

## LLLPRD WINTER 2000

*LOWER LONG LAKE PROTECTION & REHABILITATION DISTRICT OFFICERS:  
Chairman Tom Doyle 835-7030/967-2197 Secretary/Treasurer Jan Frase 967-2339  
Commissioner Wayne Sauls 967-2152*

### **Potential Lower Long Lake Reclassification and Zoning**

Historically, lakes and streams have been managed with a one-size-fits-all approach. As a part of the current Land Use Planning effort, Chippewa County is now re-examining this approach. Because all lakes and streams vary in their types and qualities, a new management scheme has become necessary.

In May, 1999, a citizen advisory group was convened to make recommendations to the County Land Conservation Committee and Zoning Committee regarding classification and management of Chippewa County's lakes and streams. The advisory group's members represented economic, environmental and property owner interests related to waters in the county. Specifically, the group was composed of representatives from:

- Chippewa Valley Realtors Association
- Chippewa Valley Home Builders Association
- Lake Associations from Wissota, Holcombe, Long and Round Lakes
- Wisconsin Towns Association (Sampson, Birch Creek and Bloomer)
- Chippewa Valley Outdoor Resource Alliance
- Ice Age Park and Trail Foundation
- Chippewa Valley Sierra Club

The 17 meetings of the advisory group included extensive consideration of scientific research, related personal experiences and expert testimony, followed by significant debate and compromise. The resulting recommendations include a waters classification system and set of management standards that the advisory group members unanimously supported. Both the majority and minority positions have compromised to support this "package" of recommendations that apply to shorelands, lands within 1000 ft. of a lake, pond or flowage and within 300 ft. or the floodplain of a river or stream.

The committee's classification system consists of four classes based on waters' sensitivity to pollutants and existing level of development. Lakes and streams were assigned to the appropriate class based on the best available information as follows:

- Natural Waters: Sensitive and undeveloped. Objective is to preserve in a natural state.
- Class 1 Waters: Sensitive and undeveloped. Objective is high preservation.
- Class 2 Waters: Sensitive and some development. Objective is to protect with some restoration (Lower Long Lake).
- Class 3 Waters: Less sensitive and highly developed. Objective is restoration.

The final Draft Report of the advisory group is being presented to the County Zoning Committee this February as a recommended classification system and package of standards that be implemented as a revised shoreline ordinance. It will then be written in ordinance form for one or more public hearings in March. In April, it will be considered for ordinance by the County Board. It may be revised at that time or accepted as -is for county ordinance. The Draft Report is available in its entirety for \$5.00 from the Chippewa County Land Conservation Department, 711 N. Bridge Street, Chippewa Falls, WI 54729.

Because the report is lengthy and complex, this newsletter has been assembled to inform property owners of Lower Long Lake's status as a Class Two lake and the implications of that status in an abbreviated form. Any questions or comments should be directed to the LLLPRD representatives on the advisory committee: Jan Frase, Committee Chair; Tom Doyle and John Killey.

In the near future, opinions may be solicited as votes are made which could eventually convert this recommendation into an ordinance. Please take the time to read and become involved with this important issue.

## WHAT IS A CLASS TWO LAKE?

Two categories determine a lake's classification, it's sensitivity to development and it's level of development. The sensitivity is based on the surface area of the lake, shoreland irregularity, phosphorus sensitivity or flushing index (the number of times per year that a lake's total water volume is replaced) and it's stratification factor. Deep lakes are more affected by stratification than shallow lakes because wind and wave action continually mix the later in shallower lakes. Oxygen levels decrease in lower levels when stratification occurs.

Long Lake is classified as having medium development and high sensitivity, thus is a class two lake. The surface area of Long lake is 1052 acres which is a low sensitivity rank. Lakes

with more than 250 acres are ranked as low sensitivity. The shoreline irregularity, the ratio of the length of actual shoreline of the lake to the shoreline length of a perfectly circular lake of the same area, is 2.57 on Long Lake which gives it a high sensitivity rank. Any ratio over 2 earns a high sensitivity mark. The flushing index of Long Lake is six to seven years, a high rank. Any flushing index over one year achieves a high mark. Long Lake's Stratification factor had a value of 34.9, also a high rank since the baseline in this category is 30.

After evaluation of these factors, Lower Long Lake falls into the Class Two category. It is a sensitive lake with some development that has prompted management objectives of protection with some restoration.

