

# LOWER WISCONSIN STATE RIVERWAY BOARD

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## MINUTES OF THE APRIL 12, 2007, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, April 12, 2007, at the public library in Sauk City to conduct a regular monthly business meeting. The meeting was called to order at 5:00 p.m. by Vice-Chair Melody Moore. All members were present with the exceptions of Greg Greenheck and Bill Lundberg. Acknowledgment that the meeting was properly noticed was provided by Mark E. Cupp, Executive Director. A motion to approve the agenda was made by Fred Madison, seconded by Don Greenwood. **MOTION CARRIED.** A motion to approve the minutes of the March 8, 2007, meeting was made by Ron Leys, seconded by Nick Nice. **MOTION CARRIED.**

The Executive Committee report was presented by Vice-Chair Moore. An update on the revised administrative rule regarding noise regulation of watercraft was discussed. Greenwood reported that the Assembly Natural Resources Committee had referred the rule back to the Department of Natural Resources (DNR) for further revision. The committee had suggested an exemption for trappers be included. Leys and Nice expressed concern that a trapper exemption would lead to other interest groups requesting exemptions. Greenwood noted the trapper exemption would apply only to trapping season.

Cupp then reported on a meeting to be held on April 23<sup>rd</sup> regarding the proposed establishment of a museum and visitor center at Muscodia. He said the proposal was an outgrowth of the comments provided by the LWSRB during the 20-year planning process for Effigy Mounds National Monument. He said invitations have been sent to a number of federal, state, tribal and local elected officials and agency representatives. Cupp asked for a show of hands to determine the number of board members who wished to attend. Moore, Nice, Brown, Leys and Greenwood indicated they would attend. Cupp said he would then distribute a public meeting notice since a quorum of board members would be present.

The Operations Committee report was presented by Chairman Dorscheid. The permit request of Roger Zweifel for a timber stand improvement project in the Town of Wyoming, Iowa County, was discussed. Dorscheid said a field inspection was conducted by Cupp in conjunction with a 2005 permit for a timber harvest at the property. The site encompasses the River Edge Zone and Resource Management Zone. Plans call for girdling and removal of small trees as part of a timber stand improvement (TSI) project. Brad Hutnik, DNR Riverway Forester, and DNR Foresters Tom Hill and Jason Sable marked the TSI project. Hutnik reported that the work will occur in the Resource Management Zone. No structure will become visible from the river as a result of the activity. Dorscheid made a motion, seconded by Madison, to approve issuance of a two-year permit with the following conditions:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

### **MOTION CARRIED.**

The permit request of Allan and Lois Fields for construction of a gazebo in the Town of Boscobel, Grant County, was discussed. Dorscheid noted a field inspection was conducted by Cupp on March 15, 2007. Previously, LWSRB Operations Committee members have visited the site in conjunction with other permit activity. The site is visible from the river during leaf-on conditions. Plans call for construction of a gazebo near the existing house. The structure will be 12 ft. x 12 ft. x 12 ft. (height). The roof will be brown. The exterior

will be natural wood with screens instead of glass. Adequate screening vegetation exists at the site. A power

**Fields continued:**

point presentation was shown. Cupp said the activity will comply with the applicable performance standards. Dorscheid made a motion, seconded by Greenwood, to approve issuance of a permit with the following conditions:

- The existing screening vegetation shall be maintained and replaced if damaged or destroyed;
- The height of the structure shall be limited so that the structure does not become visible from the Wisconsin River during leaf-on conditions and shall not exceed 12 feet;
- The exterior colorization of the structure (including roof color) shall harmonize with the natural surroundings during leaf-on conditions and shall be approved by the LWSRB prior to initiation of construction;
- There shall be a limited amount of glass or other reflective material;
- The LWSRB shall review any modifications to the plans, as submitted, for compliance with the applicable performance standards;
- The landowner or his/her agent shall notify the LWSRB upon completion of the project; and,
- The activity shall comply with all other federal, state and local regulations.

