

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE DISTRICT ZONING MAP OF THE VILLAGE OF SUMMIT BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN SECTIONS 21, 22, 27 AND 28, T7N, R17E, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN, FROM THE C-1 CONSERVANCY AND EFD EXISTING FLOODPLAIN DEVELOPMENT OVERLAY DISTRICTS TO VARIOUS UPLAND ZONING DISTRICTS (SZT-1702)

WHEREAS the subject matter of this Ordinance having been duly referred to and considered by the Waukesha County Park and Planning Commission, after Public Hearing and the giving of requisite notice of said hearing and the recommendation thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, Waukesha County, Wisconsin, as required by Section 59.692 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map for the Village of Summit, Waukesha County, Wisconsin, adopted on June 23, 1970, is hereby amended to conditionally rezone certain lands located in Sections 21, 22, 27 and 28, T7N, R17E, Village of Summit, from the C-1 Conservancy and EFD Existing Floodplain Development Overlay Districts to various Upland Zoning Districts and more specifically described in the "Staff Report and Recommendation" and map on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference (SZT-1702) subject to the following conditions:

1. A Letter of Map Revision must be obtained from FEMA upon completion of the project and in advance of the District Zoning Map of the Waukesha County Shoreland and Floodland Protection Ordinance for the Village of Summit being formally amended.
2. The project shall not cause an increase in the downstream floodplain elevation of the Bark River that is greater than 0.01 foot unless floodplain easements are obtained from affected property owners.
3. The proposed flood control outlets shall remain closed until the DNR floodplain engineer provides documentation to the Village of Summit and Waukesha County concurring that the proposed project will not cause more than a 0.01 foot increase in the downstream Bark River 100-year floodplain elevation.
4. All conditions of the DNR Chapter 30 permit for this project and any other DNR conditions of approval shall be strictly adhered to.
5. A Conditional Use Permit for land disturbing activities associated with the installation of the flood control facilities shall be issued by the Village of Summit prior to construction commencing.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Village Clerk of Summit.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

BE IT FURTHER ORDAINED that all ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
ORDINANCE DISTRICT ZONING MAP OF THE VILLAGE OF SUMMIT BY
CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN SECTIONS 21, 22, 27
AND 28, T7N, R17E, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN,
FROM THE C-1 CONSERVANCY AND EFD EXISTING FLOODPLAIN DEVELOPMENT
OVERLAY DISTRICTS TO VARIOUS UPLAND ZONING DISTRICTS (SZT-1702)

Presented by:
Land Use, Parks, and Environment Committee

Absent
Fritz Ruf, Chair

Absent
Robert Hutton

[Signature]
Michael J. Inda

[Signature]
James Jeskewitz

[Signature]
Walter L. Kolb

[Signature]
Ted Rolfs

Absent
Thomas J. Schellinger

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 2/1/11, [Signature]
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: 8
Vetoed: _____
Date: 2-4-11, [Signature]
Daniel P. Vrakas, County Executive

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

DATE: January 6, 2011

FILE NO: SZT-1702

PETITIONER: Village of Summit
2911 N. Dousman Rd.
Oconomowoc, WI 53066

LOCATION:

Sections 21, 22, 27 and 28, T7N, R17E, Village of Summit. More specifically, the proposed amendments to the jurisdictional maps of the Waukesha County Shoreland and Floodland Protection Ordinance are proposed to affect properties surrounding Upper, Middle and Lower Genesee Lakes (see map).

PROPOSED ZONING:

A new 100-year floodplain elevation is proposed to be established for the areas surrounding the above referenced lakes as the result of a detailed floodplain analysis and the proposed installation of an outlet structure at the south end of Lower Genesee Lake. The proposal would decrease the floodplain elevation surrounding the lakes by approximately 2.2'. Therefore, areas previously zoned C-1 Conservancy District or EFD Existing Floodplain Development Overlay District that are no longer below the 100-year floodplain elevation would be zoned to the adjacent upland zoning classification.

