

Dickinson County Board of Adjustment
June 06, 2022
7:00 P.M.

The Dickinson County Board of Adjustment met Monday June 06, 2022 at 7:00 P.M. in the community room of the Dickinson County Courthouse.

Members present were Jeff Ashland, Kirby Berhow, Alex Oponski, Cami Wills, and Jen Johnson

Also in attendance was Steve Goodlow- Dickinson County Assistant Attorney, David Kohlhaase-Zoning Administrator and Megan Kardell-Dickinson County Zoning Assistant.

Jeff Ashland, Chairman called the meeting to order at 7:00 p.m. and read the opening statement.

First on the agenda was Roll Call.

Second on the agenda was New Business. There was none.

Third item on the agenda was Old or Unknown Business. Continuation from the April 25, 2022

Bryan & Dan Schmit 2105 Browns Bay Ave., thanked the board for having them back again. He really wants to focus on the area of the commentary or the testimony that the Board found important. They passed out the slides to the Board. He wanted to re-share their vision a little bit and he thought they received a ton of positive comments from the community. People were really excited to have a unique campground. They've had the property for about two years, whenever he goes on the property he is amazed to find something new and unique about it. They showed an aerial video of the property. The key to the whole thing is, they are not starting with a field and trying to turn it into a campground, it has mature trees, a 15 acre pond, and nicely manicured greens. A lot of times when a campground comes into a community, it takes much longer for the campground to get to this level, this property was meant for a campground. During the two years of development, they visited a large number of campgrounds. For over a month they toured 20-30 campgrounds, they talked to people there and stayed on the properties. They asked the people what they liked and didn't like, and tried to put the best of all those things together. They showed some slides they considered the best of the best. People take care of their spaces and put time and money into their spaces to create a spot where they want to be. That is the overall goal on what they are trying to achieve.

Schmit said where they left off the last time was probably the most important issue, the private sewer. He showed an overall time line for the project. The utilities were something they started working on over a year ago. Before they even closed on the property, in August of 2020, they met with Beck Engineering on site, they asked Mr. Beck what their options were for sewer in the area. Beck often works with the City of Milford, so the thought he would be the perfect person to lead them through the sewer connection process. That brings them to January 2021, they requested sewer from either the IGLSD or through Milford. They sent an email to Steve Anderson asking if there was any sewer in the area. From that response it was their understanding there was no public sewer options in that area. Based on that response they spent the next year and three months planning, designing, and certifying to making sure their sewer system would be environmentally friendly. They designed system to have future upgrade capacity and could connect to public sewer in the future. They presented their system to the Iowa DNR to review distances, locations, capacities, and to gain their approval. After obtaining that approval, they sent it to their third party engineers to review the system. The environmental engineers responded that they reviewed the system and the project in total would be a benefit to the area, which included the septic system. In April, there was some discussion whether or not the original email from Anderson they received in March 2021 was adequate from the prospective of the City of Milford. That is where they are at today.

Kohlhaase said he felt it was necessary that he report an email he received from the City of Milford today about sewer. There are three parts to it, it is addressed to LeAnn the City Administrator, from the applicants dated Tuesday May 3, 2022. It says, "thank you for taking the time to talk with us today, as we discussed, the City of Milford is not able to provide sewer to a county project. In order to provide sewer, they city would require annexation into Milford, given the need to be annexed into the city, the campground proposal will no longer be a county project and would

instead require approvals from the City of Milford, could you please confirm this understanding is correct.” On that same day May 3, 2022, LeAnn wrote “there are options with the City of Milford, if you are interested, I would suggest you get on the council agenda, I can’t and won’t speak for the council.” Signed respectfully, LeAnn. Today, Kohlhaase received an email from LeAnn stating, “I just wanted to share this with you. I understand the meeting is continued for tonight.” So knowing this is an important part of the proposal, he needed to bring that to the attention of the Board and applicants.

Schmit asked if Kohlhaase had any other emails from the City.

Kohlhaase said no, that is all that was sent.

Schmit said after the last meeting they had a number of discussions with the City of Milford. Mr. Kohlhaase read from one of those, but that was not all of them. The applicants handed out a packet of correspondence with the City to the Board.