**MOTION CARRIED.**

The permit request of Rita Walker for modification of an existing structure in the Town of Marietta, Crawford County, was considered. Dorscheid said a field inspection was conducted by Cupp on April 6, 2007. LWSRB Operations Committee members have visited the site in conjunction with previous permit activity in the vicinity. The site is visible from the river during leaf-on conditions. A small and distant viewshed exists near the Floyd Von Haden boat landing at Boscobel. The viewshed looks up the valley to the house for roughly a distance of one mile. A power point presentation was shown.

Cupp explained that plans call for replacement of a shingled roof with a metal roof. The structure will be slightly larger in size to accommodate framing for the metal roof. The height will be increased by a maximum of 4 inches. The first color choice is a burgundy color and the second choice is a brown color. Color samples have been provided. Cupp said Chapter RB 2.05, Wisconsin Administrative Code, provides an exemption for routine maintenance activities. "Routine maintenance activities" includes "replacement of roofing shingles or re-roofing projects which do not result in the structure being larger in size or more visible from the river during leaf-on conditions" and, "replacement of roofing shingles or re-roofing projects if the exterior color or roofing material will harmonize with the surroundings during leaf-on conditions." Because the wooden framing (2" x 4" boards) will increase the height of the structure and the roof area will increase slightly, the application has been presented as a structure permit application. Also, the first color choice of "classic burgundy" is not on the current LWSRB Standardized Color Chart palette. The second choice of "cocoa brown" clearly falls within the spectrum of acceptable hues.

Dorscheid said the committee had reviewed the application and determined the re-roofing project would fall under the routine maintenance activities category and would not require an LWSRB permit. He said the committee had reviewed the proposed colors and had rejected the burgundy color. The brown color was approved. Leys said he was concerned about expanding the parameters of the Standardized Color Chart. He felt approval of the burgundy would set an undesirable precedent for pushing the limits of approved exterior colorization. A motion to consider the re-roofing project a routine maintenance activity but to require use of the Cocoa Brown color was made by Dorscheid, seconded by Leys. **MOTION CARRIED.**

The permit request of Carrissa Miller on behalf of Wisconsin Badger Camp was considered. Dorscheid said a field inspection was conducted by Cupp on April 6, 2007. He noted LWSRB Operations Committee members have visited the site in conjunction with previous permit activities at the property. Cupp said the screening vegetation at the site is visible from the river during leaf-on conditions. Plans call for construction of a music pavilion. The structure will be 32 ft. x 48 ft. x 16 ft. (height). Adequate screening vegetation exists at the site. The height of the structure will not result in the structure being visible from the Wisconsin River during leaf-on conditions. The structure will have a dark green roof with natural wood exterior and will not have any windows. The slope of the site is less than 20%. A power point presentation was shown. Cupp said the activity will comply with the applicable performance standards. Dorscheid made a motion, seconded by Nice, to approve issuance of a permit with the following conditions:

- The existing screening vegetation shall be maintained and replaced if damaged or destroyed;
- The height of the structure shall be limited so that the structure does not become visible from the Wisconsin River during leaf-on conditions and shall not exceed 18 feet;
- The exterior colorization of the structure (including roof color) shall harmonize with the natural surroundings during leaf-on conditions and shall be approved by the LWSRB prior to initiation of construction;
- There shall be a limited amount of glass or other reflective material;
- The LWSRB shall review any modifications to the plans, as submitted, for compliance with the applicable performance standards;
- The landowner or his/her agent shall notify the LWSRB upon completion of the project; and,
- The activity shall comply with all other federal, state and local regulations.

#### **MOTION CARRIED.**

A permit previously issued to Mel and Alice Levy for construction of a new house in the Town of Spring Green, Sauk County, was discussed. Dorscheid said the Operations Committee had visited the site prior to the board meeting and had met with the contractor, Joe Hackl, to discuss the location and design of the proposed driveway. Cupp explained that the first driveway location and design proposed by Hackl had been rejected by the landowner. The alternative was viewed by the committee. Dorscheid made a motion to approve the revised driveway location and design, seconded by Greenwood. **MOTION CARRIED.** Cupp said another condition of the permit required the board to evaluate the structure, upon completion of construction, to determine if planting of additional screening vegetation would be required. Cupp said the committee had viewed the new house and determined a planting plan would be required. Cupp said Hutnik would develop recommendations for the landowner to consider with a proposal expected for board consideration at the May meeting.