PROPOSED LAND USE:

Land uses consist of lake homes and suburban type residential development and would remain unchanged in the project area, except for the installation of a new outlet structure and a pipeline system that would extend west and south from the south end of Lower Genesee Lake to a large outlot within the Genesee Lake Farms subdivision.

PUBLIC HEARING DATE:

April 15, 2010. A DNR public hearing for the project was conducted on June 29, 2010.

PUBLIC REACTION:

There were several comments from the public at the April 15, 2010 public hearing. A question was asked about the amount of time it would take for the outlet pipe to draw water down to a level where water was no longer above the outlet elevation. The design engineer answered that drawdown would take about 17 days. It should be noted that further design modifications have now extended the draw down time further. A resident of the Genesee Lake Farms subdivision inquired about work being done to the storm water ponds within that subdivision. In particular, concern was expressed about the safety and appearance of proposed stand pipes and how restoration of outlot areas would occur. Another party expressed an interest in viewing available maps.

Numerous comments were heard at the June 29, 2010 DNR hearing regarding concern over downstream flooding impacts. Concern was also raised regarding low lakes levels in Middle Genesee Lake during times of drought. The design engineer noted that the outlet would not release water from the lake in times other than significant flood events.

VILLAGE PLAN COMMISSION ACTION:

At its meeting on November 18, 2010, the Village of Summit Plan Commission recommended approval of the rezoning to the Village Board.

VILLAGE BOARD ACTION:

At its meeting of December 2, 2010, the Village of Summit Board voted to make a favorable recommendation to Waukesha County for the rezoning to proceed (See Exhibit "A").

CONFORMANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY AND THE VILLAGE OF SUMMIT LAND USE PLAN:

The Comprehensive Development Plan for Waukesha County and the Village of Summit Land Use Plan recommends protection of floodplain and wetland areas. The proposed project would lower the floodplain elevation in an area that is subject to periodic flooding. The lowering of the floodplain elevation would help to protect personal property and public infrastructure and would reduce the potential for adverse safety conditions, surface water contamination and hazards within the affected navigable waters. This rezoning is consistent with the recommendations of both plans.

BACKGROUND AND RECOMMENDATION:

An outlet structure is being proposed by the Village of Summit to provide flood relief to residents along the shoreline of Lower and Middle Genesee Lakes and residents of the nearby Genesee Lake Farms subdivision. Residents along Lower Genesee Lake have experienced recurring flooding problems during the course of several decades, and basement flooding has been a periodic problem for residents of the Genesee Lake Farms subdivision. The most recent major flood occurred in June of 2008. Numerous homes were surrounded by flood water or suffered flooded basements during that event. Nearly 100 property owners reported flooding in the area, with twelve homes suffering first floor flooding and nearly every home in the Genesee Lake Farms subdivision experiencing basement flooding (see Exhibit "B"). The Genesee Lakes are seepage lakes and have no natural outlet. Consequently, flooding occurs around the banks of the lake and groundwater levels become elevated during times of heavy rain or snow melt. Flooding conditions are most severe along the south shore of Lower Genesee Lake. During the 2008 flood, Genesee Lake Road and three other local roads were flooded by up to one foot of water and were closed for an extended period of time. Emergency vehicles could not effectively access many homes during the event. The Town pumped water via a temporary pipeline to the Bark River in order to be able to re-open Genesee Lake Road, which is a major east-west thoroughfare. The Town and area residents incurred significant damage and expense as a result of the flood. The lakes were largely unusable for recreational purposes for the summer of 2008 because of both high water and contamination concerns. Heavy rains in the summer of 2010 again caused surface flooding and high groundwater conditions.

