

**Resolution of Lake Sinissippi Improvement District**

A resolution pertaining to a request by R.A. Sindelar & Associates, agent for the Town of Hubbard, (“Petitioner”) for a variance to the terms of the Stormwater Management provisions of the Land Use Code of Dodge County, Wisconsin, (“Land Use Code”) to allow the post-development stormwater runoff volume and the peak flow discharge stormwater runoff rates from the Lake Drive reconstruction project to exceed the pre-development discharge rates and to allow a maximum of 40% reduction in suspended solids, which is 40% less than required by the code.

WHEREAS, Lake Sinissippi is an important natural resource used by the public for recreation and enjoyment of natural beauty; and

WHEREAS, public welfare and property values within the shoreland protection area of Lake Sinissippi and the Rock River are affected by water quality; and

WHEREAS, Lake Sinissippi and the Rock River do not meet state and federal water quality standards and appear on the federal EPA 303(d) list of impaired waters as a result of excessive sedimentation and nutrient enrichment; and

WHEREAS, Lake Sinissippi Improvement District (“Lake District”) was established by Dodge County under Chapter 33, Wis. Stats., as an inland lake protection and rehabilitation district to enhance and restore the potential of the lake to satisfy the needs of the citizenry and to take affirmative steps to protect and enhance the lake and protect its environmental values; and

WHEREAS, data collected by the Lake District since 2004 demonstrate continued in-filling of the lake and river basin with sediment, making it imperative that significant steps are taken to substantially reduce sediment inflows from all sources; and

WHEREAS, the Land Use Code under section 7.9.1 of Stormwater Management/Soil Erosion Control is designed to set forth requirements for land development and land disturbing activities to minimize sedimentation, water pollution, flooding and related property and environmental damage caused by soil erosion and uncontrolled stormwater runoff during and after construction, in order to diminish the threats to public health, safety, welfare and the natural resources of Dodge County; and

WHEREAS, the Land Use Code under section 7.9.6.A of Stormwater Management Plan Requirements is designed to ensure a stormwater management plan is prepared to maintain, as nearly as practical, the site's natural drainage patterns and assumed pre-development annual runoff volumes and peak flows as well as to ensure that measures are taken to prevent or minimize the pollution of surface waters and groundwater resources, damage to downstream property and local flooding as a result of permanent stormwater discharges from the proposed land development; and

WHEREAS, the Land Use Code under section 7.9.6.D.2 of Stormwater Quality is designed to ensure that stormwater runoff is treated to remove, on an average annual basis, a minimum of 80 percent of the total estimated suspended solids load; and


WHEREAS, use of appropriate engineering and design principles of stormwater management and use of best management practices and methodologies of soil erosion control will allow the proposed reconstruction project to remove from stormwater runoff a minimum of 80 percent of the total estimated suspended solids load and thereby comply with the requirements of section 7.9.6.D.2 of the Land Use Code.

IT IS THEREFORE RESOLVED THAT:

The Board of Commissioners of Lake Sinissippi Improvement District asks the Dodge County Board of Adjustment to **DENY** the request of the Petitioner and affirm that the proposed reconstruction project shall comply with the terms of the Stormwater Management provision of the Land Use Code.

Adopted this 9<sup>th</sup> day of Sept, 2008

By Vote of: 7 in favor 0 against 0 abstain

By:   
Britt L. Justman, Secretary