The Crystal/Fish/Mud lakes pumping project in the Town of Roxbury, Dane County, was discussed. Dorscheid noted the committee had conducted a field inspection at the site of the proposed discharge area. There have been no new developments regarding the project. Dorscheid said the committee also had visited the Mazomanie Beach area to review the cutting of scrub willow for the purpose of enhancing turtle habitat.

Cupp reported on permits he had issued since the last meeting. Two management permits were issued to Steve Colden, DNR Riverway Manager, for maintenance of known archeological sites. The sites are not visible from the Wisconsin River during leaf-on conditions. The sites are in the Town of Orion, Richland County, and Town of Pulaski, Iowa County. Cupp said a general permit was issued to Richard Schwartz for modification of an existing structure in the Town of Troy, Sauk County. The site is not visible from the Wisconsin River during leaf-on conditions.

The Budget & Office Committee report was presented by Chairman Nice who reviewed the status of the FY 07 budget. Cupp noted the report represents line balances after the third quarter of the fiscal year. He noted there will be shortfalls in the salary and fringe benefits lines again this year. Some of the shortfalls will be offset by supplemental funding provided by the Department of Administration. Cupp said a line transfer from supplies and services will be necessary to cover the remainder of the shortfall.

Cupp then reviewed an updated policy on open records requests. Cupp said the policy had been reviewed by the Budget & Office Committee. He noted the board has a longstanding policy guaranteeing citizens access to LWSRB records. He said the updated policy simply incorporates language suggested by the Department of Tourism. The new policy will be posted in the LWSRB office. A motion to approve the policy was made by Greenwood, seconded by Madison. **MOTION CARRIED.**

There was no report from the Personnel Committee report.

The Executive Director's report was presented by Cupp who reviewed the materials in the board members' packets. Cupp said he has made several presentations regarding the proposed designation of STH 60 as a Wisconsin Scenic Byway and had several more presentations scheduled for the coming weeks. Cupp said Cultural Landscape Legacies will provide lectures and tours in conjunction with the Muscoda Morel Mushroom Festival again this year. The festival will be held on May 19-20.

The DNR report was presented by Colden who noted funds had been acquired to improve the road access to Kendall Lake in the Town of Pulaski, Iowa County. He said the Town of Arena had approached the department for funds to assist with replacement of a bridge on the road to the Arena boat landing. Colden said the Riverway staff (5 persons) had begun work for the season. Dorscheid asked about the bridge replacement schedule. Colden said the Town of Arena would like to start the project in 2008 but the necessary funding must be obtained. Hutnik reported that planting of 25 acres to trees would take place this spring. He said the annual goal is to plant 25-40 acres.

During the public comment session, Bill Stehling of Sauk City expressed concern regarding the stormwater discharge proposal for the Nonn development in Prairie du Sac. Colden was asked to forward the concern to the appropriate DNR contact. Timm Zumm of Spring Green, Friends of the Lower Wisconsin Co-Chair, said a river clean up would take place on June 2<sup>nd</sup>. He said the Sauk Prairie River PALS also are doing a clean-up. Donna Stehling, Sauk City, said a garlic mustard pulling festival would take place at Derleth Park. Kevin Isenring of Sauk City asked that an accurate map of the Black Hawk Unit be published on the LWSRB website.

A motion to adjourn until May 10<sup>th</sup> when the meeting will be held in Boscobel was made by Madison, seconded by Greenwood. **MOTION CARRIED.**

END

For further information, corrections, additions or deletions to the minutes, contact Mark Cupp, Executive Director, at (608) 739-3188 or 1-800-221-3792.

Minutes submitted by:

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Mark E. Cupp, Executive Director  
Lower Wisconsin State Riverway Board