A flood relief outlet has been discussed for this lake system over the past 25 years because of the chronic flooding problems. After the 2008 flood, the Town of Summit was successful in securing a Community Development Block Grant through Waukesha County and the State Department of Commerce to fund approximately one-half of the proposed flood relief project. The Town of Summit also established a new Genesee Lakes Utility District to create a funding mechanism for the majority of the balance of the project. There are 189 parcels surrounding Middle and Lower Genesee Lakes and within the Genesee Lake Farms subdivision that are located within the district. District property owners will be given the option to make a lump sum payment or can elect to make payments over a ten year span to assist in completing the proposed project. Per the grant requirements of the Department of Commerce, the project must be completed by April 30, 2011. Waukesha County also contributed

funding towards the floodplain study. Yaggy Colby Associates, which is the Village's engineering firm, has prepared a detailed floodplain analysis as part of the design plans for the proposed outlet structure. The consideration of a new floodplain elevation results in the need for a Comprehensive Zoning Map amendment, and because shoreland areas within the Village are still under the jurisdiction of the Waukesha County Shoreland and Floodland Protection Ordinance, the rezoning must be approved by Waukesha County. Because Summit became a Village prior to the Conditional Use for land disturbance activity for this project being acted upon by Waukesha County, the Village is now charged with administering the Conditional Use process.

The proposed project would involve the placement of a flood relief structure partially within Lower Lake Road right-of-way at the south end of Lower Genesee Lake (Outlet Structure #16- see Exhibit "C"). In times of high water, the outlet would convey water into a proposed 18" diameter pipeline that would ultimately discharge into a wetland area within Outlot 5 of the Genesee Lake Farms subdivision. Specifically, the pipeline would carry water west from the outlet at the south end of Lower Genesee Lake through the Lower Lake Road right-of-way and under Dousman Road to Outlots 4 and 5 of the Genesee Lake Farms subdivision. The pipeline would continue west and south through these outlots until reaching a wetland area, where the pipe would outlet. Water that outlets from the wetland system would discharge to a navigable tributary system to the south, which ultimately connects to the Bark River. Two smaller pipelines are proposed within the Genesee Lake Farms subdivision to provide relief to storm water facilities within the subdivision. A proposed 15" storm sewer would provide an outlet to a stormwater pond in Outlot 1, while a 6" pipe would provide relief to a roadside ditch that flows through the subdivision. These smaller pipelines would also connect to the main pipeline system. The Village has obtained a drainage easement from a property owner in order to be able to maintain the area between the Lower Genesee Lake shoreline and the proposed main outlet structure and has negotiated easements with Genesee Lake Farms homeowners for pipeline construction and other grading work.

The main proposed outlet structure would have a 28" x 56" grate that water would overtop at an elevation of 867.8', while a 12" notch or weir would allow a restricted volume of water to flow through at an elevation of 867.1'. The outlet would be placed below the 100-year floodplain elevation (870') that is currently regulated by Waukesha County. The proposed 100-year floodplain elevation would be 867.8', which is subject to DNR and FEMA approval. The proposed flood study is anticipated to be submitted to FEMA for a Letter of Map Revision (LOMR) after the project is built and as-built grades can be surveyed. The project involves a detailed study of the floodplain associated with Upper, Lower and Middle Genesee Lakes, which are hydrologically connected. The floodplain areas around the subject lakes are currently mapped as Zone A floodplain, which is an unstudied zone. Based upon observed and surveyed high water lines, it is clear that the mapped Zone A floodplain is not representative of actual conditions that result in times of flooding. Waukesha County Public Works staff assisted Planning and Zoning Division Staff in setting the approximate floodplain elevation of the lakes at 870' based upon observed water marks after the 2008 flood. The proposed flood study analyzes both existing conditions to better establish baseline conditions and artificially lowers the 100-year floodplain with the introduction of the outlet structure.

The DNR established an ordinary high water mark for Lower Genesee Lake of 867.85' and set the maximum elevation for the proposed outlet structure, so as to avoid negative impacts to the affected lakes. The permissible outlet elevation of 867.1' was set slightly below the ordinary high water mark because wind and wave action causes the high water mark to be slightly higher than typical conditions. DNR considered concerns regarding navigability, aquatic habitat and shallow water conditions, particularly on Middle Genesee Lake, in arriving at the permissible elevation.

While the project will lower the floodplain elevation, it will not remove all structures from the 100-year floodplain. Several properties along Douglas Dr. will remain below the proposed floodplain elevation. However, the decrease of more than two feet in the floodplain elevation should make flooding conditions much less severe for these properties. In addition, the lowered floodplain elevation will keep roadways from flooding.