## Chippewa County Lakes and Streams Management

The Chippewa County Lakes and Streams Citizen Advisory Group addressed a number of management issues common to the four categories of waters. They fall into the following groups of issues:

- ◇ Density and Pattern of Development.
- ◇ Redevelopment and Nonconformities.
- ◇ Shoreline Buffers and Sensitive Areas.
- ◇ Runoff and Nonpoint Source Pollution.

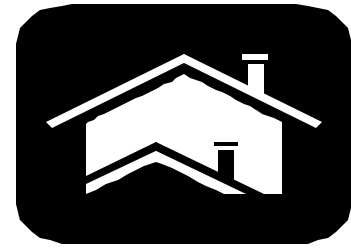
Each of the first three groups is extensively summarized in this newsletter, but because the last group is concerned with agricultural and forestry practices, it will only be touched on briefly. Further information can be obtained in the official report from the Chippewa County Land Conservation Department.

## Density and Pattern of Development

In the area of Density and Pattern of Development, the committee set standards defining minimum lot size and providing density bonuses for cluster developments. The recommendation set forth in this area for a Class Two water such as Lower Long Lake is as follows:

- 1 Lot size standards for new waterfront development (no structure on lot):
  - A. 300 ft. of shoreline and three acres with a setback requirement of 125 ft.
- 2 B. Cluster development of 35 acre (or greater) parcels is allowed. A density bonus of 75% is given for a cluster plan that leaves 40% open space (natural or undeveloped) at the shoreline. Cluster plans also limit berth/
  - 3 mooring numbers to 1 per 50 ft. of shoreline and require increased side yards (3x) for adjacent single family residential structures. Plat approval with notice to property owners within 300 ft. is also required. In other words, a 35-acre parcel with 3500 ft. of shoreline would have 11 developable lots. The 75% density bonus would allow an additional eight structures built if the first cluster plan is followed.
  - 4 Backlot development (no water frontage):
    - A. Three acres/300 ft. or cluster option as above.
  - 5 Backlots - multi-unit attached and detached:
    - A. First unit requires 100% minimum lot size and width, 25% of minimum lot area and width for each additional attached unit and 50% of minimum lot area and width for each additional detached unit.
  - 6 Waterfront multi-unit attached and detached:
    - A. None allowed on Class Two waters. Current multi-units grandfathered in.
  - 7 Keyhole development (back lot with water access):
    - 8 A. None allowed on Class Two waters. Current keyhole developments grandfathered in.

# Redevelopment and Nonconformities



In the area of Redevelopment and Nonconformities, the committee's standards defined guidelines for expansion of noncompliant buildings and established where substandard lots may be developed with and without variances. The recommendation for Class Two water is as follows:

- 1 Lots with current structures (these standards are recommended to replace the current zoning ordinance that allows 50% improvement to a nonconforming structure over its lifetime).
  - A. Structures set back less than 50 ft. from the Ordinary High Water Mark (OHWM) are confined in improvement to existing building footprint (no new basement or additional story). No limits on exterior or interior improvements.
  - B. Structures set back more than 50 ft. from the OHWM can not have a total impervious surface area that exceed 20% of the area between the OHWM and 200 ft. landward of the required set back. Expansion may only be on the landward side unless it is located behind the required set back, in which case it can go up, down or laterally. For example, on a lot with a 100 ft. shoreline and 200 ft. depth, 20% or 4000 sq. ft. of impervious surface area would be allowed.
- 2 Nonconforming lots having no structures:
  - A. Delete the current set back averaging language in current ordinance.
  - B. Roadway set back may be reduced until a 30 ft. deep building site is established, provided the resulting road set back is not less than 1/2 the required road set back. If this

does not provide a 30 ft. deep building site, the shoreline set back may then be reduced until a 30 ft. building site is established provided that the resulting set back is no less than 2/3 of the required shoreline set back. Mitigation is required.\* For example, 2/3 of the required set back on Class Two waters would be 82.5 ft.

- C. Require recombination of adjacent nonconforming lots in common ownership to meet new ordinance standards (e.g. two abutting nonconforming lots with the same owner would be treated as one). 300 ft. is the recommended new standard for Class Two waters.
- D. Allow a nonconforming lot to be developed without a variance provided it includes 75% of the required area and width with mitigation requirements\* including the "four points\*\*." All other lots would require a variance.

