

Responses to questions put forth by citizens at the Public Hearing on the Adams County Shoreland Protection Ordinance held on February 4, 2009

Q What percentage of nutrients come from the Shoreland?

A That varies depending on the lakes and studies done on them.

Q How does the proposed ordinance compare to NR115?

A We do not know what NR115 revisions will be. Scott Watson, DNR Watershed Supervisor stated that he will share updates that he gets in the future with Phil McLaughlin and Chris Murphy.

Q Who do you contact for compliance assistance?

A The initial contact will be the Planning & Zoning Department to do a site inventory to determine what is needed to be in compliance.

Q Do you have to plant shrubs or trees?

A Not necessarily, but the plan must show that the buffer area will have a 50% canopy at plant/tree maturity. A canopy consists of natural grasses, trees, shrubs, etc.

Q How will anyone know if a property is in compliance without recording with the Register of Deeds?

A Records of compliance will be kept in the Planning & Zoning/Land & Water Conservation Department offices.

Q Who states that beauty has to exist?

A NR115.

Q Instead of the 35' requirement, how about 33% of area in between the Ordinary High Water Mark and a structure?

A NR115 requires a 35' buffer.

Q Is deed recording still required for cost sharing programs?

A Through the Soil and Water Resource Management Program, no. Through the Lake Protection Grant Program, yes. We do not have Lake Protection Grants for every lake or stream. Those lakes that don't will utilize the Soil & Water Resource Management Program, which requires all riparian buffer plants be native.

Q Correct interpretation of one camper per parcel?

A Section 3-6.05 The regular outside parking of more than one truck, other than panel or pickup trucks, or of other vehicular equipment, which exceeds thirty (30) feet in length, shall be prohibited in all residential districts.

Q Does a person have to bring in soil to grow plants and have a sprinkler system?

A No to both.

Q What will be done with the common areas which have more than one owner?

A Multiple owners of beach clubs and outlots will all be held equally responsible for buffer compliance, with the exception of lots 30 feet or less water frontage.

- Q What happens to the 14 mile creek watershed runoff?
A Land & Water Conservation Department is working with agriculture producers to minimize runoff and will continue to do so.
- Q How about requiring buffer compliance at the time of the sale of property?
A To do so would make compliance inconsistent and would not meet the goals of the ordinance.
- Q What will happen to owners that have previously permitted and approved structures?
A Rip rap that has been previously permitted by Planning & Zoning can be allowed towards the 35' buffer area.
- Q Is everyone eligible for cost sharing?
A Yes. Through Lake Protection Grants or Soil & Water Resource Management Plan.
- Q Does the Land & Water Conservation Department have the authority to compromise?
A No. They will work with the Planning & Zoning Department on a case by case basis. If the owner cannot get approval by the Planning & Zoning Department for his project, he has the option of applying to the Board of Adjustment for a Variance.
- Q What about retaining walls?
A Retaining walls are not allowed within the 75' setback area. Exception: legal nonconforming.
- Q What is going to change?
A The proposed ordinance is more clear as to how to administer it from this point on to proceed with compliance.

The Adams County Shoreland Protection Ordinance with the proposed revisions will be presented to the County Board for final approval on February 17, 2009 unchanged from the February 4, 2009 Adams County Planning & Development Committee Meeting.

Upon adoption, all shoreland buffer areas will have to be in compliance by September 30, 2013.