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**WASHINGTON COUNTY
PLANNING, CONSERVATION AND PARKS COMMITTEE**

Public Agency Center
West Bend, WI

October 28, 2013
1:00 p.m.

Present: Melvin Ewert, Raymond Heidtke, Michael Miller, and Gerald Schulz. Excused: Peter Sorce. Absent: Michael Parsons and Todd White.

Also present: Administrator Paul Mueller, County Conservationist Paul Sebo, Land Resources Manager Phil Gaudet, Ross Bishop, and Chief Deputy County Clerk Linda Doro.

Chairperson Miller called the meeting to order at 1:00 p.m. and read the Affidavit of Posting.

PUBLIC HEARING

James and Barbara Loiacono, SE-1/4, Section 27, Town of West Bend - Conditional Use Permit for excavating, filling or grading in a Shoreland Zoning District.

Appearance: James Loiacono, John Lamm, Hans Lamm, and Len Miller.

Ms. Doro read the Notice of Public Hearing. Mr. Gaudet presented a plat map indicating the location of the parcel owned by James and Barbara Loiacono. The owners are requesting approval of a conditional use permit to construct two new retaining walls within the setback to the ordinary highway mark (OHWM) of Silver Lake and allow more than one set of stairs or walkways within the setback to the OHWM. The project area is in a Washington County Shoreland Zoning District. The first retaining wall will be constructed approximately 24 feet from the OHWM and will be six feet high. The second retaining wall is upslope from the first retaining wall approximately 44 feet from the OHWM and will be three feet high. The slope in the area of the retaining walls is extremely steep and the vegetation in the area of the existing retaining walls is very sparse and soil erosion is occurring.

Presently, there are three access routes from the house to the lake. Two of the routes are steps/stairs and one is a gravel path. Per section 23.09(6)(a) of the County code, only one set of stairs per property is allowed. The Washington County Planning and Parks Department does not object to the proposed retaining walls, because they are necessary to stabilize the slope; however, erosion control measures should be installed before any grading or excavating is started and maintained until permanent vegetation is established. A natural vegetative screening will also be required to conceal the retaining walls. Staff does recommend that the north stairway or gravel path be removed and appropriate vegetation be established in those areas after their removal.

Mr. Miller opened the public hearing and comments were received from James Loiacono, John Lamm, Hans Lamm, and Len Miller. Mr. Miller closed the public hearing. Moved by Mr. Heidtke, seconded by Mr. Ewert to approve the Conditional Use Permit for excavating, filing or grading in a Shoreland Zoning District for James and Barbara Loiacono, Section 27, Town of West Bend, subject to the establishment of the owner's lot lines, erosion control measures being in place before any grading or excavating is started and maintained until permanent vegetation is

1 established, and a natural vegetative screening in place to conceal the retaining walls. Motion
2 carried.

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4 **ADJOURNMENT**

5 Chairperson Miller adjourned the meeting at 1:38 p.m.

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Brenda J. Jaszewski, County Clerk

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