



PLAN COMMISSION MEETING AGENDA

Tuesday, July 28, 2015 at 5:30 P.M.

Sister Bay-Liberty Grove Fire Station – 2258 Mill Road, Sister Bay, WI

For additional information check: [Http://www.sisterbaywi.gov](http://www.sisterbaywi.gov)

In order for everyone to hear the discussion please, turn off your cell phone. Thank you.

Call Meeting to Order / Roll Call Deviations from the agenda order shown may occur.
Comments, correspondence and concerns from the public

Approval of the agenda

Approval of minutes as published

Business Items

1. Public Hearing on a request to amend 66.0320(c) of the Sister Bay Zoning Code to allow quarries as a conditional use in the B-1 General Business District. Discussion on a request to amend 66.0320(c) of the Sister Bay Zoning Code to allow quarries as a conditional use in the B-1 General Business District; consider a motion for action to recommend approval of proposed ordinance 235-072815, Amending Ch 66.0320(c).
2. Discussion on a request to amend a conditional use permit for Alison Beadell of 2259 Scandia Rd; consider a motion for action if necessary.
3. Discussion on a request for a permit to erect a 6', salt-treated wooden privacy fence in a front yard by Paul Vandermaazen of 10397 HWY 57; consider a motion for action if necessary.
4. Discussion on a request for approval on fence materials by Ellen Ritt of 10786 N. Spring Rd; Consider a motion for action if appropriate.
5. Review and discussion on a preliminary plan submission of two adjoining CSM requests as well as a PUD request for lots known as the "Old School Property" 10604 STH 57; consider a motion to refer to public hearing.
6. Discussion on US Supreme Court case Reed v. Town of Gilbert, AZ; Review of relevant sections of the Sister Bay Zoning code (66.0720, 66.0721, 66.0722) and discussion on implications.
7. Discussion on the Village of Sister Bay Sign Code.
8. Discussion on 66.0501(b)(3)(e), Accessory buildings in Front Yard Setback Area; consider a motion for action if necessary.
9. Discussion on conversion of Mariners Pointe Dr. from a public road to a private road; consider a motion to refer for further action.
10. Report by the Zoning Administrator regarding development activities, various enforcement actions, and issuance of Sign and Zoning Permits.
11. Matters to be placed on a future agenda or referred to a Committee, Official or Employee

Adjournment

Public Notice

Questions regarding the nature of the agenda items or more detail on the agenda items listed above scheduled to be considered by the governmental body listed above can be directed to Zeke Jackson, Village Administrator at 920-854-4118 or at zeke.jackson@sisterbaywi.gov.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Sister Bay Village Administrator at 854-4118, (FAX) 854-9637, or by writing to the Village Administrator at the Village Administration Building, 2383 Maple Drive, PO Box 769, Sister Bay, WI 54234. Copies of reports and other supporting documentation are available for review at the Village Administration Building during operating hours. (8 a.m. – 4 p.m. weekdays).

I hereby certify that I have posted a copy of this agenda at the following locations:		
<input type="checkbox"/> Administration Building	<input type="checkbox"/> Library	<input type="checkbox"/> Post Office
_____ / _____		
Name	Date	

1 PLAN COMMISSION MEETING MINUTES
2 WEDNESDAY, JUNE 24, 2015
3 Sister Bay Village Hall – 10693 N. Bay Shore Drive
4 UNAPPROVED VERSION
5

6 The June 24, 2015 meeting of the Plan Commission was called to order by Chairperson Dave
7 Lienau at 5:39 P.M.

8
9 **Present:** Chairperson Lienau, and members Shane Solomon, Scott Baker, Don Howard, Marge
10 Grutzmacher, Eric Lundquist and Nate Bell.

11
12 **Others:** Pat Duffy, Brandon Small, Attorney Charles Koehler, and Denise Bhirdo.

13
14 **Staff Members:** Village Administrator Zeke Jackson, Village Attorney Randy Nesbitt and
15 Consultant Robert Kufirin.

16
17 **Comments, correspondence and concerns from the public:**

18 Lienau asked if anyone wished to comment regarding a non-agenda item. No one responded.
19 He then noted that no new correspondence had been received.

20
21 **Approval of the agenda:**

22 *A motion was made by Grutzmacher, seconded by Baker that the Agenda for the June 24,*
23 *2015 meeting of the Plan Commission be approved as presented. Motion carried – All ayes.*

24
25 **Approval of minutes as published:**

26 **As to the minutes for the April 28, 2015 meeting of the Plan Commission:**

27 *A motion was made by Baker seconded by Grutzmacher that the minutes for the April 28, 2015*
28 *meeting of the Plan Commission be approved as presented. Motion carried – All ayes.*

29
30 **Business Items:**

31 **Item No. 1. Consider a motion to proceed to public hearing to change the language of the**
32 **Zoning Code as it relates to the B-1 General Business District and allow quarries as a**
33 **conditional use:**

34 **Item No. 2. Consider a motion to proceed to public hearing to approve a Development**
35 **Agreement and Conditional Use Permit for the Sister Bay Properties, LLC quarry located at**
36 **2581 S. Bay Shore Drive:**

37 The zoning history of the quarry property located at 2581 S. Bay Shore Drive goes back
38 decades and pre-dates the approval of the original Zoning Code, which occurred in 1974. The
39 very first Zoning Code did not permit quarries, so the quarry operation at 2581 S. Bay Shore
40 Drive was deemed to be “a pre-existing non-conforming use”, and was grandfathered.
41 Originally there was a very low level of rock removal being conducted at the quarry. Around
42 2006 the quarry was sold, and since Village officials determined that the rock removal
43 operation had not ceased, it was still considered to be “a pre-existing non-conforming use”.
44 After the quarry was sold the level of rock removal increased dramatically, and the neighbors
45 began complaining about dust, noise and blasting operations. By April of 2008 the dust, noise
46 and blasting complaints were referred to the Village Board, and the Board subsequently
47 authorized the Village Attorney to take formal legal action against the owner of the quarry. The
48 Village Attorney eventually took the owner of the quarry to court in an attempt to shut the
49 quarry down, but the Judge who heard the case ruled that the violations were not serious
50 enough to warrant such action and directed Village officials to mediate the dispute. There were

1 a series of mediation sessions conducted, and they resulted in a draft Memorandum of
2 Understanding being prepared. By August of 2012, Brandon Small, the son of the man who
3 owns the quarry, had developed a specific proposal for the operation of the existing quarry and
4 asked that he be allowed to expand the quarry operations onto an adjacent parcel. The matter
5 was referred to the Plan Commission, and the Commission members eventually requested that a
6 series of talking points be prepared with respect to this issue. That document was prepared, and
7 Brandon Small met with the Plan Commission in May and September of 2013. A number of
8 citizens attended the meetings at which the talking points were addressed, and they provided
9 input on the issue. Small was eventually instructed to contact Kufrin when he was ready to
10 present a new proposal which addressed the comments which had been made by the
11 Commission members as well as neighboring property owners. In June of 2014 Small did
12 present a new proposal, but Village officials determined that there were a number of issues with
13 the proposed language. Since that time there have been numerous versions of different
14 proposals exchanged between the parties, and finally, by May of 2015 a revised Development
15 Plan was submitted by Small. That document was included in the meeting packets. Basically
16 Small is proposing that he be allowed to operate an expanded dimension stone quarry in the
17 Village for ten years, at which time the operation will cease and the land will be reclaimed. His
18 proposed Reclamation Plan would have to be approved by the Door County Soil & Water
19 Department. If the Plan Commission determines that Small's proposal has merit, Zoning Code
20 amendments which indicate that a quarry will be allowed as a conditional use in the B-1
21 District will be required. A Development Agreement would also have to be approved. Before
22 any of that can occur public hearings will be required.

23
24 Kufrin noted that drafts of an Ordinance which amends the Zoning Code as well as a
25 Conditional Use Permit/Development Agreement and an applicable Resolution were included
26 in the meeting packets, and the Commission members jointly reviewed all of that
27 documentation.

28
29 The Village Attorney, Randy Nesbitt, indicated that from a legal standpoint whenever an
30 application is submitted the Village has an obligation to consider that application and allow the
31 applicant to be heard. If the determination is made that the application is complete it must be
32 considered, but if the determination is made that the application is not complete, the applicant
33 must be informed of what is missing. Because a law suit is pending against Sister Bay
34 Properties, LLC, and the Judge issued a Mediation Order, it is quite likely that the Village would
35 have a very difficult time prevailing in Court if Small's new application is not considered.

36
37 The question arose as to whether or not new application fees could be imposed, and Nesbitt
38 responded that since it is a continuing process he would not recommend that any additional
39 fees be charged. Of course, before the matter proceeds to public hearing a determination
40 should be made that all applicable fees have, in fact, been paid.

41
42 Kufrin noted that to his knowledge no Zoning Code text change or Conditional Use Permit
43 Application fees were ever imposed since the matter was still being negotiated.

44
45 Attorney Charles Koehler, who represents the Small family, indicated that he believes all the
46 required conditions are contained in the documentation which was included in the meeting
47 packets, and he is recommending that the matter proceed to public hearing. There seems to be
48 considerable value in having a ten year time limit on the quarry operations, and the Smalls
49 basically "want to make peace".

50

1 *A motion was made by Solomon, seconded by Grutzmacher, that the Plan Commission shall*
 2 *proceed to public hearing on Brandon Small's request to change the language of the Zoning*
 3 *Code in such fashion that quarries are allowed as a conditional use in the B-1 District. That*
 4 *hearing shall be conducted at 5:30 P.M. on Tuesday, July 28, 2015. Motion carried – All ayes.*

5
 6 *A motion was made by Bell, seconded by Baker that if the Plan Commission approves Brandon*
 7 *Small's Zoning Code text amendment request, a public hearing shall be conducted on Small's*
 8 *request to approve a Development Agreement and Conditional Use Permit for the Sister Bay*
 9 *Properties, LLC quarry located at 2581 South Bay Shore Drive. That hearing shall be conducted*
 10 *at 5:30 P.M. on Wednesday, August 26, 2015. Motion carried – All ayes.*

11
 12 **Item No. 3. Consider a motion to grant an Accessory Use Permit to Paul VanderMaazen of**
 13 **10397 STH 57 for placement of a fence in a front yard:**

14 Jackson indicated that Paul VanderMazzen has requested that he be allowed to place a fence in
 15 the front yard of his residence located at 10397 STH 57. The Zoning Code does not allow
 16 fencing in the front yard unless the Plan Commission grants approval. VanderMazzen would
 17 like to install an 8' fence on top of already existing berms which surround his garage as he
 18 believes the fencing would help eliminate highway noise and allow for more privacy.

19
 20 *The Commission members indicated that before making a decision on this issue they would like*
 21 *to see further information regarding the specific type of fencing VanderMaazen would like to*
 22 *install.*

23
 24 **Item No. 4. Consider a motion to grant preliminary approval to Harbor View, LLC, for**
 25 **development and CSM plans for the Old School Property at the intersection of STH 57 and**
 26 **STH 42:**

27 Preliminary Site Plans, Utility Plans, Grading and Drainage Plans and drafts of two CSM's
 28 which were submitted by Harbor View, LLC for the Old School Property at the intersection of
 29 STH 57 and STH 42 were included in the meeting packets, and the Commission members
 30 jointly reviewed all of that documentation. Basically the developer is requesting that his land be
 31 rezoned from R-2 Multi-Family to R-2 with a Planned Unit Development (PUD) Overlay.
 32 (Because of the property's close proximity to the highway, D.O.T. setback requirements must
 33 be satisfied for subdivisions consisting of five or more lots, but if both CSM's are approved one
 34 parcel will contain four lots and the other will contain three.) The seven lots would be served
 35 by a 24' wide private road, and public sewer and watermain would be installed within a
 36 proposed 54' ingress/egress and utility easement, but three of the lots will be considered an
 37 outlot and will not be developed for five years. If the PUD is approved there will be departures
 38 from the normal R-2 District standards. (Normally a minimum lot size of 20,000 square feet and
 39 a minimum lot width of 75 feet is required; a minimum front yard setback of at least 40 feet
 40 from the edge of an easement or the edge of the pavement is required; a minimum rear yard
 41 setback of at least 30 feet is required; and all dwelling units must be served by public streets.
 42 Jackson also does not believe adequate drainage has been provided. He did send Al Gokey a
 43 letter concerning all the compliance issues which had been identified.)

44
 45 *A motion was made by Grutzmacher, seconded by Howard that the Plan Commission*
 46 *members would like to see plans depicting a five lot subdivision on the Old School Property,*
 47 *and would also like to see the private road depicted on those plans converted to a public road.*
 48 *Further, they would like to see all the compliance issues which are mentioned in the letter from*
 49 *Zeke Jackson to Al Gokey addressed to Jackson's satisfaction. Motion carried – All ayes.*

50

1 **Item No. 5. Consider a motion to discuss the role of the Plan Commission in future economic**
 2 **development:**

3 Grutzmacher stated that she is concerned that some recent construction/development projects
 4 weren't referred to the Plan Commission for review and approval. In the past that always
 5 occurred. Specifically she is referring to the construction of the Performance Pavilion,
 6 expansion of the beach, creation of the sledding hill, and remodeling of a couple of businesses
 7 in the Village, as she believes a change of use occurred.

8
 9 Lienau responded that there never was an intention to slight any of the Commission members.
 10 The former Administrator, Bob Kufrin, informed him that it was not necessary to refer the
 11 Performance Pavilion plans to the Plan Commission as that project fell under the purvue of the
 12 Parks Committee. (The Parks Committee is charged with making recommendations to the Board
 13 with respect to any improvements which are made on Village owned property.) He also noted
 14 that the Performance Pavilion Construction Project, the Beach Expansion Project, and the
 15 Sledding Hill Project were addressed at a number of Parks Committee and Village Board
 16 meetings.

17
 18 Discussion took place regarding the definition of "change of use", and during that time Jackson
 19 noted that Village officials have informed him that they want the Village to be "business
 20 friendly" and do not want to make business owners "jump through hoops". Therefore, he only
 21 makes new business owners come before the Plan Commission if a specific business operation
 22 is not delineated as being permitted in the Zoning Code.

23
 24 Several of the Commission members pointed out that quite often citizens ask them about recent
 25 development in the Village, and at the very least they would like to be informed of what is
 26 going on. Jackson promised to make a concerted effort to do that in the future. To that end he
 27 will provide development/project/construction status reports at the monthly Plan Commission
 28 Meetings.

29
 30 **Item No. 6. Consider a motion to convene into closed session pursuant to Wis. Stats.,**
 31 **§19.85(1)(g) to confer with legal counsel, who either orally or in writing will advise the**
 32 **governmental body on a strategy to be adopted with respect to current or likely litigation:**

33 **Item No. 7. Consider a motion to reconvene into open session:**

34 **Item No. 8. Consider a motion to take action, if required:**

35 None of these agenda items were addressed.

36
 37 **Item No. 9. Report by the Zoning Administrator regarding development activities, various**
 38 **enforcement actions, and issuance of Sign and Zoning Permits:**

39 Jackson noted that he didn't have anything further to report.

40
 41 **Item No. 10. Discussion regarding matters to be placed on a future agenda or referred**
 42 **to a committee, Village official or employee:**

43 There were no matters to be placed on a future agenda or referred to a committee,
 44 Village official or employee.

45
 46 **Adjournment:**

47 *A motion was made by Grutzmacher, seconded by Howard to adjourn the meeting of the Plan*
 48 *Commission at 8:42 P.M. Motion carried – All ayes.*

49
 50

1 Respectfully submitted,



2
3 Janal Suppanz,
4 Assistant Administrator



Plan Commission Public Notice

The Sister Bay Plan Commission will hold a public hearing at the Sister Bay Fire Station, 2258 Mill Rd, Door County, Wisconsin on **Tuesday, July 28, 2014 at 5:30 P.M.** or shortly thereafter, for the purpose of considering a request by Brandon Small to Amend the Sister Bay Zoning Code, 66.0320 (c), allowing quarries in the B-1 District as a conditional use.

The purpose of this public hearing is to obtain comments and input from the public on the request for a text amendment to the Village's Zoning Code.

A copy of the proposed text amendment is available for inspection. The Zoning Code and Zoning Map for the Village is on file at the Zoning Administrator's office and may be viewed at 2383 Maple Drive weekdays between 10:00 a.m. and 4:00 p.m. Those drafts are also available on the Village web site at www.sisterbaywi.info.

Written testimony including email will also be accepted at the Sister Bay Administration Building, 2383 Maple Drive, Sister Bay, WI 54234, (FAX 920-854-9637) until 3:00 p.m. on the day of the meeting. Letters will be available for public inspection during normal business hours until the close of business on the day of the hearing. Letters will be entered into the record; a summary of all letters will be presented at the meeting, but individual letters will not be read. Anonymous correspondence will not be accepted.

All application materials for Regular Zoning Permits, Conditional Use Permits and zoning amendment petitions may be viewed at the Sister Bay Administration Building, 2383 Maple Drive, Sister Bay, Wisconsin during normal business hours, 10:00 am. - 4:00 p.m.

By order of the Plan Commission of the Village of Sister Bay.
Zeke Jackson
Zoning Administrator
zeke.jackson@sisterbaywi.gov

ORDINANCE № 235-XXXX15

**An Ordinance Amending the Zoning Code Sections
66.0320(c) B-1 Conditional Uses**

WHEREAS, the Village Board of Trustees of the Village of Sister Bay, Door County, Wisconsin, (hereafter referred to as “the Village Board”) has made the determination that the B-1 Business District has different goals and purposes that require a redetermination of which uses should be permitted and which uses should be conditional.

WHEREAS, the Village Board finds that allowing additional conditional uses will create greater opportunities for appropriate development in the B-1 district.

WHEREAS, the Village Board finds that it is in the best interests of the public to update the zoning code to expand the conditional uses in the B-1 district by allowing quarries as a conditional use in the B-1 District. The Board finds that the adoption of this Ordinance for such regulation will promote government and the good order of the Village for its commercial benefit and the health, safety, welfare and convenience of the public.

NOW, THEREFORE, the Village Board does hereby ordain as follows:

Section 1 – Availability for Public Inspection.

A copy of this Ordinance shall be permanently on file and open to public inspection in the Office of the Village Clerk after its enactment and for a period of not less than two (2) weeks before its enactment.

Section 2 – Chapter 66 Sections 66.0320(c)(12) General Business B-1 Conditional Uses is created as follows:

- 12. Dimension rock quarries (Subject to 66.0320(g)(3))

Section 3 – Chapter 66 Sections 66.0320(g)(3) General Business B-1 Special Standards is created as follows:

- 3. Quarries operating primarily to remove dimensional stone and not as gravel or sand quarries shall only be permitted subject to a conditional use permit.

Section 4 – Ordinances in Conflict.

All other Ordinances in conflict herewith are hereby repealed.

Section 5 – Effective Date.

This Ordinance shall take effect and be in full force from and after its passage and publication according to law.

Section 6 – Severability.

If a Court of competent jurisdiction adjudges any section, clause, provision or portion of this Ordinance unconstitutional or invalid, the remainder of the previously mentioned Chapter shall not be affected thereby.

VILLAGE OF SISTER BAY

By: _____
David W. Lienau, President

Date Introduced: _____

Date Adopted: _____

Publication Date: _____

ATTEST:

Christine M. Sully, Clerk WCPC MMC

Ordinance 235-XXXX15

Name: h:\active\sister bay\projects village\lawsuits\small quarry lawsuit\plan commission report\ord 235 - xxxx15 chapter 66 b-l district add quarry as conditional use v4.docx Created: 6/8/2015 11:28 AM Printed: 6/15/2015 10:14 AM 6/15/2015 10:14:00 AM Author: Robert L. Kufrin Last Saved By: Robert Kufrin Revision: 5 Last Save Date:

1	Business Districts	55	(30)	Infrastructure essential services
2	Sec. 66.0320 B-1 General Business District	56	(31)	Information centers
3	The General Business district (B-1) is intended to	57	(32)	Insurance sales offices
4	provide areas for attractive and accessible groupings	58	(33)	Interior decorators and furniture stores
5	of business, commercial, office and other general re-	59	(34)	Jewelry stores
6	tail uses in convenient locations outside of the	60	(35)	Lawn and garden centers
7	Downtown Business district (B-3). This section pro-	61	(36)	Licensed massage therapy and body
8	vides standards for the orderly improvement and de-	62		work as certified by the State
9	velopment within the general business district based	63	(37)	Liquor stores
10	on the following principles:	64	(38)	Lumberyards
11	• Development that is consistent with the	65	(39)	Marinas
12	natural environment.	66	(40)	Medical and dental clinics
13	• Development that maintains the Village’s	67	(41)	Municipal buildings
14	traditional small town appearance, in	68	(42)	Municipal utility facilities
15	which its housing, shops, work places,	69	(43)	Music stores
16	parks and civic facilities co-exist in relative	70	(44)	Newspaper and magazine stores
17	harmony.	71	(45)	Office supplies and business machine
18	• Development that balances the needs of a	72		stores
19	resort town and a residential village.	73	(46)	Optical stores
20	• Designs that meet the architectural standards	74	(47)	Paint, glass and wallpaper stores
21	and enhance the Village’s historic architec-	75	(48)	Parks
22	ture.	76	(49)	Pet stores and pet grooming
23	(a) <u>Permitted Uses:</u>	77	(50)	Pharmacy or drug store
24	(1) Antique and collectors stores	78	(51)	Photography studios
25	(2) Art galleries or studios for photography,	79	(52)	Physical fitness centers
26	painting, music, sculpture, dance, pot-	80	(53)	Plumbing and heating supplies
27	tery and jewelry	81	(54)	Printing services
28	(3) Auto sales and service	82	(55)	Professional offices
29	(4) Art supply stores	83	(56)	Public parking lots
30	(5) Banks/financial institutions	84	(57)	Real estate offices
31	(6) Barber shops, beauty salons and spas	85	(58)	Radio and television studios
32	(7) Bed and breakfasts	86	(59)	Restaurant
33	(8) Boat sales and service	87	(60)	Retail electronic equipment sales
34	(9) Book or stationery stores	88	(61)	Self-service laundry and dry-cleaning
35	(10) Camera and photographic supply stores	89	(62)	Shoe and leather goods stores
36	(11) Catering services	90	(63)	Single family housing as of January 1,
37	(12) Churches	91		2007
38	(13) Cinema, theater or performance hall	92	(64)	Sporting goods stores
39	(14) Clothing stores	93	(65)	Taverns or cocktail lounges
40	(15) Commercial laundries	94	(66)	Tobacco stores
41	(16) Convenience store	95	(67)	Trade and contractor shops
42	(17) Craft stores	96	(68)	Travel agencies
43	(18) Dance studio	97	(69)	Variety stores
44	(19) Florists	98	(70)	Video productions
45	(20) Food stores	99	(71)	Video tape sales and rental
46	(21) Funeral homes	100	(b)	<u>Permitted Accessory Uses:</u>
47	(22) Gasoline service stations	101	(1)	Accessory uses and structures. See sec-
48	(23) Gift shops	102		tion 66.0501
49	(24) Group day care centers	103	(2)	Outdoor Displays. See section 66.0506
50	(25) Hardware stores	104	(3)	Solar collectors attached to the princi-
51	(26) Hobby and craft shops	105		pal structure.
52	(27) Hotel, condominium	106	(4)	Accessory Residential Use. One single-
53	(28) Hotel/motel	107		family dwelling and a non-transient res-
54	(29) Indoor institutional	108		idential unit, located on the same prop-
		109		erty as the business provided that there
		110		shall be a minimum floor area as pro-
		111		vided below. The on-site parking re-
		112		quired for the accessory residential

1 units must be available on site. 54
2 (Amended Ordinance 128-061207) 55

Bedrooms	Minimum area
Efficiency	700
1	750
2 or more	850

- 3 (c) Conditional Uses: 60
4 (1) Apartments (Subject to 66.0320(g)(2)) 61
5 (2) Commercial recreation facilities (indoor 62
6 and outdoor), such as arcades, bowling 63
7 alleys, clubs, dance halls, driving rang- 64
8 es, gymnasiums, health clubs, miniature 65
9 golf facilities, pool and billiard halls 66
10 and indoor skating rinks. 67
11 (3) Congregate housing (Subject to 68
12 66.0320(g)(2)) 69
13 (4) Flea markets 70
14 (5) Solar energy as accessory structure 71
15 (6) Motor home and recreational vehicle 72
16 sales and service 73
17 (7) Non-village utility facilities 74
18 (8) Light assembly, light manufacturing and 75
19 related activities 76
20 (9) Residential condominiums (Subject to 77
21 66.0320(g)(2)) 78
22 (10) Seasonal employee housing (Subject to 79
23 66.0320(g)(2)) 80
24 (11) Storage and related (Subject to 81
25 66.0320(g)(1)) 82
26 (12) Dimensional rock quarries (Subject to 83
27 66.0320(g)(3)) 84

- 28 (d) Lot Area and Width: 85
29 (1) Lots not served by public sewer shall be 86
30 a minimum of 25,000 square feet in ar- 87
31 ea and shall have a lot width of at least 88
32 100 feet. Corner lots shall have a lot 89
33 width of at least 110 feet. 90
34 (2) Lots shall provide sufficient area and 91
35 width for the principal structure(s) and 92
36 its accessory structures, off-street park- 93
37 ing and loading areas, and required 94
38 setbacks. 95
39 (3) Lots served by public sewer shall be a 96
40 minimum of 20,000 square feet in area 97
41 and shall have a lot width of at least 60 98
42 feet. Corner lots shall have a lot width 99
43 of at least 110 feet. 100

- 44 (e) Building Height and Area: 101
45 (1) No principal building shall exceed 35 102
46 feet in height. No accessory building 103
47 shall exceed 35 feet in height. 104
48 (2) The total of the floor area on all floors 105
49 of the principal building and all acces- 106
50 sory buildings including the required 107
51 parking, driveways and sidewalks shall 108
52 not exceed 80 percent of the lot area 109
53 and the balance shall be left as open 110

space. (Amended Ordinance 159-120809)

- 56 (f) Setbacks:
57 (1) There shall be a minimum building
58 front setback of a least 45 feet from the
59 centerline of the right-of-way of all
60 streets.
61 (2) There shall be a minimum front setback
62 of at least 40 feet from the edge of the
63 easement or edge of pavement for all
64 buildings not on a public street.
65 (3) There shall be a side setback on each
66 side of all principal buildings of not less
67 than ten feet. However, this may be in-
68 creased upon the recommendation of
69 the Village Engineer in order to ac-
70 commodate the required grading be-
71 tween properties.
72 (4) There shall be a rear setback of at least
73 20 feet.

