

**October 26, 2015**

**To: Town of Bass Lake Board of Supervisors**

**From: Kris Sivertson, President  
Courte Oreilles Lakes Association (COLA)**

**Subject: COLA suggestions to Bass Lake Township regarding Public Access Reserve Strip ordinance**

Bass Lake Town Board

As you know, COLA is the state recognized lake association that represents over 450 property owners/members on the Lac Courte Oreilles (LCO) lakes.

We applaud the Town Board efforts to address the longstanding issues associated with the use and infringement upon the public reserve strips in Northwoods Beach as those efforts pertain to LCO. This is a tough issue(s) given the history and COLA will support the Board in their deliberations to rectify the past and set out clear direction for the future.

COLA generally supports the concepts and structure of the draft ordinance working version dated July 31, 2015 (ordinance). COLA first and foremost is concerned with the restoration and protection of water quality and the aesthetic value of the LCO lakes. COLA believes adoption of an ordinance that has at its root, compliance with the minimum state and county shoreland standards would ultimately be in the best interest of the lake and provide a degree of fairness to all who reside on LCO.

It is in the spirit of cooperation and fairness that COLA offers the following suggestions to the Bass Lake Township Board aimed at resolving the cleanup and future protection of the Township owned public reserve strips.

**Goals for the public reserve strips:**

- Prevent further damage to public reserve strip and re-establish native vegetative buffer to improve and protect the water quality of LCO.
- Establish control and environmental stewardship of the public reserve strip.
- Establish property lines between public land and adjoining private property.
- Clarify what is acceptable and unacceptable for use in the public reserve strip by adjoining private property owners understanding that there historically exists a “special relationship” between these private property owners and the Town’s public reserve strip. Treat these private property owners fairly in consideration of this history.

- Enhance the aesthetic value of the LCO shoreline.
- Decrease impervious surface area in this sensitive shoreland
- Ultimately remove encroaching structures from the public reserve strip.

### **Allowed Uses**

1. Private property items which are for the most part ‘portable’ and are part of the lake experience and enjoyment can be used on the public reserve strip.

- Lawn chairs, moveable chairs and benches
- Moveable picnic tables
- Hammocks
- Fire rings: Metal rings if already in place will be allowed. Fire “pits” must be temporary, no mortared/bricked semi-permanent fire rings.

2. Lake recreational items. Stairs, Docks, boatlifts, rafts and moorings are allowed if compliance with Wisconsin Department of Natural Resources and Sawyer County Shoreland Zoning regulations is maintained. The following items are allowed.

- A stairway across the public reserve strip is allowed, but must be maintained and kept safe.
- Re-built stairways must get a building permit from Town of Bass Lake prior to installation.
- Boat lifts and dock sections may be stored on the public reserve strip during the winter.

If a dock or boatlift is not put into the water for two seasons/years running a permit from the Town of Bass Lake must be obtained in order to avoid abandonment of materials on the public reserve strip.

### **Vegetation**

No vegetation on the public reserve strip shall be removed, periodically cut or chemically treated without Township guidance and approval.

## **Items to be removed**

### 1. Items to be removed within forty –five (45) days of the effective date of an ordinance.

- Gardens
- Drain tile
- Flag poles/bell poles/satellite dish poles/light poles/concrete posts
- Construction materials including landscaping materials such as dirt piles, rock piles, cement, lumber etc.
- Debris and brush piles
- Fences, stone walls, retaining walls
- Metal pipes or other building materials
- Propane tanks
- Automobiles, trucks whether drivable or not, utility trailers, boat trailers and parts thereof.
- Swing sets
- Driveways or parking areas on the public reserve strip (may need more than 45 days to remove if other than ‘dirt’)
- Camp wood or heating wood piles
- Impervious walkways

### 2. Items to be removed with six (6) months of effective date of an ordinance

- Boat sheds (boating equipment storage)
- Tool sheds
- Decks/patios not connected to cabin or house
- Pump houses
- Chairlift or track if not functional on the effective date of the ordinance

## **Constructed Items**

The following constructed items ultimately need to be removed from the public reserve strip.

- Boat houses used for boat storage and use.
- Decks connected to cabin or home wholly or partially located on public reserve strip.
- Garages wholly or partially located on public reserve strip.
- Houses or portions thereof located on the public reserve strip.
- Septic systems or wells located on the public reserve strip
- Chairlift or tracks

Deed Restriction: Current owner or immediate children can keep and continue to use for their lifetime only. Then the constructed item on the public reserve strip must be removed at the owner or their estate's expense. The constructed item is not to be sold with the property or passed along to grandchildren. The appropriate deed restriction shall be filed by Bass Lake Township.

**Constructed Item Conditions:**

1. If the constructed item is lost to fire, trees falling, lightning, rot, neglect, it cannot be replaced. If the constructed item is not maintained and becomes a hazard or nuisance the, Town Board may order it removed.
2. The constructed item cannot be enlarged or "improved" from what it is right now. For example, if no electric now, electric is not to be added. If no loft bedroom now, one cannot be added.
3. Chairlift or tracks: If it is in working order and if the current owner or their parent or someone in their family needs it and uses it for getting up and down to the lake allow it for the life or use of that person. It is not to be sold or passed on.

**Other considerations:**

- The Town of Bass Lake should retain the option for considering variances in any adopted ordinance in order to accommodate unforeseen situations or needs.
- The Town of Bass Lake should write up and provide clear guidance for vegetation removal, treating and voluntary planting of buffer vegetation
- All property owners should be provided final copies of the ordinance when adopted.
- The Town of Bass Lake should contact each realtor doing business in this area, the area title insurance companies and the local banks, to notify them that they have a responsibility of full disclosure to inform any potential buyer (and remind the seller) of the unique situation of the public reserve strip.