

State of Wisconsin

SENATE CHAIR
Alberta Darling

317 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-5830



ASSEMBLY CHAIR
John Nygren

309 East, State Capitol
P.O. Box 8593
Madison, WI 53708-8953
Phone: (608) 266-2343

Joint Committee on Finance

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Alberta Darling
Representative John Nygren

Date: March 17, 2015

Re: 14-Day Passive Review Approval – DNR

Pursuant to s. 23.0917(6m), Stats., attached is a 14-day passive review request from the Department of Natural Resources, received on March 17, 2015.

Please review the material and notify **Senator Darling** or **Representative Nygren** no later than **Friday, April 3, 2015**, if you have any concerns about the request or if you would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

Attachments

AD:JN:jm



March 6, 2015

The Honorable Alberta Darling, Co-Chair
Committee on Joint Finance
Room 317 East
State Capitol
PO Box 7882
Madison WI 53707-7882

The Honorable John Nygren, Co-Chair
Committee on Joint Finance
Room 309 East
State Capitol
PO Box 8953
Madison, WI 53707-53708

Dear Senator Darling and Representative Nygren:

Pursuant to s. 23.0917(6m), Wis. Stats., the Department is notifying you as co-chairs of the Committee on Joint Finance of a proposed acquisition grant for the Laimon Family Lakeside Park E, using grant funds in the amount of \$327,000 from the Knowles-Nelson Stewardship Program. The proposed grant award represents 50% of the estimated total project costs. This parcel is located in the Village of Pewaukee, Waukesha County.

The proposed project will acquire 0.5 acres with 212 feet of frontage on Pewaukee Lake. The Village will renovate the boat launch and parking lot, restore green space, and develop a lakeshore trail. Passive recreational activities include fishing, hiking, cross-country skiing, picnicking, snow shoeing, motorized and non-motorized water sports, bird and wildlife watching, nature photography, and the enjoyment of scenic views.

The sponsor will prohibit two nature-based outdoor activities as defined in Ch. NR 52, Wis. Adm. Code. As provided for in s. 23.0916 (2) (c), Wis. Stats., and per procedures defined in Ch. NR 52, Wis. Adm. Code, the Department has determined that it is necessary to prohibit hunting and trapping on this parcel to protect public safety. The following factors were considered when making this determination:

1. Primary purpose of the project being a passive lakeside park.
2. A City ordinance prohibiting the discharge or carrying dangerous weapons and trapping.
3. The size, location and shape of the parcel.
4. Proximity of the parcel to homes and commercial buildings.
5. Proximity of the parcel to village streets.

At its meeting on February 25, 2015, the Natural Resources Board ratified the Department's decision to award a grant for this project by unanimous vote in favor.

As provided in s. 23.0917(6m)(a), Wis. Stats., if the Department does not receive notification of the scheduling of a hearing from either of the Joint Committee on Finance co-chairpersons within 14 working days from today, the Department will award this grant.

Thank you for your consideration.

Sincerely,


Cathy Stepp
Secretary

C: Kurt Thiede, Lands Div. Administrator
Lavane Hessler – LF/6

Steve Miller – LF/6
Dan Kaemmerer – SER

**Wisconsin Department of Natural Resources
Natural Resources Board Agenda Item**

SUBJECT: Request approval of the Department's recommendation to issue a Stewardship grant that will prohibit at least two nature-based outdoor activities (NBOA) on non-department land: Village of Pewaukee, Waukesha County

FOR: February 2015 Board meeting

TO BE PRESENTED BY: Lavane Hessler - Stewardship Grant Manager

SUMMARY:

The Department is requesting that the Board approve the Department's determination that the prohibition of two nature-based outdoor activities (hunting and trapping) is necessary to protect public safety on 0.5 acres in the Village of Pewaukee, Waukesha County. The parcel will be known as Laimon Family Lakeside Park and includes approximately 212 feet of frontage on Pewaukee Lake. Future development plans include the redevelopment of the boat launch, parking, and a lakefront walk. The public will enjoy fishing, hiking, cross-country skiing, motorized and non-motorized water sports, bird watching, and nature observation.

The Department has made the determination that the prohibition on hunting and trapping is necessary to protect public safety because:

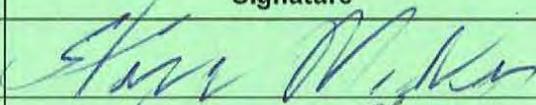
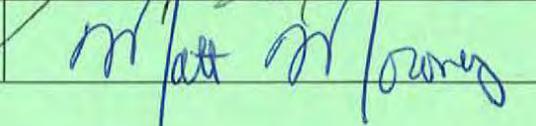
- Proximity to residential and commercial buildings.
- Proximity to village streets.
- The size, shape, and location of the parcel.
- The primary purpose of the property being a passive park.
- City ordinances prohibiting the discharge of firearms and trapping.

The proposed grant of \$327,000 will come from the Urban Greenspace subprogram of the Stewardship program.

RECOMMENDATION: Approval of the Department's decision to award a Stewardship grant that will prohibit hunting and trapping on 0.5 acres to be acquired by the Village of Pewaukee.

