



### **Shoreland Rules**

Pete Tarnowski, Manitowoc County Planning and Park manager, talks about regulations impacting lake properties during the September meeting of the Manitowoc County Lakes Association last Thursday. Reed Gaedtke, code administrator for Manitowoc County zoning, looks on.

—Journal Photo

# Shoreline rules keep water clean

## County officials willing to work with landowners

By Todd S. Bergmann

Shoreline property owners can find ways to comply with regulations designed to reduce water pollution.

Two Manitowoc County officials talked at length about the five-year-old state shoreline land use laws to the Manitowoc County Lakes Association last week.

Pete Tarnowski, Manitowoc County planning and park manager, and Reed Gaedtke, code administrator for Manitowoc County zoning, shared information that is of interest to people who own, would like to own or do work on lake and riverfront property.

Regulations are designed to reduce pollutants that could flow into lakes and streams, Tarnowski said.

“Water comes off properties faster when it does not have vegetation,” he said. “It carries with it pollutants.”

As pollutants enter lakes and stream, Tarnowski said water becomes less clear.

“Studies show that with clearer water, you have higher property values,” he said. People want clear water for boating, swimming and fishing.

With roof tops and paved areas and lack of vegetation, Tarnowski said more pollutants and sediments could enter lake water, covering spawning areas and reducing fish populations.

“That is typically where the fish are spawning, closer to shore,” he said.

Also, shade trees along lakes and streams not only provide scenic beauty, but help cool the water, Tarnowski said.

“If you start taking away those trees near the shore... you warm the water,” he said.

“That changes the fish structure and increases the algae” Current regulations prohibit new construction within 75 feet of the shore of a lake or a river. All current structures are grandfathered, Gaedtke said.

“Keep in mind you get to keep what you have,” he said. “If you have a 1,500-square foot home, but it is just dilapidated, you can rebuild on the same footprint.” Property owners may re-locate a building, but may not replace a deck or a patio with an addition to a house, Gaedtke said.

For properties on Lake Michigan bluffs, the setback is 2.5 times the height of the bluff, from the top of the bluff. This requirement is meant to deal with bluff erosion. However, property owners

may get variances from the setback requirements from the county zoning office, while keeping a 35-foot buffer from the lake.

Property owners may construct certain types of fences, but not block fences, within 75 feet of the shore, Gaedtke said.

“That’s a wall,” he said. “That will require a permit.”

Gazebos, stairs, patios, decks and boat houses are also exempt from the setback requirements, but must meet other requirements, such as a slanted roof on a boat house, square-footage limits and a county-approved mitigation plan. Mitigation plans include rain gardens, retention ponds on large lots and natural plants to keep pollutants from entering the water, Tarnowski said.

“Grass is not bad,” he said. “It is better than bare soil. It is better than pavement. But it does not have a root structure that pulls things out of the soil and uses them before they get to the water.”

“It will hold the soil generally until you start getting stormwater events.” Gaedtke said he discourages retention ponds, especially on small lots.

“The problem with that is in the summertime, really, what you are creating is a mosquito pond,” he said. “A rain garden will have vegetation in it, so that those plants will absorb that water.”

Native grasses and plants can be more effective, Tarnowski said.

The state Department of Natural Resources favors pervious surfaces, those that allow water to enter the ground, rather than impervious surfaces, which do not absorb rainwater, within 300 feet of shorelines, Gaedtke said.

“Gravel is considered impervious,” he said. “Before the DNR came out with standards, it tested gravel. Within one year of placement, it was 98% impervious.”

Pervious surfaces lead to clearer lake water, Tarnowski said. “Cedar Lake is very clear,” he said. “There are permeable-type properties around it. You don’t get a lot of runoff. English Lake is different. There are farm fields and more clay soils.”

Manufacturers say they make pervious pavers, Gaedtke said.

“I have yet to see a truly pervious paver,” he said. “It is how the pavers are laid out and designed.”

If lake property owners have a plan in mind, Gaedtke said they should come to county zoning to find out what is permissible.

The zoning office works with lake property owners to help them develop property in an environmentally prudent way, he said.

“We don’t want you to think that county zoning does not want you to do this,” Gaedtke said. “That is really not the way we look at it. We will do what we can to help you get what you want within the confines of what the ordinance says.”