RESOLUTION NO. 04-06-15-02

VILLAGE OF FONTANA-ON-GENEVA LAKE RESOLUTION REGARDING THE ROWHOMES OF FONTANA AND VARIANCES/EXEMPTIONS PER CHAPTER 16 OF THE FONTANA MUNICIPAL CODE

WHEREAS, the Village Board for the Village of Fontana-on-Geneva Lake has received and considered a request by the property owner for certain variances and exemptions per Chapter 16 of the Village of Fontana Municipal Code as to the Rowhomes of Fontana condominium project; and

WHEREAS, the Village Board for the Village of Fontana-on-Geneva Lake does intend by this Resolution to act on said pending Chapter 16 variance and exemption requests.

NOW, THEREFORE, the Village Board for the Village of Fontana-on-Geneva Lake does resolve as follows:

1. That the recitals set forth above are incorporated herein by reference as set forth at length herein.

2. That the Village Board does hereby grant an exemption pursuant to Section 16–11(3)(f) based upon a prior building inspection department determination that it would be impracticable to modify existing soil conditions.

3. The Village Board does hereby grant a variance pursuant to Section 16-18(b) to the extent necessary given the Village Engineer's opinion set forth in correspondence dated February 16, 2015 (a copy of which is attached hereto as Addendum "A") in that the total suspended solids do not need to achieve a 80% reduction required for a new development, all as set forth more specifically in Addendum "A".

4. The Village Board grants such other variances pursuant to Section 16-18(b) as are necessary for development to place as proposed and as set forth in the latest engineering information provided to the Village Engineer prior to the effective date of this Resolution

5. As to the variances granted in item 3 and item 4, above, the Village Board hereby makes those findings specified by Section 16-18(b)(1)(a.-e.) of the Village Municipal Code as to both said variances.

PASSED AND ADOPTED by the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin this 6th day of April, 2015.

VILLAGE BOARD FOR THE VILLAGE
OF FONTANA-ON-GENEVA LAKE

By:_____
Arvid Petersen, Village President

Attest: _____
Theresa Linneman, Village Clerk

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ADDENDUM "A"

Your Infrastructure Ally

W233 N2080 Ridgeview Parkway • Waukesha, WI 53188-1020 • Tel. (262) 542-5733

February 16, 2015

Mr. Dennis L. Martin
Administrator
Village of Fontana-On-Geneva Lake
P.O. Box 200
Fontana, WI 53125

RE: 3rd Review
Rowhomes of Fontana

Dear Dennis:

We have received and reviewed the revised site and drainage submittals for the proposed Rowhomes of Fontana. Additional information supplied to the Village by the developer since the previous January 27, 2015 review letter included: 1) January 30, 2015 correspondence from Farris Hansen & Associates, Inc.; 2) Revised Condo Plat dated January 28, 2015; 3) StormTrap joint sealant information and infiltration check; 4) Exhibits and Legal descriptions for the Village sidewalk and water main easements. We have the following comments:

1. By way of their storm water management plan, the developer has applied for and we are not in opposition to the Village issuing an infiltration exclusion and/or exemption of the infiltration standards of Village Ordinance Section 16-11(c)(3). Village Ordinance Section 16-11(c)(3)(e) allows for an infiltration exclusion for sites that have shallow groundwater tables, and Section 16-11(c)(3)(f) allows for an exemption for sites with soils that are not conducive to infiltration.

2. The developer has indicated that they consider the site a redevelopment site that would require a 40% reduction in total suspended solids (TSS) versus 80% reduction in TSS for a new development. We do not agree the site qualifies as a redevelopment project under Village Ordinance Section 16-8, where "redevelopment" is defined as, "Land development that replaces previous land development of similar impervious conditions". The Village definition of redevelopment matches the Walworth County definition as written under the Walworth County Storm Water Ordinance. The developer has submitted information stating that the impervious surfaces of the proposed site have increased to 57% of the site versus 31% under existing conditions, and that they consider that to meet the word "similar" as defined in the above-mentioned Village Ordinance definition of redevelopment.

3. The project would qualify as a redevelopment site under DNR regulations, and would meet the DNR 40% reduction in TSS for redevelopment sites as submitted.

4. The Village Board could either agree with the developer's interpretation of the redevelopment definition, allow a variance for the site to not meet the Village standard, or could require the developer to meet the 80% reduction in TSS for new development. It should also be noted that runoff leaving the site is proposed to be directed to a storm sewer dumping directly into Geneva Lake.

5. Developer has submitted additional information on the StormTrap (proposed underground storm water detention system) joint sealants, water infiltration calculations and anti-floatation documentation. We recommend the final drawings along with the manufacturer's installation recommendations, anti-floatation calculations and infiltration calculations be stamped by a registered professional engineer licensed in the state of Wisconsin prior to final approval. It is our opinion and recommendation that the StormTrap device be watertight for the reasons previously stated by us in order for it to function properly.

6. Village Ordinance Section 16-15 also requires a long-term maintenance plan and agreement for stormwater management best management practices. This document is required to be recorded at the county register of deeds.

Please contact our office with any questions regarding this matter.

Very truly yours,

RUEKERT & MIELKE, INC.

Terrence R. Tavera

Terrence R. Tavera, P.E. (WI, IL)
CPESC , CFM
Senior Project Manager
ttavera@ruekert-mielke.com

TRT:sjs
cc: Ron Nyman, Village of Fontana-On-Geneva Lake
Brett McCollum, Village of Fontana-On-Geneva Lake
Dale L. Thorpe, Village of Fontana-On-Geneva Lake
David Patzelt, Shodeen
Warren E. Hansen, P. E., Farris, Hansen & Associates, Inc.
Joseph W. Eberle, P.E., Ruekert / Mielke
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