74 (g) Special Standards.
75 This section supplements the standards con-
76 tained in section 66.0320(d) through
77 66.0320(f). It provides standards for the fol-
78 lowing land uses in order to control the scale
79 and compatibility of those uses within the B-1
80 district:

- 81 (1) The Plan Commission shall apply at a
82 minimum the following standards when
83 considering a conditional use permit for
84 storage buildings. The minimum space
85 for a storage unit would be 1500 square
86 feet and the buildings containing the
87 units will be constructed of non-metal
88 materials other than doors and win-
89 dows. A storage building shall not con-
90 tain more than four storage units. Real
91 or false windows will be installed on
92 the exterior facing walls to reduce the
93 long blank wall appearance. The build-
94 ings shall be set back a minimum of
95 250 feet from the centerline of State
96 Highways 42 or 57 and screened from
97 the highway by other buildings. The
98 storage spaces may be for actual stor-
99 age or to allow the owner or occupant
100 to work within the storage building for
101 the purposes of maintaining their be-
102 longings such as autos, boats and other
103 belongings. The buildings shall have
104 fire sprinklers upon occupancy. No
105 overnight storage or parking of material,
106 vehicle, etc. outside is permitted and
107 none of the overhead doors shall be vis-
108 ible from an adjacent residential prop-
109 erty. (Amended Ordinance 130-
110 071007)

1| (2) New apartment, congregate housing,
2| seasonal employee housing and resi-
3| dential condominium buildings shall
4| comply with the building height and
5| area standards as well as the unit densi-
6| ty requirements in the R-2 district Sec-
7| tion 66.0312 as well as the other re-
8| quirements as exist including the re-
9| quirement that the property is served by
10| public sewer and water. The conversion
11| of existing commercial buildings into
12| apartments, congregate housing, sea-
13| sonal employee or residential housing
14| shall comply with the residential park-
15| ing requirements. As part of the conver-
16| sion of an existing commercial building
17| to one of the listed uses above, if there
18| is any building addition at that time or
19| in the future, the building addition is
20| subject to the building height and area
21| standards as well as the unit density re-
22| quirements in the R-2 district Section
23| 66.0312 as well as the other require-
24| ments as exist. (Amended Ordinance
25| 165-120809)

26| ~~(2)~~(3) Quarries operating primarily to remove
27| dimensional stone and not as gravel or
28| sand quarries shall only be permitted
29| subject to a conditional use permit.
30|
31|
32|
33|
34|
35|
36|
37|

38 Name: h:\active\sister bay\projects village\lawsuits\small quarry
39 lawsuit\plan commission report\ord 235 - xxxx15 chapter 66 b-1 district
40 add quarry as conditional use v4.docx Created: 6/8/2015 11:28 AM
41 Printed: 6/15/2015 10:14 AM6/15/2015 10:14:00 AM Author: Robert L.
42 Kufrin Last Saved By: Robert Kufrin Revision: 5 Last Save Date:



VILLAGE OF SISTER BAY BOARD REPORT

For additional information: <http://www.sisterbaywi.info>

Meeting Date: 10/08/13

Item No. 5 and 6

Recommendation: That the Board accept the recommendation of the Plan Commission and approve Ordinance No. 219, which grants a Conditional Use Permit for a second dwelling unit at 2259 Scandia Road, as well as Resolution 270, which pertains to a Certified Survey Map combining Village of Sister Bay Parcel No. 181-00-05312841F1 and Parcel No. 181-00-05312841.

Background: Allison Beadell has purchased the Thelma Erickson property on Scandia Road. Two lots are involved – Parcel No. 181-00-05312841F1 and Parcel No. 181-00-05312841F, and Ms. Beadell has requested that a Conditional Use Permit be issued pursuant to §66.0310 of the Municipal Code. Ms. Beadell and her boyfriend will live in the primary residence on Parcel No. 181-00-05312841F1, and she intends to run a small acupuncture practice and create a dwelling unit for friends and family members who visit in a 30' X 70' detached building, which is on the property. (The acupuncture practice will require two treatment rooms and a restroom.) The Plan Commission must approve home occupations, and Ms. Beadell's request to operate her acupuncture practice has already been approved. The Plan Commission has also determined that the requirement that no separate meters will be allowed for second dwellings should be waived and "grandfathered" status allowed as the building in which the second dwelling unit will be located has had its own meter for quite some time. It appears that the property meets all the other requirements of §66.0310 of the Zoning Code as long as the secondary dwelling unit does not exceed 900 square feet. The conversion of the garage to include an office and dwelling unit will require compliance with the Building Code, Utility Code and payment of impact fees. There is no way to avoid creation of non-conforming structures on Parcel No. 181-00-05312841F as it is only 10,000 square feet in size, and, therefore, the Plan Commission is recommending that a CSM which combines the lots be created. It appears that the Surveyor Ms. Beadell hired may not be able to complete the CSM prior to the Board Meeting as he is very busy, and, therefore, the Plan Commission is recommending that Kufirin be authorized to approve the CSM so that the project does not become unnecessarily delayed.

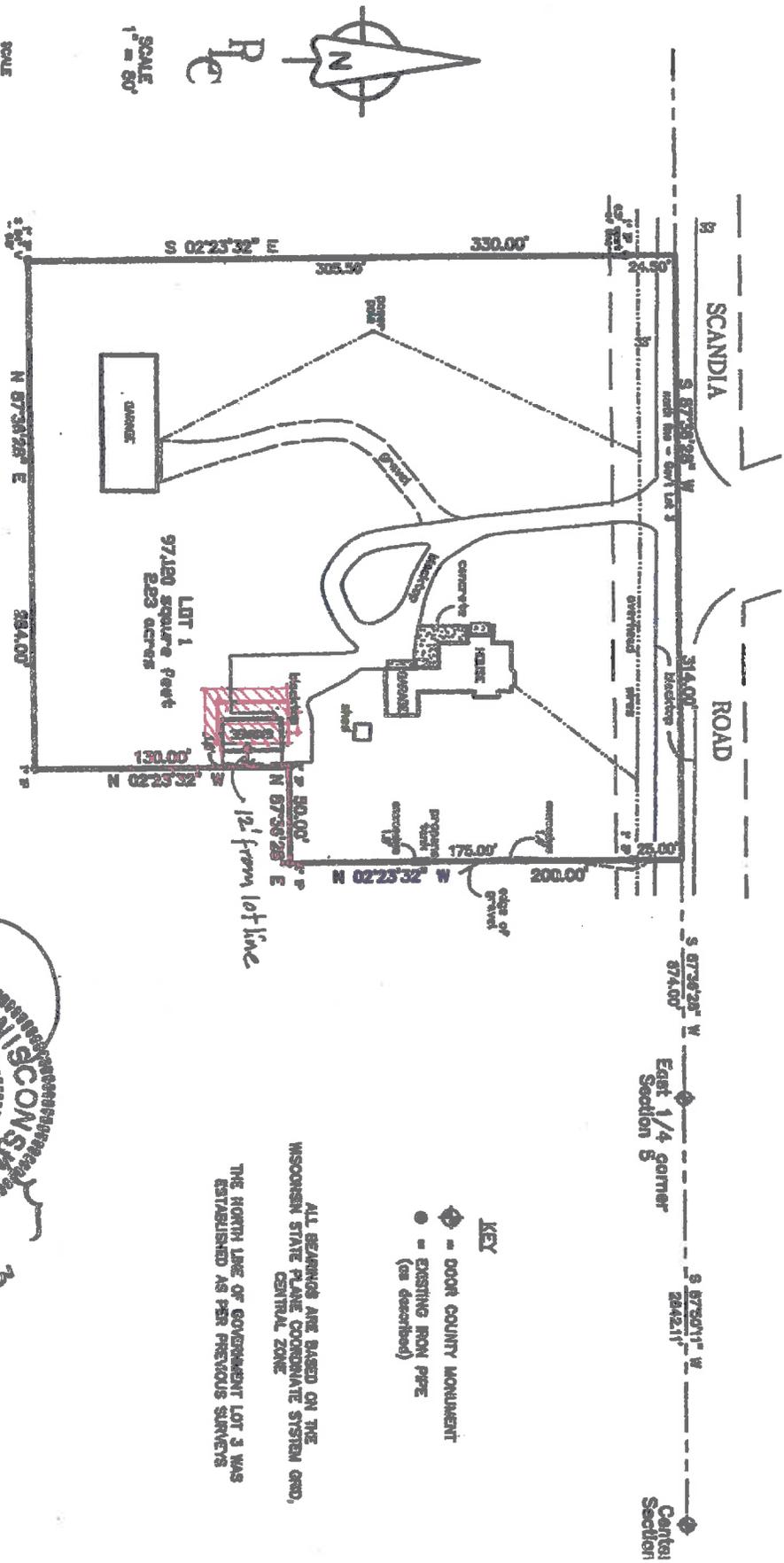
Fiscal Impact: None.

Respectfully submitted,

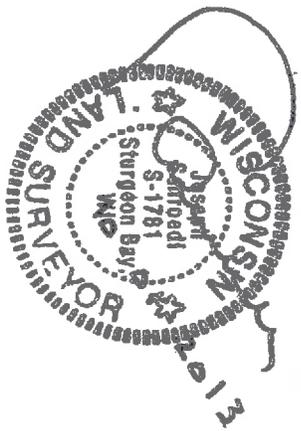
Zeke Jackson
Village Administrator

CERTIFIED SURVEY MAP
SURVEY IN GOVERNMENT LOT 3, SECTION 5, T. 31 N., R. 28 E.,
VILLAGE OF SISTER BAY, DOOR COUNTY, WISCONSIN

Alison Beadell
2259 Scandia Rd.

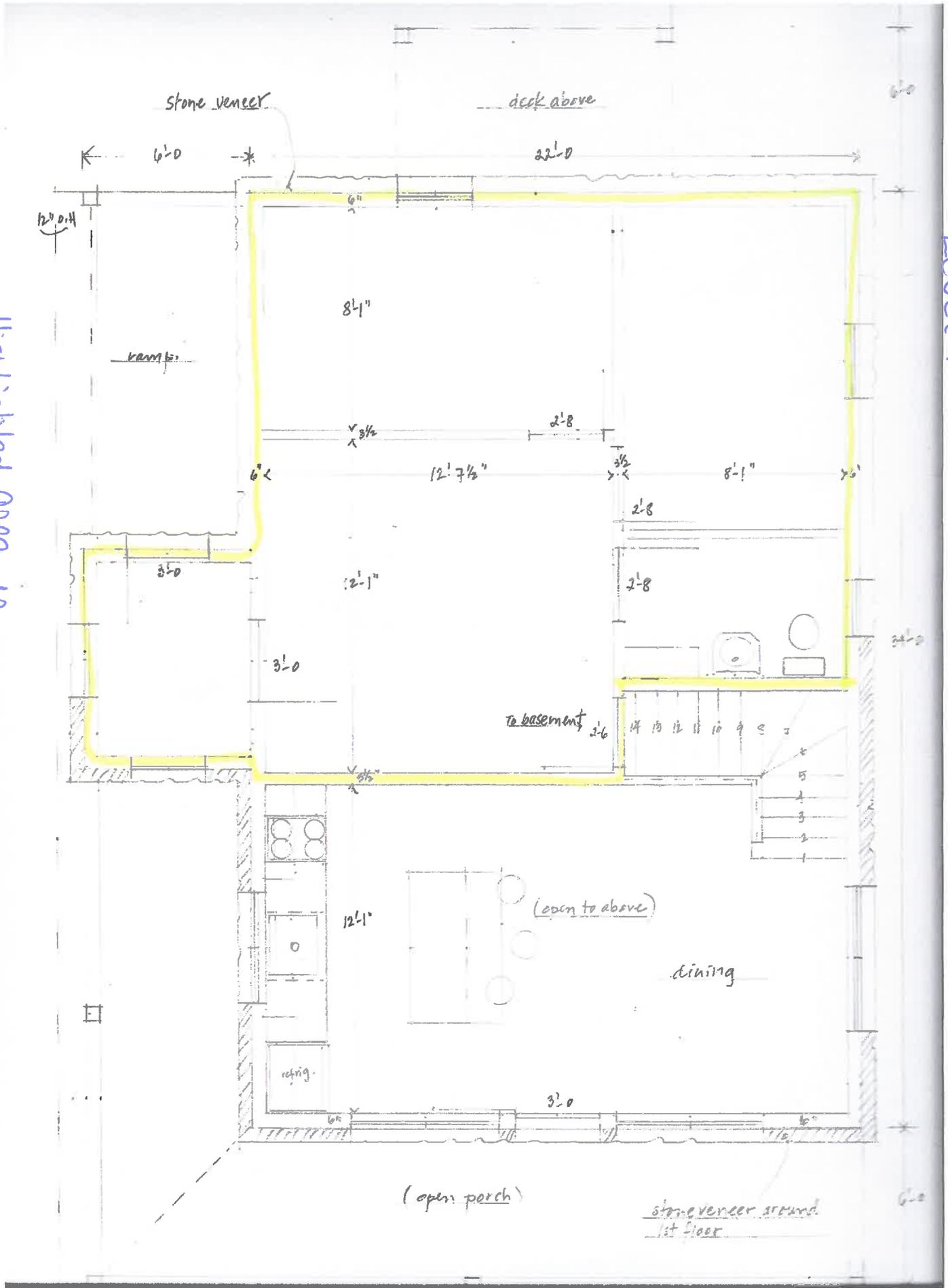


The proposed building is in red - it includes a porch on the South & West sides and a small deck on the North side.

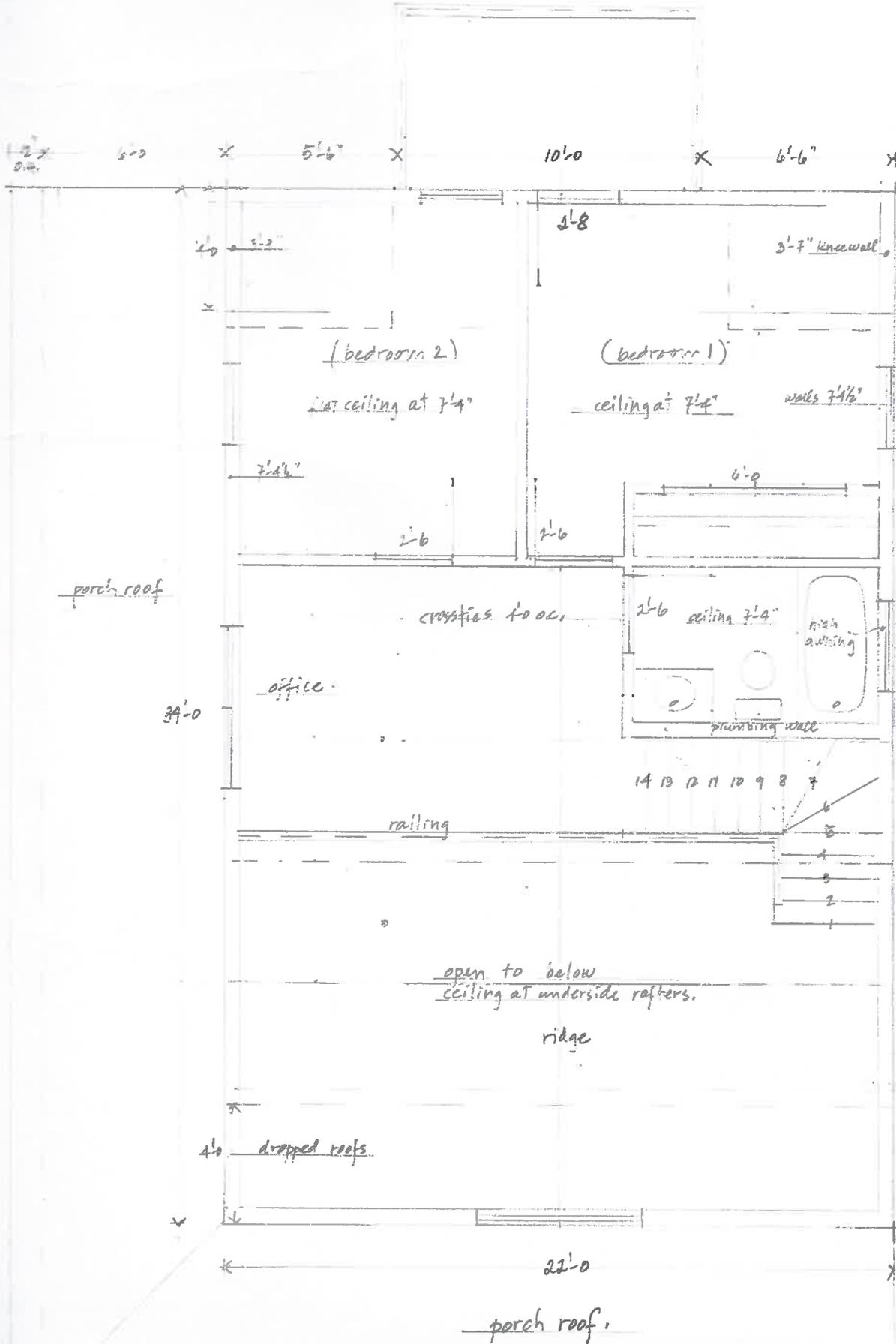


Level 1

Highlighted area is accessory area, not part of secondary dwelling.



level 2



PLAT OF SURVEY

LOCATED IN:
THE NE 1/4 OF THE SW 1/4 OF SECTION 8, TOWNSHIP 31 NORTH,
RANGE 28 EAST, VILLAGE OF SISTER BAY, DOOR COUNTY, WISCONSIN

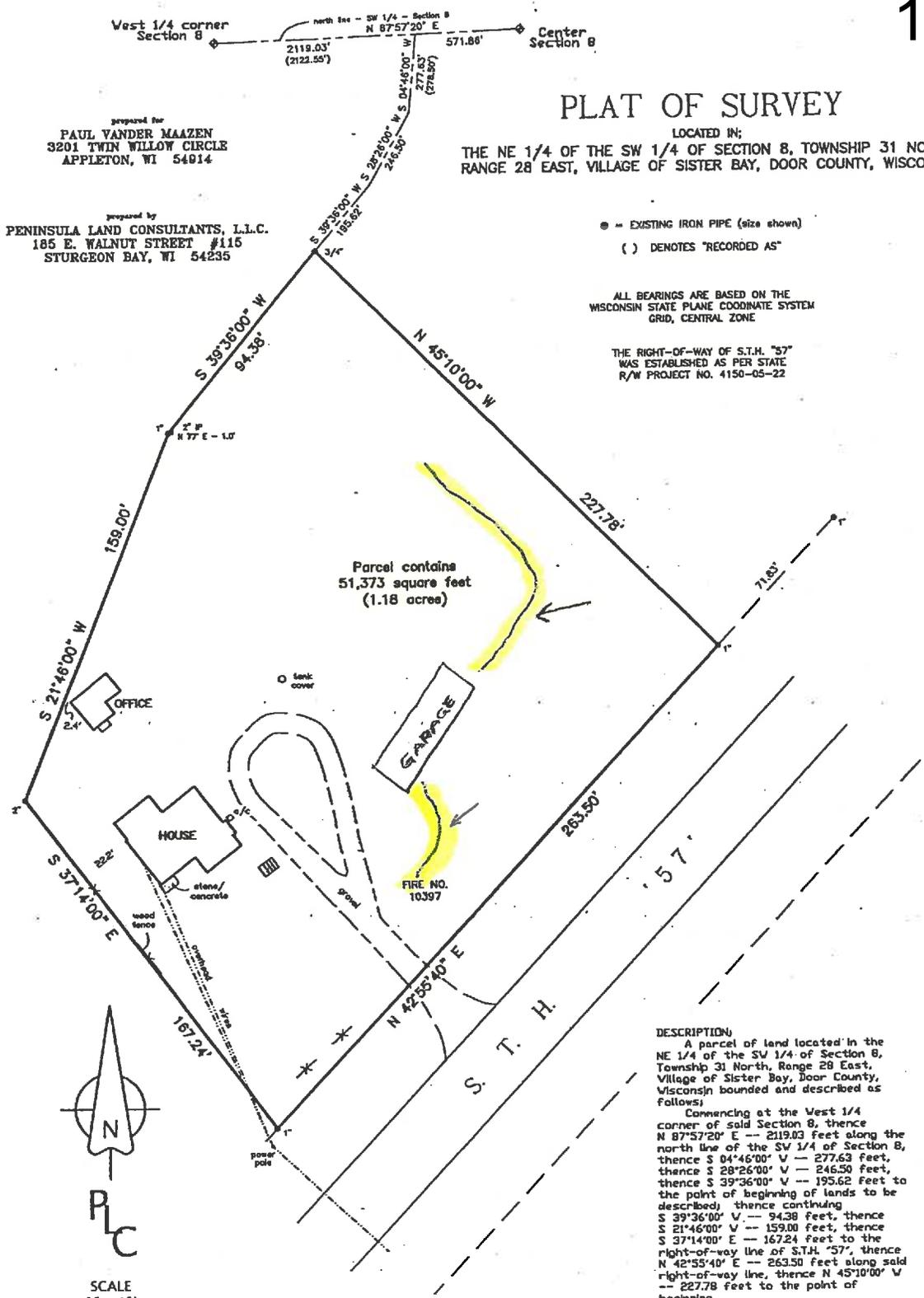
prepared for
PAUL VANDER MAAZEN
3201 TWIN WILLOW CIRCLE
APPLETON, WI 54914

prepared by
PENINSULA LAND CONSULTANTS, L.L.C.
185 E. WALNUT STREET #115
STURGEON BAY, WI 54235

● - EXISTING IRON PIPE (size shown)
() DENOTES "RECORDED AS"

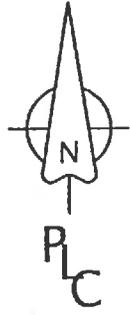
ALL BEARINGS ARE BASED ON THE
WISCONSIN STATE PLANE COORDINATE SYSTEM
GRID, CENTRAL ZONE

THE RIGHT-OF-WAY OF S.T.H. "57"
WAS ESTABLISHED AS PER STATE
R/W PROJECT NO. 4150-05-22



Parcel contains
51,373 square feet
(1.18 acres)

DESCRIPTION
A parcel of land located in the NE 1/4 of the SW 1/4 of Section 8, Township 31 North, Range 28 East, Village of Sister Bay, Door County, Wisconsin bounded and described as follows:
Commencing at the West 1/4 corner of said Section 8, then N 87°57'20" E -- 2119.03 feet along the north line of the SW 1/4 of Section 8, then S 04°46'00" W -- 277.63 feet, then S 28°26'00" W -- 246.50 feet, then S 39°36'00" W -- 195.62 feet to the point of beginning of lands to be described; thence continuing S 39°36'00" W -- 94.38 feet, then S 21°46'00" W -- 159.00 feet, then S 37°14'00" E -- 167.24 feet to the right-of-way line of S.T.H. "57", then N 42°55'40" E -- 263.50 feet along said right-of-way line, then N 45°10'00" W -- 227.78 feet to the point of beginning.
Said parcel contains 51,373 square feet (1.18 acres).



SCALE
1" = 40'

SURVEYOR'S CERTIFICATE:
I, Joseph Schraedl, Registered Land Surveyor for Peninsula Land Consultants, LLC, hereby certify that I have surveyed the above-described property and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all structures thereon, pertinent fences, apparent easements and roadways and visible encroachments, if any.
This survey is correct to the best of the surveyor's knowledge and belief and was made for the exclusive use of the present owners of the property and also those who purchase, mortgage or insure the title thereto.

DATED THIS 23rd DAY OF SEPTEMBER, 2010

JOSEPH SCHRAEDL, RLS 1781

SITE PLAN

IF YOU ALREADY HAVE THE PLAN

PREPARED ON ANOTHER SHEET ATTACH IT INSTEAD.

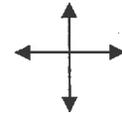
INSTRUCTIONS

- INDICATE north and ENTER the dimensions of the property.
- SKETCH the location of the well, septic system (tank/field) and all other buildings present on the property.
- SKETCH the location of the proposed project (include dimensions) and SHOW the shortest distance from the project to the:

- Well
- Adjacent Buildings
- Edge Of Lake/Stream/Wetland
- Easements
- Septic Tank & Drain Field
- Rear & Side Property Lines
- Center(line) of Road/Highway
- Right-of-Way of Road/Highway

NOTE: When showing distances less than 300 feet, please measure and show distance to the "nearest foot" (do not estimate). Distances over 300 feet, may be estimated.

- LABEL all abutting roads, highways, lakes, streams or wetlands.
- LABEL the "USE" of all buildings shown.
- SHOW the outside dimensions of all structures on the property.
- Mark driveway location and length and width on site plan.



Width _____ Rear property line OR Edge of water or wetland (North Arrow)

1) WOULD LIKE PERMIT TO BUILD NEW
6' WOOD FENCE PLACED IN HIGHLIGHTED (YELLOW) AREA
ON ATTACHED SURVEY.

Side Property Line

Side Property Line

▲ Right-of-Way Line of Road/Highway ▲

Width _____

▼ Center(line) Of Road/Highway ▼

Name Of Road/Highway _____

Web-Map of Door County, Wisconsin ... For All Seasons!