Questions and concerns were raised at the June 29, 2010 DNR public hearing regarding the potential for adverse drainage or flooding conditions for property owners downstream of the proposed pipeline. The DNR required a waterway capacity evaluation for the anticipated flow path of water through the downstream agricultural waterways as a condition of their Chapter 30 approval of the project. Yaggy Colby Associates conducted such a detailed evaluation in July and August of 2010. The timing of the evaluation was such that the system was in a flooded state in July because of significant rainfall received just a week prior, which afforded engineers the unique opportunity to view conditions similar to what might exist when the outlet would be utilized. The waterway analysis revealed that the existing channels have adequate capacity to convey the additional anticipated flood waters without creating an adverse impact upon downstream property owners. Although various potential stream improvement activities, such as culvert replacement and vegetation removal were considered, it was concluded that these activities are not necessary to avoid adverse flooding impacts to adjacent owners. The DNR has concurred with Yaggy Colby's analysis of downstream waterways.

Clay dams are proposed to be placed surrounding the pipeline in the vicinity of wetlands to maintain wetland hydrology and to avoid potential draining of wetlands through proposed trenches and pipeline bedding. 0.28 acres of wetland fill has been authorized by the DNR for project construction as part of the approved Chapter 30 permit. The project, which is expected to be completed in four to six weeks, is proposed to be constructed in frozen ground conditions in order to minimize land and wetland disturbance.

The floodplain analysis for this project has required some slight modifications to design plans since the time of public hearing. Specifically, projected flows from the structure were reduced by slightly modifying the elevation of a portion of the main outlet structure. Because the water that outlets this system will ultimately discharge to the Bark River, the potential downstream floodplain impacts needed to be carefully examined. Because the Bark River floodplain has not been studied in neighboring Jefferson County, with DNR's concurrence, Yaggy Colby conducted analysis of conditions in Jefferson County. In addition, floodplain modeling work being done for an upstream segment of the Bark River was also utilized in calculations. The proposed floodplain study has been submitted to both the DNR floodplain engineers and SEWRPC floodplain engineers for review. SEWRPC transmitted a concurrence letter dated November 29, 2010 that indicated that the project will not increase the downstream floodplain elevation by more than one one-hundredth of a foot (see Exhibit "D"). The DNR is nearing completion of review of the floodplain study, as well, but has not yet issued a formal review letter.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be approved subject to the following conditions:

1. A Letter of Map Revision must be obtained from FEMA upon completion of the project and in advance of the District Zoning Map of the Waukesha County Shoreland and Floodland Protection Ordinance for the Village of Summit being formally amended.

2. The project shall not cause an increase in the downstream floodplain elevation of the Bark River that is greater than 0.01 foot unless floodplain easements are obtained from affected property owners.
3. The proposed flood control outlets shall remain closed until the DNR floodplain engineer provides documentation to the Village of Summit and Waukesha County concurring that the proposed project will not cause more than a 0.01 foot increase in the downstream Bark River 100-year floodplain elevation.
4. All conditions of the DNR Chapter 30 permit for this project and any other DNR conditions of approval shall be strictly adhered to.
5. A Conditional Use Permit for land disturbing activities associated with the installation of the flood control facilities shall be issued by the Village of Summit prior to construction commencing.

The Planning and Zoning Division Staff believes that this project will help to prevent further significant property damage to those who reside in the Genesee Lakes area. As conditioned, the project will not cause adverse environmental impacts and should improve water quality by minimizing the magnitude of flooding in the area. Public safety will also benefit as a result of the project, as the new floodplain elevation will assist in keeping roads passable. The mapping of a new floodplain elevation will also provide a greater level of certainty to those looking to re-build in previously flood prone areas.