Schmit said on April 29, 2022, they asked their engineer to get in contact with the City to see what their options are from the City of Milford. Some of the questions they asked was, does the City of Milford have capacity to service their development, if so where are the best connection points, will the City of Milford extend sewer to the boundary of the proposal so the development can connect to it. He requested a letter of correspondence if sewer is available or not. The immediate response was from LeAnn at the City, “the public works director is out the rest of the day. I do know that if it is possible to connect to the City sewer, the property in question will need to be annexed into the City. I see below you noted that would not be an option.” They had a second follow up email to their request. “Good Morning, I spoke with our public works director Kent Eilers. There is the possibility to hook up to the city sewer. If you wish to proceed you will need to get on the council agenda. The council meets the 2nd and 4th Monday of every month. Deadline to get on the agenda is noon the Wednesday before.” Signed LeAnn. So they have two emails, once says if you want sewer, you need to annex into the city. If one annexes into the city, they must withdraw this application and go to the City’s Board of Adjustment. They and their engineer decided to call the City of Milford. A copy of the transcript was provided to the Board and for the file. They are trying to be very transparent, their goal was to hook up to city sewer. Schmit read a couple portions of the transcript. They thought if they want to have a County proposal, they will not be able to connect to city sewer. They tried to confirm all of this information by sending an emails back and forth. On May 4th they sent another email to the City, asking a third time what the options are to connect to the City of Milford’s sewer, this email goes unanswered. On May 9th, the City of Milford had a city council meeting, the council decided to look into barricading access to the south in South Shore Estates to the land adjacent to the campground. Explore Okobojo wrote an article and part of that article, if it is quoted accurately, the Mayor of Milford says “no formal talks with the developers regarding any sewer connections.” At that point, they’ve had 6 emails, and a 20 minute phone call to try to see what their options were, so if available, they could put something in front of the council. Schmit read an additional email he sent to Rose on Wednesday May 11, 2022 about the City being non-responsive about sewer. He believes there are a lot of concerned citizens that do not want the project, and through annexation, they can basically insure that it doesn’t happen.

Goodlow said he has the long transcript as provided by the applicants, and appreciates someone can record their own conversation, that is legal, at any point did they tell Ms. Reinsbach she was being recorded.

Dan Schmit said they did not.

Schmit said the packet includes everything, there were no more phone calls or emails. Beck Engineering did the original drawings and showed the sewer locations in the City of Milford. They already knew where some of those were, then independently went to find where the rest of the City connections were located. They found 2 different paths they could take from their property to the City connections. This information is based on their own research, and they believe they are accurate, however they were independently determined. The first route is in red. That route goes from the corner of their property and goes all the way into town along A34. Rose calculated this route to be 5600 linear feet, requiring 1 to 2 lift stations due to the change in elevations, it would have 2 road crossings, 8 driveway crossings, and 1 creek crossing. The second route follows the same as the first route but then jogs north to Woodlyn Drive. It goes west along A34, then north

on 230th Ave where it intersects with Woodlyn Dr. This route was 6660 lineal feet, 18 driveway crossings, 1 to 2 lift stations related to the change in elevations. Then they tried to put that data into what that distance actually means. They compared this project to the South Center Lake project based on their review of the request for proposals. It is approximately 7500 lineal feet, 1 creek crossing, but he was unable to determine road crossings or number of driveway crossings. This proposal began with a study done in 2016, and has been ongoing since then. The total project cost that he could find was over 6.5 million dollars. Just for a comparison, and he is not saying they are the same project, to get from the Woodlyn Hills RV park using one of these routes, is not a simple task. Mr. Rose concludes in his report, connection to sanitary sewer is not feasible, if in the future Milford extends the sewer services boundary, the RV park is willing to connect to city sewer. From May 11 to today, we have been working out routes to connect to sanitary sewer, after doing that, no apparent options are available from their independent analysis.

