

Dan Murphy  
Town of Oakland

December 31<sup>st</sup>, 2020

Burnett County Land Use and Information Committee  
7410 County Highway K  
Siren, WI 54872

RE: Town of Swiss CUP #: CUP-20-47

Dear Committee:

The Burnett County Conditional Use Permit (CUP) Application #CUP-20-47 is incomplete and inaccurate according to the Burnett County Conditional Use Permit Application document (Application) and therefore cannot be sufficiently reviewed by the Land Use and Information Committee (LUIC).

Land Services staff, in their report for this CUP dated December 30<sup>th</sup>, 2020, has recommended that a complete campground map may be requested as a condition of approval of this CUP. However, in a development of this scale it is only prudent that this information be submitted prior to review in accordance with County's own CUP Application requirements, and not as a condition of approval.

Further, the LUIC has time and again, through their own interpretation of WI Act 67, put the burden of proof on those potentially affected by a CUP to provide substantial evidence to oppose and maintain status quo. The LUIC then, at a minimum, must put the burden of supplying complete and accurate information for review on the Applicant.

Therefore, the Applicant needs to submit additional information and provide clarification according to the explicitly stated requirements of the Application.

Following are items that need to be addressed or provided to complete the Application per the County's own Application requirements and provide the LUIC, Town of Swiss, neighbors and the public with accurate information to review a proposal of this magnitude:

- 1) There is a discrepancy in the proposed number of campsites listed in the CUP application (180) and those drawn by Wagner Surveying on the submitted conceptual plans (192) (See Exhibit A). This discrepancy should be resolved.
- 2) According to the Application, the plot plan drawing should show "dimensions, locations and setbacks of all existing and proposed structures including all decks/porches/walkways/etc;...".

The Applicant notes that a restaurant / bar and event center is proposed, however the restaurant / bar and event center are not drawn on either of the conceptual plans submitted with the Application. Further, no structures accessory to campground operations (eg. storm shelters, offices, etc.,) are noted or shown.

- 3) According to the Application, the Applicant's plot plan should show "property lines, road right-of-ways, and road centerlines including distances to property lines, road right-of-ways and road centerlines for all existing and proposed structures on the parcel". Neither conceptual plan submitted shows how the campground access road will intersect with Nelson Road. Further, none of this information has been provided for the proposed restaurant / bar and event center.

- 4) The Applicant notes they will “split house and barn area 10 acres for restaurant / bar and event center”. According to the Applicant’s conceptual plans, this area is noted as 10.4362 acres. This discrepancy should be resolved. To review an Application that contains multiple campsites with an average area of 9,600 square feet, or 0.22 acres, appropriate accuracy should be employed throughout.
- 5) According to the Application, the Applicant’s plot plan drawing should show “sanitary system, drainfield and well with distances to property lines, OHWM, wetlands, floodplains, existing and proposed buildings”. The Applicant has provided no sanitary, drainfield or well information in writing or in their proposed conceptual plans.
- 6) According to the Application, the Applicant’s plot plan drawing should show “floodplain and wetland boundaries and distances to them from all existing and proposed structures”. The Staff Report notes: “According to the WI DNR wetland map there are some wetlands on the parcel described as the NE-SW”. These wetlands are potentially within 200 ft of proposed campsites in this parcel and, excepting the pond, are not shown on either of the submitted Conceptual Plans (See Exhibit B).

Regards,

Dan Murphy, PE (MN Lic # 47584)

