This indenture, made by ________________ and their successors in interest hereinafter, called "owner", own the following described parcel(s) of land in the State of Wisconsin: (provide legal description or location of property)

Execution of this affidavit is required to obtain a Zoning permit from the Waushara County Zoning Office documenting compliance with NR115 and the Waushara County Shoreland Zoning Code, and will be recorded in the Register of Deeds for Waushara County and shall be considered a restrictive covenant.

MITIGATION POINTS REQUIRED:

☐ 2 Pts Code Compliant POWTS
   Attachment to be recorded: Sanitary Permit OR Evaluation

☐ 2 Pts Removal of all non-conforming structures that do not meet required water setbacks
   Nonconforming Structures to be removed: NONE OR (LIST NONCONFORMING STRUCTURES TO BE REMOVED)
   Attachment to be recorded: Site Plan

☐ 2 Pts Code compliant shoreline vegetation protection area
   Attachment to be recorded: Approved revegetation plan OR Documentation that existing vegetation meets standards
   As determined by the Waushara County Land Conservation Department.

☐ 1 Pt Code compliant shoreline protection area twice as deep as required
   Attachment to be recorded: Approved revegetation plan OR Documentation that existing vegetation meets standards
   As determined by the Waushara County Land Conservation Department.

☐ 4 Pts Replacement or relocation of principal structure to most code compliant location relative to water setback.
   Attachment to be recorded: Site Plan

☐ 1 Pt Voluntary Reduction in Impervious Surface Limits
   Attachment to be recorded: Site Plan

☐ 1 Pt Voluntary Reduction in Height of Principal Structure
   Attachment to be recorded: Site Plan

☐ 1 Pt Voluntary Reduction in Viewing Corridor Width
   Attachment to be recorded: Approved revegetation plan OR Documentation that existing vegetation meets standards
   As determined by the Waushara County Land Conservation Department.

☐ 2 Pts No net increase in stormwater
   Attachment to be recorded: Zoning and/or Land Conservation Department documentation of no net increase.
   Post construction stormwater retention plan must be reviewed and approved.

☐ 2 Pts "0" stormwater runoff
   Attachment to be recorded: Zoning and/or Land Conservation Department documentation of no net increase.
   Post construction stormwater retention plan must be reviewed and approved.

---

Owner: ___________________________  Owner: ___________________________  Subscribed and sworn to before me on ___________ day of ___________. 20________

Print Name(s) ___________________________  Print Name(s) ___________________________  Notary Public

Signature(s) ___________________________  Signature(s) ___________________________  My commission expires: ___________________________

---

THIS INSTRUMENT DRAFTED BY: ZONING OFFICE
SHORELAND ACTIVITIES WHICH REQUIRE A MITIGATION PLAN

Section 58-235(b)(2)
Vertical and/or lateral expansion of principal structure if principal structure is greater than 35' to OHWM (60' to OHWM of a Class I, II, or III trout stream) but less than required water setbacks
Required mitigation points: 8
(Mitigation Items #1 and #2 are mandatory)

Section 58-235(b)(4)
Replacement or re-location of principal structure within the existing building envelope, if principal structure is greater than 35' to OHWM (60' to OHWM of a Class I, II, or III trout stream) but less than required water setbacks (providing no other compliant location exists)
Required mitigation points: 6
(Mitigation Items #1 and #2 are mandatory)

Section 58-235(b)(2) & 58-235(b)(4)
Replacement or re-location of principal structure within the existing building envelope, which also involves a vertical expansion, if principal structure is greater than 35' to OHWM (60' to OHWM of a Class I, II, or III trout stream) but less than required water setbacks (providing no other compliant location exists)
Required mitigation points: 8
(Mitigation Items #1 and #2 are mandatory)

Section 58-903(a)(3)
Impervious surfaces increase greater than 15% but less than 30% of the lot area within 300' of the ordinary high water mark
Required mitigation points: 4