Schmit said he utilized Beacon, the City and County boundaries are very interesting, one can see the magenta line showing this boundary. Even if they wanted to annex into the City of Milford, there are many parcels in between the RV campground and the City boundary. They would have to annex houses on 230th south, then jog east or somehow get to Woodlyn Hills, so they are not an island from the City of Milford. In total, the private septic system has been reviewed a number of times, and has to be reviewed a number of more times before it would be installed. The first review was done by the DNR, Marty Jacobs reviewed the plans, discussed it with the engineer, and approved the distances and layout. They made sure it will not encroach on any nearby lakes, aquatics, or wells. Once they received the approval, they wanted to make sure that the environment would not be impacted by the private sewer system. They contacted Bolten & Menk office in Spencer, and they sent them to the Mankato office. They were set up with Kristina Bloomquist, Senior Natural Resources Specialist, her conclusion was, "that no adverse consequences to any resources in the project area will take place as a result of the septic system as stated in the previous memo, based on the proposed site conditions, the pond and wetlands will see a reduction in pesticides and herbicides; improvements to the pond will remove contaminants and improve wildlife habitat. Overall, the site will see improvement in stormwater management resulting in better water quality which will be seen at the site as well as downstream Lower Gar as the water exiting the site flow into the lake. Wildlife habitat on the site will also be improved." Golf courses are not environmentally friendly, they take a lot of chemicals, weekly mowing, a lot of extra work that is not done on a normal property. In general all of that stuff ended up flowing down into ponds, those ponds flowing to Lower Gar, you can see this over the past 100 years happening via an aerial. Any improvements they do to the local area, the local pond is ultimately a benefit. They also requested an environmental review from the DNR, "the department has searched for records of rare species and significant natural communities in the project area and found no site-specific records that would be impacted by this project. However, these records and data are not the result of through field surveys. If listed species or rare communities are found during the planning or construction phases, additional studies and/or mitigation may be required." So, they put us on notice, if they find anything, let them know and they'll work through it.

Schmit said in trying to contextualize everything, when one says 174 spots, it sounds like the private sewer is going to be a large system. But once one considers the RV size themselves, they are very low flow items, their hot water heaters are 4 to 6 gallons. One is not spending a lot of time in the shower, this is a very low flow application. They compared their project to the nearby neighbors to the south, County View Acres. This subdivision has 12 houses on 6 acres, each house has their own private sewer system. On the slide, the lower blue box is 6 acres, the larger blue box is 80 acres, the key difference between a full time home and this RV park is, they are all seasonal use, and mostly just used on weekends. They are not used throughout the week, most people have jobs and only come up on the weekends. There is 15 weekends between Memorial Day and Labor Day, if every single spot came up for a 3 day weekend, at 174 spots and using a 50% utilization, which is the DNR design standard, you get a year round equivalent home of 10.7 homes. So the waste equivalent is equal to 10.7 year round homes. Largely due to lower flows, and being there only 3 months out of the year on the weekends. The environmental impact is a lot less than homes. They wanted to make sure they have a plan in place, the Iowa DNR has really great controls around sewer systems. The commercial systems have a number of laws and rules that must be followed and lots of requirements and licensing for cleaning, maintaining, and pumping it. As a part of the project, when this is all designed, they are going to make sure they have a schedule out there,

which includes the reporting specifications, design specifications, testing schedule, and contractor information. They've reached out to three local people, they will have an annual maintenance program, where they come out and pump, inspect the lines, check for root balls, which will not be an issue early on, but several years down the line this is a service they will be able to provide.

Schmit said they ready to connect to sewer when it becomes available. From day one the system was designed to connect to sewer, as he said in the earlier meeting, a lot of campgrounds will spread out the sewer system throughout the campground, which makes it cheaper to not have to plum it in. They are doing all of the work on day one. All of the locations go to a central collection system and get pumped from there. So the day/moment sewer is available, all they have to do is add one more pipe, trench it down to the road. This was the original design.

