize the amount of sediment that can escape into the water.
11. Submit a series of photographs to the department within one week of placing the structure on this site and within one week of stabilizing disturbed areas on the site after removal of the structure. The photographs shall be taken from different vantage points and depict all work authorized by the permit.

SELF CERTIFICATION CONDITIONS

1. You must notify Michelle Soderling at phone (414) 430-7129 or email michelle.soderling@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 4/3/2026. If you will not complete the project by this date, there is no opportunity for an extension and you must apply for a new permit.
3. Your signed certification does not authorize any work other than what you specifically describe in your application and plans, and as modified by the conditions of your signed certification. If you wish to alter the project, 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 your signed certification for good cause, including if the project is not completed according to the terms of the eligibility standards and conditions for the activity or if the Department determines the activity is detrimental to the public interest.
7. You must post a copy of your signed certification 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 your signed certification and plan available at the project site at all times until the project is complete.
8. Your acceptance of this letter and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of your signed certification.
9. You shall maintain the project in good condition and in compliance with the terms and conditions of your signed certification, NR 320, Wis. Admin. Code and s. 30.206, Stats.
10. This project shall comply with all conditions identified in Wisconsin Administrative Code NR 320, and identified in the Instructions for the General Permit application.

11. 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.
12. 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.
13. 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. Admin. Code. The technical standards are found at: http://dnr.wi.gov/topic/stormwater/standards/const_standards.html.
14. All equipment used for the project, including but not limited to tracked vehicles, barges, boats, silt or turbidity curtain, 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, silt or turbidity curtain, 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 (>104° F) and/or high-pressure water,
-OR-
Allow your equipment to dry thoroughly for 5 days.

FINDINGS OF FACT

1. The Department has determined that your signed certification of the project site and project plans meet the standards in s. 30.206, Stats. and ch. NR 320, Wis. Adm. Code., to qualify for this General Permit.
2. The proposed project will not injure public rights or interests, cause environmental pollution as defined in s. 299.01(4), Wis. Stats., or result in material injury to the rights of any riparian owner, if constructed in accordance with your signed certification.
3. The Department and the applicant have completed all procedural requirements, and the project as described in your signed certification will comply with all applicable requirements of Section 30.206, Wis. Stats., and Chapters NR 102, 103, 150, 299, 310 and 320 if carried out as proposed.

CONCLUSIONS OF LAW

1. The Department has authority under ch. 30, Wis. Stats., and ch. NR 320, Wis. Adm. Code, to grant approval for the construction and maintenance of this project.
2. The Department has complied with s. 1.11, Wis. Stats.

kōv
SAUNA

+

**Door County
Sauna Summer**

Köv Sauna: Woodfired Sauna Experience

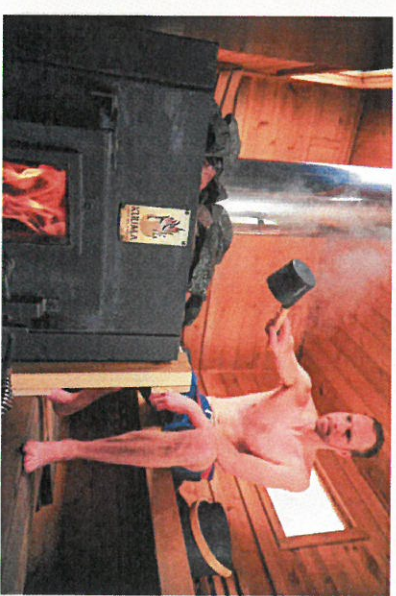
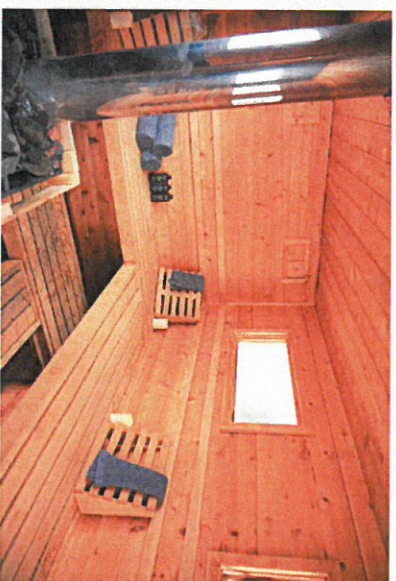