MITIGATION ITEMS AND POINT VALUES

1. Code compliant POWTS*
   2 mitigation points

2. Removal of all non-conforming structures that do not meet required water setbacks*
   2 mitigation points

3. Code compliant shoreline vegetation protection area*
   2 mitigation points

4. Code compliant shoreline protection area twice as deep as required*
   1 mitigation point

5. Replacement or re-location of principal structure to the most code compliant location relative to the water setback (applies to Sections 58-235(b)(2) and 58-235(b)(4) only)*
   4 mitigation points

6. Voluntary reduction in impervious surface limit*
   1 mitigation point

7. Voluntary Reduction in Height of Principal Structure*
   1 mitigation point

8. Voluntary Reduction in Viewing Corridor Width *
   1 mitigation point

9. No net increase in stormwater runoff*
   2 mitigation points

10. "0" stormwater runoff*
    2 mitigation points

*See page 2 of appendix for detailed explanation of mitigation items.

Mitigation Points are cumulative. For example: A site with a code compliant shoreline protection area twice as deep as required would get 1 point for the extra buffer area, as well as 2 points for the standard code compliant vegetation protection area, for a total of 3 points.

Updated March 18, 2015
Appendix “A” Page 2
DETAILED EXPLANATIONS OF MITIGATION ITEMS

1. **Code compliant POWTS** – A written and approved verification that all Private Onsite Wastewater Treatment System (POWTS) on the lot or parcel comply with all requirements of Comm 83, Wisconsin Administrative Code, and Chapter 54, Waushara County Private Utilities Code, other than sizing requirements, or proper connection is verified to municipal sewer. Acceptable written verification includes either a sanitary permit on file in the zoning office with a signed inspection by Waushara County Land Conservation and Zoning Department staff, or written verification from a Wisconsin Master Plumber, Master Plumber-Restricted Sewer, Journeyman Plumber, Journeyman Plumber-Restricted Sewer, POWTS Inspector, or Certified Soil Tester, or installation of a new system meeting these requirements, or an approved sanitary permit may be substituted with installation of the POWTS to take place within the life of the land use permit.

2. **Removal of other non-conforming structures that do not meet required water setbacks** – Removal of all other structures on the lot or parcel that do not comply with the required water setbacks, unless there is a specific exemption in the code for such a structure.

3. **Code compliant shoreline vegetation protection area** – A written and approved shoreline restoration plan which restores all of the natural functions of the shoreline vegetation protection area in accordance with the standards contained in NRCS Standard 643 A and Wisconsin Biology Technical Note #1 - Shoreland Habitat and the provisions of this code, or verification that existing vegetation meets these standards. The Waushara County Land Conservation & Zoning Department shall review the restoration plan or verify that existing vegetation is adequate to meet these requirements.

4. **Code compliant shoreline protection area twice as deep as required by code** – A written and approved shoreline restoration plan which restores all of the natural functions of the shoreline vegetation protection area in accordance with the standards contained in NRCS Standard 643 A and Wisconsin Biology Technical Note #1 - Shoreland Habitat and this code, or verification that existing vegetation meets these standards, to at least twice the depth normally required in Chapter 58. The Waushara County Land Conservation & Zoning Department shall review the plan or verify that existing vegetation is adequate to meet these requirements.

5. **Replacement or re-location of principal structure to the most code compliant location (applies to Sections 58-235(2)(d) and 58-235(2)(d)(4) only)** – In the case of the replacement or re-location of the principal structure or the replacement or relocation of the principal structure involving a vertical expansion, providing the principal structure is greater than 35' to OHWM (60' to OHWM of a Class I, II, or III trout stream) but less than the required water setbacks, and where no compliant location exists, the structure being replaced or relocated is positioned in the most code compliant location relative to the water setback.

6. **Voluntary reduction in impervious surface limit** – A plan to reduce the impervious surfaces to 7.5% or less, or verification that existing impervious surfaces meet this limit, on that portion of the lot or parcel that is within 300 feet of the ordinary high water mark.

7. **Voluntary reduction in height of principal structure** – A plan to alter the height of the principal structure to a maximum of 20 feet or less, or verification by Department staff that the existing or proposed structure will meet this limit.