Respectfully submitted,



Jason Fruth
Planning and Zoning Manager

Attachment: Exhibits "A", "B", "C", "D", Map

N:\PRKANDL\Planning and Zoning\Rezoning\Staff Reports\1702 Genesee Lakes Outlet smv.doc

EXHIBIT "A"



Village Hall, 567-2757
Fax, 567-4115
Highway Dept., 567-2422
Police Dept., 567-1134
Building Inspector, 646-2577

Summit Village Hall • 2911 N. Dousman Road • Oconomowoc, WI 53066

RECEIVED

DEC 10 2010

DEPT OF PARKS & LAND USE

December 3, 2010

Mr. Jason Fruth
Waukesha County Parks and Land Use
1320 Pewaukee Road, Room 230
Waukesha, Wisconsin 53188-3868

RE: Village of Summit Recommendation
Genesee Lakes Floodplain Elevation and Mapping

Dear Mr. Fruth:

At the December 2, 2010 Village Board regular meeting, the Board recommended that Waukesha County proceed with the rezoning of lands around Upper, Middle and Lower Genesee Lakes relative to the floodplain elevation of 867.8 feet above sea level.

On April 15, 2010 the Town of Summit Plan Commission held a joint public hearing with Waukesha County staff regarding the floodplain elevation for Upper, Middle and Lower Genesee Lakes. None of these lakes have been studied before and the current 870.0 floodplain elevation is an estimate from Waukesha County.

The public hearing included a report from Yaggy-Colby Associates on their study, background information, and the proposed elevation of the outlet structure adjacent to Lower Genesee Lake and a report from Andy Hudak of Wisconsin DNR on the studied ordinary high water mark for these lakes. At the conclusion of the public hearing the Plan Commission set aside any further action until the plans were completed on the outlet structure.

The Genesee Lakes Utility District approved a final set of plans and sent the project for bid at their regular meeting on November 4, 2010. The Village of Summit Plan Commission recommended this floodplain elevation forward at their regular meeting on November 18, 2010. As I noted above, the Summit Village Board also acted on this recommendation at their December 2, 2010 regular meeting. All of these Village recommendations are based on the Yaggy-Colby study dated May, 2010, and based on outfall structure plans approved by the Genesee Lakes Utility District on November 4, 2010.

On behalf of the Village Plan Commission, Village Board, and residents around Upper, Middle and Lower Genesee Lakes, I respectfully request that the Waukesha County Plan Commission

165-0-079

7.

EXHIBIT "A"

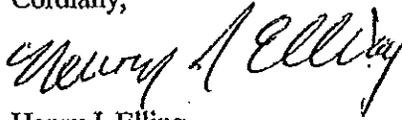
● Page 2

December 3, 2010

and County Board consider this information and update the area floodplain ordinance and mapping as described to the 867.8 elevation.

Should you require additional information or my attendance at upcoming meetings, please let me know.

Cordially,



Henry J. Elling

Interim Village Administrator

Copies to Village Clerk

165-0-079

8.

**Zoning Map Amendment
S.Z.T. 07-02**

Genesee Lakes Area

Sections 21, 22, 27, and 28

Proposed Zoning Districts

- Rural Home District
- Suburban Estate District
- Mini-Farm District
- Exclusive Agricultural Conservancy District
- Agricultural Land Preservation District
- Agricultural Density - 10 Acre District
- Local Business District
- Mixed Use Business Park District
- Conservancy District
- C-1 (EFD)
- Conservancy Dist. w/ Existing Floodplain Dovel.
- Environmental Corridor District
- Public and Institutional
- Residential District
- Residential District

Shoreland Zoning Jurisdictional Boundary

Wetland > 0.25 AC

Wetland < 0.25 AC

Proposed Floodplain

Floodplain from 2008 FEMA DFIRM Maps

Floodplain Approximated - Other Sources

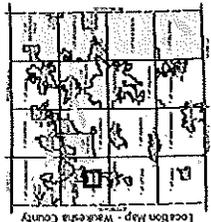
Floodway (FEMA 2008)

Current Civil Division Boundaries

Annexed Areas Since 1982

Navigation Determination (File Number Labeled):
99:99 (Navigable) 99:99 (Not Navigable)