Parcel Search by ▼

Zoom To ▼

Layers Information

Aerial Photos

2013 Ortho: 9-inch

2013 V. Sister Bay: 4-inch

None

Historic Aerial Photos

Base Maps and Grids

Conservation

Cultural/Recreation

Elevation Contours

Hydrography

Parcel

Roads

Sanitary

Soils

Telecommunications

Themed Maps

All Themes Off

DNR Wetland

Impervious Surface

County Supervisory Districts

Zipcode

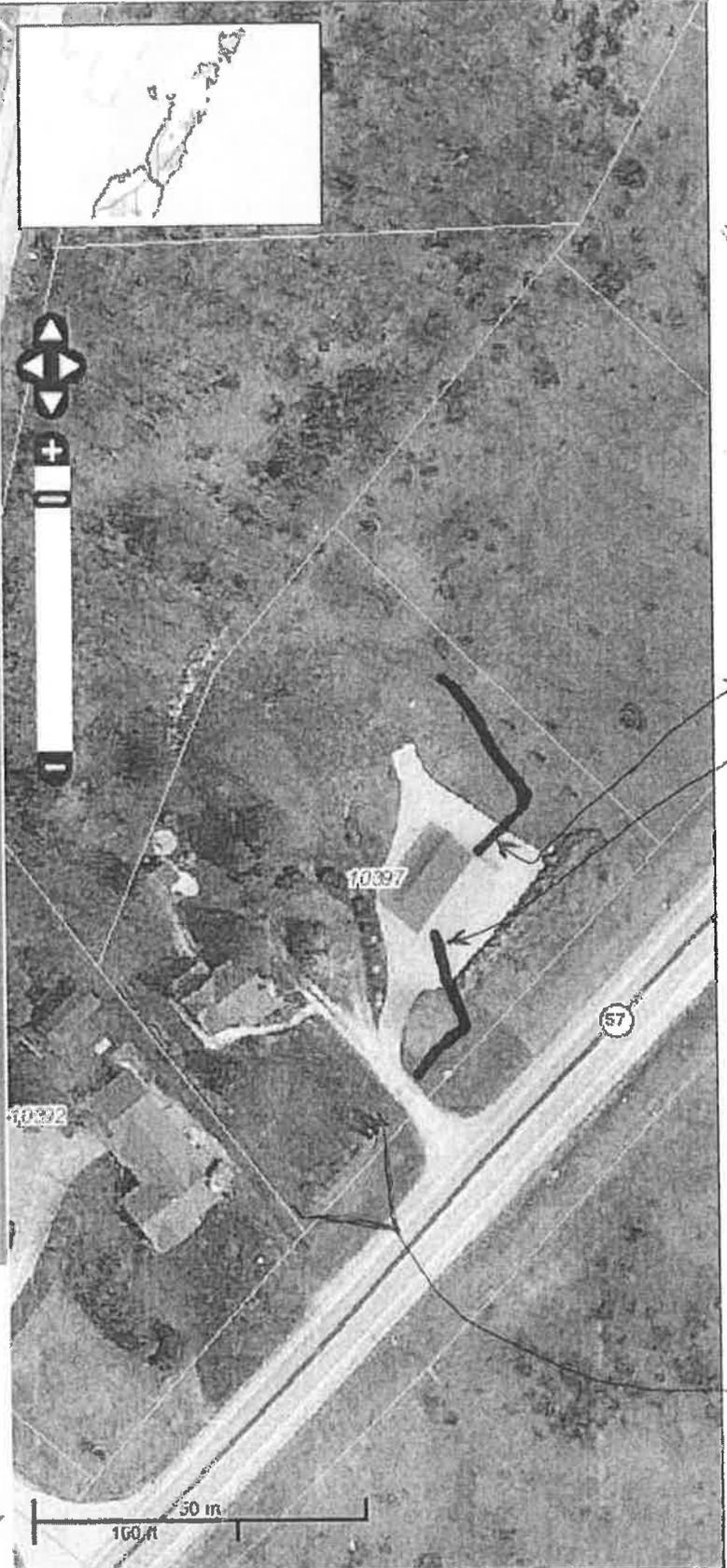
School Districts

Wards

County Zoning

FEMA Flood Hazards

Core Area



Handwritten notes on the right side of the map: (1) CHASE EAST RANK IS CONCERN WITH NEW PROPOSED 6' WOOD FENCE; (2) CHASE EAST RANK/RICE WITH STAIRS.

Handwritten note at the bottom: NEW FENCE COMPLIMENTS EXISTING FENCE TO SOUTH





SITE PLAN

**IF YOU ALREADY HAVE THE PLAN
PREPARED ON ANOTHER SHEET ATTACH IT INSTEAD.**

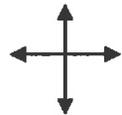
INSTRUCTIONS

- INDICATE north and ENTER the dimensions of the property.
- SKETCH the location of the well, septic system (tank/field) and all other buildings present on the property.
- SKETCH the location of the proposed project (include dimensions) and SHOW the shortest distance from the project to the:

- Well
- Adjacent Buildings
- Edge Of Lake/Stream/Wetland
- Easements
- Septic Tank & Drain Field
- Rear & Side Property Lines
- Center(line) of Road/Highway
- Right-of-Way of Road/Highway

NOTE: When showing distances less than 300 feet, please measure and show distance to the "nearest foot" (do not estimate). Distances over 300 feet, may be estimated.

- LABEL all abutting roads, highways, lakes, streams or wetlands.
- LABEL the "USE" of all buildings shown.
- SHOW the outside dimensions of all structures on the property.
- Mark driveway location and length and width on site plan.



Width _____ Rear property line OR Edge of water or wetland (North Arrow)

See attached plan.

Fence will be a 48" cedar split rail with mesh wire backing so our dog cannot run through.

Approximately 50' of the fence on the north side will be a 48" board on board cedar dog-eared fence

A photo of the split rail fence with wire mesh was emailed to zeke.jackson@sisterbaywi.gov on Wednesday, July 15, 2015 at 10:21 a.m.

Side Property Line

Side Property Line

▲ Right-of-Way Line of Road/Highway ▲

Width _____

▼ Center(line) Of Road/Highway ▼

Name Of Road/Highway Spring Road

Zeke Jackson

From: Ellen Ritt <ellenritt1@gmail.com>
Sent: Wednesday, July 15, 2015 10:22 AM
To: Zeke Jackson
Subject: Fwd: Split rail fence with wire

Sent from my iPhone

Begin forwarded message:

From: Ellen Ritt <ellenritt1@gmail.com>
Date: July 15, 2015 at 3:23:20 AM CDT
To: Ellen Ritt <ellenritt1@gmail.com>
Subject: Split rail fence with wire



Map

Printed 07/15/2015 courtesy of Door County Land Information Office

... from the Web Map of ...
(//www.co.door.wi.gov)

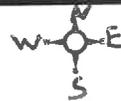


Door County, Wisconsin
... for all seasons!



Door County can not and does not make any representation regarding the accuracy or completeness, nor the error-free nature, of information depicted on this map. This information is provided to users "as is". The user of this information assumes any and all risks associated with this information. Door County makes no warranty or representation, either express or implied, as to the accuracy, completeness, or fitness for a particular purpose of this information. The Web Map is only a compilation of information and is NOT to be considered a legally recorded map or a legal land survey to be relied upon.

Norbert + Ellen Ritt
10786 N. Spring Road.



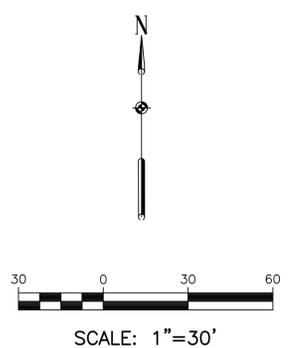
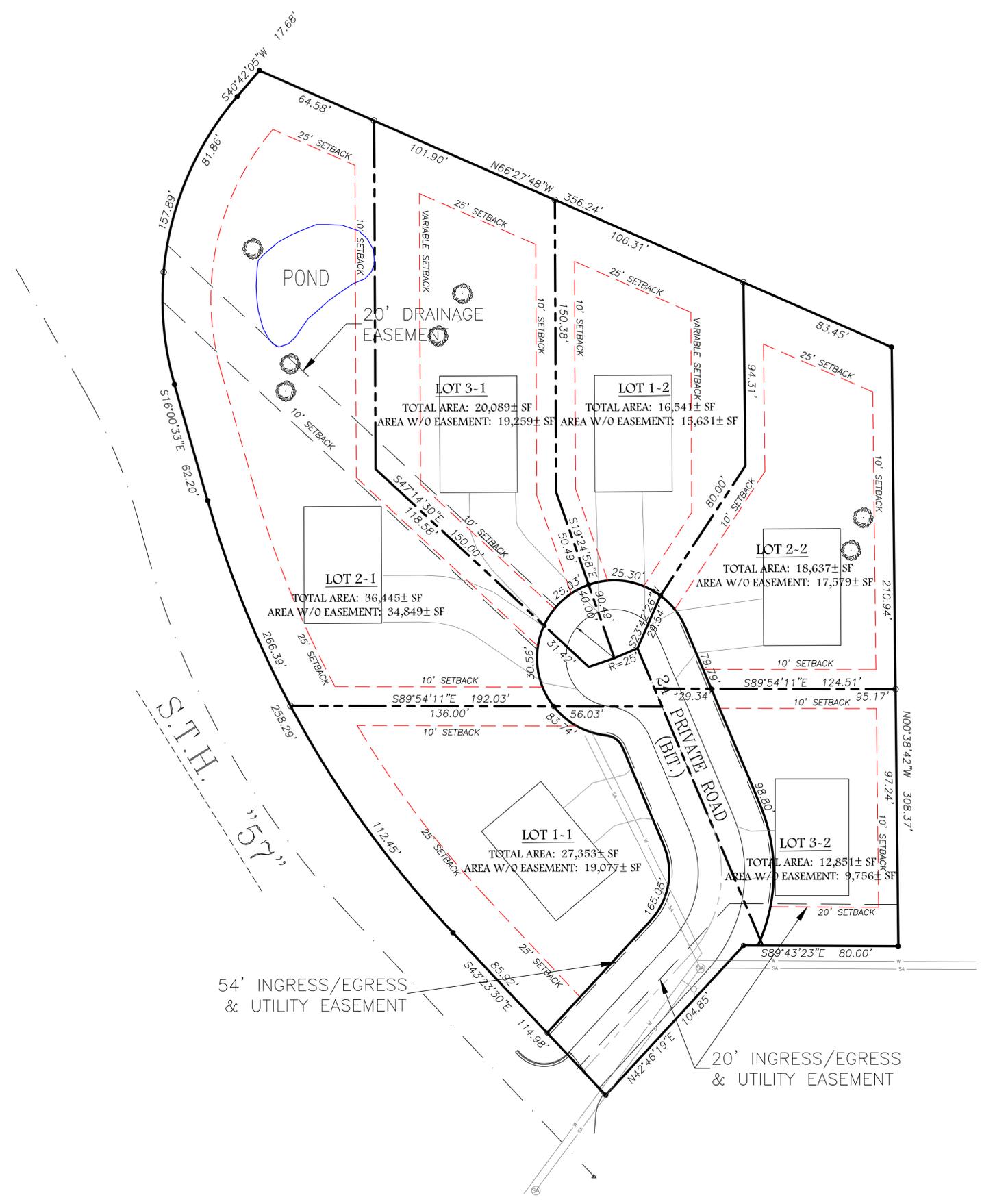
_____ = Fence for 10786 N. Spring Road
Sister Bay

NOTES:

- DISTANCES ALONG EDGE OF 54' EASEMENT ARE BASED ON ARC DISTANCES.
- SETBACKS SHOWN ON LOT 4-1 AND 1-2 RESTRICT THE LOCATION FOR THE BUILDING SO TO PREVENT THEM FROM OBSTRUCTING VIEWS FROM OTHER LOTS.
- HOUSES & DRIVEWAYS ARE SHOWN FOR INFORMATIONAL PURPOSES AND FOR PREPARING THE STORMWATER RUNOFF CALCULATIONS, ONLY. ACTUAL SIZINGS AND LOCATIONS TO BE DETERMINED BY THE PROPERTY OWNERS WHEN THE BUILDING PERMITS ARE ISSUED.

LEGEND

- PROPERTY CORNER (FOUND)
- PROPERTY CORNER (SET)
- ⊕ REBAR (SET)
- ⊕ MONUMENT FOUND
- SITE PROPERTY LINE
- - - PROPERTY OR RIGHT-OF-WAY LINE
- - - FUTURE RIGHT-OF-WAY LINE
- - - BUILDING SETBACK
- - - DITCH
- X EXISTING FENCE
- ||||| EXISTING RAILROAD
- ||||| GRAVEL
- CURB & GUTTER/ROADWAY PARKING LOT
- TREE LINE
- 1100 EXISTING CONTOURS
- oe EXISTING OVERHEAD ELECTRIC
- sa EXISTING SANITARY SEWER
- st EXISTING STORM SEWER
- y EXISTING WATERMAIN
- g EXISTING UNDERGROUND GAS LINE
- e EXISTING UNDERGROUND ELECTRIC LINE
- u EXISTING UNDERGROUND PHONE LINE
- o EXISTING CATCH BASIN MANHOLE
- o EXISTING CATCH BASIN INLET
- o EXISTING STORM OR SANITARY MANHOLE
- o EXISTING SANITARY MANHOLE
- o EXISTING STORM MANHOLE
- o EXISTING HYDRANT
- o EXISTING WATER VALVE
- o EXISTING PEDESTAL
- o POWER POLE
- o EXISTING LIGHT POLE
- o GAS VALVE
- o PAD MOUNTED TRANSFORMER
- o EXISTING CULVERT



RELEASE	DATE:	BY:
Project Review		
△		
△		
△		
△		
△		
NO.	DATE:	BY:
DESCRIPTION		
REVISIONS		
MR. AL GOKFY 316 HEIDELBERG COURT GREEN BAY, WI 54302		
JMM CONSULTING, LLC CONSULTING ENGINEERS		
840 CHALLENGER DRIVE - SUITE 140 Green Bay, WI 54311-8951 Phone: 920/592-9606 Fax: 920/592-9613		
PROPOSED 7-LOT RESIDENTIAL DEVELOPMENT VILLAGE OF SISTER BAY, WI		
SITE PLAN		
DRAWN BY: MJE		
DATE: 7/21/2015		
SCALE: 1" = 30'		
DRAWING NO.		
2		

FINAL - 7/21/2015



Village of Sister Bay
 2383 MAPLE DRIVE • SISTER BAY, WI 54234
 PHONE: (920) 854-4118 • FAX: (920) 854-9637
 E-MAIL: INFO@SISTERBAYWI.GOV
 WEB SITE: WWW.SISTERBAYWI.GOV

REZONING PETITION

THIS AREA FOR OFFICE USE ONLY	
Account No.	Application Date:
Fee Amount Paid:	Receipt #:

NAMES & MAILING ADDRESSES	PROPERTY DESCRIPTION
Petitioner (Agent) Allen Gokey, North Door Properties, LLC	Parcel Identification Number (PIN) 181- 4230001 & 181-4240001
Street Address 5776 Ledgecrest Road	Subdivision or CSM (Volume/Page/Lot) Proposed Harbor View Estates (Seven (7) Lot Sub.)
City • State • Zip Code De Pere, WI 54115	Address Of Property (DO NOT include City/State/Zip Code) Unassigned Unnamed Private Road
Property Owner (If different from petitioner) Same as above	Is this property connected to public water? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Will be served by public water.
Street Address	Is this property connected to public sewer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Will be served by public sewer.
City • State • Zip Code	

CONTACT PERSON

Name and daytime phone number (include area code) of a person we can contact if we have any questions about your petition.
 Name Allen Gokey Daytime Phone (920) 371-4815 Email allengokey@hotmail.com

PROPOSED REZONING

Current Zoning District

R-2 Multi-Family Residence District

Proposed Zoning District

R-2 with PUD Overlay District

Reason For Rezoning

To allow for proposed development with smaller than 20,000 square feet and 75' wide lots, with a smaller front yard setback than 40' from the edge of the pavement, with a smaller rear yard setback than 30' and to allow for dwellings to be served by a private road.

Please complete the site map on the attached sheet.

CERTIFICATE

I, the undersigned, hereby petition to rezone the aforementioned property and certify that all the information both above and attached is true and correct to the best of my knowledge.

Signature

Date

5/13/15

Daytime Contact Number (920)

371

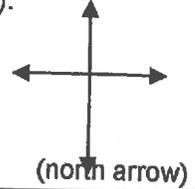
4815

◆ AREA BELOW THIS LINE FOR OFFICE USE ONLY ◆

SITE PLAN

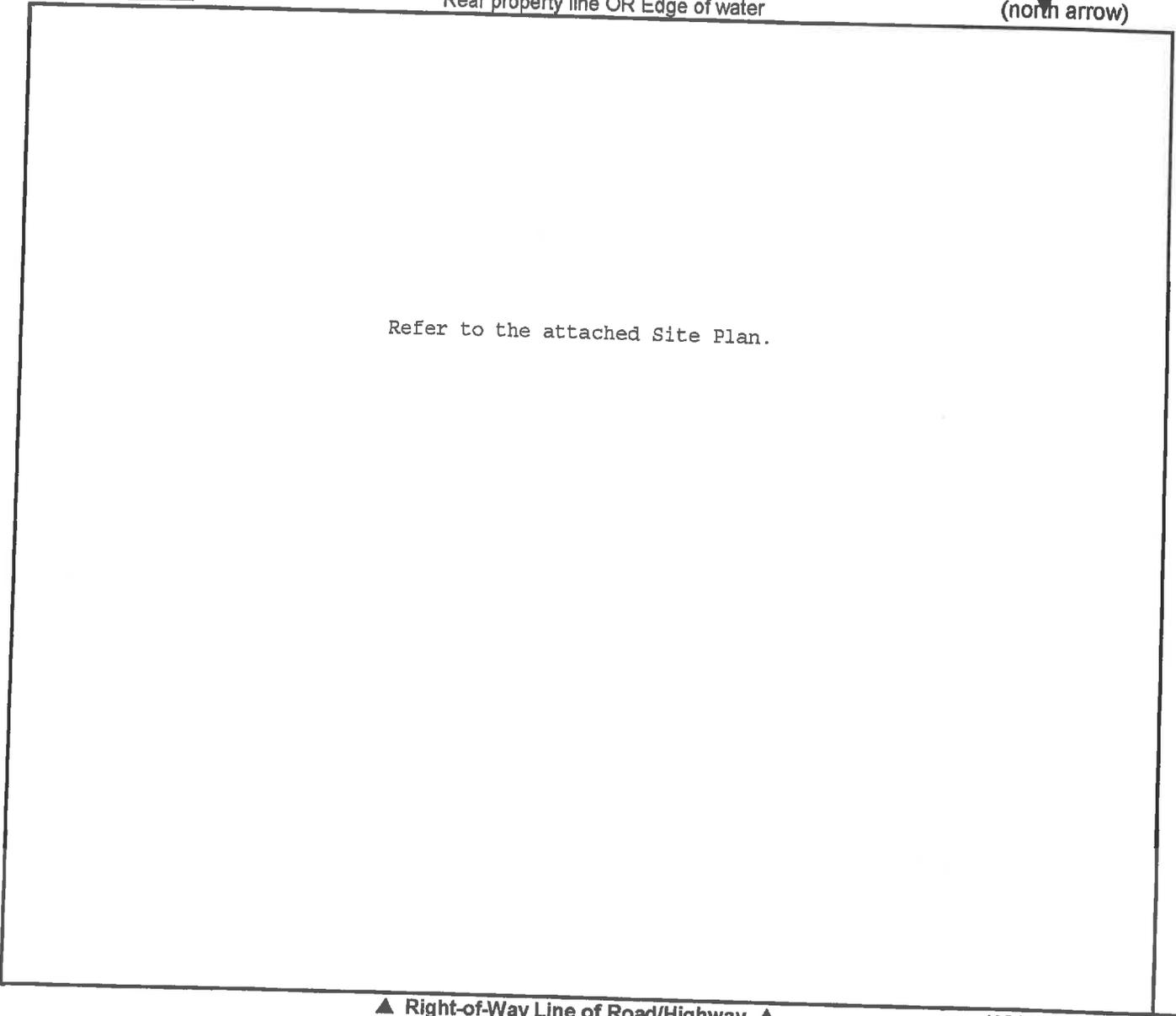
INSTRUCTIONS

- ➔ INDICATE north on the arrow.
- ➔ SKETCH the location of the proposed parent parcel and all proposed parcels (include dimensions).
- ➔ LABEL all abutting roads, highways, lakes, streams or wetlands.



Width _____

Rear property line OR Edge of water



Refer to the attached Site Plan.

▲ Right-of-Way Line of Road/Highway ▲

Width _____

▼ Center(line) of Road/Highway ▼

Name Of Road/Highway S.T.H "57" and Proposed Private Road

APPROVALS

▼ AREA BELOW THIS LINE FOR OFFICE USE ONLY ▼

PLAN COMMISSION ACTION

Date Of Decision _____ Decision _____

Zoning District _____

Overlay District _____

ZONING ADMINISTRATOR _____

Date _____

APPROVED DENIED

▼ AREA BELOW THIS LINE FOR OFFICE USE ONLY ▼

Road/Highway Designation

Village US/State

County Private

Existing Right-Of-Way

Required Road/Highway Setback

From Right-of-Way _____

From Centerline _____

Maximum Lot Coverage Allowed _____

Existing _____ Proposed _____

Aggregate _____

JMM CONSULTING, LLC

CONSULTING ENGINEERS

840 CHALLENGER DRIVE – SUITE 140
 GREEN BAY, WI 54311
 PHONE: (920) 592-9606
 FAX: (920) 592-9613

May 6, 2015

Mr. Zeke Jackson, Village/Zoning Administrator
 Village of Sister Bay, Wisconsin
 2383 Maple Drive P.O. Box 769
 Sister Bay, WI 54234

Re: Request for Rezone of Parcel Nos. 181 42 30001 & 181 42 40001
 Subject Project: Proposed Harbor View Estates
 Seven (7) Lot Residential Subdivision
 Off S.T.H. "57" on Unnamed Private Road
 Village of Sister Bay, Wisconsin

Dear Mr. Jackson:

On behalf of Mr. Allen Gokey, of North Door Properties, LLC ("North Door"), we are hereby requesting that the above parcels of land be rezoned from R-2 Multi-Family Residential District to a R-2 with a PUD Planned Unit Development Overlay District ("PUD").

Enclosed are the following items for your review and processing.

- Completed and Signed Rezoning Petition and a check for \$XXX.XX
- Site Plan/Lot Layout
- Conceptual On-Site Utility Plan
- Conceptual Grading and Drainage Plan
- 1st DRAFT of the Stormwater Management Plan ("SWMP")
- 1st DRAFT of Development Agreement

There is no street lighting planned and there will be ample existing trees in the vicinity of the wet detention pond and, as such, there is no lighting or landscaping plan submitted as part of this request for the rezone.

General Description of the Proposed Project:

North Door is requesting the rezoning to clear the way to create a seven (7) lot residential development via two (2) CSMs. Based on our meeting, the proposed project will be created by two (2) CSMs to minimize the excessive setback required by the WDOT along S.T.H. "57" by Trans 233 if it were a subdivision plat. The seven (7) lots will be served by a 24' wide private road and public sewer and watermain installed within a proposed 54' Ingress/Egress & Utility Easement. Please refer to the attached Site Plan showing the proposed development. Upon your review of the attached Site Plan you will note that a 20' Ingress/Egress & Utility Easement is provided along the Southern property boundaries for access to the Village's water tower and to the Larson's house and for those portions of the Village's existing sewer and watermain installed in circa 1972 across the subject properties. In addition, there is a proposed wet detention pond to be constructed in the Northwestern portion of the subject property where the majority of the runoff will be routed for detention and treatment required by the State of Wisconsin Stormwater regulations under NR151 of the W.A.C.

Zeke Jackson, Village/Zoning Administrator
May 6, 2015
Page 2

Summary of Departures from Standard R-2 Zoning District Requirements:

By approving the rezone to PUD, there are basically four (4) departures from the standard R-2 District Zoning District requirements.

1. A departure from the minimum lot size of 20,000 square feet and a minimum lot width of 75 feet (Section 66.0312 (d)).
2. A departure from the minimum front yard setback of at least 40 feet from the edge of the easement or the edge of the pavement if not on a public street (Section 66.0312 (f) (5)).
3. A departure from the rear yard setback of at least 30 feet (Section 66.0312 (f) (7)).
4. A departure from the requirement that all dwelling units must be served by public streets (Section (h) (8)).

Conditions in Support of Rezone to PUD:

1. The proposed development is consistent with the Village's Master and Comprehensive Plan.
2. The proposed development is compatible with the surrounding land uses.
3. The proposed developed is at least 1.0 acre in size as required by Section 66.0341(b) for a Residential PUD
4. The proposed development will provide needed residential housing units in the Village which will mutually benefit the Developers and the Village.

Closing Comments:

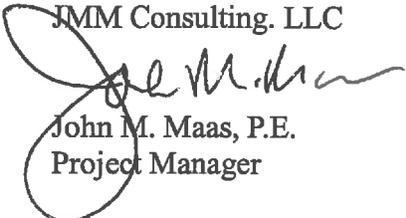
We trust that the enclosed information will allow the Village to determine that the proposed development can comply with all of the Village and State of Wisconsin regulations, if the rezone is approved.

We look forward to hearing from you and attending the Plan Commission meeting on May 26, 2015 to answer any questions the Plan Commission Members, or the General Public, might have about the proposed development.

Thank you and have a great day. If you have any questions, or if you need any additional information, please do not hesitate to contact this office.

Very truly yours,

JMM Consulting, LLC



John M. Maas, P.E.
Project Manager

Enclosures

1ST DRAFT

STORM WATER MANAGEMENT PLAN (SWMP)

PROPOSED HARBOR VIEW ESTATES SEVEN (7) LOT RESIDENTIAL SUBDIVISION

VILLAGE OF SISTER BAY, WISCONSIN

DATE: May 6, 2015

PURPOSE: This Storm Water Management Plan (SWMP) has been prepared to comply with the general requirements of most Municipal Storm Water Management Ordinances (“MSWO”) and NR 151 of the W.A.C.

Most MSWO’s require, among other things, to minimize “impacts”, the post development peak flow rates of storm water runoff shall not exceed the calculated runoffs rates for the pre-developed (“existing”) conditions for some, or all, of the one (1), two (2), ten (10) and the one hundred (100) year. In extreme cases, some of the MSWO’s require the runoff from the post developed site for the 100-year to be reduced to the 10-year pre-developed rate. In addition, the stormwater BMPs, in this case the wet detention pond, must reduce the total suspended solids (TSSs) in the runoff by a minimum of 80%.

In this case, the requirements of NR 151 are much less than those stated above for most MSWO. According to my telephone conversation with Ms. Sarah Anderson of the WDNR, NR 151 does not require any reductions of the runoff from the post developed conditions (NR 151.123 (1) (b)) and it only requires the removal of 40% from the roads and driveways (NR 151.122 Table 1).