Schmit said he feels sewer was the main issue last time. Another concerns was storm safety, there was concerns about the west side of the campground being too far away from the storm shelter. They have proposed adding a secondary storm shelter to the west side to hold all of the campers from that side. The next interesting thing they found out, as he was looking for a commercial solution for text alerts, he found Dickinson County already has a text alert system in place, whenever the storm sirens go off, alerts are sent out. They will use the Dickinson County system and as a part of the lease agreement, and will require the occupants to sign up. They also spoke with Dan (Michael) Ehret, to determine who provides the storm sirens for the County. The County uses Blue Valley Storm Sirens, they got in touch with them, and received a quote for the campground. It was relatively simple, the cool thing about it is, it uses the same system as the County. If the County imitates their storm procedures, the siren will automatically go off and hit the campground area. They said the company sells a larger siren which could hit some of the southern homes in Milford and those along 230th. There is an option to go a little larger if the County is willing to participate, maybe they could include a couple more homes with this install.

Schmit continued to the next concern about property values. It's important to note that all of the comments they received were from two areas, people to the north South Shore Estates, and from the south, Country View Acres. When he was going back through the list of those who shared concerns, there were none outside of those two areas from the broader Dickinson County area. So they focused their response specifically to those 2 areas.

They showed a video coming from South Shore Estates towards Woodlyn Hills Campground. They are about a half of mile from the closest campground to South Shore Estates. The power line is the property line between the parcels that are the proposed campground and the neighboring property. There is a large hill, between South Shore Estates and this hill, the elevation changes from 1428 above sea level to almost 1455, this hill is about 25' feet. They narrated features of the video regarding the campground, campsites, Frisbee golf, around the pond, showed the view to South Shore and to A34. Schmit showed a map, highlighting the parcels in yellow where the conditional use permit is being applied. The northern parcel, which they do not own, is zoned R-3 and A-1. R-3 cannot be used for a campground, so if there were concerns about our projecting moving north, that would require a rezoning and an additional Board of Adjustment meeting. There is a lot of distance there, so South Shore Estates should not be affected. They did the same thing with County View Acres. There are a lot of large natural barriers to block the site line. They wanted to compare the distance from South Shore Estates to other campgrounds, there was a lot of concern about how their property values would be affected. One can see the distance from the campground to the north (Fieldstone) is almost the same distance to the proposed campground. Other concerns of the neighborhood regarding traffic or property values, noise, none of those things have come to fruition. South Shore is also very close to other things that might be considered undesirable, so any foreseeable loss of home value, he does not see it materializing.

Schmit said the community to the south is County View Acres. They were originally rezoned and approved for affordable homes that were either stick built or modular homes. Their response is that the campground fits very well with the comparable zoning. If anything it is a nice border to move from one area to the next. They took a google street view of the golf course, one can see the clubhouse in the picture, the RV's will be beyond the clubhouse in the trees, so based on the tree cover and the clubhouse. One will not see the RV's from this angle. They moved the angle of the view to the northwest, again large tree cover all along the pond will make the RV's hard to see from the road.

Dan Schmit corrected the direction to northeast.

Bryan Schmit said the last view is directly from County View Acres. One can see there is already a pretty nice hedgerow that will block a majority of their view. The next thing they are going to do is plant additional trees so the RV's are not easily viewed or at least partially obstructed from neighboring property.

Schmit said they asked Gene Nelsen with Nelsen Appraisal Associates, Inc., to do a study of the area of properties with close proximity to the campground. Gene Nelsen is a former resident of Milford and Arnolds Park, he currently owns a residence in the area. When they called him, he was already familiar with the area, he went out and walked the area, and then provided a report. As a part of his report, he analyzed development. He looked at the proposed Woodlyn Hills campground, he looked at a campground in Waukee, IA, in Milford area, and Preston, Connecticut. His conclusion reads, "Properties within close proximity to an active campground do not experience a measurable negative effect on value." He explained, in Waukee, IA there was a new campground called Timberline. After it was constructed, they built a 4.2 million dollar residence right next to it, sold lots for close to 300,000 to 390,000, and saw no negative effects. Near Oar's campground there were four different lots that sold 2021 for 290,000 to 500,000, this campground has been in existence for some time. There was a study done in Preston, CT, they tracked property values over four years as a result of the new campground. That study concluded that the sales had no detrimental condition linked to the proximity of the campground itself. When he looked at the proposed campground he noted some of the same features, there is a large ridge separating the property to the north, it cannot even be seen from that location. The future and existing landscape will largely block any detrimental views to the south. That screening will help alleviate the concerns. There is a currently a lot in County View Acres that is for sale for \$33,000.00 for over 6 months. There was a comment before about people being happy with million dollar homes, but they said they do not want affordable near them. Affordable is not the same as cheap, they are not selling their lots, but the campgrounds they are comparing themselves to are selling their lots from anywhere between 50,000 to 100,000 dollars. These lots are valuable and provide something people do not have currently, he would say they are just as valuable as the neighboring areas.