\*Mitigation Package applies to:

- Expansion or improvement of nonconforming structures.
- Formula for roadway and shoreline set back reduction.
- Nonconforming lots having 75% or more than the required lot area.

Mitigation requirements will be recorded with the register of deeds prior to issuance of building permits in order to monitor and check resale of property. Mandatory practices will include evaluation and upgrade of septic systems based on current state plumbing code and implementation of standard erosion and stormwater control measures.

\*\*A nonconforming lot that is

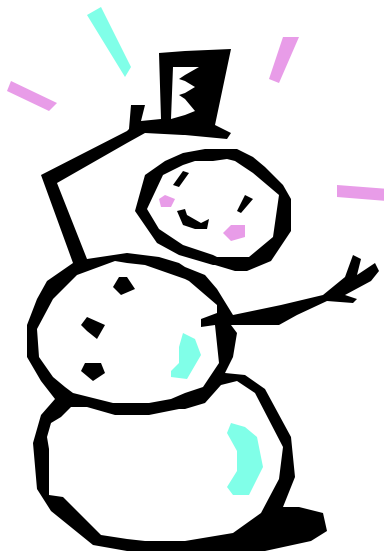
developed without a variance will have to abide by four of the following proposed or current practices so as to add up to "four points:"

- 1 Restore buffer area within 25 ft. of OHWM or shoreline 50% of distance between principle structure and OHWM, whichever is less, consistent with buffer area vegetation requirements. (1 point)
- 2 Restore buffer area within 50 ft. of OHWM. (2 points)
- 3 Restore buffer area within 75 ft. of OHWM. (3 points)
- 4 Restore native vegetation in both sideyards. (1 point)
- 5 Remove nonconforming accessory buildings from shore set back area. (1 point per building)
- 6 Conform to exterior lighting provisions. (1/2 point)
- 7 Use exterior building materials that blend with natural vegetation so that the structure is visually inconspicuous with vegetation at the site during leaf-on conditions. (1/2 point)
- 8 Other packages and points as agreed upon by Zoning Department such as seawall removal, limited dockage and mooring, stormwater detention, in-water improvement projects, etc. (points to be determined)

# Lake News

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28286 149th St.  
New Auburn, WI 54757



# Shoreline Buffers and Other Sensitive Areas



In the area of Shoreline Buffers and Other Sensitive Areas, the committee's standards defined size of protective buffers and activities allowed in them. They identified set back distances from shorelines, wetlands, steep slopes and drainageways and provided guidelines for lightings and signs. The recommendation for Class Two water is as follows:

- 1 For undeveloped lots (no current structure):
  - A. Buffer width of 25 ft. less structure set back line (Class Two is 125 ft.).
  - B. Permitted activities within a buffer zone are:
    1. Petestrian access which may include elevated walkways where essential because of site conditions.
    2. View corridor that is no more than 30 ft. wide and selectively pruned.
    3. Shoreline/upland erosion control approved by LCD or DNR.
    4. Buffer/habitat restoration such as erosion control approved by LCD and shoreline protection approved by DNR.
    5. Public water access.
    6. Public roads that cross a waterway and private roads essential to access property and utility crossings.
    7. Noxious and exotic species control.
    8. Removal of dead and diseased trees that constitute a safety hazard or hazard to a building
- 2 Boathouses:
  - A. New boathouses prohibited on all waters.
  - B. Existing boathouses are limited to ordinary maintenance and repair not to exceed 25% cap on replacement of structural members including studs, roof trusses, floor and roof plates, floor and ceiling joists over the life of the structure. Siding, windows and shingles are excluded from cap, and there is no cap on regular maintenance costs. No improvements or expansion to original design are allowed.
- 3 Wetlands:
  - A. 25 ft. structure setback from wetland (this does not include all in this category).
- 4 Bluff setbacks:
  - A. Require setback of 25 ft. from crest of bluff or required class setback, whichever is greater. Bluff crest is defined as the point at which the slope becomes less than 12%.
- 5 Signage:
  - A. Commercial signs (public safety signs excepted) which are visable from public waters may only be located on the premises which they serve. Temporary real estate signs may be placed on properties offered for sale.
- 6 Shoreland lighting:
  - A. Flashing or rotating exterior lighting is prohibited.
  - B. Exterior lighting of greater than 100 watts incandescent or equivalent shall be fitted with an opaque shield which prevents direct visibility of the lamp from public waters and from outside of the premises on which the lighting is located.
  - C. Lighting for safety purposes on licensed dams and public roadways is exempted from provisions A and B. Marinas may provide shielded and down focused lighting of docks in their immediate vicinity.
  - D. Lighting otherwise prohibited may be authorized as a conditional use if there are special circumstances relating to essential safety or security concerns and the public interest in the provisions of this section can be adequately protected.