Given the following, we have been extremely conservative in sizing the BMPs.:

- I am not sure I agree with Ms. Anderson’s interpretation of the code.
- The absence of a Village of Sister Bay SWO.
- The fact that we want to reduce the runoff from the subject site to the point where the runoff can be simply discharged on our property and left to run off over the sidewalk(s) into the WDOT road, thus, avoiding an expensive underground connection to the storm sewer system.
- Given that this SWMP is part of a request to rezone the property and, as such, is intended to demonstrate that the site can comply with even the most extreme MSWO requirements, if required to do so.

As such, we reserve the right to revise the pond size, outlet structure, orifices and the splitter after the Village’s Consulting Engineer, REL, reviews this 1st draft and provides us with their review comments.

PREDEVELOPMENT RUNOFF RATES

The peak runoff rates for the pre-developed (“existing”) conditions for the 3.029 acre site is based on the Existing Conditions Plan provided in Attachment “A” were calculated using HydroCAD 10. The soils at the site are mapped as a combination of Longrie and Udorthents. as such, we modeled the existing soils as being Type “B”. Refer to the Soil Survey Map provided in Attachment “A” for details. Refer to the HydroCAD 10 Information provide in Attachment “B” for details.

1-year Storm

- Rainfall Amount = 2.10 inches for Door County
- CN = 78
- T_c = 33.8 min.
- Peak Discharge = 1.14 cfs

2-year Storm

- Rainfall Amount = 2.30 inches
- CN = 78
- T_c = 33.8 min.
- Peak Discharge = 1.44 cfs

10-year Storm

- Rainfall Amount = 3.50 inches
- CN = 78
- T_c = 33.80 min.
- Peak Discharge = 3.54 cfs

100-year Storm

- Rainfall Amount = 4.50 inches
- CN = 78
- T_c = 33.8 min.
- Peak Discharge = 5.52 cfs

For paths for Time of Concentrations refer to the Pre-Developed Conditions Drainage Area Map provided in Attachment “A”.

POST DEVELOPMENT RUNOFF AMOUNTS

The 3.029 acre site includes two (2) areas totaling 0.832 acres that can not be collected and routed for detention and treatment. Refer to the Post Development Conditions Plan provided in Attachment “A” for details.

For paths for Time of Concentrations refer to the Post Developed Conditions provided in Attachment "A".

MODELING THE DISCHARGES THROUGH THE PROPOSED WET DETENTION POND AND SIZING THE ORIFICES IN THE OUTLET STRUCTURE TO REDUCE THE RUNOFF FROM THE POST-DEVELOPED CONDITIONS TO NO MORE THAN THE RUNOFF FROM THE PRE-DEVELOPED CONDITIONS

The runoff from the subject site in its post developed conditions were routed through the proposed wet detention pond using HydroCAD 10.

The proposed wet detention pond was modeled with an anticipated permanent pool elevation of 669.00 and having the following surface areas and storage areas.

<u>Elevation (ft.)</u>	<u>Sur. Area (ac.)</u>	<u>Inc. Storage (ac.-ft.)</u>	<u>Cum Storage (ac.-ft.)</u>
669.00	0.066	0.000	0.000
670.00	0.076	0.071	0.071
671.00	0.086	0.081	.0152

The discharge from the wet detention pond will be restricted by sizing several orifices to be placed at pre-determined elevations installed in the outside wall of the outlet structure. The only orifice is a 3" hole installed at an elevation of 669.00 (permanent pool elevation).

Using the aforementioned pond and accounting for the two (2) areas that are not collected, the combined outflows for the overall project area as follows:

<u>Storm Event</u>	<u>Combined Outflow Rates (cfs)</u>	<u>Pre-Dev. Rates (cfs)</u>
1-year	0.36 cfs	1.14 cfs
2-year	0.48 cfs	1.44 cfs
10-year	4.77 cfs	3.54 cfs
100-year	7.00 cfs	5.52 cfs

As you can see from the above, the proposed wet detention pond combined with the proposed outlet structure can reduce the post developed runoff rates to that which runs off the drainage area in its undeveloped conditions for the small storms and approach that for the larger storm events.

The 8" outlet pipe was sized by the HydroCAD Model using a invert elevation at the outlet structure of 665.00 and a slope 2.63% Refer to HydroCAD Model for details. We have proposed using a splitter to disperse the runoff from the pond but given the little runoff that will be discharged that might not be required.

MODELING THE DISCHARGES THROUGH THE PROPOSED WET DETENTION POND TO DETERMINE THE AMOUNT OF TSS REMOVAL

To comply with the most MSWO and to confirm compliance with NR 151, the proposed wet detention pond was modeled using SLAMM 10.0 for the amount of TSSs removed by the pond.

Like the HydroCAD Model, the WinSLAMM Model accounts for the two (2) areas of the site that are not routed to the pond for detention or treatment.

According to the WinSLAMM Model, the proposed wet detention pond will remove 80.40% of the overall project TSSs.

INFILTRATION

According to NR151, there are several exclusions and exemptions from the infiltration requirements. It is our belief that the above site qualifies for the exemption due to the depth to bedrock being less than 5' below the bottom of any conceivable design for an infiltration basin.

STORM SEWER PIPE SIZING

There is not storm sewers proposed as part of the Conceptual design so there is no storm sewer sizing information provided.

PROFESSIONAL ENGINEER CERTIFICATION

I hereby certify that this report has been prepared under my direct supervision and that I am a duly Registered Professional Engineer, licensed in the State of Wisconsin



[Handwritten signature of John M. Maas]

[Handwritten date: 5/7/15]

John M. Maas, P.E.
WI P.E. No. 22243

Date

ATTACHMENT "A"

- FIGURE NO. 1 – SOIL MAP & SOIL INFORMATION**
- FIGURE NO. 2 – PRE-DEVELOPED T_c ROUTE MAP**
- FIGURE NO. 3 – POST DEVELOPED T_c ROUTE MAP**
- FIGURE NO. 4 – GRADING AND DRAINAGE PALN W/ POND**



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Map Unit Legend

Door County, Wisconsin (WI029)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
LoB	Longrie loam, 2 to 6 percent slopes	2.0	59.7%
NaC	Namur loam, 6 to 12 percent slopes	0.4	13.3%
Ra	Rock outcrop	0.9	26.7%
Uo	Udorthents, cobbly	0.0	0.3%
Totals for Area of Interest		3.3	100.0%

Soil Map

Scale (not to scale)



Warning: Soil Map may not be valid at this scale.

You have zoomed in beyond the scale at which the soil map for this area is intended to be done at a particular scale. The soil surveys that comprise your AOI were mapped at 1:10,000 and the level of detail shown in the resulting soil map are dependent on that map scale. Enlargement of maps beyond the scale of mapping can cause misunderstanding of the placement of soil lines. The maps do not show the small areas of contrasting soils that are shown at a detailed scale.

Soil Data Available

- To see a description of the soil data available for a specific point on the map:
1. Click anywhere in the map. The soil data availability for that point will be shown here.
 2. The point you clicked is marked with the identified point icon:
 3. To see a map showing soil data availability for all locations in the U.S. and territories, click the **Soil Survey Status** link in the Navigation Bar above.

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of the subsoil has been incorporated into the plow layer by tillage.

Included with this soil in mapping are small areas of Kolberg, Namur, and Summerville soils. Also included are small areas of gently sloping Kolberg Variant loam.

Runoff is medium. The hazard of erosion is moderate, and it is the main limitation of this soil.

Most areas of this soil are used for corn, small grain, pasture and native woodland. Management is needed to maintain organic-matter content and good tilth, to reduce runoff, and to control erosion. Even if managed well, this soil is poorly suited to row crops. Capability unit IVE-3; woodland suitability subclass 3d.

Longrie series

The Longrie series consists of well drained, nearly level to sloping soils on glacial till plains where the underlying dolomite bedrock is at a depth of 20 to 40 inches. The native vegetation is red oak, sugar maple, and white birch.

In a representative profile the surface layer is black loam 3 inches thick. The subsurface layer is dark grayish brown sandy loam about 2 inches thick. The subsoil is about 18 inches thick. It is dark brown, friable sandy loam in the upper part; reddish brown, friable sandy loam in the middle part; and brown, friable loam in the lower part. The substratum is brown, very friable fine sandy loam about 7 inches thick. Dolomite bedrock is at a depth of about 30 inches.

The available water capacity is low, and permeability is moderate. These soils are seasonally saturated at a depth of 6 feet or more. The depth of the root zone is limited by the bedrock. Natural fertility is medium, and the organic-matter content of the surface layer is moderate.

Most areas of these soils are used for all farm crops commonly grown in the county.

Representative profile of Longrie loam, 2 to 6 percent slopes, in a wooded area, 260 feet west and 40 feet south of the center of sec. 29, T. 29 N., R. 26 E.:

- A1—0 to 3 inches; black (10YR 2/1) loam; moderate medium granular structure; friable; many roots; neutral; abrupt wavy boundary.
- A2—3 to 5 inches; dark grayish brown (10YR 4/2) sandy loam; weak medium granular structure; friable; many roots; slightly acid; abrupt smooth boundary.
- B21ir—5 to 8 inches; dark brown (7.5YR 4/4) sandy loam; weak medium subangular blocky and weak medium granular structure; friable; many roots; medium acid; abrupt wavy boundary.
- B22ir—8 to 14 inches; reddish brown (5YR 4/4) sandy loam; moderate medium subangular blocky structure; friable; common roots; thin patchy clay film in pores; neutral; clear wavy boundary.
- B3—14 to 23 inches; brown (7.5YR 4/4) light loam; moderate medium subangular blocky structure; friable; common roots; neutral; clear wavy boundary.

C—23 to 30 inches; brown (10YR 5/3) fine sandy loam; weak medium granular structure; very friable; slightly effervescent; mildly alkaline.

R—30 inches; light gray (10YR 7/2) consolidated bedrock.

The solum is medium acid to neutral. Depth to dolomite bedrock is 20 to 40 inches. In some areas, the solum contains as much as 12 percent coarse fragments of gravelly, cobbly, flaggy, and stony sizes throughout. The A1 horizon is black, very dark brown, or very dark gray. In cultivated areas, the Ap horizon is very dark gray, dark brown, or very dark brown. The A2 horizon is sandy loam or loam. The B1r horizon is brown or dark brown and is sandy loam or loam. The B3 horizon is predominantly reddish brown, brown, or dark brown. It is commonly loam but ranges to sandy loam or fine sandy loam. The C horizon is brown, light yellowish brown, or light brown sandy loam, loam, or fine sandy loam. It is dominantly mildly alkaline but ranges to moderately alkaline in places.

Longrie soils are near Bonduel, Duel, Emmet, Kolberg, and Summerville soils. They are better drained than Bonduel soils and have less sand than Duel soils. Longrie soils are underlain by dolomite bedrock at a depth of 20 to 40 inches, whereas Summerville soils have bedrock at a depth of 10 to 20 inches, and Emmet soils generally have dolomite bedrock at a depth of more than 5 feet. Longrie soils have more sand throughout the profile than Kolberg soils.

LoA—Longrie loam, 0 to 2 percent slopes. This nearly level soil is on glacial till plains that are underlain by dolomite bedrock. Most areas are irregular in shape and are 5 to 200 acres in size.

This soil has a profile similar to the one described as representative of the series, but it has a thicker surface layer. This soil also is less susceptible to erosion.

Included with this soil in mapping are small areas of Kolberg Variant and Summerville soils. Also included are small areas of gently sloping Longrie loam and areas of soils in which dolomite bedrock is at a depth of 40 to 60 inches. Bedrock is exposed at the surface in some areas of this soil.

Runoff is slow. The hazard of erosion is slight. Droughtiness is the main limitation of this soil.

Most areas of this soil are used for corn, small grain, legumes, and pasture. Some areas remain in native woodland. Management practices such as the use of green manure crops and barnyard manure are necessary to sustain crop yields. If properly managed, this soil is well suited to most crops commonly grown in the county. Capability unit IIs-1; woodland suitability subclass 2o.

LoB—Longrie loam, 2 to 6 percent slopes. This gently sloping soil is on glacial till plains that are underlain by dolomite bedrock. Most areas are irregular in shape and are 5 to 400 acres in size. This soil has the profile described as representative of the series.

Included with this soil in mapping are small areas of Kolberg Variant and Summerville soils. Also included are small areas of nearly level and sloping Longrie loams. In a few areas, dolomite bedrock is at a depth of 40 to 60 inches or is exposed at the surface.

Runoff is medium. The hazard of erosion is moderate, and it is the main limitation of this soil.

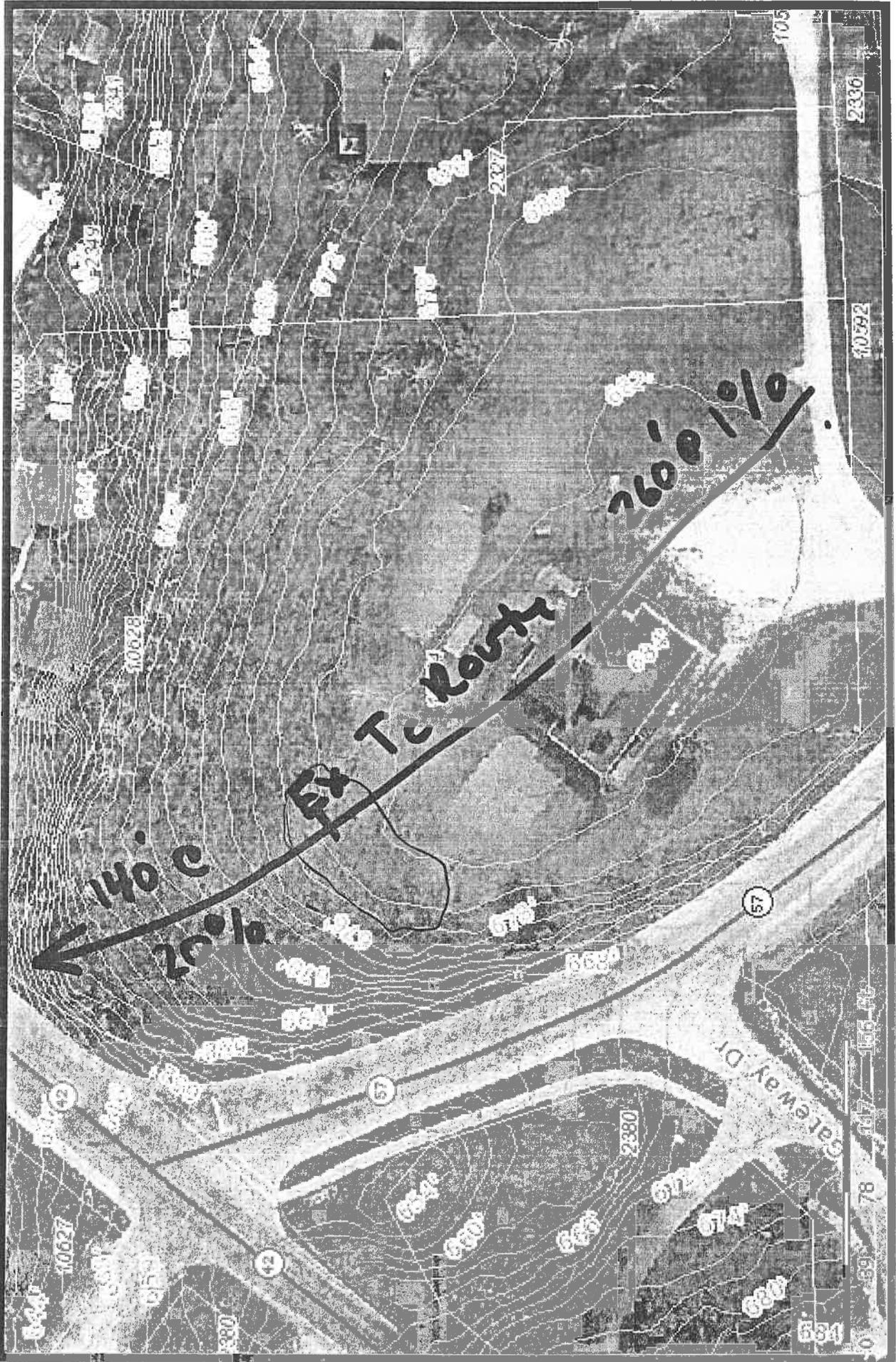
Map

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(//www.co.door.wi.gov)

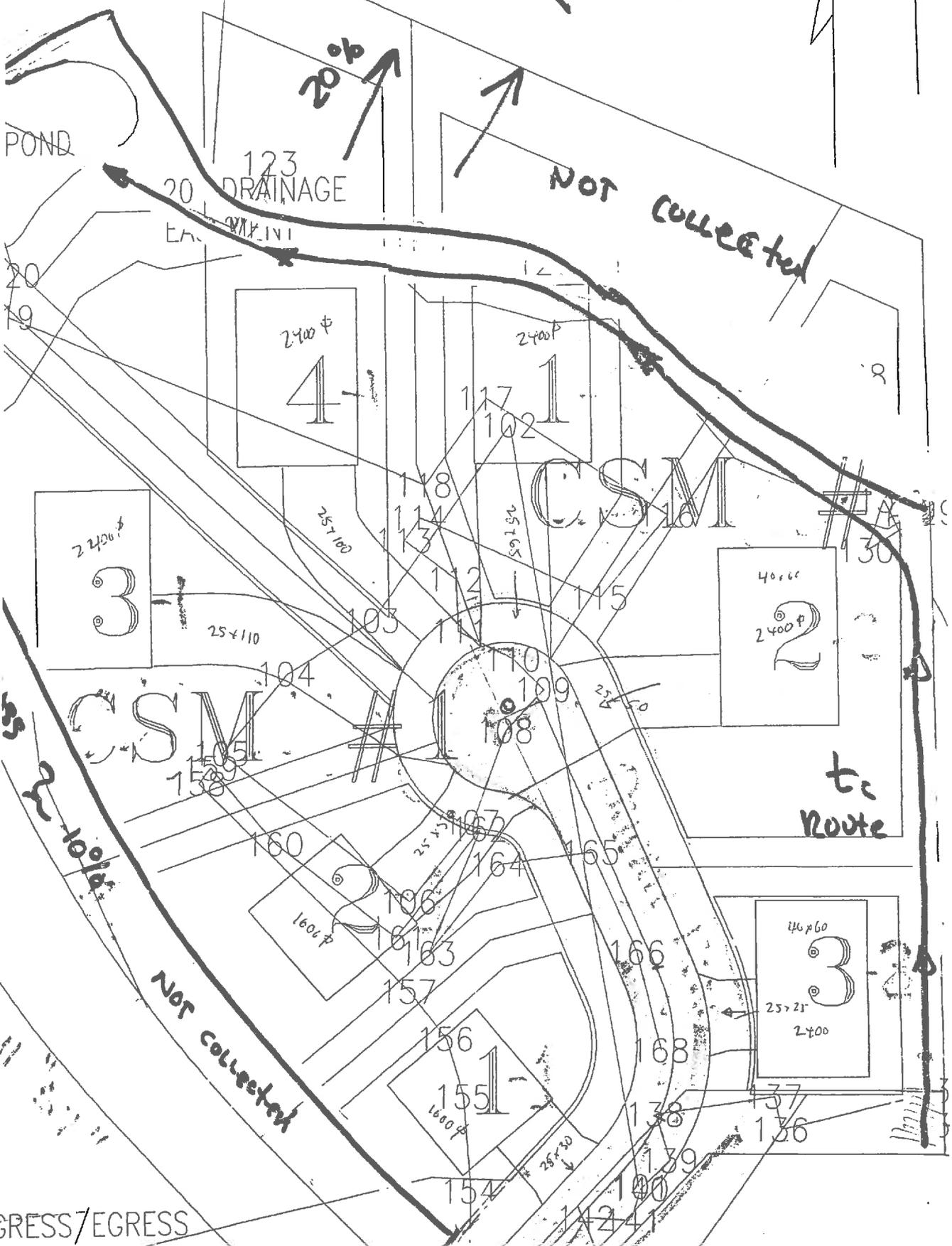
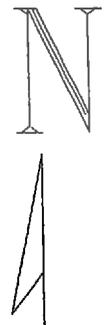


Door County, Wisconsin
... for all seasons!



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Proposed CONDITIONS



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ATTACHMENT "B"

HydroCAD 10 INFORMATION



Existing Conditions Type B Soils



Runoff for Existing Conditions

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Page 2

Area Listing (selected nodes)

Area (acres)	CN	Description (subcatchment-numbers)
1.622	79	<50% Grass cover, Poor, HSG B (1S)
0.262	96	Gravel surface, HSG B (1S)
0.143	98	Paved parking, HSG B (1S)
0.122	98	Unconnected roofs, HSG B (1S)
0.880	66	Woods, Poor, HSG B (1S)
3.029	78	TOTAL AREA

Runoff for Existing Conditions

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Soil Listing (selected nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
3.029	HSG B	1S
0.000	HSG C	
0.000	HSG D	
0.000	Other	
3.029		TOTAL AREA

Runoff for Existing Conditions

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Page 4

Ground Covers (selected nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	1.622	0.000	0.000	0.000	1.622	<50% Grass cover, Poor	1S
0.000	0.262	0.000	0.000	0.000	0.262	Gravel surface	1S
0.000	0.143	0.000	0.000	0.000	0.143	Paved parking	1S
0.000	0.122	0.000	0.000	0.000	0.122	Unconnected roofs	1S
0.000	0.880	0.000	0.000	0.000	0.880	Woods, Poor	1S
0.000	3.029	0.000	0.000	0.000	3.029	TOTAL AREA	

Runoff for Existing Conditions

Type II 24-hr 1-year Rainfall=2.10"

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Summary for Subcatchment 1S: Existing Conditions TYPE B Soils

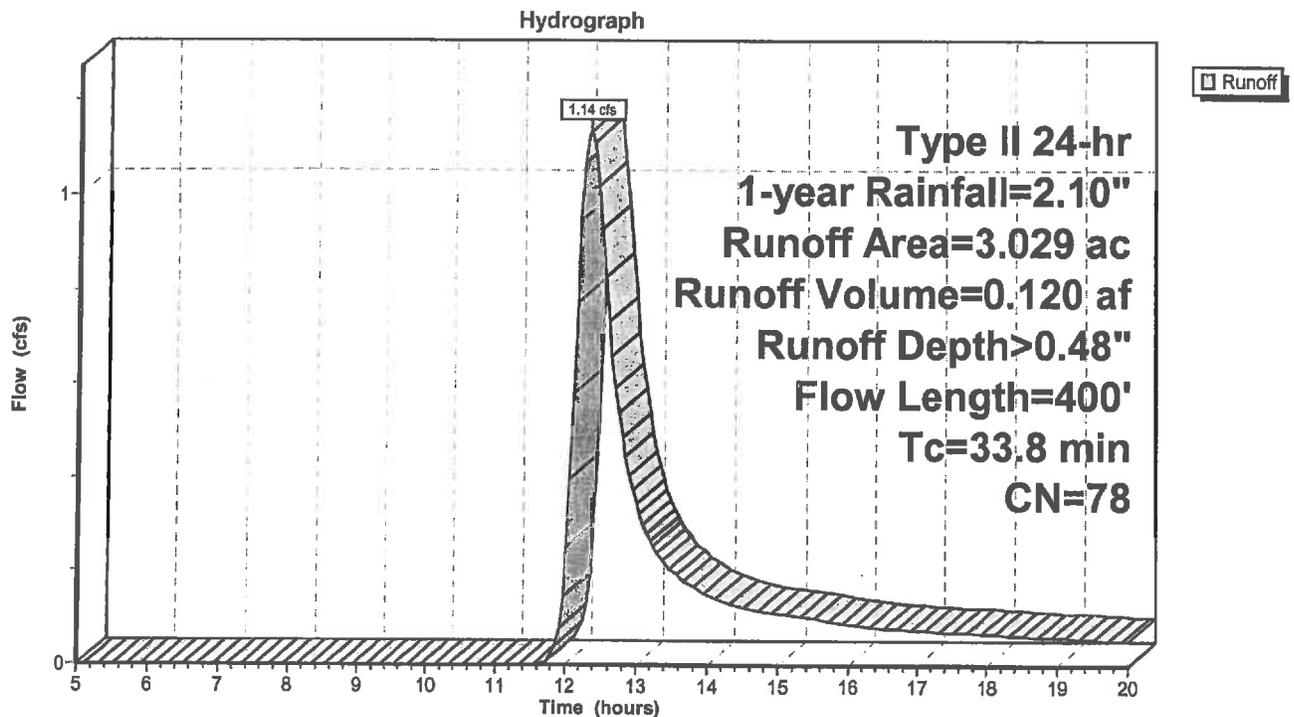
Runoff = 1.14 cfs @ 12.33 hrs, Volume= 0.120 af, Depth> 0.48"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 1-year Rainfall=2.10"

Area (ac)	CN	Description
0.262	96	Gravel surface, HSG B
0.122	98	Unconnected roofs, HSG B
0.095	98	Paved parking, HSG B
0.048	98	Paved parking, HSG B
0.880	66	Woods, Poor, HSG B
1.622	79	<50% Grass cover, Poor, HSG B
3.029	78	Weighted Average
2.764		91.25% Pervious Area
0.265		8.75% Impervious Area
0.122		46.04% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
32.8	260	0.0100	0.13		Sheet Flow, Former school flat area to NW Grass: Short n= 0.150 P2= 2.30"
1.0	140	0.2000	2.24		Shallow Concentrated Flow, Steep Slopes in Woods Woodland Kv= 5.0 fps
33.8	400	Total			

Subcatchment 1S: Existing Conditions TYPE B Soils



Runoff for Existing Conditions

Type II 24-hr 2-year Rainfall=2.30"