Schmit said there were some other large items that need to be addressed that were brought up at the previous meeting. The first one was traffic. These are seasonal campsites so the initial traffic will be when someone brings their RV, or if they choose to store it elsewhere at the end of the season. Largely during the year, there is not going to be significant amount of traffic on the road. They talked with Dan Eckert, Dickinson County Engineer, he said A34 is a major collector, it's part of the federal aid road system, it is also a farm to market road, it is quite capable of handling the additional traffic from the development. There was also some concerns about a west entrance and they concluded getting the drive way permit for the west entrance. The west entrance was reviewed by Dickinson County Engineer, regarding concerns about hills, stopping distances, and they are not a factor. The permit was issued and the entrance was approved to be built.

Schmit said another concern was emergency services in the area. Previously, they requested the number of calls that fire, EMS, or Sheriff were called to campgrounds in 2021, there were none. They followed up with the Sheriff to confirm who wrote, "We are a community of 17,000 and our infrastructure is set up with the capability to handling 120,000 on weekends and have grown with the needs of the county. I do not foresee this being a public safety issue or the need of hiring additional staff." There were no calls for service to a private campgrounds in 2021. The concerns about people being called out or strains on the resources, has not occurred in 2021. That is also a testament to the people. People are coming here to camp with their families, people are not coming here to get into party mode or to cause issues. They just want a quiet, relaxing outing with their family.

Schmit said there are a number of trash and recycling locations set throughout the campground. They are going to place larger containers at the end of the roads and will be blocked from view by fencing. They will probably be picked up twice a week, which is their current understanding.

Schmit addressed pond improvements. They have a number of improvements planned for the pond. This is the 5 to 10 year goal. The pond is a natural filter for the lakes, it is a vital resource for the campground. Improvements will occur immediately, because there will not be the runoff from chemicals applied by the golf course any more. They talked and met with some pond dredgers on

site to discuss some strategies on how to clean out some that 60-65 years of fill that has occurred. He also had some preliminary conversations with the DNR in Spencer, Tom Roos, the wastewater DNR officer in the area, to discuss ways they can go about cleaning up the pond and if they cannot get it all done at once, what steps to take to do over a number of years.

Schmit said another concern was lighting. The concerns from the neighbors are the exact same concerns of the campers. Campers do not want to be in areas that have a lot of light, because then they cannot see the stars. Campers do not want loud sound, campers are a lot closer than the neighboring properties, and if someone is being loud, they are going to affect 10 neighboring campers and they are not going to stand for that. They will also have on-site management that will address this issue as well. But mostly, people are very respectful to one another because they are all out there doing the same thing.

Schmit said they intend to have a full time on-site manager that can address issues as they arise. They will also have provisions for those who do not follow the rules, regulations, or have problems. They can and will terminate leases. One person can affect a large number of people, it's not worth the effort of having someone around if they are causing problems with other people. They are uniquely able to handle this, as their ownership structure runs a property management company. They run a number of successful complexes and communities, they understand what it takes to make sure the community works together and respects one another.

Schmit said in conclusion the area is zoned A-2. A-2 has very few private uses in this district. A lot of people want residential in the area, but that is not under the Dickinson County Zoning regime. Residential uses are not allowed, nor are they allowed by exception, they are not allowed period. Commercial uses are very few, those are crop production and farm operations. The conditional uses is a campground (for or nonprofit). So other than a farm or a campground those are the primary uses, there are a couple of industrial uses, that he does not think applies. The only other uses are civic uses, which are typically for public bodies to use for other things. He believes this is a natural made campground. They will be unique because they have a lot more area than the other campgrounds in Okoboji, it will be a truly unique area with a lot of space for recreation. They are trying to create something special in Okoboji.