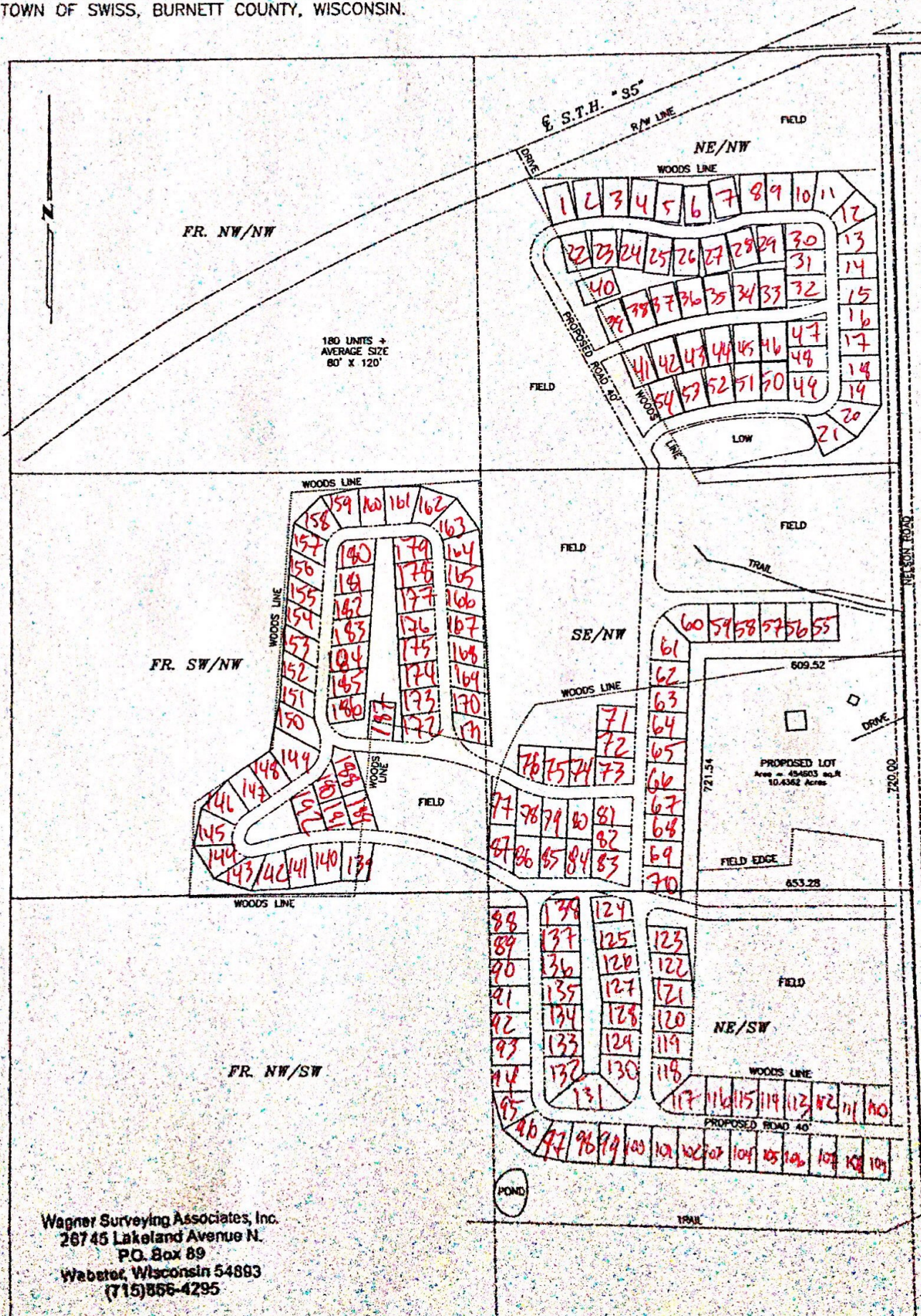
Enclosures: Exhibit A – Campground Conceptual Plan Site Count