8. **Voluntary reduction in viewing corridor width** – A plan to reduce the viewing corridor to 15% or less of the lot width with a maximum width of 15 feet with no structures in the viewing corridor other than permitted accesses, or verification that the existing parcel meets these conditions. The Waushara County Land Conservation & Zoning Department shall review the restoration plan or verify that existing vegetation and structures are adequate to meet these requirements.

9. **No net increase in stormwater runoff** – A post construction stormwater retention plan which will result in no net increase in runoff from the site within 300 feet of the ordinary high water mark. The Waushara County Land Conservation & Zoning Department shall review the plan to determine adequacy. This plan shall be designed to handle the stormwater from a one year storm as designated by NRCS for Waushara County, and in compliance with the “Controlling Runoff and Erosion from your Waterfront Property-A Guide for Landowners” copyright 2008 by Burnett County Land and Water Conservation Department, available on both the Waushara County and Wisconsin DNR websites.

10. **“0” stormwater runoff** – A post construction stormwater retention plan which will result in no runoff from any impervious surface on the site within 300 feet of the ordinary high water mark. The Waushara County Land Conservation & Zoning Department shall review the plan to determine adequacy. This plan shall be designed to handle the stormwater from a one year storm as designated by NRCS for Waushara County, and in compliance with the “Controlling Runoff and Erosion from your Waterfront Property-A Guide for Landowners” copyright 2008 by Burnett County Land and Water Conservation Department, available on both the Waushara County and Wisconsin DNR websites.

Updated March 18, 2015
FACT SHEET ON RE-VEGETATION OF SHORELAND PROPERTIES

Shoreland properties are more desirable and valuable than ever before. Their popularity, as an escape from urbanization, has resulted in many lakeshores and streambanks growing more houses than trees. Impacts of land disturbing activities involved in development of these properties, such as vegetation removal and soil excavation, are continually affecting the water quality and the biological communities within and around these waters.

Impervious surfaces, such as buildings, paved parking areas and compacted soils cause a greater volume and velocity of runoff which unfortunately carries associated nutrients to surface waters. In addition to declining water quality due to pollutants (phosphorus, fertilizers, etc.), fish and wildlife habitat and natural scenery have suffered with the boom in development of riparian land.

Landscaping and re-vegetation plans can minimize the impact of development by placing less emphasis on lawns and more emphasis on incorporating native trees, shrubs and ground cover which are uniquely adapted to the soil, moisture, light, and temperature of your lot, and require less maintenance.

This hand-out gives an over-view of what constitutes a re-vegetation plan. By following a recommended plan designed specifically for your property, you can improve your land and contribute to the environmental quality.

Re-vegetation planning steps:

1. Initial site assessment:
   a. Identification of any native species present and their location, density, and vigor
   b. Identification of any invasive species or noxious weeds present and their location, density, and vigor
   c. Assessment of the density and vigor of any turf grasses present

2. Re-vegetation Plan
   a. Natural Recovery
      1. Existing native vegetation present with adequate seed/or root sources
      2. Establish a “no-mow” and no disturbance area
   b. Accelerated Recovery-Planted Buffer Method
      1. Removing undesirable vegetation and site preparation
      2. Calculate native planting densities including Trees/shrubs/plant plugs/seeding
      3. Buffer distance 35 Ft. or (15’ from principle structure) measurement from the Ordinary High Watermark (OHWM)
      4. Follow guidelines in (Wisconsin Biology Technical Note 1: Shoreland Habitat) found at http://www.wi.nrcs.usda.gov
The individual plan shall include:

- Site diagram or map
- Preparation schedule
- Planting dates and schedule
- Care and handling of plant materials
- Watering plan
- Maintenance plan including management of invasive species
- Plant and seed calculation worksheet

Native plant community lists will be used to select plant species specific to the county and region.

Exposed soil will need stabilization. Where necessary filter fabric fences will be placed to capture sediment below exposed slopes.