LIST OF ATTACHED MATERIALS (check all that are applicable):

- Background memo Type name of attachment if applicable
 Type name of attachment if applicable Type name of attachment if applicable

Approved by	Signature	Date
Steve Miller Bureau Director		2-3-15
Kurt Thiede, Land Division Administrator		2-3-15
Cathy Stepp, Secretary		2/4/15

cc: Board Liaison - AD/8

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• Appendix A –Project Maps	4
• Appendix B – Staff Analysis of NBOA Prohibitions The staffs' analysis of any proposed NBOA prohibitions, including a signature from the regional Public Safety Warden who reviewed prohibitions proposed as necessary to protect public safety. The format of this analysis is a standard checklist, approved by DNR Legal Services, and completed for all Stewardship grant projects with an NBOA prohibition for safety reasons. Any relevant ordinances and statutes are also included.	7
• Appendix C – Public Comment Certification Memo This confirms that regional grant staff have completed the requirements for public notice set forth in s. NR 52.04 and summarizes any comment/s received.	16
• Appendix D – News Release. The Department is required by s. NR 52.04, Wis. Adm. Code, to give notice to the public of our intentions to award grant funds to purchase property on which any NBOAs will be prohibited. The news releases also follow an approved template. Because of the timing of these news releases in our grant cycle (often before appraisals have been completed and certified) and per the department's obligations to protect the confidentiality of incomplete real estate transactions, news releases do not identify the exact location of the property, name of the seller, or any information about project financing.	17
• Appendix E – Driving Instructions	18

DATE: January 16, 2015

TO: Natural Resources Board

FROM: Cathy Stepp, Secretary

SUBJECT: REQUEST FOR RATIFICATION OF STEWARDSHIP GRANT FOR ACQUISITION WITH PROHIBITION

The Department requests that the Board approve a determination that the prohibition of two nature-based outdoor activities is necessary on 0.5 acres of land in the Village of Pewaukee, Waukesha County. The Department proposes to award a grant in the amount of \$327,000 to the Village of Pewaukee for the purchase of the land on which hunting and trapping will be prohibited by ordinance.

I. PROJECT DETAILS

Project Sponsor: Village of Pewaukee
Seller: Laimon Family Limited Partnership
Grant sub-program: Urban Greenspace

Project Description: The property is approximately 0.5 acres with 212 feet of frontage along Pewaukee Lake which is currently operated as a private boat launch. The Village will convert the parcel to a public boat launch and expand passive recreational opportunities to the lake and lakeshore. Future development plans include renovating the boat launch and parking lot, replacing paved surfaces with green space, and developing a lakefront recreational trail. Maps are attached as Appendix A.

Project Goals: The Laimon Family Lakeside Park acquisition project will provide public land for outdoor recreation, and meets the following community and regional goals:

- Provides new public land for nature-based outdoor recreation.
- Provides public access to Pewaukee Lake.
- Implements recommendations from the Village of Pewaukee Strategic Plan.
- Implements recommendations from the Pewaukee River Watershed Protection Plan.
- Implements recommendations from the 2014-2019 Joint Park & Recreation Comprehensive Plan.

The project will also implement the following Statewide Comprehensive Outdoor Recreation Plan (SCORP) Goals:

- Assess, Understand, and Adapt to Growing Recreation Tourism Demands and Preferences
- Improve Integration of Outdoor Recreation Interests and Needs in Land Use and Other Relevant Planning Efforts
- Continue to Provide and Enhance Public Access to Wisconsin Recreational Lands and Waters
- Promote Outdoor Recreation as a Means of Improving Public Health Among Wisconsinites
- Establish Great Urban Parks and Community Green Spaces

Current/Prior Use of Property: The property is a currently a private owned boat launch on Pewaukee Lake. The development consists of a paved parking lot and a paved drive through area that accesses the boat launch. The current owners operate a small bait shop with boat and boat slip rentals on the site. The bait shop will be acquired by the Village but it is not part of the Stewardship project.

Proposed Public Uses: The Laimon Family Lakeside Park acquisition will be available to the public 24 hours per day, 7 days per week, and 365 days per year. Users will have additional access to Pewaukee Lake, and will be able to fish, hike, cross-country ski, swim, motorized and non/motorized waters sports, bike, picnic, snowshoe, bird watch, and observe nature. The Village anticipates approximately 20,000 visitors will enjoy this property annually.

Public recreation opportunities include fishing, hiking, cross-country skiing, swimming, biking, picnicking, motorized and non-motorized water sports, snowshoeing, bird watching, and nature observation. The Department's analysis of the permitted nature-based outdoor activities is attached in Appendix B.

Hunting and trapping will be prohibited on the property by village ordinance. The Department has determined that the prohibition of the two nature-based outdoor activities is necessary to protect public safety.

Property Management: Laimon Family Lakeside Park will be operated and maintained by the Village of Pewaukee Parks and Recreation Department, consistent with their management policy.

Timetable: The Village plans to close on this property in the fall of 2015.

II. NBOA DETERMINATION

Nature-based outdoor activities (NBOAs) are defined in s. NR 52.02(7), Wis. Adm. Code, as hunting, trapping, fishing, hiking, or cross-country skiing. The Village of Pewaukee proposes to prohibit hunting and trapping in Laimon Family Lakeside Park. The Southeast Region Public Safety Team determined that the prohibition on these activities is necessary to protect public safety. This determination is based the following factors:

- The primary purpose of the project (passive village park).
- Village ordinances prohibiting the discharge of firearms and trapping.
- The size, shape, and location of the parcel.
- Proximity to residential homes, commercial buildings, and roads.

The Department posted public notice about this determination on GovDelivery on December 5, 2014. One comment was received on the project citing that they felt the local government should pay for the project. The public notice and summary of the comments submitted may be found in Appendix C and D attached to this Green Sheet.

III. PROJECT FINANCES

A. Partnerships

- Village of Pewaukee: Responsible for 50% of the financial portion, the land management, operation, and maintenance of the property
- Laimon Family Limited Partnership: Seller of property
- Department of Natural Resources: Provides financial assistance

B. Appraisals

As required by s. 23.0917(7)(e)1., Wis. Stats., three appraisals were used to determine the fair market value of the land.

Appraisal 1	\$920,000
Appraisal 2	\$350,000
Appraisal 3	\$645,000
Value certified by Department	\$645,000

C. Grant Calculation

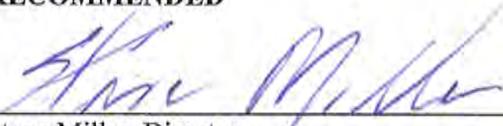
As required by s. NR 51.006(1), Wis. Adm. Code, financial assistance is limited to 50% of the acquisition cost.