Summer Residency at Town of Liberty Grove Parks

WHAT:

- Kōv Sauna: Woodfired Sauna Experience Summer Residency at Town of Liberty Grove Parks
- Kōv Sauna is an Appleton-based mobile sauna business
- The sauna is a traditional Finnish-style sauna built inside a trailer
- The sauna is heated by a wood-fired stove and can accommodate up to 8 people
- Guests can book public, private, or guided sauna sessions

Sauna Details:



Trailer Dimensions:

- 6.5' x 11.5' interior hot room dimensions
- 7x12' exterior dimensions
- Trailer including wheel wells and hitch has overall dimension of 16'x9'
 - The trailer is the size of a standard off street parking space

Details:

- **Water needs:** Our needs are minimal; we can bring in water that is needed for cleaning purposes and for use to create steam during sauna sessions
- **Ash creation/disposal:** The sauna stove is extremely efficient and burns very clean. After burning for a few days, the stove only creates a full ash pan. We can take the ash with us for disposal off site. We would follow your preferred method of disposal
- **Parking setup:** The trailer is the size of a standard parking stall. We can park in the parking lot or we can park the trailer on any flat/level ground so it doesn't take up parking space for others

Examples of similar sauna residences:

- **The Sauna Club** in Evanston, IL <https://mysaunclub.com>
- **MI Sauna** in Traverse City, MI <https://www.michigansaunas.com>
- **612 Sauna Society** in Minneapolis, MN <https://612saunasociety.com>

WHY:

Door County and Sauna are a **PERFECT** match:

- Nordic origins of sauna and many of Door County's earliest settlers
- A nice amenity and new experience for residents and visitors to Door County this summer
- Great way for Town of Liberty Grove Park & Rec to introduce the public to its park and recreation offerings via sauna
- Lake Michigan / Green Bay would be incredible bodies of water to jump in between sauna rounds
- Many health benefits + helps the body recover after increased outdoor summer activities
- Sauna makes you feel good!

WHO:

- Kōv Sauna is owned and operated by Nathan and Bekka Litt of Appleton, WI
 - Litt Sauna Company, LLC d/b/a Kōv Sauna
 - Nathan & Bekka both have backgrounds in Marketing/Business Operations
- Sauna is a big passion in the Litt family. After having our son, Nels, we decided to turn our passion into a business to offer more flexibility for spending time as a family (and our puppy, Clover!)
- Open for business in Appleton since January 7, 2023
 - Operating via Temporary Use Permit from City of Appleton
- Kōv's mission is to build community through sauna
- Since January 2023, Kōv has hosted **115** sauna sessions and more than **350** sauna guests with many repeat guests!
- **Special offers for residents of Town of Liberty Grove municipality**

What they're saying about Kōv...

"From the moment we stepped onto the sauna deck, we felt welcomed and informed. The detox my body felt was addicting and we cannot wait to book our next service." - Victoria G

"What an amazing experience! So relaxing and fun. I can't wait to do it again!" - Marissa Joyce

"This was my second time at Kōv and like the first, I had a wonderful experience. Highly recommend!" - Alondra S.

"We enjoyed the community sauna with essential oils in our steam and a good sweat! Very enjoyable and relaxing!" - Pam G

"We had a wonderful guided sauna experience! The host is a genuinely great guy who shared much knowledge about sauna culture around the world. The essential oils are fantastic. All around great experience that we highly recommend!" - Craig M

"It was awesome! HIGHLY recommend!" - Scott H

"I loved it! I was somewhat hesitant, but didn't take long to relax and enjoy the experience. Wonderful experience. Can't wait to go back." - Brenda L

"Kōv sauna has a comfortable community driven feeling, like you are hanging out in your best friends backyard who happens to have a really nice sauna." - Bethany C.