Ashland said back to the sewer, private sewer versus hooking on to the city, it is your contention that you would like to be a private sewer with this application until you have an agreement with the City or the IGLSD.

Schmit said that right. Dickinson County is very close to him. They worked with Dickinson County and one can see they've talked with half the people who work in this building. Everyone has been very helpful. Dickinson County is very helpful in trying to help you achieve your goals while at the same time making sure you are doing things correctly. They want to be a Dickinson County project, they appreciate the county, thankful for the county. They do not want to withdraw their proposal and try to do a separate proposal in another jurisdiction. They would like to be here, yes they do want to connect to sewer whenever it is available. If the IGLSD annexes us, they will immediately annex and connect to sewer. The system was designed with that in place. He believes if this does get approved and start development in that area, one is going to get sewer down in that area much quicker, than one would otherwise. Right now the sewer stops by the sewer treatment plant. They would commit to connect at the first possibility.

Oponski asked about the tax base, since it is not residential and cannot be, one of the arguments was Dickinson County is losing tax income on the property value. How would the provisional use effect what the county/cities is getting from taxes from Woodlyn Hills golf course versus a campground?

Schmit said right now the taxes on the property are ag and very low. Subsequent to the passage of this campground, they compared themselves to Cedar Ridge campground since they went from ag to a campground, he thought the tax base would increase by \$50,000.00. There will be additional taxes, because they are going to tax them on a campground use.

Schmit said he does have a question, the original proposal does not include the second storm shelter, is that a problem.

Kohlhaase said if they were increasing the units of the campground they could not, they could go less. But in regards to adding a storm shelter, that would be perfectly fine because if this were approved and they came in the next day and asked for a permit for an additional shelter, they could receive that, but since it is not on the original application, whatever the motion is, he would add that as a condition as well as a couple other things. The things they talked about, if the application was approved, he would consider having maintenance agreement for the private sewer system, and hook to sanitary sewer when it becomes available, also trees and landscaping along A34. Whatever the motion could be, he would have those conditions included just so that, if approved, and part of the approval, it would give the zoning office something to enforce as well as the items that were presented to you tonight and the previous meeting.

Oponski asked if they should list them like the storm shelter, the onsite management, the construction of an alarm, all those things they presented as a rebuttal to the last meeting.

Kohlhaase said it would make it better, and for enforcement reasons, it would help.

Oponski said they would need to figure out what those things are if they're moving forward.

Ashland said to Kohlhaase, could he outline what procedures they would have to do with the private sewer with the state.

Kohlhaase said our office is also the Environmental Health office, so we issue private sewer system permits, but we have our limitations. This is beyond our limitations, for that reason, they would be working with an engineer, and that engineer would work with the DNR. The DNR would be the ones who would issue the permit for the private sewer system to satisfy the needs of the campground. A comparison would be West Okoboji Harbor, they have a well, we issue private well permits, but in that case, that is beyond our limitations, so the state is who the Harbor folks work with verses us. It would be the same for this sewer system.

Ashland said historically with a conditional use permit it is allowed for 6 months, so would they want to make this in effect as long as it's used as a campground.

Kohlhaase said it's valid for 6 months unless you stipulate otherwise. But once we issue a zoning compliance permit, then it becomes good for a period of time as long as it remains a functioning campground. What the board has done in the past, and what he would recommend, if you were to move forward, he would make the recommendation to approve it on a time frame as a functioning campground. If the operation ceases for a period of 12 months, for example, since this is a seasonal use, it might be better to say 18 months, the campground would go away. Also, reminder any stipulations placed on the application need to be agreed to by the applicant and the Board.

Ashland said they would need to compile a list.

Oponski said he would like to do that as well.

Oponski asked how often the refuse/collection areas, how often will those be collected.

Schmit said he thinking twice a week, if it is more they will pick up if it needs to be picked up. If the container is full, it will be picked up.

Ashland said at the previous meeting there was a concern about smoke and smell. How is that being addressed?