Certified appraised value	\$645,000
Associated eligible real estate costs	<u>\$ 9,000</u>
Total Maximum Project Costs	\$654,000

D. Funding Sources

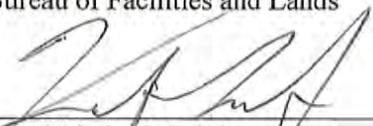
Village of Pewaukee	\$327,000
Stewardship Grant Award	\$327,000(50%)

IV. RECOMMENDED



Steve Miller, Director
Bureau of Facilities and Lands

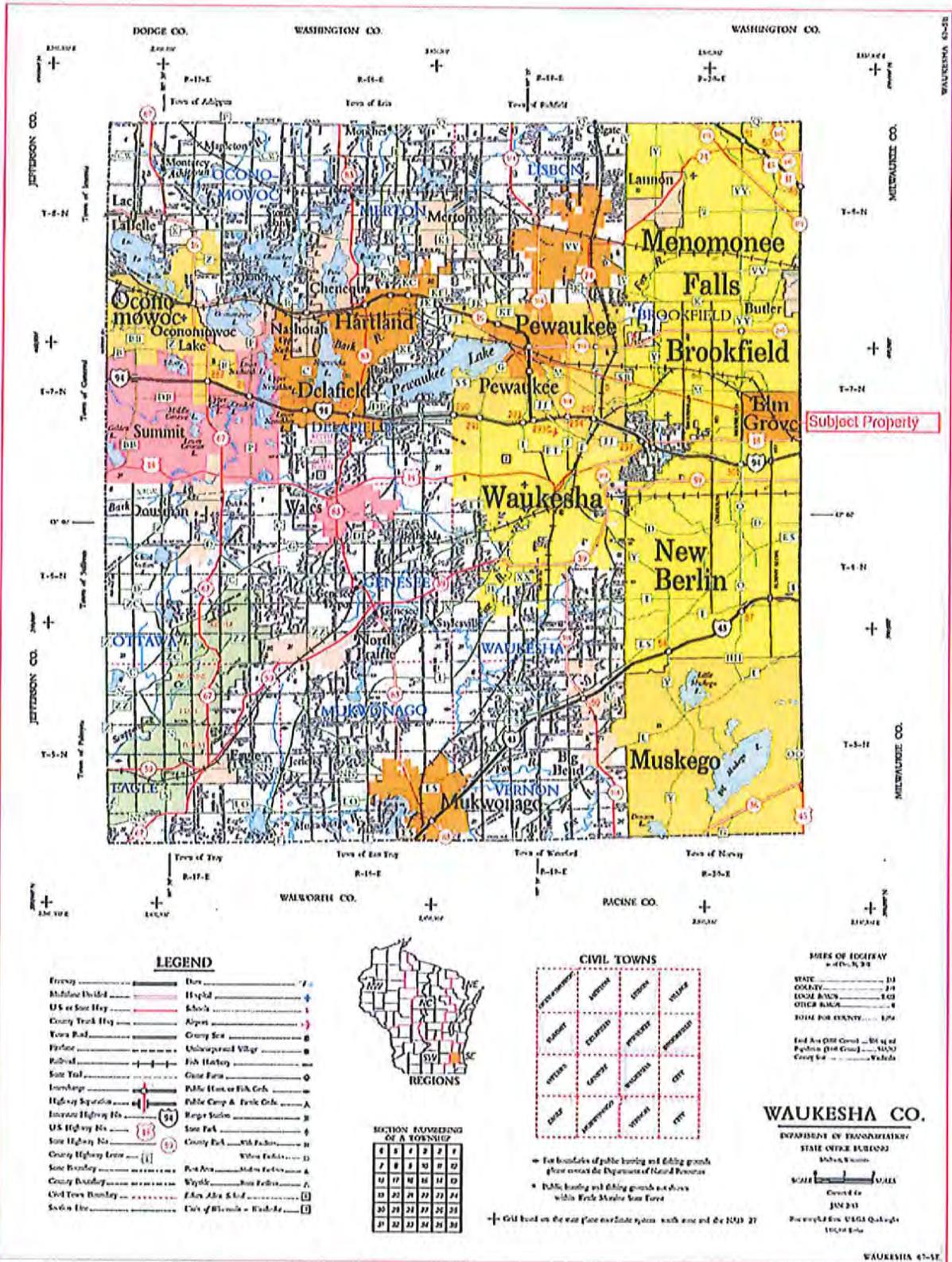
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Date