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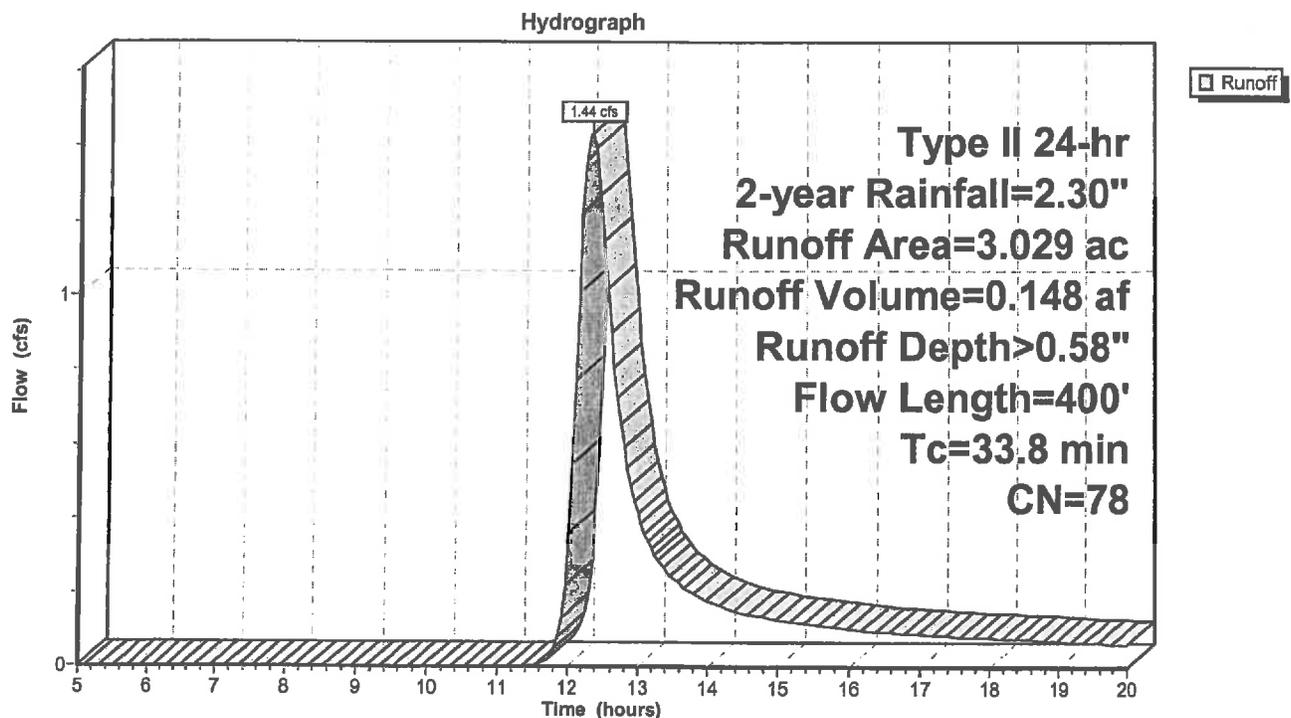
Summary for Subcatchment 1S: Existing Conditions Type B Soils

Runoff = 1.44 cfs @ 12.32 hrs, Volume= 0.148 af, Depth> 0.58"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 2-year Rainfall=2.30"

Area (ac)	CN	Description			
0.262	96	Gravel surface, HSG B			
0.122	98	Unconnected roofs, HSG B			
0.095	98	Paved parking, HSG B			
0.048	98	Paved parking, HSG B			
0.880	66	Woods, Poor, HSG B			
1.622	79	<50% Grass cover, Poor, HSG B			
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3.029	78	Weighted Average			
2.764		91.25% Pervious Area			
0.265		8.75% Impervious Area			
0.122		46.04% Unconnected			
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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
32.8	260	0.0100	0.13		Sheet Flow, Former school flat area to NW
					Grass: Short n= 0.150 P2= 2.30"
1.0	140	0.2000	2.24		Shallow Concentrated Flow, Steep Slopes in Woods
					Woodland Kv= 5.0 fps
<hr/>					
33.8	400	Total			

Subcatchment 1S: Existing Conditions Type B Soils



Runoff for Existing Conditions

Type II 24-hr 10-year Rainfall=3.50"

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Summary for Subcatchment 1S: Existing Conditions Type B Soils

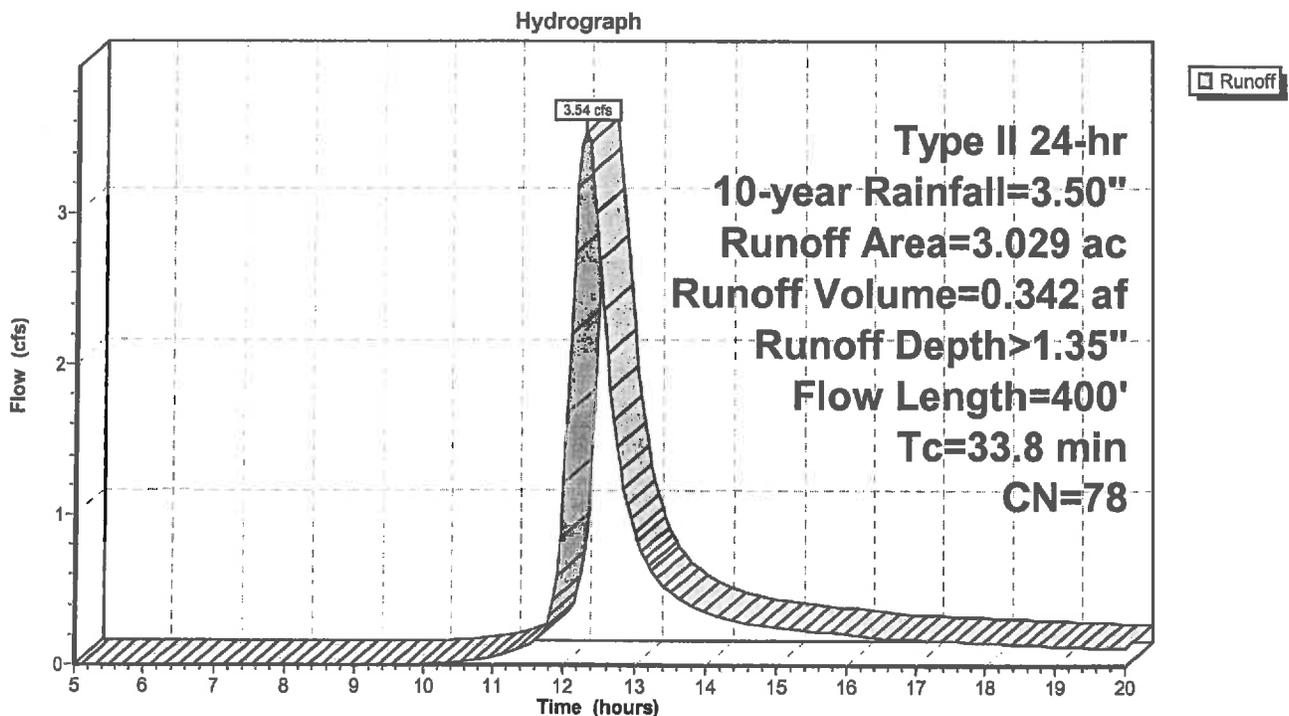
Runoff = 3.54 cfs @ 12.30 hrs, Volume= 0.342 af, Depth> 1.35"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 10-year Rainfall=3.50"

Area (ac)	CN	Description
0.262	96	Gravel surface, HSG B
0.122	98	Unconnected roofs, HSG B
0.095	98	Paved parking, HSG B
0.048	98	Paved parking, HSG B
0.880	66	Woods, Poor, HSG B
1.622	79	<50% Grass cover, Poor, HSG B
3.029	78	Weighted Average
2.764		91.25% Pervious Area
0.265		8.75% Impervious Area
0.122		46.04% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
32.8	260	0.0100	0.13		Sheet Flow, Former school flat area to NW Grass: Short n= 0.150 P2= 2.30"
1.0	140	0.2000	2.24		Shallow Concentrated Flow, Steep Slopes in Woods Woodland Kv= 5.0 fps
33.8	400	Total			

Subcatchment 1S: Existing Conditions Type B Soils



Runoff for Existing Conditions

Type II 24-hr 100-year Rainfall=4.50"

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Summary for Subcatchment 1S: Existing Conditions TYPE B Soils

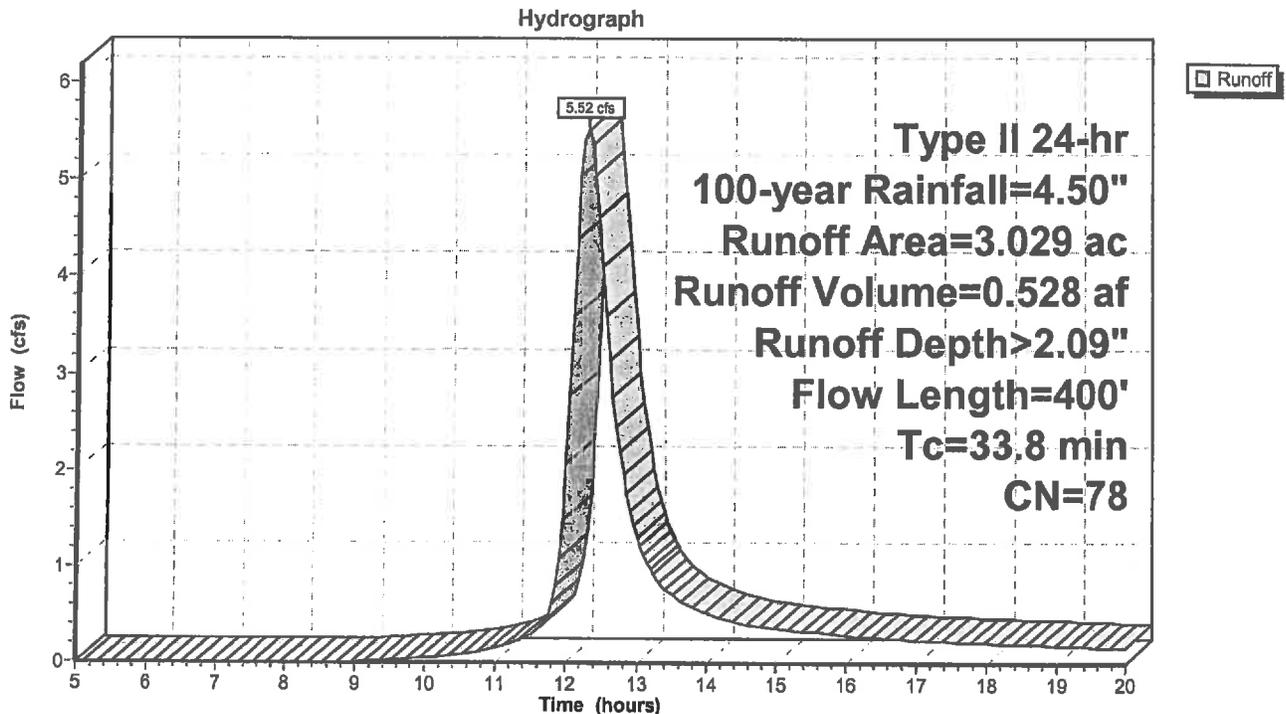
Runoff = 5.52 cfs @ 12.30 hrs, Volume= 0.528 af, Depth> 2.09"

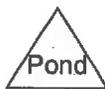
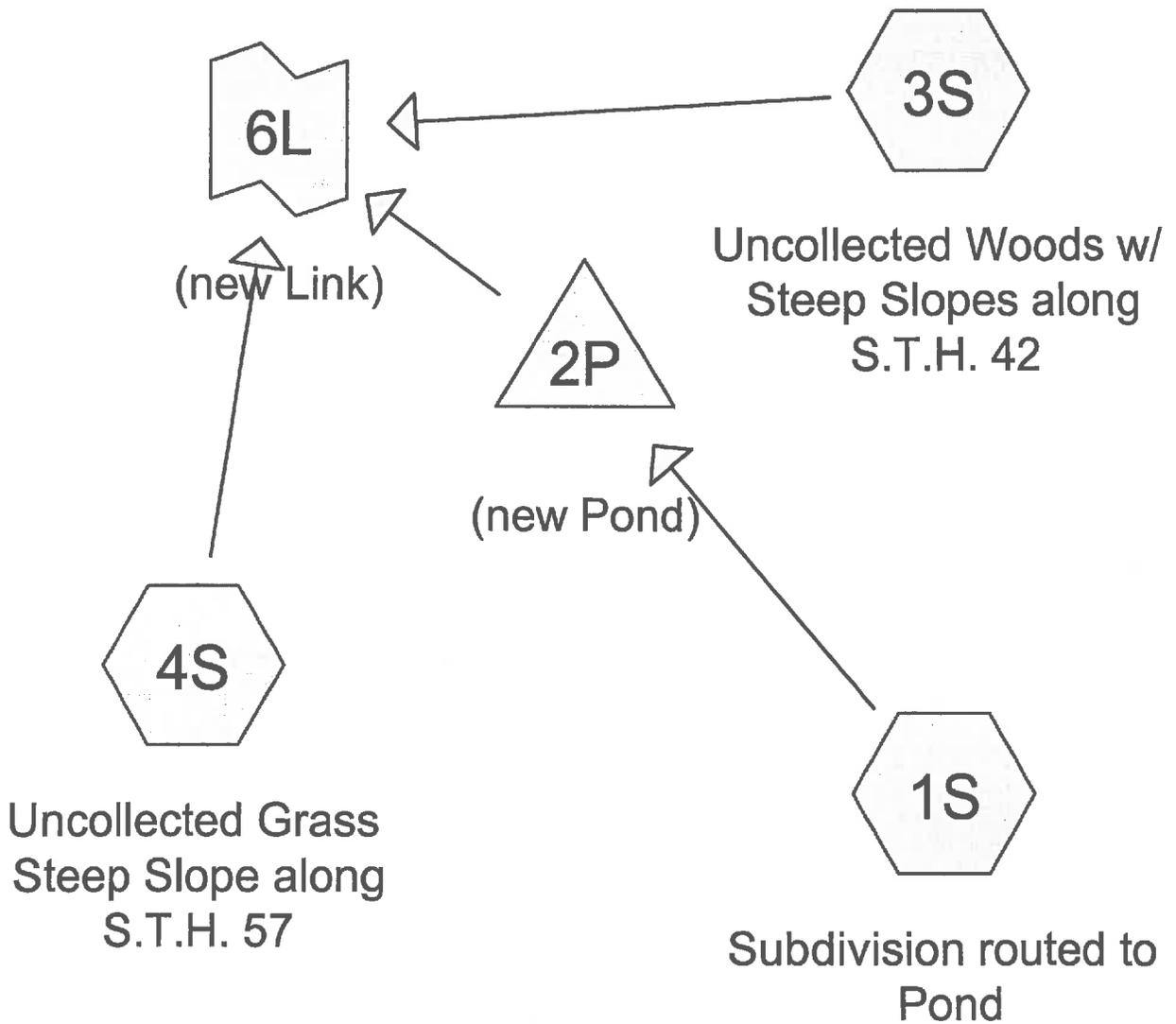
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 100-year Rainfall=4.50"

Area (ac)	CN	Description
0.262	96	Gravel surface, HSG B
0.122	98	Unconnected roofs, HSG B
0.095	98	Paved parking, HSG B
0.048	98	Paved parking, HSG B
0.880	66	Woods, Poor, HSG B
1.622	79	<50% Grass cover, Poor, HSG B
3.029	78	Weighted Average
2.764		91.25% Pervious Area
0.265		8.75% Impervious Area
0.122		46.04% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
32.8	260	0.0100	0.13		Sheet Flow, Former school flat area to NW Grass: Short n= 0.150 P2= 2.30"
1.0	140	0.2000	2.24		Shallow Concentrated Flow, Steep Slopes in Woods Woodland Kv= 5.0 fps
33.8	400	Total			

Subcatchment 1S: Existing Conditions TYPE B Soils





Runoff from Proposed Conditions

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Page 2

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
1.356	69	50-75% Grass cover, Fair, HSG B (1S)
0.172	79	<50% Grass cover, Poor, HSG B (4S)
0.029	96	Gravel surface, HSG B (1S)
0.394	98	Paved parking, HSG B (1S)
0.349	98	Unconnected roofs, HSG B (1S)
0.069	98	Water Surface, HSG B (1S)
0.660	66	Woods, Poor, HSG B (3S)
3.029	77	TOTAL AREA

Runoff from Proposed Conditions

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Page 3

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
3.029	HSG B	1S, 3S, 4S
0.000	HSG C	
0.000	HSG D	
0.000	Other	
3.029		TOTAL AREA

Runoff from Proposed Conditions

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Page 4

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	1.356	0.000	0.000	0.000	1.356	50-75% Grass cover, Fair	1S
0.000	0.172	0.000	0.000	0.000	0.172	<50% Grass cover, Poor	4S
0.000	0.029	0.000	0.000	0.000	0.029	Gravel surface	1S
0.000	0.394	0.000	0.000	0.000	0.394	Paved parking	1S
0.000	0.349	0.000	0.000	0.000	0.349	Unconnected roofs	1S
0.000	0.069	0.000	0.000	0.000	0.069	Water Surface	1S
0.000	0.660	0.000	0.000	0.000	0.660	Woods, Poor	3S
0.000	3.029	0.000	0.000	0.000	3.029	TOTAL AREA	

Runoff from Proposed Conditions

Type II 24-hr 1-year Rainfall=2.10"

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Summary for Subcatchment 1S: Subdivision routed to Pond

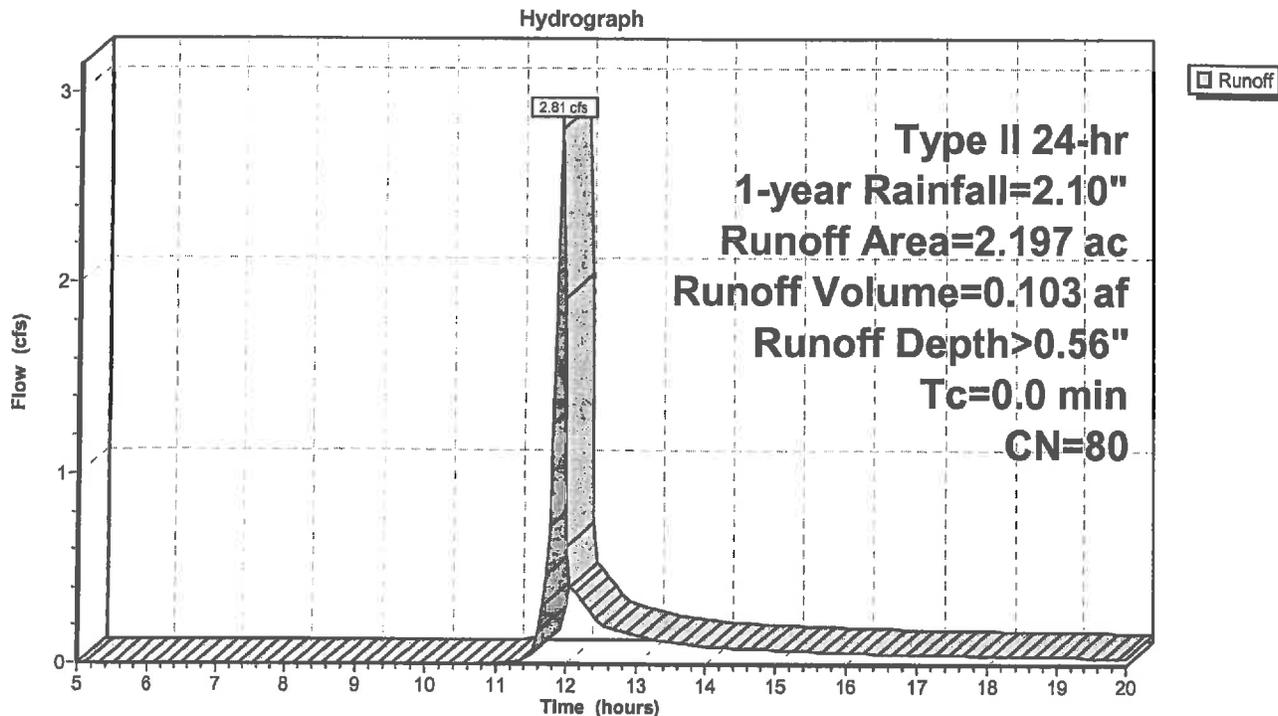
[46] Hint: Tc=0 (Instant runoff peak depends on dt)

Runoff = 2.81 cfs @ 11.90 hrs, Volume= 0.103 af, Depth> 0.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 1-year Rainfall=2.10"

Area (ac)	CN	Description
0.069	98	Water Surface, HSG B
0.147	98	Paved parking, HSG B
0.349	98	Unconnected roofs, HSG B
0.029	96	Gravel surface, HSG B
1.356	69	50-75% Grass cover, Fair, HSG B
0.247	98	Paved parking, HSG B
2.197	80	Weighted Average
1.385		63.04% Pervious Area
0.812		36.96% Impervious Area
0.349		42.98% Unconnected

Subcatchment 1S: Subdivision routed to Pond



Runoff from Proposed Conditions

Type II 24-hr 1-year Rainfall=2.10"

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Summary for Subcatchment 3S: Uncollected Woods w/ Steep Slopes along S.T.H. 42

Runoff = 0.10 cfs @ 12.05 hrs, Volume= 0.008 af, Depth> 0.15"

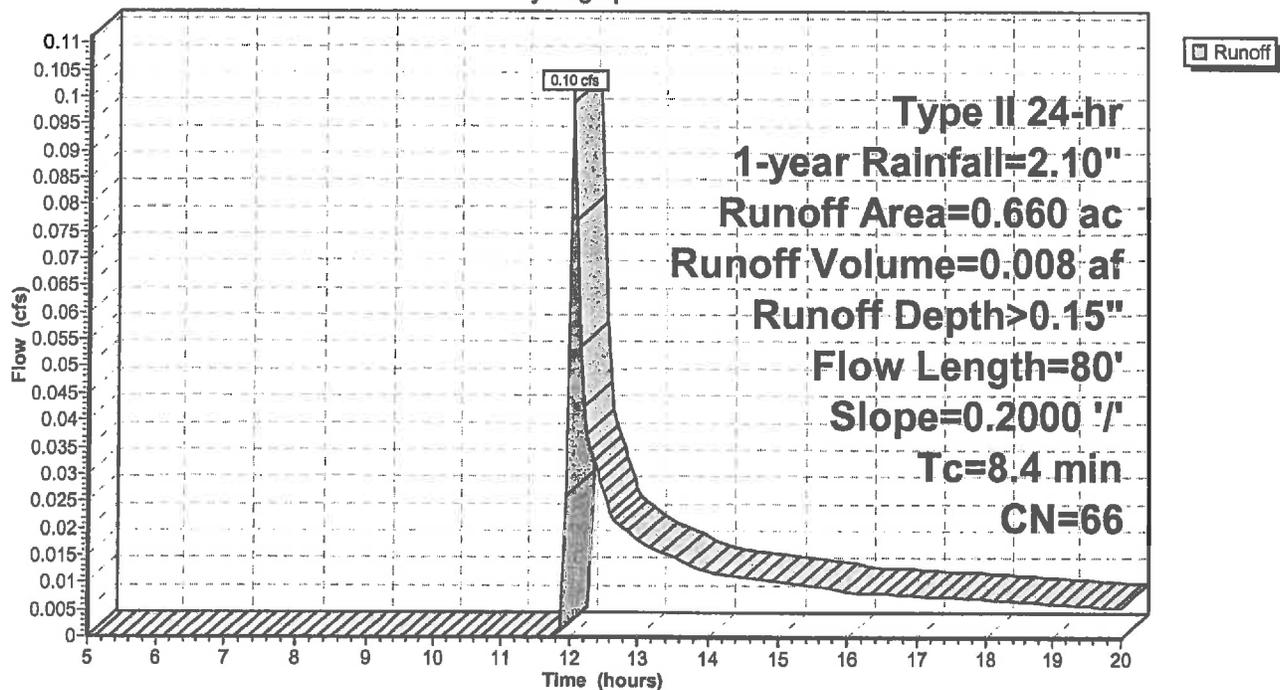
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 1-year Rainfall=2.10"

Area (ac)	CN	Description
0.660	66	Woods, Poor, HSG B
0.660		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.4	80	0.2000	0.16		Sheet Flow, Woods Steep Slope to S.T.H. 42 Woods: Light underbrush n= 0.400 P2= 2.30"

Subcatchment 3S: Uncollected Woods w/ Steep Slopes along S.T.H. 42

Hydrograph



Runoff from Proposed Conditions

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Type II 24-hr 1-year Rainfall=2.10"

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Summary for Subcatchment 4S: Uncollected Grass Steep Slope along S.T.H. 57

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.19 cfs @ 11.93 hrs, Volume= 0.007 af, Depth> 0.52"

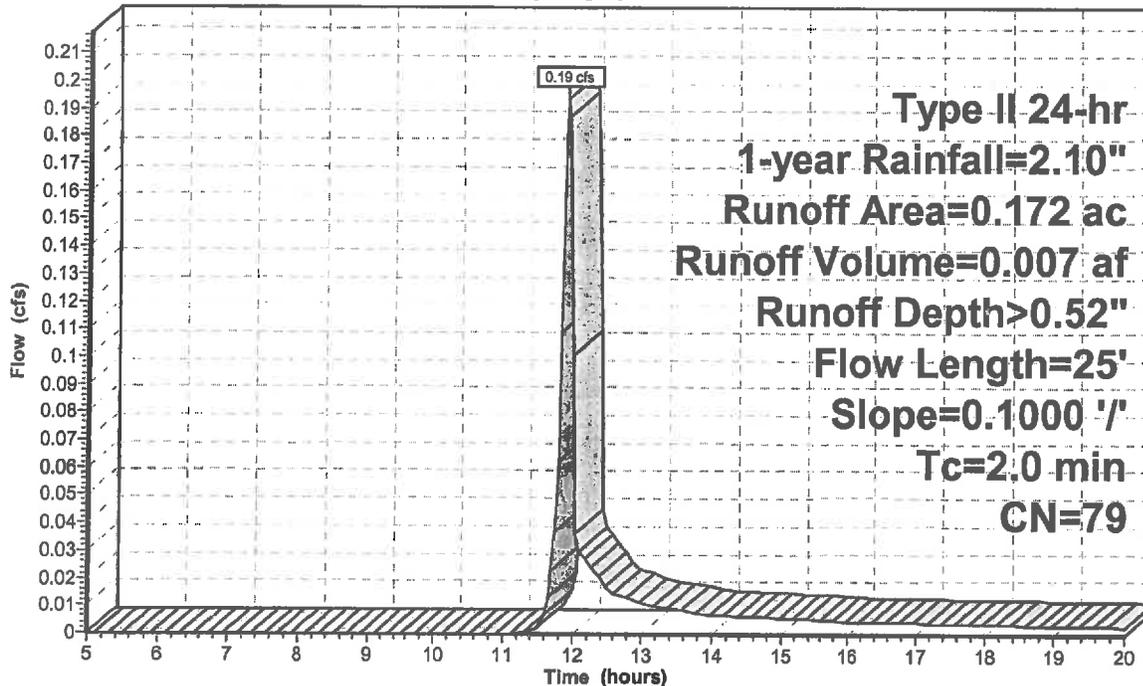
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 1-year Rainfall=2.10"