Dan Schmit said during in the summer when there is going to be campfires the wind directions are generally good, so it won't be going toward the neighbor to the south most days. Campgrounds he's been to in the past, smoke doesn't usually travel that far, and also smoke tends to go up. They will also have a landscaping barrier, he's not sure how much that will block, but it will assist.

Ashland said if there is a north or south wind, it will go that direction.

Dan Schmit said the vast majority of the time in the summer, the wind blows out of the west and doesn't go in that direction. If they have issues, they are happy to work with people to limit hours.

Bryan Schmit said another thing to add is a similar distance to Fieldstone, to his knowledge there haven't been any issues about campfires at Fieldstone.

Oponski asked about clarification about the noise ordinance, he believes they said 10, but he would assume the onsite management will be responsible for that, what about fireworks?

Schmit said that quite time in their rules and absolutely no fireworks.

Kohlhaase said what time is quiet time in their rules.

Schmit said this is what they have right now, so if there is an issue, they have no issues changing those times. Quiet time is 10:00pm to 8:00am, children must be accompanied by an adult after 8:30pm. They would probably allow sparklers, no real fireworks.

Ashland asked about if there was going to be a privacy fence, is that part of the plan.

Dan Schmit said living landscape fence, they're mostly focused on the southwest corner near Country View Acres, where there are some really nice maple trees. They will clean it up and get some nicer flowers, plants, and trees.

Bryan Schmit said the northerly neighbors are largely blocked by evergreen trees.

Ashland said they're going to have a working session regarding conditions.

Wills asked where the boat storage area was located.

Schmit said the boat storage is in the northeast corner, in the video when we turned around the first time is where the boat parking is located.

Ashland asked what the surface of the road will be made out of, concrete, gravel, limestone.

Schmit said they will use crushed limestone. They will allow concrete pads, but limestone is also a base for concrete pads, so it can be easily be concreted if someone wanted to do that.

Oponski asked if people could leave the RV's.

Schmit said typically other campgrounds allow some to stay over winter, some take them out to shelter them.

Oponski said that may or may not affect the traffic.

Schmit said yes, year beginning and year end. If you leave the RV for winter, the campground is closed you will have it in the spring. They do not want people on the property during the off season.

Oponski asked about liability of the RV on the property.

Dan Schmit said it would be addressed in the lease agreement.

Ashland asked what a reasonable seasonal timeframe to the applicants is.

Dan Schmit said April 15 to October 15.

Oponski asked if they are agreeable to that, the on-site person will be need to be there at that time.

Schmits said yes, the on-site person will be there when it opens. They do not envision opening April 15, but they may start some opening procedures and closing procedures at the beginning and the end of the year.

Kardell read the conditions.

Berhow said the quite time should be in the conditions.

Ashland asked what quite time rules are in the lease.

Schmits read the rules about quite time that they were going to attach to the lease. Quite time is from 10:00pm to 8:00am, no generators to be run during quite times, no children unattended after 8:30pm, no fireworks outside of sparklers

Oponski asked for those to be added to the conditions.

Kohlhaase said maybe at the end one can say, as per the application presented, but specifically those other items listed.

Schmit said they're okay with the rules, they may change as needed, and may become stricter.

Discussion on the definition of available.

Johnson said if sanitary sewer is available, isn't it true that it may not be able to hold the capacity that this project would create.

Anderson said it's possible. The lift station would not be the best option due to needing an easement for the pipe on the private property, it would be better if it is just to the property line.

Discussion continued on the definition of available.

Definition of is defined as Available is defined as "within 200' feet to the property" and hook to the servicing entity within a 1-year period if capacity is available and any other requirements from the servicing entity."

Kardell read the conditions

Oponski asked about the care and dredging of the pond.

Schmit said that is the long term plan for the pond. A 15 acre pond is a massive undertaking. Yes, their intention is to take care of it and start dredging and cleaning the pond out.

Oponski asked when they might start dredging

Schmit said since there is nothing there now, he was talking with the DNR to see if they could pump out the water, there are permits needed to be obtained first, to see what the lake bed looks like now, but there is a lot of DNR processes involved.

Oponski asked if 18 months is a fair time frame.