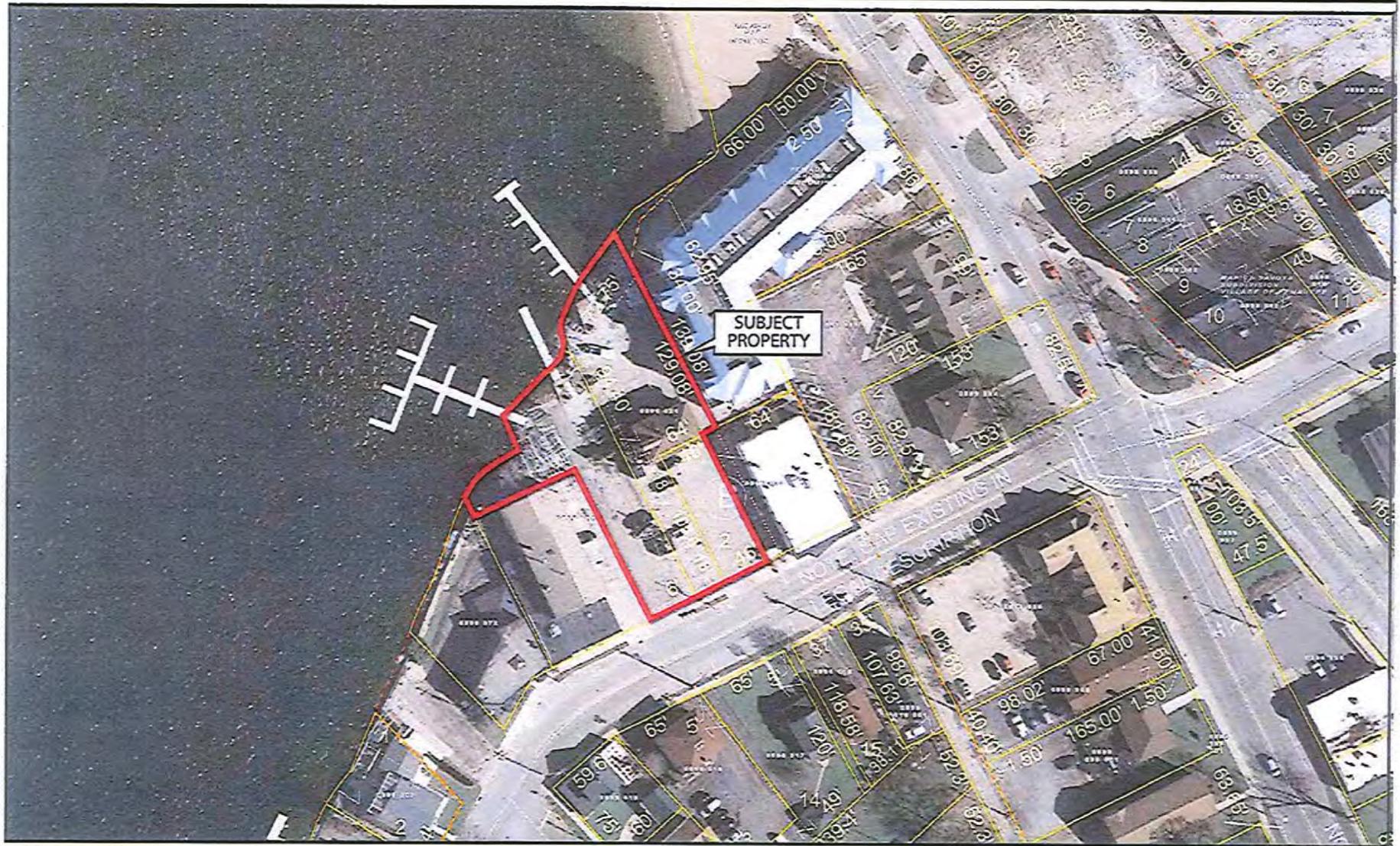


Kurt Thiede, Administrator
Land Division

2-3-15
Date

Appendix A





0 100.00 Feet

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

Notes:

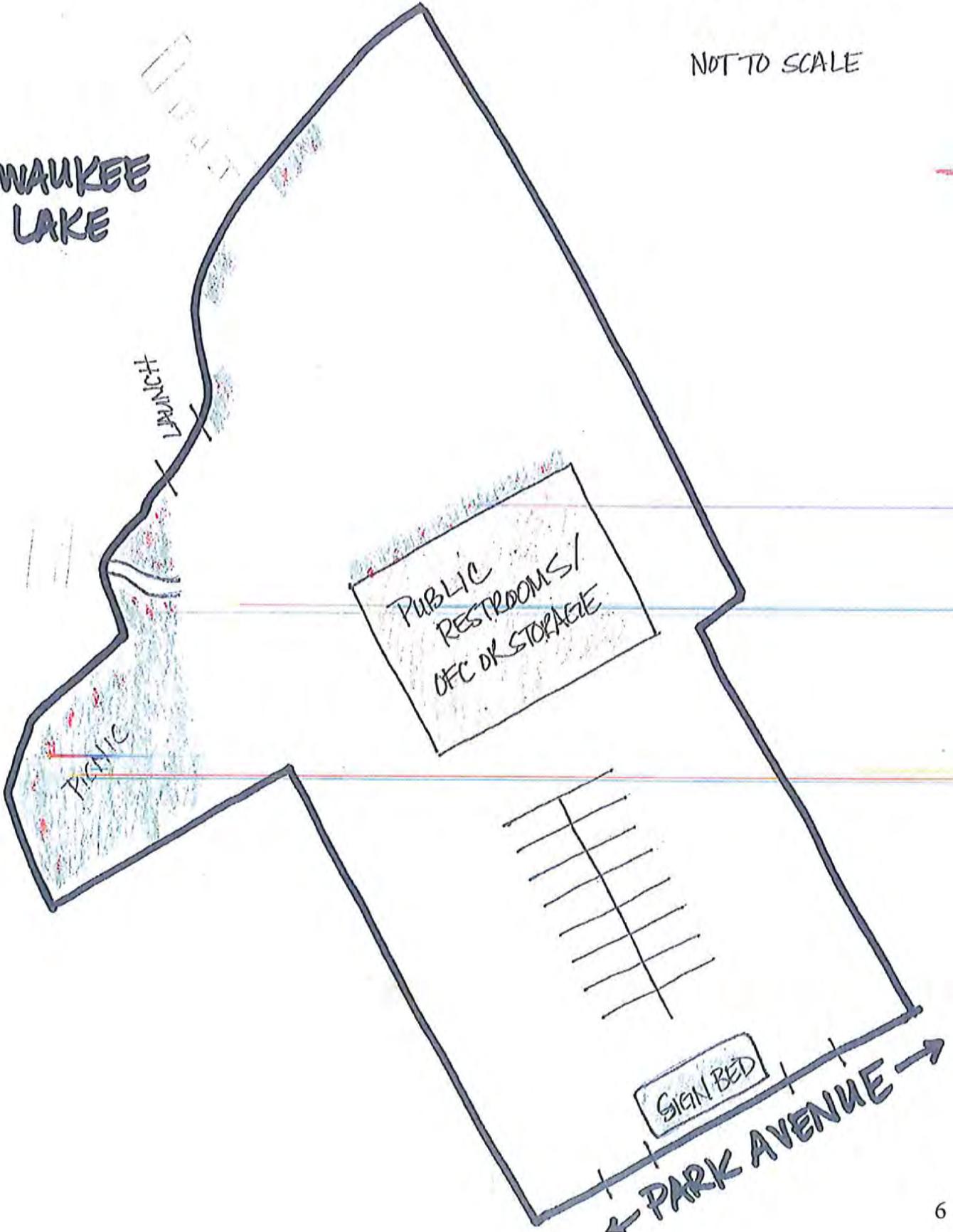
Printed: 1/23/2014



LAIMON FAMILY LAKESIDE PARK

NOT TO SCALE

PEWAUKEE
LAKE



Appendix B

Knowles-Nelson Stewardship Grant Program



**Public Safety Team Analysis of
Nature Based Outdoor Activities on
Projects Purchased with
Stewardship Grant Funds**

Rev. August 2012

NOTE TO DNR STAFF: This completed form will be attached to the NBOA notice that the DNR will publish when considering a request for Stewardship grant funding. Do not list location information for the subject property or the seller's name because WI courts have held that this information is confidential until land ownership has changed hands. CF Staff completes the project proposal section prior to submitting to public safety team for review.