Area (ac)	CN	Description
0.172	79	<50% Grass cover, Poor, HSG B
0.172		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.0	25	0.1000	0.21		Sheet Flow, Grass Steep Slope to S.T.H. 57 Grass: Short n= 0.150 P2= 2.30"

Subcatchment 4S: Uncollected Grass Steep Slope along S.T.H. 57

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 1-year Rainfall=2.10"

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Summary for Pond 2P: (new Pond)

Inflow Area = 2.197 ac, 36.96% Impervious, Inflow Depth > 0.56" for 1-year event
 Inflow = 2.81 cfs @ 11.90 hrs, Volume= 0.103 af
 Outflow = 0.18 cfs @ 12.75 hrs, Volume= 0.089 af, Atten= 94%, Lag= 51.4 min
 Primary = 0.18 cfs @ 12.75 hrs, Volume= 0.089 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 669.68' @ 12.75 hrs Surf.Area= 0.073 ac Storage= 0.047 af

Plug-Flow detention time= 155.1 min calculated for 0.089 af (87% of inflow)
 Center-of-Mass det. time= 111.5 min (919.4 - 807.9)

Volume	Invert	Avail.Storage	Storage Description
#1	669.00'	0.152 af	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
669.00	0.066	0.000	0.000
670.00	0.076	0.071	0.071
671.00	0.086	0.081	0.152

Device	Routing	Invert	Outlet Devices
#1	Primary	665.00'	8.0" Round Culvert L= 38.0' Ke= 0.600 Inlet / Outlet Invert= 665.00' / 664.00' S= 0.0263 1/8" Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Device 1	669.00'	3.0" Vert. Orifice/Grate C= 0.600
#3	Device 1	670.00'	21.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.18 cfs @ 12.75 hrs HW=669.68' (Free Discharge)

- 1=Culvert (Passes 0.18 cfs of 3.29 cfs potential flow)
- 2=Orifice/Grate (Orifice Controls 0.18 cfs @ 3.60 fps)
- 3=Orifice/Grate (Controls 0.00 cfs)

Runoff from Proposed Conditions

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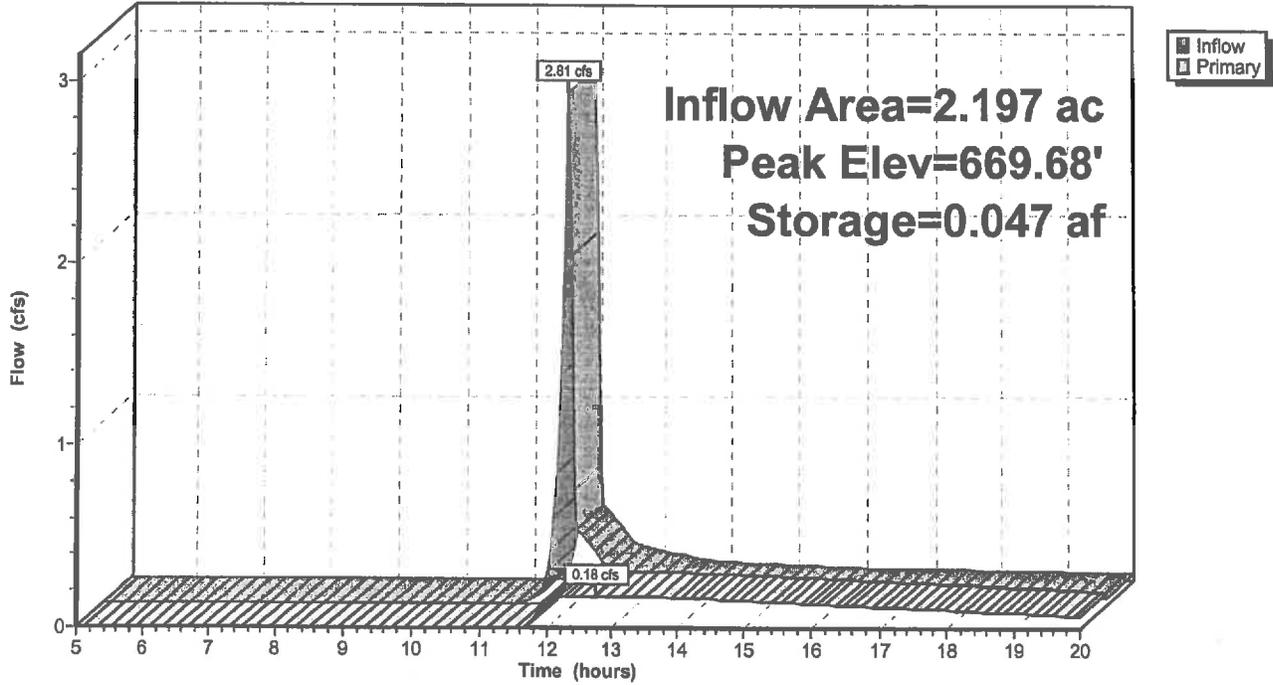
Type II 24-hr 1-year Rainfall=2.10"

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Pond 2P: (new Pond)

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 1-year Rainfall=2.10"

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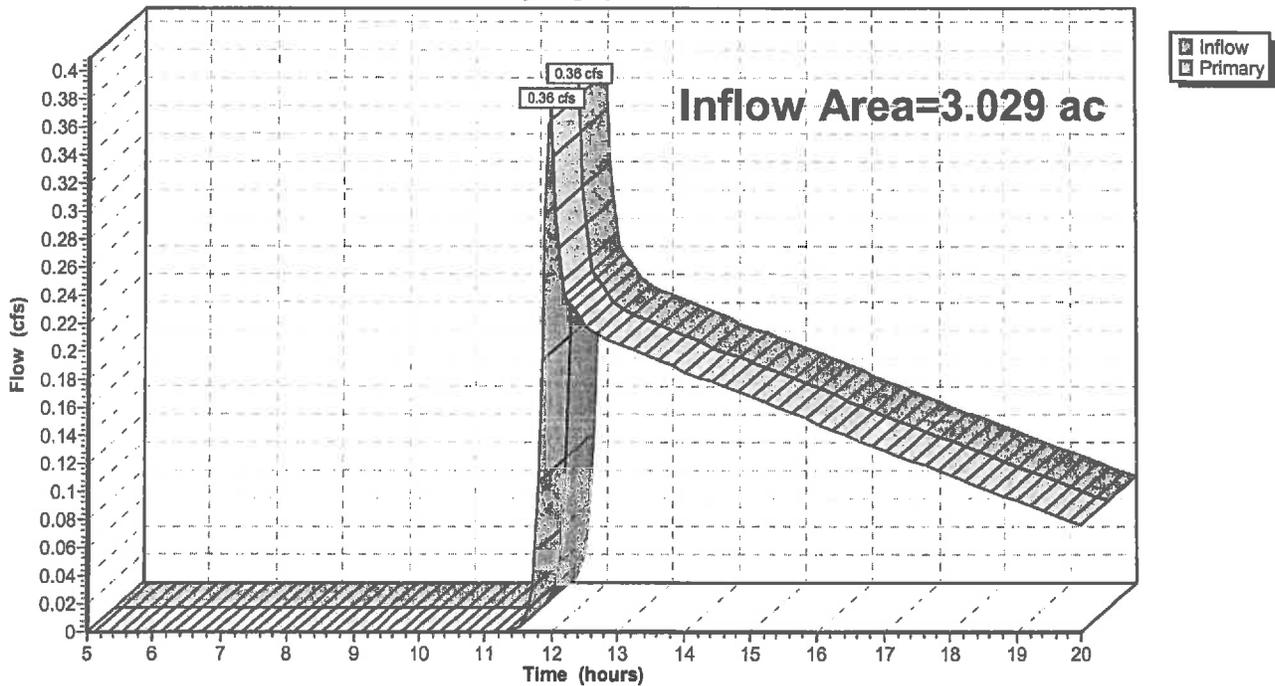
Summary for Link 6L: (new Link)

Inflow Area = 3.029 ac, 26.81% Impervious, Inflow Depth > 0.42" for 1-year event
 Inflow = 0.36 cfs @ 11.96 hrs, Volume= 0.105 af
 Primary = 0.36 cfs @ 11.96 hrs, Volume= 0.105 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link 6L: (new Link)

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 2-year Rainfall=2.30"

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Summary for Subcatchment 1S: Subdivision routed to Pond

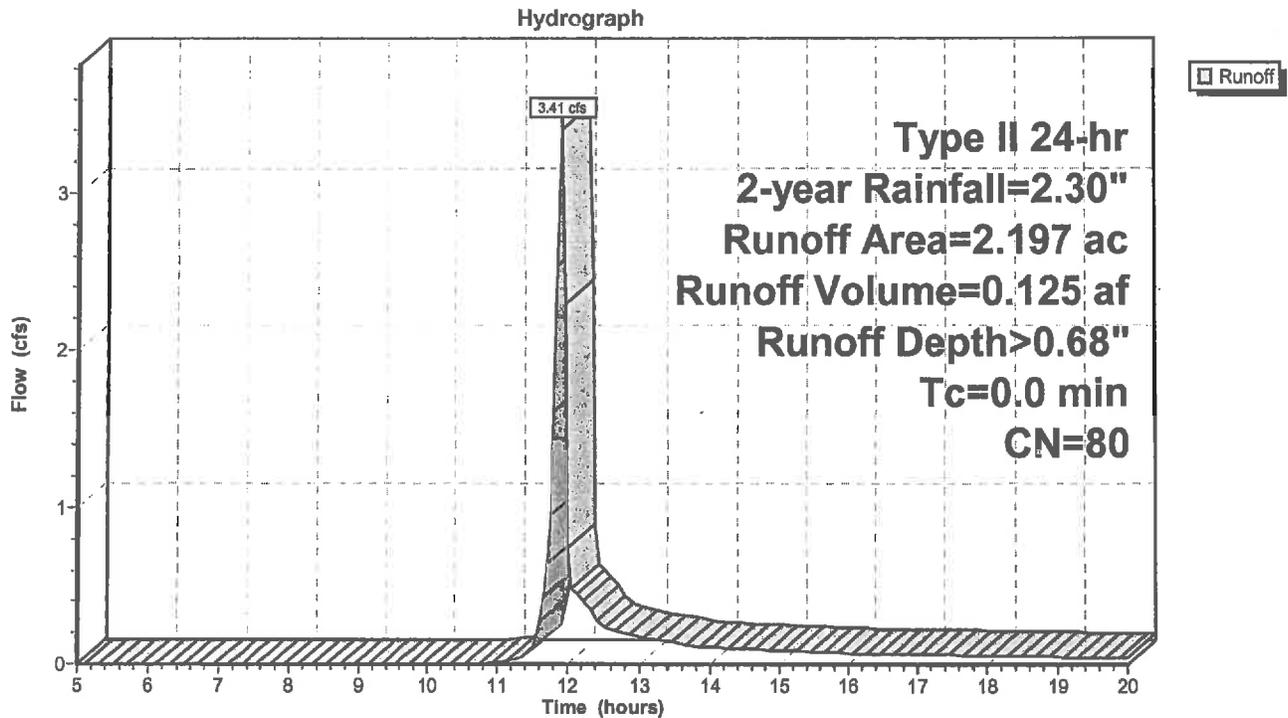
[46] Hint: Tc=0 (Instant runoff peak depends on dt)

Runoff = 3.41 cfs @ 11.90 hrs, Volume= 0.125 af, Depth> 0.68"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 2-year Rainfall=2.30"

Area (ac)	CN	Description
0.069	98	Water Surface, HSG B
0.147	98	Paved parking, HSG B
0.349	98	Unconnected roofs, HSG B
0.029	96	Gravel surface, HSG B
1.356	69	50-75% Grass cover, Fair, HSG B
0.247	98	Paved parking, HSG B
2.197	80	Weighted Average
1.385		63.04% Pervious Area
0.812		36.96% Impervious Area
0.349		42.98% Unconnected

Subcatchment 1S: Subdivision routed to Pond



Runoff from Proposed Conditions

Type II 24-hr 2-year Rainfall=2.30"

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Summary for Subcatchment 3S: Uncollected Woods w/ Steep Slopes along S.T.H. 42

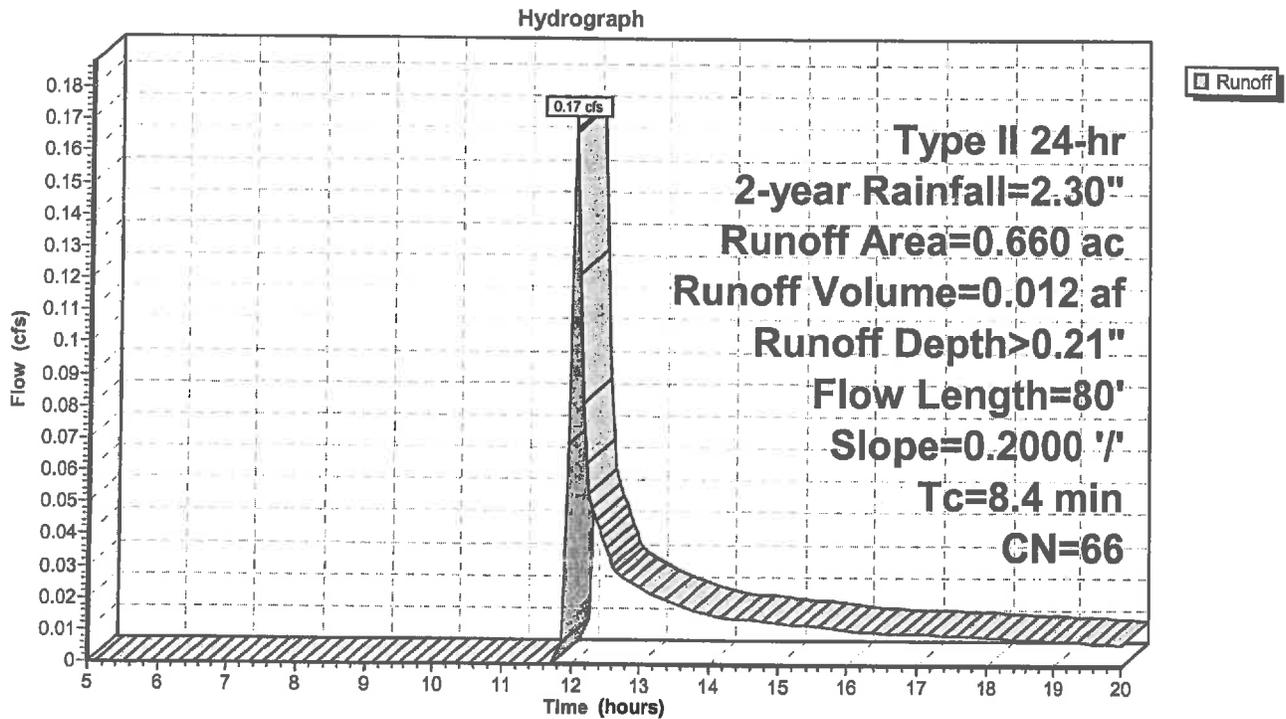
Runoff = 0.17 cfs @ 12.04 hrs, Volume= 0.012 af, Depth> 0.21"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 2-year Rainfall=2.30"

Area (ac)	CN	Description
0.660	66	Woods, Poor, HSG B
0.660		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.4	80	0.2000	0.16		Sheet Flow, Woods Steep Slope to S.T.H. 42 Woods: Light underbrush n= 0.400 P2= 2.30"

Subcatchment 3S: Uncollected Woods w/ Steep Slopes along S.T.H. 42



Runoff from Proposed Conditions

Type II 24-hr 2-year Rainfall=2.30"

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Summary for Subcatchment 4S: Uncollected Grass Steep Slope along S.T.H. 57

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.24 cfs @ 11.93 hrs, Volume= 0.009 af, Depth> 0.64"

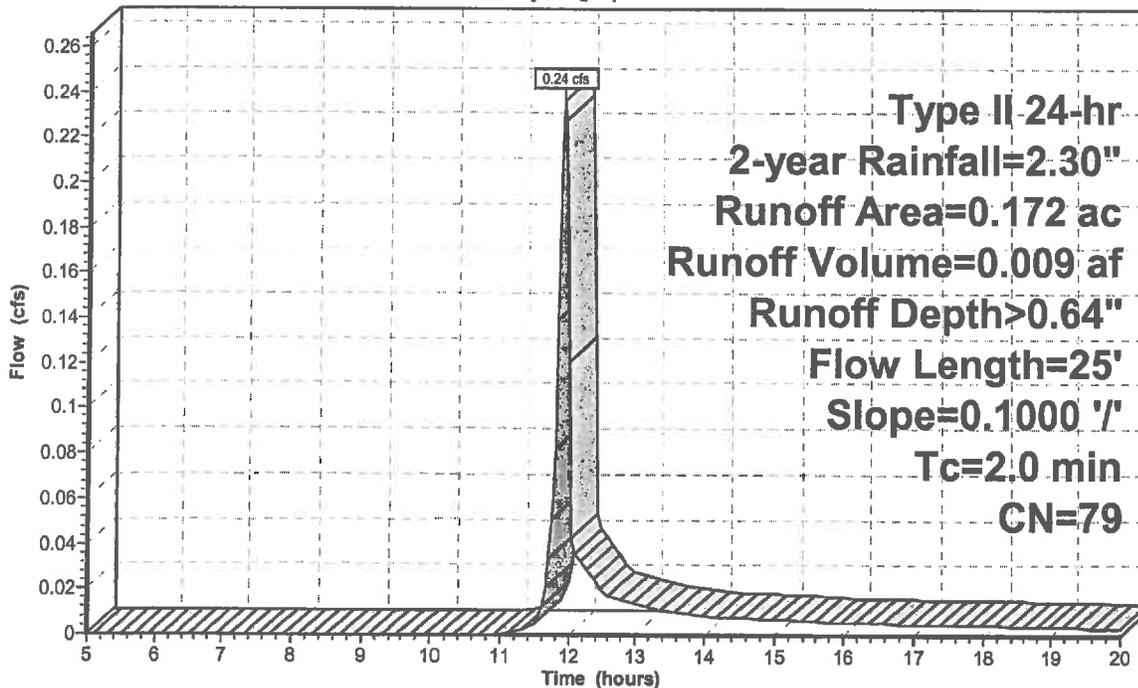
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 2-year Rainfall=2.30"

Area (ac)	CN	Description
0.172	79	<50% Grass cover, Poor, HSG B
0.172		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.0	25	0.1000	0.21		Sheet Flow, Grass Steep Slope to S.T.H. 57 Grass: Short n= 0.150 P2= 2.30"

Subcatchment 4S: Uncollected Grass Steep Slope along S.T.H. 57

Hydrograph



Runoff

Runoff from Proposed Conditions

Type II 24-hr 2-year Rainfall=2.30"

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Summary for Pond 2P: (new Pond)

Inflow Area = 2.197 ac, 36.96% Impervious, Inflow Depth > 0.68" for 2-year event
 Inflow = 3.41 cfs @ 11.90 hrs, Volume= 0.125 af
 Outflow = 0.20 cfs @ 12.80 hrs, Volume= 0.107 af, Atten= 94%, Lag= 54.2 min
 Primary = 0.20 cfs @ 12.80 hrs, Volume= 0.107 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 669.85' @ 12.80 hrs Surf.Area= 0.075 ac Storage= 0.060 af

Plug-Flow detention time= 166.7 min calculated for 0.106 af (85% of inflow)
 Center-of-Mass det. time= 120.6 min (924.2 - 803.6)

Volume	Invert	Avail.Storage	Storage Description
#1	669.00'	0.152 af	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
669.00	0.066	0.000	0.000
670.00	0.076	0.071	0.071
671.00	0.086	0.081	0.152

Device	Routing	Invert	Outlet Devices
#1	Primary	665.00'	8.0" Round Culvert L= 38.0' Ke= 0.600 Inlet / Outlet Invert= 665.00' / 664.00' S= 0.0263 ' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Device 1	669.00'	3.0" Vert. Orifice/Grate C= 0.600
#3	Device 1	670.00'	21.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.20 cfs @ 12.80 hrs HW=669.85' (Free Discharge)

1=Culvert (Passes 0.20 cfs of 3.35 cfs potential flow)
 2=Orifice/Grate (Orifice Controls 0.20 cfs @ 4.11 fps)
 3=Orifice/Grate (Controls 0.00 cfs)

Runoff from Proposed Conditions

Type II 24-hr 2-year Rainfall=2.30"

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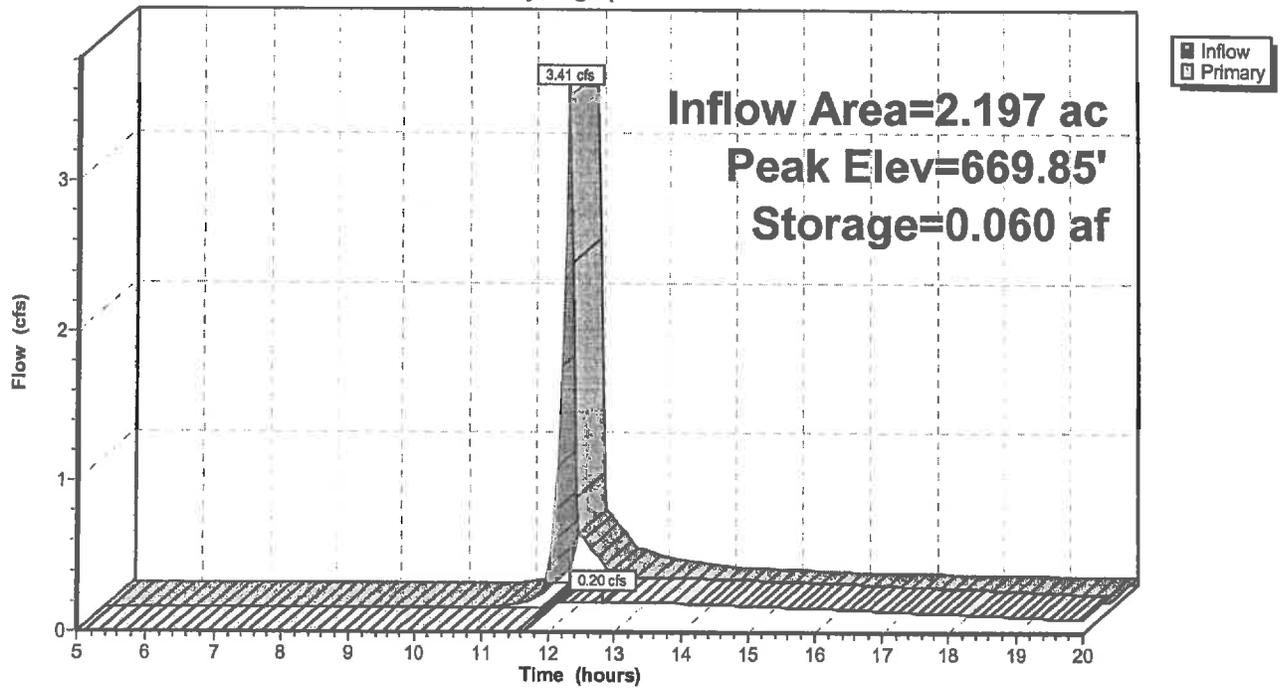
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Pond 2P: (new Pond)

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 2-year Rainfall=2.30"

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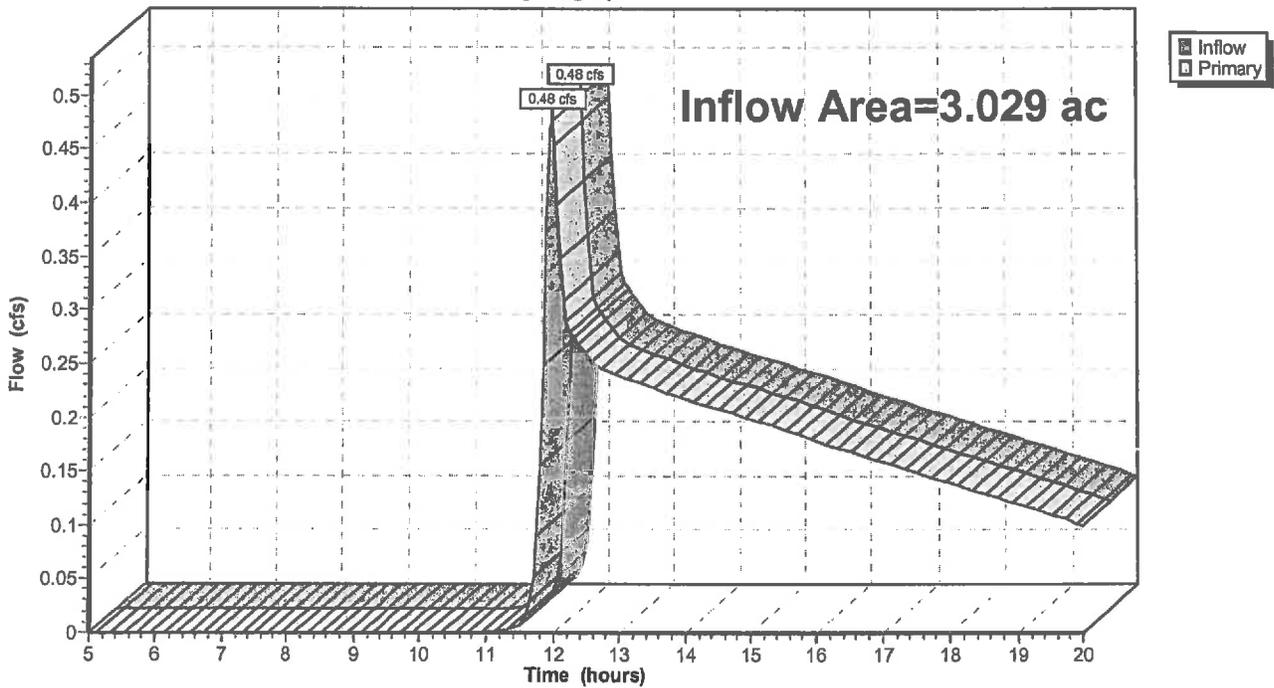
Summary for Link 6L: (new Link)