Exhibit B – Wisconsin Surface Water Data Viewer Map



# CONCEPT SITE PLAN: FOR NORTH CAMP NELSON ROAD CAMPGROUND

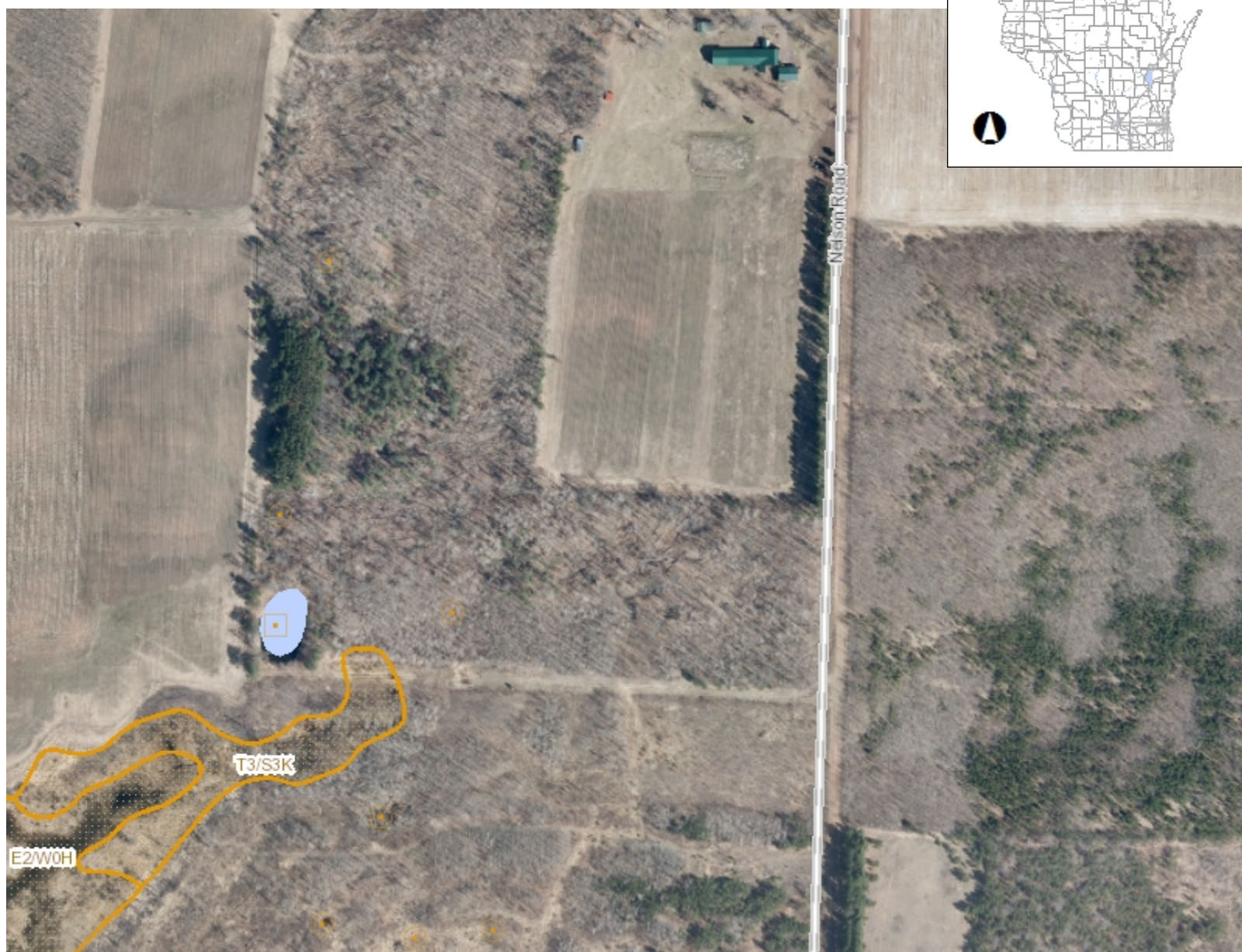
LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE FRACTIONAL SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 41 NORTH, RANGE 15 WEST, TOWN OF SWISS, BURNETT COUNTY, WISCONSIN.



Wagner Surveying Associates, Inc.  
26745 Lakeland Avenue N.  
P.O. Box 89  
Webster, Wisconsin 54883  
(715) 866-4295



# Surface Water Data Viewer Map



## Legend

### Wetland Class Points

- Dammed pond
- Excavated pond
- Filled excavated pond
- Filled/draind wetland
- Wetland too small to delineate

### Filled Points

### Wetland Class Areas

- Wetland
- Upland

### Filled Areas

### Municipality

### State Boundaries

### County Boundaries

### Major Roads

- Interstate Highway
- State Highway
- US Highway

### County and Local Roads

- County HWY
- Local Road

### Railroads

### Tribal Lands

### Rivers and Streams

### Intermittent Streams

### Lakes and Open water

### Index to EN\_Image\_Basemap\_Leaf\_ Off

0.1 0 0.06 0.1 Miles

NAD\_1983\_HARN\_Wisconsin\_TM

1: 3,960

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## Notes