Viewing corridors that are oriented somewhat obliquely to the shore, or curved corridors are preferable to those that are perpendicular to the shoreline. This reduces the visual impact of human activities in the shoreland area.

Over the long term, keep the following guidelines for re-vegetation plans in mind:

- Do not fertilize
- Do not mow
- Do not rake
- Do not “clean up” fallen limbs or trees
- Allow native vegetation to re-grow
- Plants lost due to desiccation, deer browsing or for any other reason must be replaced
- The use of fertilizers and pesticides is prohibited
- At growing season’s end, allow all dead vegetation to remain in place. (It becomes a valuable seed source for next year’s growth, provides food and cover for wildlife, and will help to cover the soil and slow spring runoff)
- Try to concentrate compatible human activities in one part of the property leaving some undisturbed areas for wildlife
- Work with the natural topography and limitation of the site

Good luck with your restoration project. Land Conservation staff and the surrounding communities appreciate your efforts to protect and improve the quality of our environment.

Any questions or concerns, contact the Land Conservation Department at 920-787-0443 M-F 8:00-4:30. We also offer the service of writing Re-Vegetation Plans for a minimum $200 fee.
# Impervious Surface Calculations

<table>
<thead>
<tr>
<th>Property Owner</th>
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<tbody>
<tr>
<td>Property Address</td>
<td></td>
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<tr>
<td>Parcel Number</td>
<td></td>
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**Lot Size**

1 acre = 43,560 ft²

**30% Impervious Surface**

<table>
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<th>ft²</th>
<th>Lot size x 0.3</th>
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**15% Impervious Surface**

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**7.5% Impervious Surface**

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<th>ft²</th>
<th>Lot size x 0.075</th>
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**Signature**

**Date**

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<table>
<thead>
<tr>
<th>Impervious Surface</th>
<th>Dimensions</th>
<th>Enter square footage below</th>
</tr>
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<tbody>
<tr>
<td>a. Dwelling</td>
<td>ft²</td>
<td></td>
</tr>
<tr>
<td>b. Garage</td>
<td>ft²</td>
<td></td>
</tr>
<tr>
<td>c. Accessory Structure #1</td>
<td>ft²</td>
<td></td>
</tr>
<tr>
<td>d. Accessory Structure #2</td>
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<td></td>
</tr>
<tr>
<td>e. Accessory Structure #3</td>
<td>ft²</td>
<td></td>
</tr>
<tr>
<td>f. Accessory Structure #4</td>
<td>ft²</td>
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</tr>
<tr>
<td>g. Accessory Structure #5</td>
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<td></td>
</tr>
<tr>
<td>h. Paved Driveways</td>
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</tr>
<tr>
<td>i. Paved Pathways</td>
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</tr>
<tr>
<td>j. Patios</td>
<td>ft²</td>
<td></td>
</tr>
<tr>
<td>k. Decks</td>
<td>ft²</td>
<td></td>
</tr>
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<td>l. Miscellaneous</td>
<td>ft²</td>
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<tr>
<td>Impervious Areas</td>
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**Total Impervious Area**

ft²

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Attach a site plan, which is either scaled or dimensioned, on paper measuring at least 8 ½" X 11", labeling items a. through l. (as applicable). On the site plan also label and include setback distances from the proposed project to all PROPERTY LINES, ROAD RIGHT OF WAYS, SEPTIC SYSTEMS, WELLS, LAKES, RIVERS, WETLANDS, DRAINAGE DITCHES and FLOODPLAINS that are applicable to the property.

Waushara County Code of Ordinances Chapter 58-903(q) Impervious surface.

Impervious surface: means an area that releases as runoff all or a majority of the precipitation that falls on it. Impervious surfaces include, but are not limited to all rooftops and paved or other solid surfaces unless specifically designed, constructed, and maintained to be pervious. All structures and vehicular or pedestrian accesses that are comprised of less than 50 percent impervious surfaces shall not be considered impervious. Impervious surfaces excludes frozen soil, all open wooden or composite material structures that allow water to flow through them and that do not have impervious surfaces underneath them, and all gravel or mulch covered areas.

12/14