Inflow Area = 3.029 ac, 26.81% Impervious, Inflow Depth > 0.50" for 2-year event
 Inflow = 0.48 cfs @ 11.97 hrs, Volume= 0.127 af
 Primary = 0.48 cfs @ 11.97 hrs, Volume= 0.127 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link 6L: (new Link)

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 10-year Rainfall=3.50"

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Summary for Subcatchment 1S: Subdivision routed to Pond

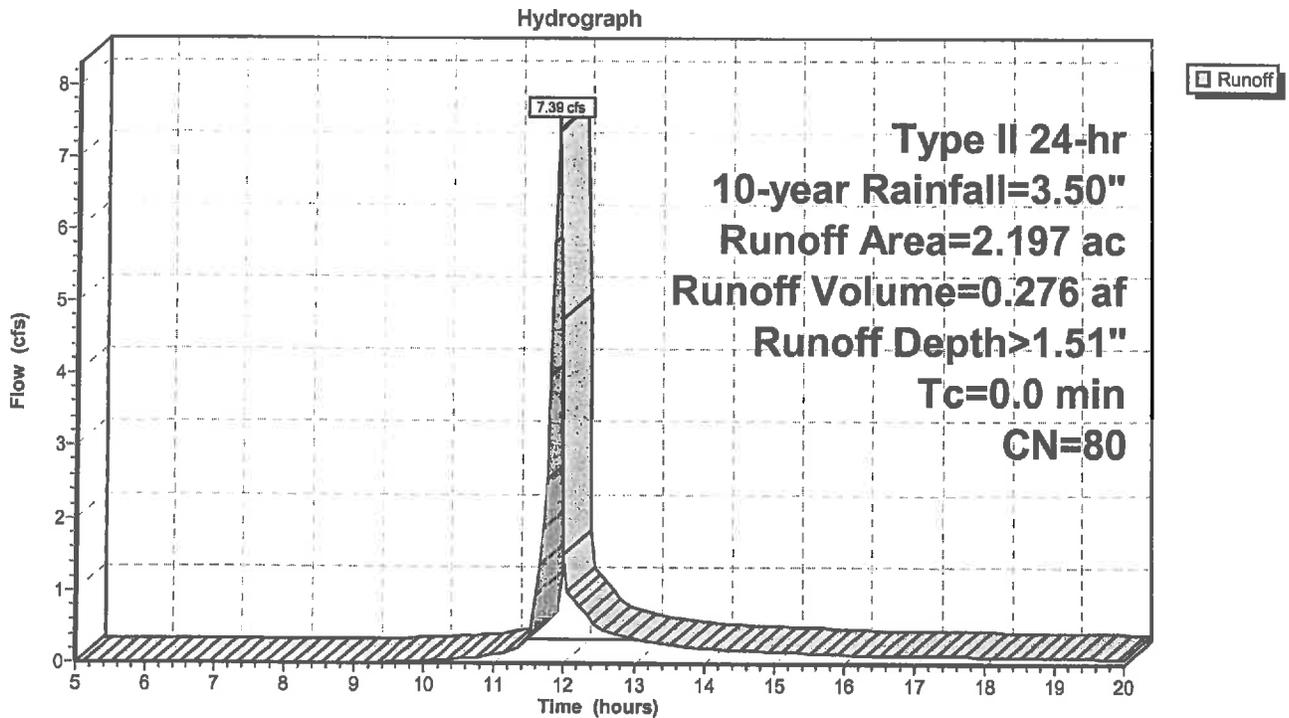
[46] Hint: Tc=0 (Instant runoff peak depends on dt)

Runoff = 7.39 cfs @ 11.89 hrs, Volume= 0.276 af, Depth> 1.51"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 10-year Rainfall=3.50"

Area (ac)	CN	Description
0.069	98	Water Surface, HSG B
0.147	98	Paved parking, HSG B
0.349	98	Unconnected roofs, HSG B
0.029	96	Gravel surface, HSG B
1.356	69	50-75% Grass cover, Fair, HSG B
0.247	98	Paved parking, HSG B
2.197	80	Weighted Average
1.385		63.04% Pervious Area
0.812		36.96% Impervious Area
0.349		42.98% Unconnected

Subcatchment 1S: Subdivision routed to Pond



Runoff from Proposed Conditions

Type II 24-hr 10-year Rainfall=3.50"

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Summary for Subcatchment 3S: Uncollected Woods w/ Steep Slopes along S.T.H. 42

Runoff = 0.78 cfs @ 12.01 hrs, Volume= 0.039 af, Depth> 0.71"

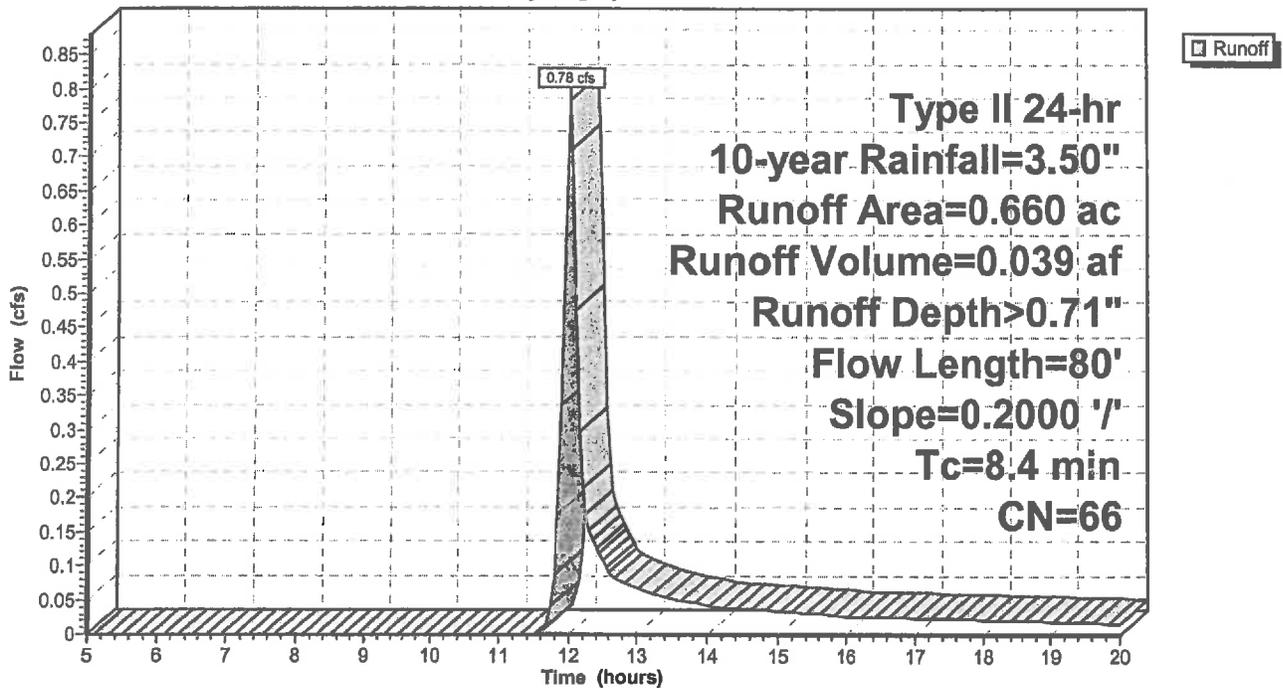
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 10-year Rainfall=3.50"

Area (ac)	CN	Description
0.660	66	Woods, Poor, HSG B
0.660		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.4	80	0.2000	0.16		Sheet Flow, Woods Steep Slope to S.T.H. 42 Woods: Light underbrush n= 0.400 P2= 2.30"

Subcatchment 3S: Uncollected Woods w/ Steep Slopes along S.T.H. 42

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 10-year Rainfall=3.50"

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Summary for Subcatchment 4S: Uncollected Grass Steep Slope along S.T.H. 57

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.53 cfs @ 11.93 hrs, Volume= 0.021 af, Depth> 1.44"

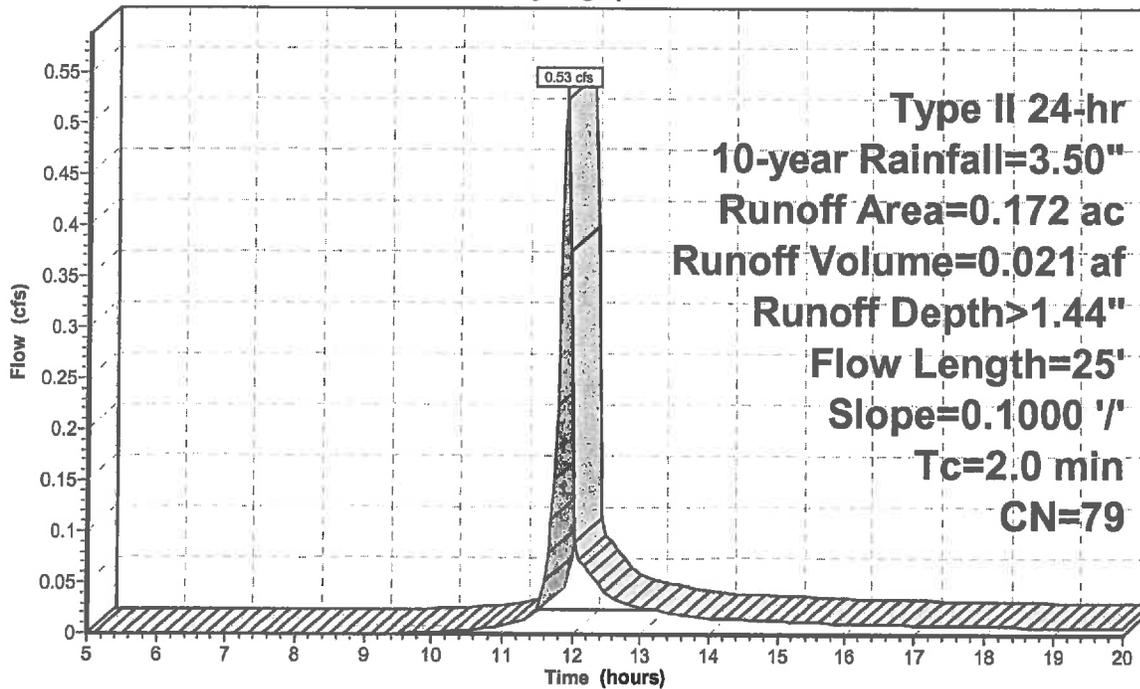
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 10-year Rainfall=3.50"

Area (ac)	CN	Description
0.172	79	<50% Grass cover, Poor, HSG B
0.172		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.0	25	0.1000	0.21		Sheet Flow, Grass Steep Slope to S.T.H. 57 Grass: Short n= 0.150 P2= 2.30"

Subcatchment 4S: Uncollected Grass Steep Slope along S.T.H. 57

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 10-year Rainfall=3.50"

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Summary for Pond 2P: (new Pond)

Inflow Area = 2.197 ac, 36.96% Impervious, Inflow Depth > 1.51" for 10-year event
 Inflow = 7.39 cfs @ 11.89 hrs, Volume= 0.276 af
 Outflow = 3.68 cfs @ 11.97 hrs, Volume= 0.237 af, Atten= 50%, Lag= 4.9 min
 Primary = 3.68 cfs @ 11.97 hrs, Volume= 0.237 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 670.42' @ 11.97 hrs Surf.Area= 0.080 ac Storage= 0.104 af

Plug-Flow detention time= 110.5 min calculated for 0.236 af (86% of inflow)
 Center-of-Mass det. time= 66.5 min (853.3 - 786.8)

Volume	Invert	Avail.Storage	Storage Description
#1	669.00'	0.152 af	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
669.00	0.066	0.000	0.000
670.00	0.076	0.071	0.071
671.00	0.086	0.081	0.152

Device	Routing	Invert	Outlet Devices
#1	Primary	665.00'	8.0" Round Culvert L= 38.0' Ke= 0.600 Inlet / Outlet Invert= 665.00' / 664.00' S= 0.0263 1/1' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Device 1	669.00'	3.0" Vert. Orifice/Grate C= 0.600
#3	Device 1	670.00'	21.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=3.55 cfs @ 11.97 hrs HW=670.40' (Free Discharge)

1=Culvert (Inlet Controls 3.55 cfs @ 10.16 fps)
 2=Orifice/Grate (Passes < 0.27 cfs potential flow)
 3=Orifice/Grate (Passes < 4.51 cfs potential flow)

Runoff from Proposed Conditions

Type II 24-hr 10-year Rainfall=3.50"

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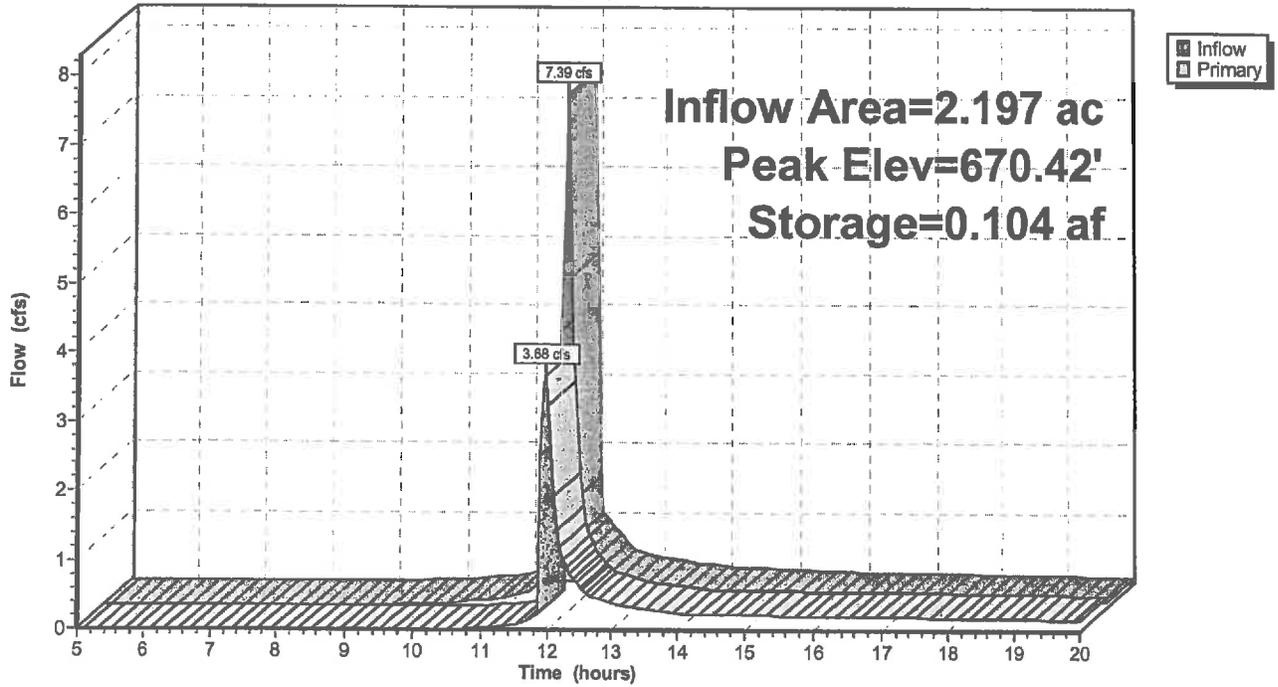
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Pond 2P: (new Pond)

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 10-year Rainfall=3.50"

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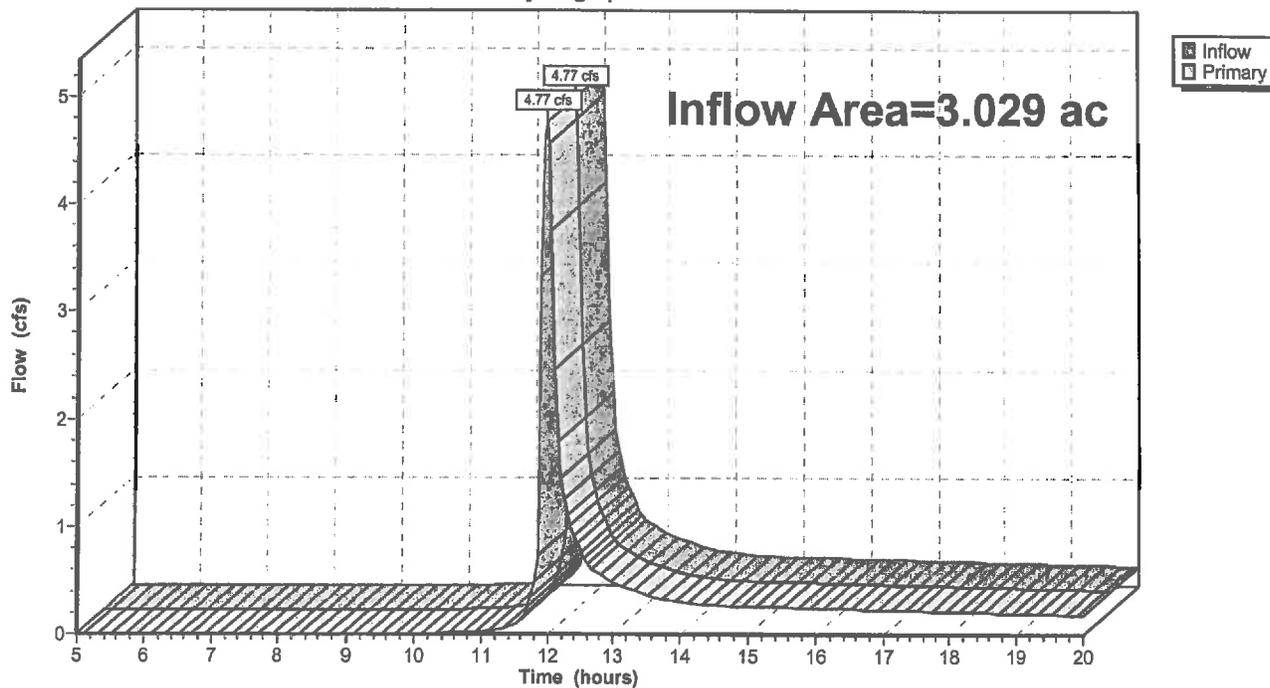
Summary for Link 6L: (new Link)

Inflow Area = 3.029 ac, 26.81% Impervious, Inflow Depth > 1.17" for 10-year event
 Inflow = 4.77 cfs @ 11.97 hrs, Volume= 0.297 af
 Primary = 4.77 cfs @ 11.97 hrs, Volume= 0.297 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link 6L: (new Link)

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 100-year Rainfall=4.50"

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Summary for Subcatchment 1S: Subdivision routed to Pond

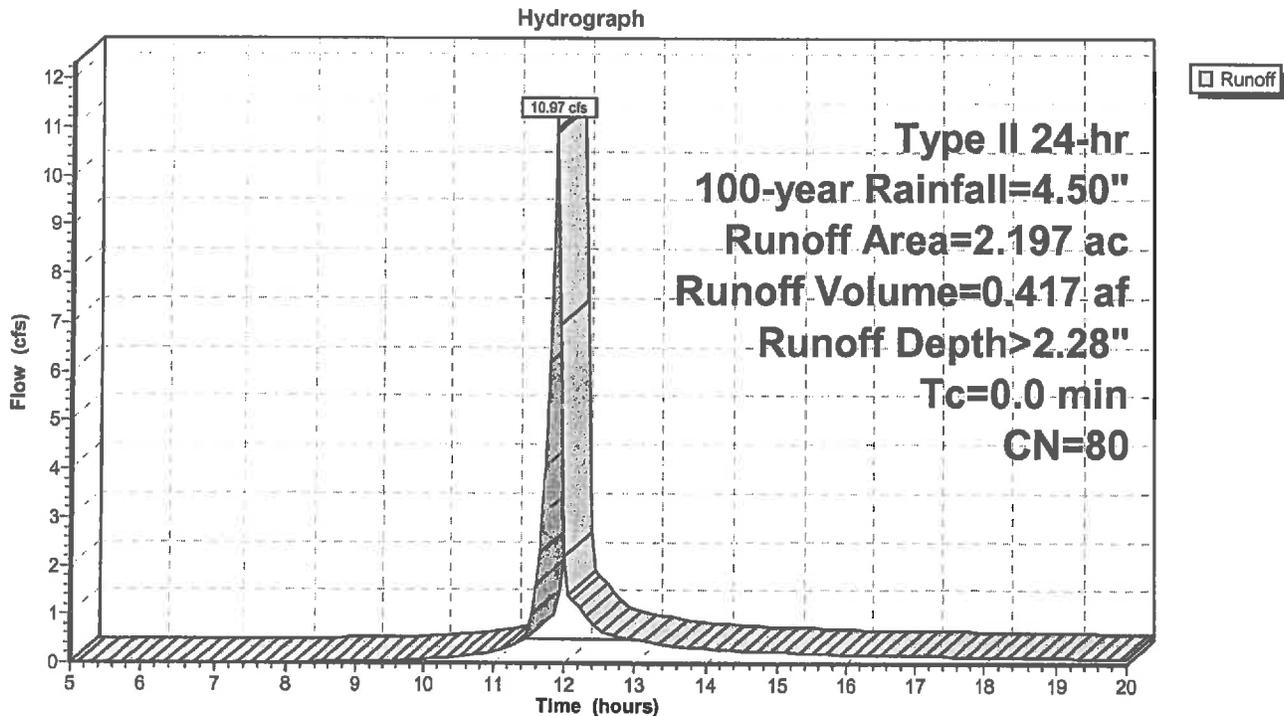
[46] Hint: Tc=0 (Instant runoff peak depends on dt)

Runoff = 10.97 cfs @ 11.89 hrs, Volume= 0.417 af, Depth> 2.28"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 100-year Rainfall=4.50"

Area (ac)	CN	Description
0.069	98	Water Surface, HSG B
0.147	98	Paved parking, HSG B
0.349	98	Unconnected roofs, HSG B
0.029	96	Gravel surface, HSG B
1.356	69	50-75% Grass cover, Fair, HSG B
0.247	98	Paved parking, HSG B
2.197	80	Weighted Average
1.385		63.04% Pervious Area
0.812		36.96% Impervious Area
0.349		42.98% Unconnected

Subcatchment 1S: Subdivision routed to Pond



Runoff from Proposed Conditions

Type II 24-hr 100-year Rainfall=4.50"

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Summary for Subcatchment 3S: Uncollected Woods w/ Steep Slopes along S.T.H. 42

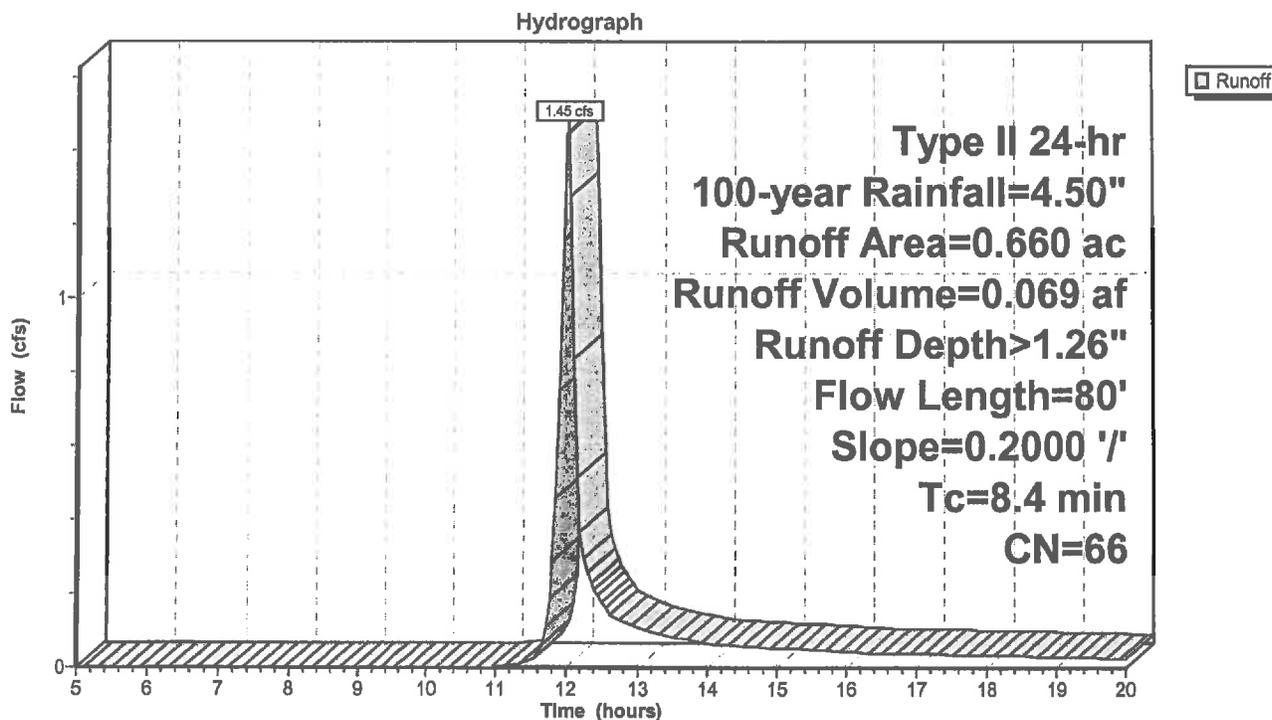
Runoff = 1.45 cfs @ 12.01 hrs, Volume= 0.069 af, Depth> 1.26"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 100-year Rainfall=4.50"

Area (ac)	CN	Description
0.660	66	Woods, Poor, HSG B
0.660		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.4	80	0.2000	0.16		Sheet Flow, Woods Steep Slope to S.T.H. 42 Woods: Light underbrush n= 0.400 P2= 2.30"