PUBLIC SAFETY REVIEW TEAM

Kyle Drake Regional Recreational Safety Warden 10-01-14 Date	 Regional Warden Supervisor 10-15-14 Date
---	--

PROJECT DESCRIPTION

Applicant/ Sponsor: Village of Pewaukee	Year of Application: 2014								
Project Name: Lalmon Family Lakeside Park	Primary Purpose: <table border="0"> <tr> <td><input type="checkbox"/> Habitat Areas</td> <td><input type="checkbox"/> Local Parks</td> </tr> <tr> <td><input type="checkbox"/> Natural Areas</td> <td><input type="checkbox"/> Urban Rivers</td> </tr> <tr> <td><input type="checkbox"/> State Trails</td> <td><input checked="" type="checkbox"/> Urban Greenspace</td> </tr> <tr> <td><input type="checkbox"/> Streambank Protection</td> <td></td> </tr> </table>	<input type="checkbox"/> Habitat Areas	<input type="checkbox"/> Local Parks	<input type="checkbox"/> Natural Areas	<input type="checkbox"/> Urban Rivers	<input type="checkbox"/> State Trails	<input checked="" type="checkbox"/> Urban Greenspace	<input type="checkbox"/> Streambank Protection	
<input type="checkbox"/> Habitat Areas	<input type="checkbox"/> Local Parks								
<input type="checkbox"/> Natural Areas	<input type="checkbox"/> Urban Rivers								
<input type="checkbox"/> State Trails	<input checked="" type="checkbox"/> Urban Greenspace								
<input type="checkbox"/> Streambank Protection									

Project Description:
 The primary purpose of this acquisition is to secure public access to Pewaukee Lake through the purchase of a privately owned boat launch. This privately owned launch will be converted to a public launch and park with areas of green space as well as water based recreational opportunities through rentals of items such as canoes, kayaks, or paddle boards. This park will provide ample outdoor recreation opportunities for the community.

FINDINGS OF FACT:

The property is currently a privately owned boat launch, boat livery, bait shop, and residence. The Village of Pewaukee is looking to acquire the property to improve the launch area and develop a lakefront urban greenspace. There is also a proposal to use the bait shop/residence for some business venture, but the building is not included in the grant application. The property is bordered by residences across the street to the south, a condominium to the east, businesses to the west and Pewaukee lake to the north. It is located in the middle of the Village of Pewaukee.

The SER NBOA Public Safety Team has determined that the prohibition of hunting and trapping is necessary to insure compliance with current local ordinances and to protect the public's safety as this is a heavily developed area and the public beach/swim area is about 150 feet away.

Parcel Size, Shape, and Topography: Describe the size, shape, and topography of the parcel and how it relates to public safety for this activity on this site.

The property is a paved lakeside parcel located in a business and residential area within the Village of Pewaukee. There currently are no trees or greenspace associated with the site and includes an improved building in the middle of it that is not part of the grant.

Proposed NBOA Prohibition or Restrictions

HUNTING			
	Gun Prohibition/Restriction	Archery Prohibition/Restriction	List Dates/Seasons (opening and closing)
Waterfowl	yes	yes	
Small Game	yes	yes	
Turkey	yes	yes	
Large Game	yes	yes	
Public Safety Team Narrative: Because of the location of the property within the Village and the proximity of residences and business, it is necessary for public safety to prohibit the hunting with firearms and archery equipment on the parcel.			
Public Safety Factors Considered: Check all that apply. <input checked="" type="checkbox"/> The sponsor is within its own municipality boundary <input checked="" type="checkbox"/> Parcel is within 100 yards of building devoted to human occupancy <input checked="" type="checkbox"/> Parcel is within 50 feet of the center line of highways & roads <input type="checkbox"/> Parcel is within 1700 feet of school grounds, hospital, or sanatorium <input type="checkbox"/> Ordinance exists -- <input checked="" type="checkbox"/> Discharge or carrying a weapon <input checked="" type="checkbox"/> Hunting within a park <input type="checkbox"/> Throwing or shooting missiles, arrows, spears, etc. <input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance <input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists. <input checked="" type="checkbox"/> Parcel is adjacent to a public waterway. <input checked="" type="checkbox"/> Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe: Boat launch and park will be in a residential and business area. <input type="checkbox"/> Other _____			
Prohibition or Restriction Necessary to Protect Public Safety:		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

TRAPPING		
Location	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Upland	Yes	
Water	yes	
Public Safety Team Narrative: Because of the location of the property within the Village and the proximity of residences and business, as well as the proposed use as a boat launch and park, it is necessary for public safety to prohibit trapping on the parcel.		
<input type="checkbox"/> No Water On Site Public Safety Factors Considered: Check all that apply. <input checked="" type="checkbox"/> The sponsor is within its own municipality boundary. <input checked="" type="checkbox"/> Parcel is within 100 yards of building devoted to human occupancy and per s. NR 10.13(1)(b)(12)(c), the following traps are prohibited: conibear body gripping traps (with jaws wider than 60 sq. inches) and cable restraints. <input checked="" type="checkbox"/> Ordinance exists that prohibits trapping or some type of trapping. <input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance <input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists. <input checked="" type="checkbox"/> Parcel is adjacent to a public waterway. <input checked="" type="checkbox"/> Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe: See above <input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