Dan Schmit asked to start?

Oponski said to get the process started. This will be a primetime to do it with the water being low.

Schmit said they are going to start the process immediately. As far as when work will start, that will be based on the DNR approvals. This fall would be excellent.

Bryan Schmit talked about a dewatering process, these are the conversations taking place with the DNR this week.

Dan Schmit said hydraulic dredging might be an option as well.

Ashland asked where the dredging sediment would go.

Schmit said this will all be based on the direction of the DNR.

Bryan Schmit said it might go to farm land to be disked in.

Ashland said so it would be removed from this site.

Schmit said correct, there are some places they might be able to use on the property, but most would be moved off site if that is the direction they choose to go.

Johnson asked about invasive species in the pond like zebra mussels and if that would prevent them from moving it off the property.

Schmit said not to their knowledge, they will double check. There was a piece of metal that looks like it was there for a while, and there was no evidence of zebra mussels.

Oponski said his question/concern would be water quality, since it does feed into Lower Gar, what are they going to do besides dredging it out, to make sure it still filters the water. He believes there needs to be a condition that there is a plan with the DNR with a timeframe of 18 months to develop a plan to start it so there is improved, sustainable water quality.

Schmit said that is fine.

Johnson asked if the pond was tested for phosphates.

Schmit said no, but to your point, before they let you discharge any runoff, that testing is part of the plan.

Kardell read the conditions.

Discussion about trash collection. It was determined to include the following condition. Small containers throughout-collected daily, large trash collection 2-3 times per week.

Ashland asked the applicants if they agree with the conditions

Bryan and Dan Schmit said yes.

Johnson asked Kohlhaase, do we have a supervisor that goes to all of these RV parks to make sure that these conditions are being abided by?

Kohlhaase said the County does not have a supervisor who goes to these parks to determine whether or not they are in compliance. Our follow up and checking, is done by spot checking, or a lot of our compliance is complaint driven. Do we have a specific weekly route, no, or once or twice a year, one may stop by and visit with the manager. If there are issues, even within the campground, we are going to hear it. The campgrounds located in the County, we have not, to the best of his knowledge, had any complaints from outside or within the current campgrounds.

Berhow motioned to vote on the application with the attached conditions. Wills seconded the motion.

List of conditions:

- Maintenance private sewer-annually- open up and a close up procedures, inspections to be done by a certified inspector in the state
- Hook to sanitary sewer when it becomes available
 - Available is defined as “within 200’ feet to the property” and hook to the servicing entity within a 1-year period if capacity is available and any other requirements from the servicing entity”
- Landscape for visual and sound barriers
- Second shelter on Southwest
- Siren-medium size- installed before opening
- Small containers throughout-collected daily, large trash collection 2-3 times per week.
- Valid as long as it is used as a functioning campground, unless the use ceases for a period of 18 months or more, then campground use will cease
- On-site fulltime manager, living on site during the operation of the season
- Seasonal RV Campground operated from April 15 to October 15, outside of those dates, the campground is closed for operation.
- Quiet Time 10pm to 8am
 - No generators during quiet time
 - No unaccompanied individuals under 18
 - No fireworks-outside of sparklers
- And all other items presented in the application and presentation.
- Sustainable water quality plan for the pond with the DNR, and to start within 18 months

Vote recorded 3-2 Approval. Johnson-deny, Ashland-approve, Oponski-approve, Wills-deny, Berhow-approve.

Fourth item on the agenda was Approval of the minutes from April 25, 2022. Oponski motioned to approve. Berhow seconded the motion. All were in favor.

Fourth item on the agenda was Communications. Kardell said there will be a meeting on June 27, 2022. The Board of Adjustment rules state you can hear up to four applications, and we do have four applications. Two are conditional uses, two are variance applications.

Kohlhaase said in reference to the application you acted upon tonight, the office did receive other communications that went into the file, but were not read due to being submitted after the public comment period time was over.

Ashland, Wills, and Johnson disclosed they received an email prior to the meeting.

Fifth item on the agenda was Adjournment. Oponski motioned to adjourn. Wills seconded the motion. All were in favor.