Date of Aerial Photograph: April 2010





LEGEND

- INACCESSIBLE WITH FLOODED FIRST FLOOR
- INACCESSIBLE BUT NOT FLOODED
- INACCESSIBLE WITH FLOODED BASEMENTS
- FLOODED BASEMENTS ONLY
- FLOODED ROAD SEGMENTS
- PARCEL BOUNDARIES
- RIGHT-OF-WAY

1 inch equals 300 feet



**MIDDLE AND LOWER GENESEE LAKES
& GENESEE LAKE FARMS
FLOOD-IMPACTED PARCELS**

EXHIBIT "B"



165-0-079

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 • TELEPHONE (262) 547-6721
FAX (262) 547-1103

RECEIVED

NOV 30 2010

Serving the County

November 29, 2010

DEPT OF PARKS & LAND USE

EXHIBIT "D"

Mr. Jason Fruth
Planning and Zoning Manager
Waukesha County Department of Parks and Land Use
515 W. Moreland Boulevard, Room AC 230
Waukesha, WI 53188-3868

Re: SEWRPC No. CA 733-92

Dear Mr. Fruth:

Pursuant to your October 20, 2010 letter request, the Commission staff has reviewed the Genesee Lakes outlet floodplain study for the Bark River in the Village of Summit. The Village proposes to construct an outlet from Lower Genesee Lake that will ultimately discharge to the Bark River, and that will provide flood relief to residents along Lower and Middle Genesee Lakes and to residents of the Genesee Lake Farms subdivision. The hydrologic and hydraulic effects on the Bark River of operation of the proposed outlet structure were analyzed for the Village by Yaggy Colby Associates, Inc., using the U.S. Army Corps of Engineers HEC-HMS hydrologic modeling system computer program and the HEC-RAS river analysis systems program, respectively. The HEC-HMS and HEC-RAS models used for the analyses are revised versions of the models developed by the Wisconsin Department of Natural Resources (WDNR) under the November 19, 2008 Federal Emergency Management Agency (FEMA) flood insurance study (FIS) for Waukesha County. The WDNR is in the process of reviewing the revised models, without the addition of the proposed Genesee Lakes outlet, pursuant to a request for a FEMA Letter of Map Revision that was prepared by Yaggy Colby, and initially submitted to WDNR in March of 2009 on behalf of Waukesha County, the City of Delafield, the Village of Hartland, and the Upper Nemadji Lake Management District. Since that submittal date, Yaggy Colby and WDNR have coordinated on review of the study, but it is our understanding that to date no WDNR approval or FEMA LOMR has been issued.

The focus of our review is the relative effect on Bark River flood stages of the small increase in the one-percent-annual-probability (100-year recurrence interval) flood discharge of the Bark River with the proposed outlet structure in place. Our review comments are being provided at this time to assist the County in reviewing the proposed project in a timely manner so that the Village can proceed with implementing the project under a tight time frame dictated by the conditions of a Community Development Block Grant that is being used to fund part of the project. Although the revised hydrologic and hydraulic models used for the outlet structure analyses have not been formally approved by WDNR and FEMA, because the one-percent-probability flood profiles computed with the revised models are lower than the effective one-percent-probability flood profile set forth in the November 2008 FEMA FIS, and because at this time no change in the effective one-percent-probability flood profile is being requested relative to the Genesee Lakes outlet study, we determined that it would be possible to adequately review the relative effects of the proposed outlet on Bark River flood stages.

Our review is based on 1) information provided by Yaggy Colby at an October 14, 2010 meeting of representatives from the Waukesha County Planning and Zoning Division, the Village of Summit, WDNR, and the SEWRPC staff; 2) an October 19, 2010 meeting of representatives from the WDNR, Yaggy Colby, and the SEWRPC staff for the purpose of discussing technical issues; 3) study documentation set forth in an October 19, 2010 Yaggy Colby memorandum entitled, "Genesee Lakes

165-0-079

12.