FISHING		
Method	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Shore	no	Year round
Boat	no	Year round
Public Safety Team Narrative: No prohibition		
<input type="checkbox"/> No Water on Site <input type="checkbox"/> Public Safety Factors Considered: Check all that apply. <input type="checkbox"/> Ordinance exists – <input type="checkbox"/> _____ <input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance <input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists. <input type="checkbox"/> Parcel is adjacent to a public waterway. <input type="checkbox"/> Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe: <input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

HIKING		
Location	Prohibition/Restriction	List Dates (opening and closing)
On-Trail	NA	
Off-Trail	no	Year round
Public Safety Team Narrative:		
No prohibition		
Public Safety Factors Considered: Check all that apply.		
<input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance		
<input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.		
<input type="checkbox"/> Parcel is adjacent to a public waterway.		
<input type="checkbox"/> Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe:		
<input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety: <input type="checkbox"/> Yes <input type="checkbox"/> No		

CROSS COUNTRY SKIING		
Type of Trail	Prohibition/Restriction	List Dates (opening and closing)
Off-Trail (un-groomed)	no	Year round
On-Trail (un-groomed)	NA	
On-Trail (groomed)	NA	
Public Safety Team Narrative:		
No prohibition		
Public Safety Factors Considered: Check all that apply.		
<input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance		
<input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.		
<input type="checkbox"/> Parcel is adjacent to a public waterway.		
<input type="checkbox"/> Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe:		
<input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

STATE OF WISCONSIN : VILLAGE OF PEWAUKEE : WAUKESHA COUNTY

ORDINANCE NO. 2014-10

**ORDINANCE TO REGULATE THE USE OF BOWS AND ARROWS OR
CROSS-BOWS WITHIN THE VILLAGE OF PEWAUKEE**

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin do ordain as follows:

Section 54.103 of the Municipal Code of the Village of Pewaukee is hereby repealed and recreated to read as follows:

SECTION I

Section 54.103.

A. No person shall fire or discharge any weapon capable of discharging a projectile or missile within one hundred (100') feet of the Village of Pewaukee, except this Section shall not apply to the following:

1. Any authorized officer of the law in the performance of his/her duties or any citizen lawfully defending life or property.
2. At a licensed archery range or shooting gallery.
3. The use of a bow and arrow or cross-bow for the purpose of destroying wild animals or birds causing damage to growing agricultural crops.
4. The use of a bow and arrow or cross-bow for hunting wild animals and birds under licenses issued pursuant to Chapter 29 of the Wisconsin Statutes.

(1) Anyone engaged in the use of a bow and arrow or cross-bow for hunting wild animals and/or birds under this Section shall comply with all state statutes and rules promulgated by the Department of Natural Resources pertaining to hunting game, including, but not limited to the following:

- (i) State designated hunting seasons' times and zones;
- (ii) State limits on the purpose and type of game obtained per season;
- (iii) Safety measures;
- (iv) Acquisition of necessary permits and licenses;
- (v) Penalties and fines for violations and non-compliance.

B. To preserve the general health, safety and welfare of the citizens of Pewaukee. The use of a bow and arrow or cross-bow for the purpose of hunting under this section shall not be permitted in Village Parks or Parkway's, on School property or any Village property.

(1) Persons engaged in hunting in the Village of Pewaukee must receive prior permission from the landowner.

(2) Persons hunting with bow and arrow or cross-bows must discharge the arrow or bolt from the respective weapon toward the ground.

(3) Hunting with a bow and arrow or cross-bow is prohibited within one hundred (100) yards of a building. This restriction shall not apply if the person who owns the land on which the building is located allows the hunter to hunt within a specified distance of the building. For purposes of this Section, building means a permanent structure used for human occupancy and includes a manufactured home as defined in Section 101.91(2) of the Wisconsin Statutes. Violation of any provision of this Section shall subject the violator to the penalty set forth in the general penalty section of this Code.

C. Residents and non-residents obtaining hunting archer hunting licenses issued pursuant to Wisconsin Statute Section 29.171 and 29.216 must use arrows marked with hunters designated permit number.

SECTION II

All Ordinances or parts of Ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

SECTION III

The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

SECTION IV

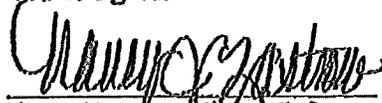
This Ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending Ordinance therein.

PASSED AND ADOPTED by the Village Board of the Village of Pewaukee, this
18th day of November, 2014.

APPROVED:


Jeff Knutson, Village President

Countersigned:


Nancy Zastrow, Village Clerk

Sec. 58.130. Park rules.

All parks located in the Village of Pewaukee shall be governed and operated under the following rules and regulations, which rules and regulations are hereby adopted by the Village of Pewaukee, and shall govern the use by all persons of the Village parks.

(1) *Individual conduct.*

- a. No activities by any person or organization for which a charge is made shall be permitted without all necessary permits and the expressed permission of the joint park and recreation board.
- b. All persons over the age of five will use the restrooms designated for that person's sex.
- c. No person or organization will be permitted exclusive use of any areas or buildings without a permit and the written approval of the joint park and recreation board.
- d. No animals of any kind shall be allowed in the park.
- e. No selling or consumption shall be permitted of any beer or alcoholic beverages unless the appropriate permits are obtained and there is a license holder distributing said beverages.
- f. No selling of merchandise is permitted without the appropriate permits and the expressed approval of the joint park and recreation board.
- g. No advertising of any nature without the necessary permits shall be permitted in the park.
- h. No placing or posting of signs, placards of advertisements whatsoever, except official village signs, is permitted without the written approval from the joint park and recreation board and the village plan commission.
- i. **No hunting or trapping shall be permitted in the village parks.**
- j. No fires may be started or maintained other than in specified locations and in specified containers. Any fires must be under the immediate and constant supervision of an adult until such time as the fire is extinguished. Disposal of charcoal or used fire fuel shall only be permitted in approved containers.
- k. No camping is permitted in village parks, and no one may stay in park buildings overnight.
- l. No live music is permitted without a permit, and vehicle speakers may only be audible to a distance of 20 feet.