Köv Sauna in the News...

Post Crescent. 

[Subscribe](#) [Sign In](#)

Today's Headlines

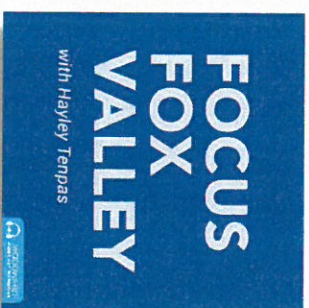
■ FOR SUBSCRIBERS

The Buzz: A new sauna business opens in Appleton

Buzz 11:53 a.m. CT Feb. 3



Looking for something different to do in Appleton this winter? A new sauna business has set up shop.

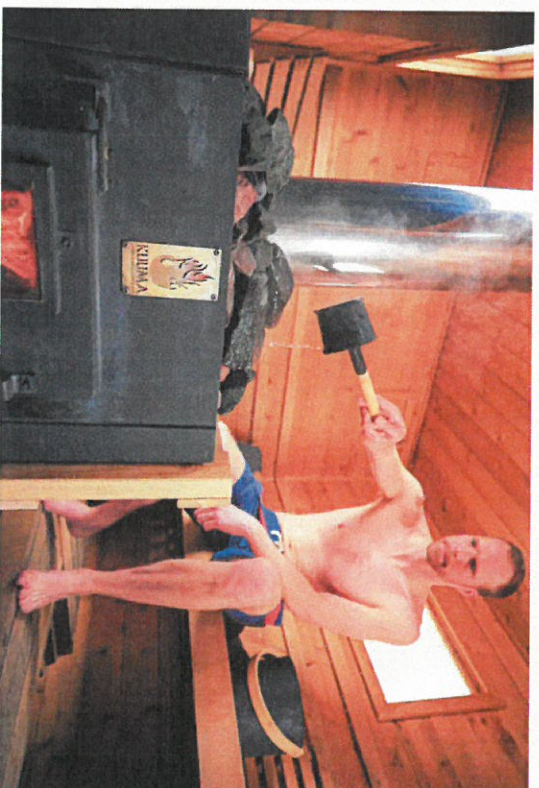


WHERE:

1. **Ellison Bay Park** on the Green Bay side, as you come down the hill into Ellison Bay
 - Location to water, bathroom on site and pavillion for guests
2. **Sand Bay Town Park** on the Lake Michigan side
3. **Holtz Park** on Europe Bay, part of of Lake Michigan at the top of the peninsula

WHEN:

Plan would be to offer a variety of set sauna sessions Monday – Sunday. We would adjust session times based on park hours and popularity and demand from the community.



HOW:

- Guests schedule and pay for sauna sessions online via www.kovsauna.co
 - Automated process: payment, liability waivers, reminders/info
- Guest can chose to book Public or Private Sessions
- Guests show up to sauna location and enjoy a sauna session which consists of 3-4 rounds. Each round last between 12-15 minutes. In between rounds guests exit the sauna to cool off outside and relax until they're ready to jump back in for the next round. The perfect sauna equation is a thermal cycle consisting of hot, cold, relax, (re)hydrate, and repeat
- Being at any of the Town of Liberty Grove park locations provides the added bonus of being able to jump into the water in between rounds and afterwards as part of the cool down period for an even more memorable sauna experience!

Thank you!

We are excited about this opportunity to bring sauna culture to Door County this summer!

Sauna + Door County = The Perfect Summer

- Nordic origins in DOCO
- Refreshing shock to the system to jump into the Bay/Lake MI in between sauna rounds
- Great way to introduce sauna culture to residents/visitors

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SAUNA

Q & A

Our questions:

What would the costs be?

Can you confirm park hours of operation?

Are dogs allowed in parks?

What type of license or permit would be required?

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