# Runoff Controls and Stormwater Practices

Briefly, in the area of Runoff Controls and Stormwater Practices, the committee's specific management standards set maximum thresholds of impervious surfaces and defined practices to limit runoff. They adopted state forestry best management practices and state manure management prohibitions. The effects that this area will have on lake property owners is that an impervious surface threshold of 8000sq.ft. is allowed on undeveloped lots. Also, lots of 30,000 sq. ft. or less with current structures on them must show minor stormwater site design standards in order to be issued a building permit, must have downspouts from roofs and other impervious areas to pervious areas and driveways must slope to adjacent vegetated areas as much as possible.

# THE FATE OF CAMP CHIPPEWA

The Scout Executive Council still plans to sell Camp Chippewa Bay after the 2000 camping season, and there remains great concern over what the property's fate will be.

In November, 1999, there was a meeting between the DNR, the LLLPRD District Foundation and Board, and a state park planner/landscape architect. The DNR, State Park Department and Chippewa County are interested in purchasing the camp for a joint state/county park. The LLLPRD chose not to endorse that proposal until more information was gathered.

Since that meeting, the state has moved forward with its own appraisal of the property. They have submitted a proposal to the Girl Scout Council.

At a February meeting of the Town of Sampson Board, the Chippewa Valley

Outdoor Resource Alliance (CVORA) presented town members with the possibility of a public park at Camp Chippewa Bay. The CVORA is willing to apply for grant monies, stewardship funds, etc. for a public park that would probably involve both county and state funds with county administration of the park. Town residents on the tax roll will be polled about this possibility in a "Public vs. Private" format.

The Long Range and Property Committees of LLLPRD offer their mission statement as a guide in decision making: "We will support and encourage the purchase by any group or individual who would maintain this property and its shoreland in a natural state. Our desire is to preserve and protect the integrity of



the natural environmental system of the lake and land surrounding the lake. In the event the property will not be left in an undeveloped state, we will support the group or individual who would best preserve and protect the integrity of the natural environmental system of the lake and the land surrounding the lake."

There is no guarantee of what will happen to Camp Chippewa Bay no matter who purchases it. It is important, however, that all lake property owners voice their individual opinions so that as a group, we can move toward the ultimate goal that is desired by the majority.

The LLLPRD will evaluate the results of the Sampson Township survey.



## MARK YOUR CALENDARS!!!

The dates for the Annual Picnic and the LLLPRD Annual Meeting have been set. The picnic will be held at Morris-Erickson Park (Hwy. 40) on Saturday, June 10, at 11:30 a.m. As in years past, hamburgers and their condiments will be provided. Please bring a dish to pass and lawn chairs. Call Lesley Sauls (715-967-2152) to participate in the planning of this third annual picnic.

## Annual Picnic and Meeting

The LLLPRD Annual Meeting will be held on Saturday, July 29 at 9:00 a.m. at Sampson Town Hall. Many vital issues will be discussed, and a guest speaker will present important information to the lake property owners.

Please plan to attend both functions. The lake picnic has been a fun afternoon in the past, and the meeting is important to the future of Lower Long Lake.

## LLLPRD Committee Chairs

If there are issues in this newsletter about which you feel strongly, please contact the appropriate Commissioner or Committee Chair. Their names and phone numbers are as follows:

### LLLPRD Commissioners

Tom Doyle, Chairman 967-2197/835-7030  
Jan Frase, Sec./Treas. 967-2339  
Wayne Sauls 967-2152

### Lake Property

Kurt Lothe 967-2703/834-0290

### Lower Long Lake Foundation

Jake Farrell 967-2787

### Long Range Planning

Jim Schroeder 967-2306

### Publicity

Lesley Sauls 967-2152

### Fish and Water Quality Co-Chairs

Lou Frase 967-2339

John Killey 834-2282

Kelly Svoma 832-6963