(2) *Vehicles.*

- a. The rate of speed in village parks shall not exceed ten mph or as otherwise posted.
- b. No parking of vehicles in other than designated lots except with the permission of the village police department.
- c. No operation of motorized vehicles is permitted in other than designated lots and roadways.
- d. No parking unless participating in park events or as otherwise permitted by the village police department.
- e. No overnight parking unless permission is obtained from the village police

LAW OFFICES OF
HIPPENMEYER, REILLY, WOODIE & BLUM, S.C.

ROBERT D. MOODIE
MARK G. BLUM
THOMAS G. SCHMITZER
LORI J. FABIAN

RONALD E. ENGLISH III

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P. O. BOX 766
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www.hrmblawfirm.com

RICHARD S. HIPPENMEYER
(1911-1970)

WILLIAM F. REILLY
(1932-2007)

E-MAIL: MGBLUM@HRMBLAW.COM

November 25, 2014

Via Email (Daniel.kaemmerer@wiscosin.gov) ONLY

Mr. Daniel Kaemmerer
State of Wisconsin
Department of Natural Resources
2300 N. Martin Luther King Jr. Drive
Milwaukee, WI 53212

Re: Village of Pewaukee

Dear Mr. Kaemmerer:

I am writing to follow up on a conversation I had with Kelley Woldanski, the Park and Recreation Director for the Village of Pewaukee, regarding the Village's Stewardship Grant Application relating to the Village's acquisition of the property at 129 Park Avenue. Ms. Woldanski indicated that you have some questions regarding the Village's Ordinance with respect to hunting and also about our compliance with the 2013 Wisconsin Act 71. Please accept this letter as our response to your inquiry.

Enclosed is a copy of Village Ordinance 2014-10, which regulates the use of bows, arrows and crossbows within the Village of Pewaukee. This is a revision to former Section 54.103 of the Village Code on the same subject. The way the Ordinance is drafted prohibits the firing or discharge of any weapon capable of discharging a projectile or missile within one hundred (100') feet of the Village, except under the circumstances that are set forth in the Ordinance. Specifically, the Ordinance allows for the use of a bow or crossbow at a licensed archery range or for the purpose of destroying wild animals or bird causing damage to growing agricultural crops; and of course, the use of a bow and arrow as permitted under Chapter 29 of the Wisconsin Statutes. It also precludes the use of a bow within one hundred yards of a building, unless the person that owns the building gives consent to this. The Ordinance also required a person who hunts with a bow and arrow to discharge the arrow or bolt from the respective weapon toward the ground. These requirements are based upon the specific language 2013 Wisconsin Act 71.

I know a question was raised regarding the issue of hunting within Village Parks and in that regard, I would draw your attention to Section B of the Ordinance, which provides that the use of a bow and arrow or crossbow for the purpose of hunting is not permitted in Village Parks or Parkways, or on school property or on any other Village property.

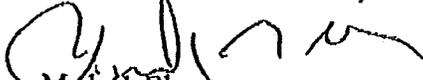
Please let me know if you have any questions or specific concerns regarding Village Ordinance 2014-10 or this correspondence.

Mr. Daniel Kaemmerer
November 25, 2014
Page | 2

Thank you for your attention to this matter.

Sincerely,

HIPPENMEYER, REILLY,
MOODIE & BLUM, S.C.



Mark G. Blum,
Village Attorney

MGB/jb
Enc.

Cc: Mr. Scott Gosse
Ms. Kelley Woldauski

DATE: January 13, 2015

TO: Steve Miller – LF/6

FROM: Lavane Hessler – LF/6

SUBJECT: NBOA News Release/Announcement Comment Period Closure and Approval

PROJECT NAME: Village of Pewaukee, Waukesha County – Laimon Family Lakeside Park Acquisition

The Laimon Family Lakeside Park Acquisition Stewardship grant proposal was required to meet the public notice requirements in ch. NR 52.04. The public notice was posted on GovDelivery on December 5, 2014 and the fifteen day public review period ended on January 2, 2015.

The Department received one comment concerning this proposal, which is summarized below:

Summary of comment:

One comment was opposed to state funding for the project. They felt the local government should pay for their own recreational facilities.

In conclusion, the Department has met the public notice requirements for Stewardship land acquisition grant proposals.

Jim Ritchie

1/13/15

Signature of Regional Staff

Date



Appendix D

Village of Pewaukee seeks grant to purchase boat launch

By [Southeast Region](#) December 5, 2014

Contact(s): Dan Kaemmerer, community services specialist, 414-263-8704

PEWAUKEE-- The Village of Pewaukee has applied for a 50 percent matching grant from the Urban Greenspace subprogram of the Knowles-Nelson Stewardship Program to assist with the purchase of a 0.5-acre parcel of land in the village of Pewaukee in Waukesha County.

The project will acquire approximately 0.5 acres to secure public access to Pewaukee Lake through the purchase of a privately owned boat launch. The property includes approximately 212 feet of frontage on Pewaukee Lake. Future plans include redevelopment of the boat launch, parking and a lakefront boardwalk. Recreational activities will include fishing, hiking, cross-county skiing and motorized/non-motorized boat access.

The Department of Natural Resources is proposing to make the determination that the prohibition of hunting and trapping is necessary to protect public safety because the property is in close proximity to roads, residential and commercial buildings. Other factors in determining prohibiting hunting and trapping are the size and shape of the parcel and a village ordinance prohibiting the discharge of firearms and trapping. The village of Pewaukee will provide match to the grant award.

The department's [initial assessment of the allowed Nature Based Outdoor Activities \(pdf\)](#) may be downloaded from the DNR websites.