EXHIBIT "D"

Mr. Jason Fruth
November 29, 2010
Page 2

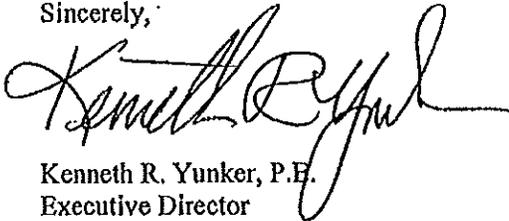
Outlet-Design Changes and Downstream Impacts Analysis," that was provided to Michelle Schneider of the WDNR and Michael Hahn of the SEWRPC staff; 4) HEC-HMS and HEC-RAS model information and supporting maps and tables provided by Yaggy Colby on October 25, 2010; and 5) a revised HEC-RAS model provided by Yaggy Colby on November 22, 2010 in response to comments by Mr. Hahn during a November 17, 2010 meeting at which technical issues related to the hydraulic model were discussed with Mark Mickelson of Yaggy Colby.

Based on our review of the information described above, we conclude that the proposed project would not be expected to result in an increase of 0.01 foot or more in the Bark River one-percent-probability flood stage, and would, therefore, meet the flood stage requirements of both the County zoning ordinance and Chapter NR 116, "Wisconsin's Floodplain Management Program," of the *Wisconsin Administrative Code*.

It is our understanding that, after issuance of the LOMR reflecting the revised study as documented in the March 2009 multi-governmental Bark River LOMR application (as subsequently refined), a separate LOMR application will be submitted by the Village following construction of the Genesee Lakes outlet structure.

We trust that the foregoing is fully responsive to your request. Should you have any questions, please contact Mr. Hahn directly.

Sincerely,



Kenneth R. Yunker, P.E.
Executive Director

KRY/MGH/pk
#154708 V1 - GEN L OUTLET - BARK RIVER H&H RVW LETTER

cc: Ms. Michelle M. Schneider, WDNR-Waukesha
Mr. Robert M. Watson, WDNR-Madison
Mr. Mark A. Mickelson, Yaggy Colby Associates

165-0-079

13.

*This signature page was not available when yellow copy ordinances were distributed.
Please include it with the ordinance, which was not modified by the Commission.*

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends approval of SZT-1702 (Village of Summit) in accordance with the attached "Staff Report and Recommendation."

PARK AND PLANNING COMMISSION

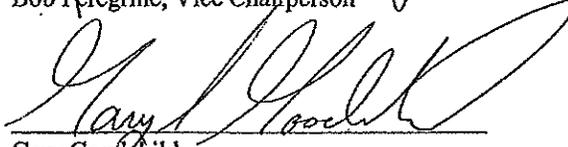
January 6, 2011



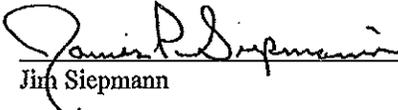
William Mitchell, Chairperson



Bob Peregrine, Vice Chairperson



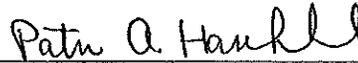
Gary Goodchild



Jim Siepmann



Walter Kolb



Pat Haukohl



Fritz Ruf

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-01/25/10

(ORD) NUMBER-1650079

1 D. FALSTAD.....AYE
3 R. HUTTON.....AYE
5 J. JESKEWITZ.....AYE
7 P. HAUKOHL.....AYE
9 J. HEINRICH.....AYE
11 F. RUF.....
13 P. DECKER.....AYE
15 P. MEYERS.....AYE
17 J. TORTOMASI.....AYE
19 S. WIMMER.....AYE
21 W. ZABOROWSKI.....AYE
23 K. CHIAVEROTTI....AYE
25 G. YERKE.....AYE

2 T. ROLFS.....
4 J. DWYER.....AYE
6 J. BRANDTJEN.....AYE
8 T. SCHELLINGER....AYE
10 D. SWAN.....AYE
12 P. WOLFF.....AYE
14 M. INDA.....
16 D. PAULSON.....AYE
18 K. CUMMINGS.....AYE
20 P. JASKE.....AYE
22 P. GUNDRUM.....AYE
24 W. KOLB.....AYE

TOTAL AYES-22

TOTAL NAYS-00

CARRIED_____

DEFEATED_____

UNANIMOUS X

TOTAL VOTES-22