You can request a hard copy of the department's initial assessment and submit written comments on the proposed acquisition by contacting Dan Kaemmerer, community services specialist, Department of Natural Resources, 2300 N. Dr. Martin Luther King Jr. Drive, Milwaukee, WI 53212. Comments or questions about this project also can be sent to him at Daniel.Kaemmerer@Wisconsin.gov, or by phoning him at 414- 263-8704. Written comments will be accepted through Friday, January 2, 2015.

In accordance with s. NR 52.04 (2) (b), Wis. Adm. Code, objections about the prohibited activities on this property must show the proposed prohibition to be inconsistent with s. 23.0916 (2) (b), Stats., and s. NR 52.05, Wis. Adm. Code.

To receive e-mail notices of Stewardship Grant project news releases, please go to https://public.govdelivery.com/accounts/WIDNR/subscriber/new?topic_id=WIDNR_192 and enter your email address.

Last Revised: Friday, December 05, 2014

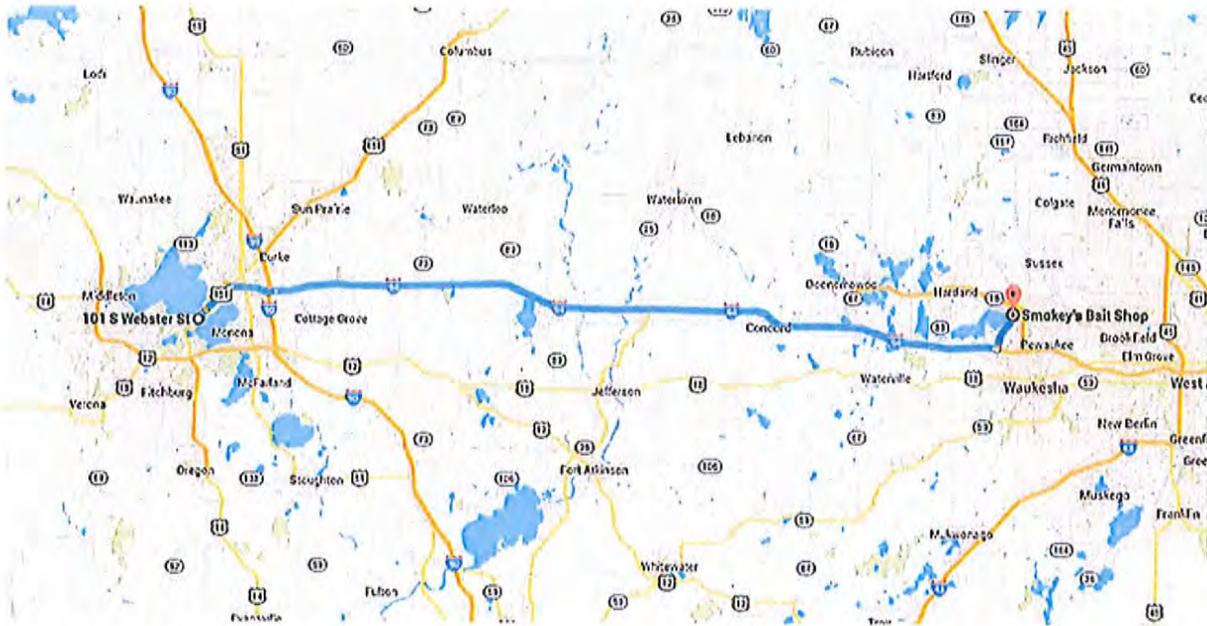
Current Alerts

Appendix E



Drive 60.2 miles, 59 min

Directions from 101 S Webster St to Smokey's Bait Shop

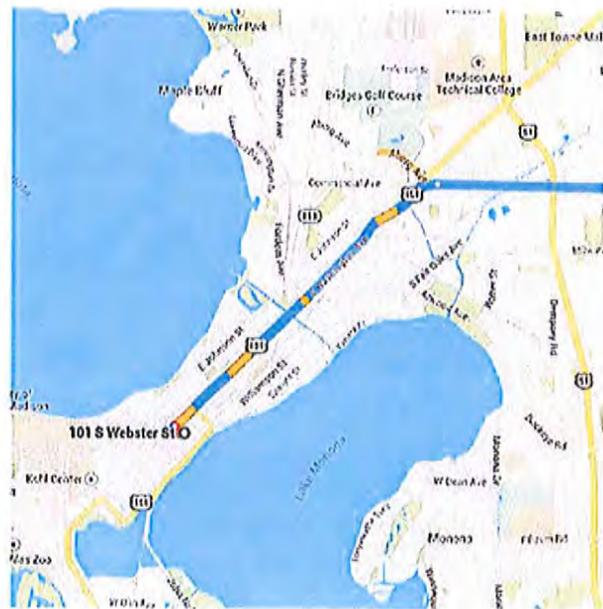


○ 101 S Webster St
Madison, WI 53703

Get on WI-30 E

3.3 mi / 7 min

- ↑ 1. Head northwest on S Webster St toward E Main St
0.1 mi
- ➡ 2. Take the 2nd right onto E Washington Ave
2.9 mi
- ⬆ 3. Take the Wisconsin 30 E ramp to Interstate 94/Interstate 90
0.2 mi



Follow I-94 E to Meadowbrook Rd in Pewaukee. Take exit 291 from I-94 E

54.0 mi / 47 min

- ↑ 4. Continue onto WI-30 E 3.2 mi
- ↑ 5. Merge onto I-94 E 50.6 mi
- ↘ 6. Take exit 291 toward Waukesha G/Pewaukee/Waukesha 0.2 mi



Follow Meadowbrook Rd to Park Ave in Village of Pewaukee

2.8 mi / 6 min

- ↙ 7. Turn left onto Meadowbrook Rd (signs for Pewaukee) 2.6 mi
 - ↙ 8. Turn left onto Main St 0.2 mi
 - ↙ 9. Take the 1st left onto Park Ave 289 ft
- 📍 Destination will be on the right



📍 Smokey's Bait Shop

129 Park Ave, Village of Pewaukee, WI 53072

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2014 Google