Subcatchment 3S: Uncollected Woods w/ Steep Slopes along S.T.H. 42



Runoff from Proposed Conditions

Type II 24-hr 100-year Rainfall=4.50"

Prepared by {enter your company name here}

Printed 5/6/2015

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Summary for Subcatchment 4S: Uncollected Grass Steep Slope along S.T.H. 57

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.77 cfs @ 11.92 hrs, Volume= 0.031 af, Depth> 2.20"

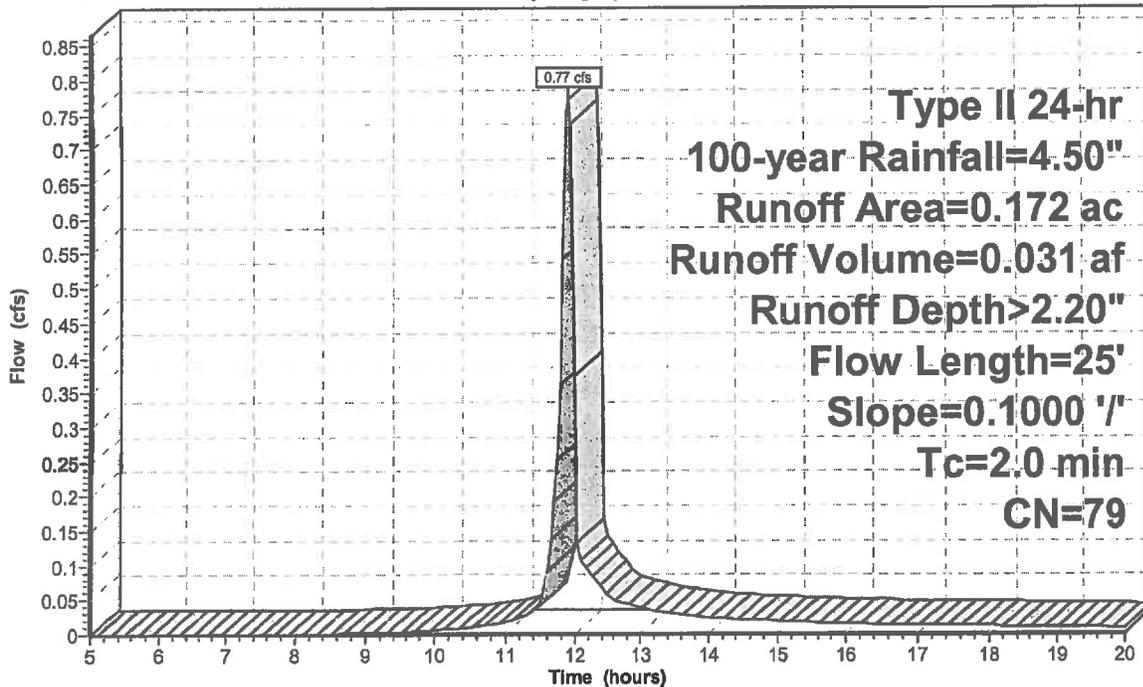
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 100-year Rainfall=4.50"

Area (ac)	CN	Description
0.172	79	<50% Grass cover, Poor, HSG B
0.172		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.0	25	0.1000	0.21		Sheet Flow, Grass Steep Slope to S.T.H. 57 Grass: Short n= 0.150 P2= 2.30"

Subcatchment 4S: Uncollected Grass Steep Slope along S.T.H. 57

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 100-year Rainfall=4.50"

Prepared by {enter your company name here}

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Summary for Pond 2P: (new Pond)

[93] Warning: Storage range exceeded by 5.09'

Inflow Area = 2.197 ac, 36.96% Impervious, Inflow Depth > 2.28" for 100-year event
 Inflow = 10.97 cfs @ 11.89 hrs, Volume= 0.417 af
 Outflow = 5.17 cfs @ 12.00 hrs, Volume= 0.366 af, Atten= 53%, Lag= 6.5 min
 Primary = 5.17 cfs @ 12.00 hrs, Volume= 0.366 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 676.09' @ 12.00 hrs Surf.Area= 0.086 ac Storage= 0.152 af

Plug-Flow detention time= 82.4 min calculated for 0.365 af (87% of inflow)
 Center-of-Mass det. time= 42.5 min (820.4 - 777.9)

Volume	Invert	Avail.Storage	Storage Description
#1	669.00'	0.152 af	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
669.00	0.066	0.000	0.000
670.00	0.076	0.071	0.071
671.00	0.086	0.081	0.152

Device	Routing	Invert	Outlet Devices
#1	Primary	665.00'	8.0" Round Culvert L= 38.0' Ke= 0.600 Inlet / Outlet Invert= 665.00' / 664.00' S= 0.0263 ' S Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.35 sf
#2	Device 1	669.00'	3.0" Vert. Orifice/Grate C= 0.600
#3	Device 1	670.00'	21.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=5.16 cfs @ 12.00 hrs HW=676.05' (Free Discharge)

- ↑ 1=Culvert (Inlet Controls 5.16 cfs @ 14.78 fps)
- ↑ 2=Orifice/Grate (Passes < 0.62 cfs potential flow)
- ↑ 3=Orifice/Grate (Passes < 28.49 cfs potential flow)

Runoff from Proposed Conditions

Type II 24-hr 100-year Rainfall=4.50"

Prepared by {enter your company name here}

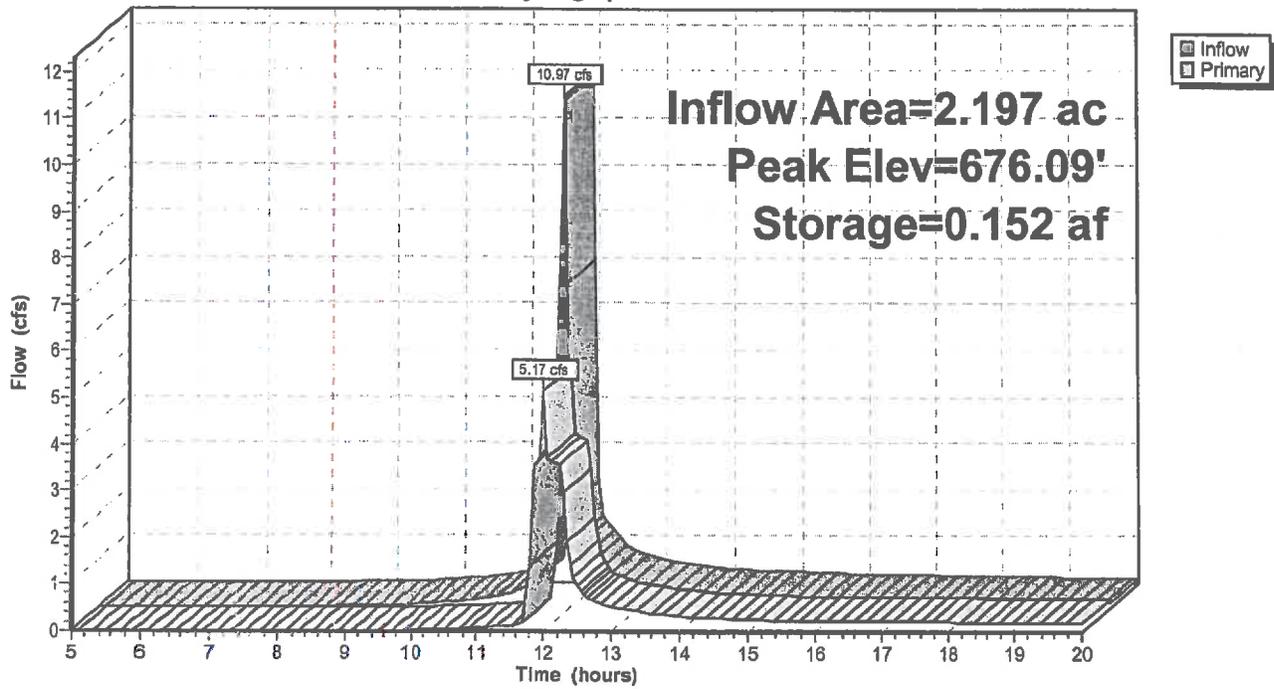
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Pond 2P: (new Pond)

Hydrograph



Runoff from Proposed Conditions

Type II 24-hr 100-year Rainfall=4.50"

Prepared by {enter your company name here}

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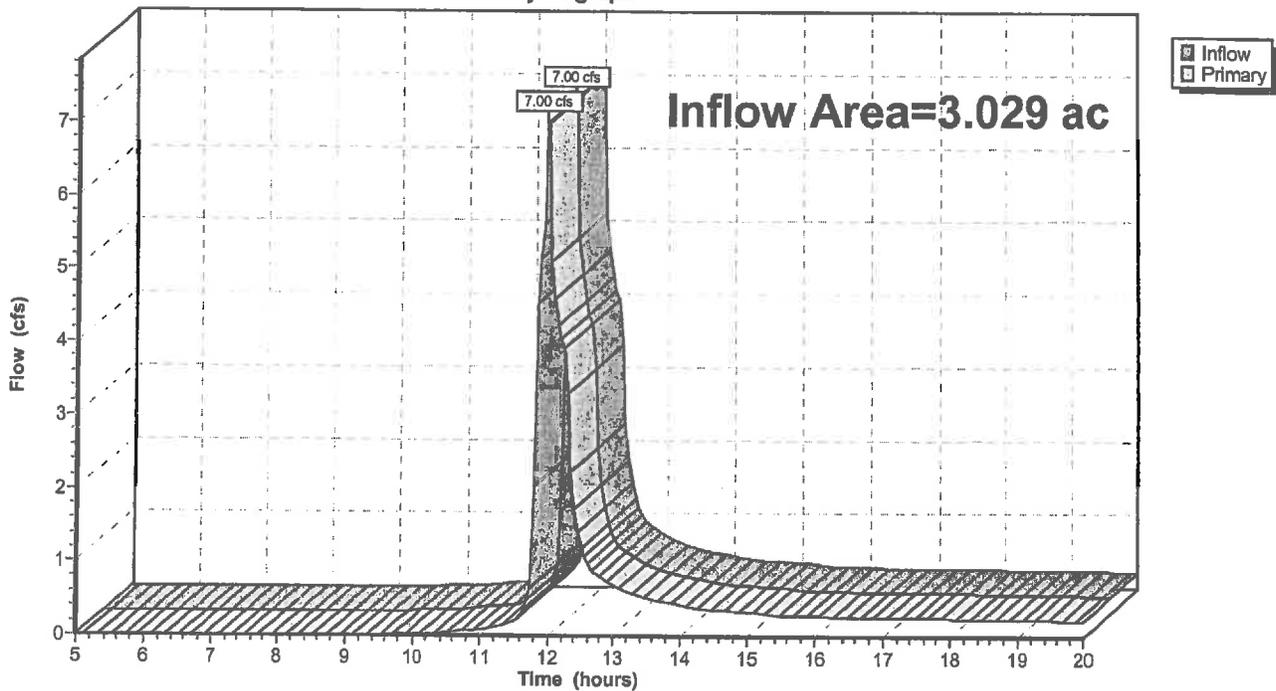
Summary for Link 6L: (new Link)

Inflow Area = 3.029 ac, 26.81% Impervious, Inflow Depth > 1.85" for 100-year event
 Inflow = 7.00 cfs @ 12.00 hrs, Volume= 0.466 af
 Primary = 7.00 cfs @ 12.00 hrs, Volume= 0.466 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link 6L: (new Link)

Hydrograph



ATTACHMENT "C"
SLAMM 10.0 MODELING INFORMATION

Data file name: C:\DATA\Gokey Broadway\Golkey Sister Bay\SWMP\WinSLAMM Model for Harbor View Estates.mdb
 WinSLAMM Version 10.0.1
 Rain file name: C:\WinSLAMM Files\Rain Files\WisReg - Green Bay WI 1969.RAN
 Particulate Solids Concentration file name: C:\WinSLAMM Files\WI_AVG01.pscx
 Runoff Coefficient file name: C:\WinSLAMM Files\v10 WI_SL06 Dec06.rsv
 Residential Street Delivery file name: C:\WinSLAMM Files\WI_Res and Other Urban Dec06.std
 Institutional Street Delivery file name: C:\WinSLAMM Files\WI_Res and Other Urban Dec06.std
 Commercial Street Delivery file name: C:\WinSLAMM Files\WI_Res and Other Urban Dec06.std
 Industrial Street Delivery file name: C:\WinSLAMM Files\WI_Res and Other Urban Dec06.std
 Other Urban Street Delivery file name: C:\WinSLAMM Files\WI_Res and Other Urban Dec06.std
 Freeway Street Delivery file name: C:\WinSLAMM Files\WI_Res and Other Urban Dec06.std
 Apply Street Delivery Files to Adjust the After Event Load Street Dirt Mass Balance: False
 Pollutant Relative Concentration file name: C:\WinSLAMM Files\WI_GEO02.ppdx
 Cost Data file name:
 Seed for random number generator: -42
 Study period starting date: 01/02/69 Study period ending date: 12/28/69
 Start of Winter Season: 12/02 End of Winter Season: 03/12
 Date: 05-06-2015 Time: 17:20:37

Site information:
 WinSLAMM Harbor View Estates Subdivision
 LU# 1 - Residential: Residential 1 Total area (ac): 2.197
 1 - Roofs 1: 0.349 ac. Fitched Disconnected Silty
 19 - Unpaved Parking 1: 0.029 ac. Connected
 25 - Driveways 1: 0.247 ac. Connected
 37 - Streets 1: 0.147 ac. Smooth Street Length = 0.05 curb-mi Default St. Dirt Accum. Annual Winter Load
 54 - Small Landscaped Areas 4: 1.356 ac. Silty
 70 - Water Body Areas: 0.069 ac.

LU# 2 - Residential: Residential 2 Total area (ac): 0.660
 57 - Undeveloped Areas 1: 0.660 ac. Silty

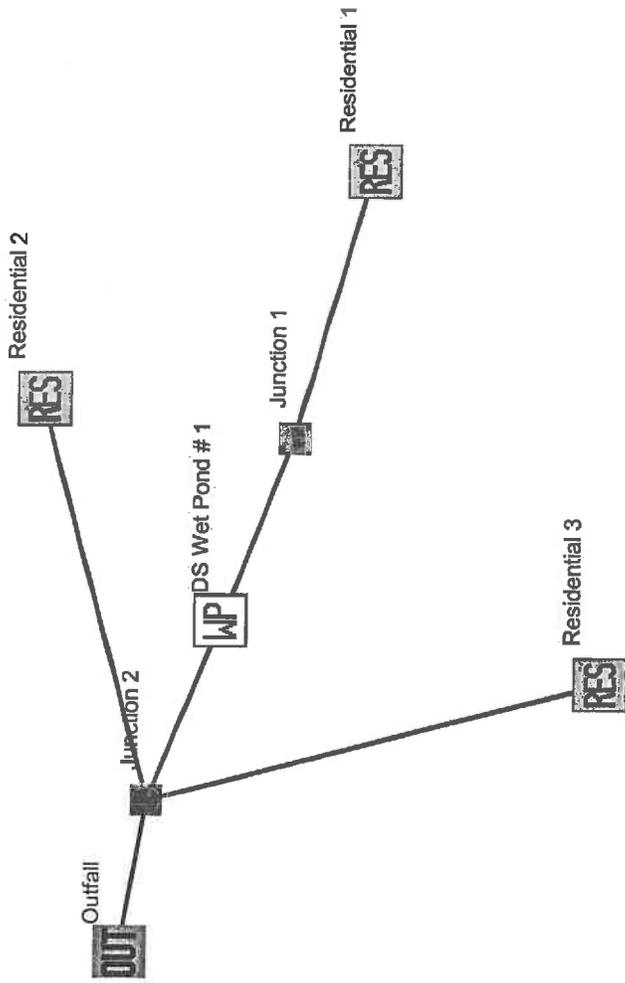
LU# 3 - Residential: Residential 3 Total area (ac): 0.172
 45 - Large Landscaped Areas 1: 0.172 ac. Silty

Control Practice 1: Wet Detention Pond CP# 1 (DS) - DS Wet Pond # 1
 Particle Size Distribution file name: C:\WinSLAMM Files\NURP.CPZ
 Initial stage elevation (ft): 6
 Peak to Average Flow Ratio: 3.8
 Maximum flow allowed into pond (cfs): No maximum value entered

Outlet Characteristics:
 Outlet type: Orifice 1
 1. Orifice diameter (ft): 0.25
 2. Number of orifices: 1
 3. Invert elevation above datum (ft): 6
 Outlet type: Broad Crested Weir
 1. Weir crest length (ft): 10
 2. Weir crest width (ft): 5
 3. Discharge Coefficient (ft): 0
 4. Height of weir opening (cfs): 0.5
 5. Height from datum to bottom of weir opening: 7.5
 Outlet type: Vertical Stand Pipe
 1. Stand pipe diameter (ft): 1.75
 2. Stand pipe height above datum (ft): 7

Pond stage and surface area

Entry Number	Stage (ft)	Pond Area (acres)	Natural Seepage (in/hr)	Other Outflow (cfs)
0	0.00	0.0000	0.00	0.00
1	1.00	0.0140	0.00	0.00
2	2.00	0.0210	0.00	0.00
3	3.00	0.0270	0.00	0.00
4	4.00	0.0340	0.00	0.00
5	5.00	0.0400	0.00	0.00
6	6.00	0.0660	0.00	0.00
7	7.00	0.0760	0.00	0.00
8	8.00	0.0855	0.00	0.00



File C:\DATA\Gokey Broadway\Gokey Sister Bay\SWMP\WinSLAMM Model for Harbor View Estates.mdb

Outfall Output Summary

Runoff Volume (cu. ft.)	44941	Percent Runoff Reduction	0.00 %	Runoff Coefficient (Rv)	0.15	Particulate Solids Conc. (mg/L)	126.9	Particulate Solids Yield (lbs)	366.0	Percent Particulate Solids Reduction	80.40 %
Outfall Total with Controls	44942				0.15		24.87		69.79		70.75
Current File Output: Annualized Total After Outfall Controls	45566	Years in Model Run:	0.99								

Print Output Summary to Text File
Print Output Summary to csv File

Total Area Modeled
3.029

Total Control Practice

Capital Cost	N/A
Land Cost	N/A
Annual Maintenance	N/A
Present Value of All	N/A
Annualized Value of All	N/A

Receiving Water Impacts Due To (CWP Impervious Cover Model)

Approximate Urban Stream	Without Controls	With Controls
Calculate Rv	0.15	0.15
Approximate Urban Stream	Fair	Fair

Perform Outfall Flow Duration Curve Calculations

Land Use #	Land Use Type	Land Use Label	Land Use Area (acres)
1	Residential	Residential 1	2.197
2	Residential	Residential 2	0.660
3	Residential	Residential 3	0.172

CP #	Control Practice Type	Control Practice Name or Location
1	Wet Detention Pond	DS Wet Pond #1

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT is entered into as of this ____ day of _____, 2015 between the Village of Sister Bay, Wisconsin (the "Village") and North Door Properties, LLC, a Wisconsin limited liability company (the "Developer").

WHEREAS, the Developer owns certain real estate being Parcel Nos. 181 4230001 and 181 4240001 in the Village as mapped in Exhibit A hereto (the "Property"); and

WHEREAS, the Developer plans to create (INSERT NAME OF DEVELOPMENT) (the "Development") on the Property, consisting of the necessary improvements for a seven (7) lot residential subdivision served by a private road with sanitary sewer and water service provided by the Village as depicted on Exhibit B (INSERT ON-SITE UTILITY PLAN) hereto (the "Developer's Improvements");

NOW, THEREFORE, the Village and the Developer, in consideration of the terms and conditions contained in this Agreement and for other good and valuable consideration, receipt of which is hereby acknowledged, agree as follows:

1. DEVELOPER OBLIGATIONS.

(a) Limitation on Use of Premises. The seven (7) lot residential subdivision will be created after the Village's approval of PUD Overlay of the existing R-2 Zoning. Upon creation of the seven (7) lot residential subdivision, the use of the Property shall not be changed to any other use without the express written agreement of the Village.

(c) Construction of Developer's Improvements. The Developer shall, subject to receipt of all necessary governmental approvals, construct and pay all costs of the Developer's Improvements on the Property. The Developer's Improvements to be constructed upon the Property and their uses shall be in compliance with all applicable municipal ordinances of the Village. Construction of the Developer's Improvements shall be complete by no later than _____, 20___. Nothing contained in this Development Agreement shall obligate the Village to grant rezone, variances, exceptions, or conditional use permits. Developer agrees to engage fully-qualified and experienced contractors for all construction included in this Agreement. The contractors shall perform their work to the standards of the Village and shall comply with the requirements of the Village's ordinances and standards in performing their work.

(d) Dedication of Property Utilities. All property necessary for sewer, water and electrical utilities as depicted on Exhibit B shall be dedicated to the Village or to the appropriate utility at no cost to the Village or the utility.

(e) Payment of Fees. The Developer shall pay to the Village all Impact Fees and other fees pursuant to applicable Village ordinance (collectively the "Fees"). A schedule of the Fees is attached hereto as Exhibit "C" and incorporated herein by reference.

(f) Village Approval. No land disturbance or work may begin without the Village's approval. Approval will not be granted until final plans and specifications for the land disturbance and work have been approved by the Village.

(g) Responsibility for Costs. Developer agrees that the Village shall not be responsible for any costs or charges related to the Development except any specifically enumerated and agreed to in writing by the Village the Developer.

(h) Maintenance of Improvements. Developer shall provide for the maintenance and repair of the Developer's Improvements.

(i) Indemnification. Developer will indemnify, defend, and hold the Village harmless from and against all claims, costs, and liabilities of every kind and nature, for injury or damage received or sustained by any person or entity in connection with, or on account of, the performance of work described in this Agreement except to the extent caused by the willful or negligent acts or omissions of the Village or its officers, employees, agents, or contractors.

(j) Specifications for Improvements. Developer shall abide by all appropriate Village ordinances and conditions in effect at the time of approval and in place for the Development by the Village Board, Plan Commission, or the Village's designated engineers when fulfilling its obligations under this Agreement. Developer shall also fully comply in a timely fashion with all Village ordinances, including zoning, subdivision, and utility-related ordinances.

(k) Inspections. The Village may inspect sewer and water utilities installed pursuant to this Agreement at intermittent times as they are constructed and completed and, if acceptable to the Village, certify such as being in compliance with the standards and specifications of the Village. If inspection reveals that sewer or water utilities do not conform to Village standards or are otherwise defective, the Village will provide timely notice to Developer. Developer shall have 30 days from issuance of such notice to correct or substantially correct the defect. The Village shall not declare a default under this Agreement during the thirty (30) day correction period on account of any such defect unless it is clear that Developer does not intend to correct the defect or unless the Village reasonably and objectively determines that immediate action is required in order to remedy a situation that poses an immediate health or safety threat.

(l) Improvements are Private. All improvements constructed by Developer, including (1) the private road and all driveways within the Development, (2) all sewer and water utilities within the Development except for the sanitary main (main only) and the watermain and water service up to the curb stop to be installed at the edge of the 54' ingress/egress & utility easement, and (3) all storm water management improvements, shall remain private at all times. They shall

maintained, replaced, or repaired in any way by the Village or any of its sanitary or utility districts.

(m) Reimbursement of Village Costs. The Developer shall reimburse the Village for all costs incurred by the Village for engineering, inspection, planning, legal and administrative expenses in:

- (i) Processing, reviewing, revising and approving conceptual, preliminary or final development plans, including meeting time, regardless of whether the Developer attended or participated in the meeting;
- (ii) Processing reviewing, revising, drafting and approving any agreements, easements, deed restrictions, and other documents associated with the proposed use; and,
- (iii) Inspection and approval of construction and installation of all improvements provided for in the Development, including but not limited to consultation reasonably required to address issues and problems encountered during the course of design and construction of the Development. Such costs shall include the costs of Village consultants, including engineers, attorneys, inspectors, planners, ecologists, agents, sub-contractors and the Village's own employees. Such costs shall also include those for attendance at meetings. The costs for outside services shall be the direct costs incurred by the Village. The costs for Village employees' time shall be based on the classification of the employee and the rates established by the Village Board, from time to time, for each such classification.

2. VILLAGE OBLIGATIONS.

(a) Approvals. The Village shall work in cooperation with the Developer to secure and to grant the following approvals:

- (i) Zoning of the Project Site to accommodate development of the Project.
- (ii) Approval, if necessary, for the expansion and/or extension of the storm sewer, sanitary sewer, water, and electric facilities to serve the Developer's Improvements.

3. SUPPLEMENTAL GENERAL CONDITIONS.

(a) No Vested Rights Granted. Except as provided by law, or as expressly provided by this Agreement, no other vested rights in connection with the Development shall inure to the Developer. In addition, the Village does not warrant by this Agreement that the Developer is entitled to approvals of any other nature other than as specified in this Agreement.

(b) No Waiver. No waiver of any provision of this Agreement shall be deemed or constitute a waiver of any other provision, nor shall it be deemed or constitute a continuing waiver unless expressly provided for by a written amendment to this Agreement signed by both the Village and the Developer, nor shall the waiver of any default under this Agreement be deemed a waiver of any subsequent default or defaults of the same type. No Village approval pursuant to this Agreement eliminates the need for other local, state or federal authorizations relevant to the Development.

(c) Amendment. This Agreement may be amended or modified only by a written amendment approved and executed by the Village and the Developer.

(d) Default. In the event that either the Village or the Developer defaults under any material terms or conditions of this Agreement, the defaulting party shall be responsible for all costs and expenses incurred by reason of such default including, but not limited to, any legal expenses incurred by the non-defaulting party. The rights and remedies of the non-defaulting party shall not be limited to those, if any, specified in this Agreement, but the non-defaulting party shall have all rights and remedies to which it may be entitled, either at law or in equity.

(e) Entire Agreement. This Agreement, and any written amendments and referenced attachments, hereto, shall constitute the entire agreement between the Village and the Developer.

(f) Force Majeure. For the purpose of computing the commencement and completion periods, and time periods for either party to act, such times in which war, civil disaster, act of God, or extreme weather conditions occur or exist shall not be included if such time prevents the Developer or the Village from performing its obligations under the Agreement.

(g) Notice. Any notice required or permitted by this Agreement shall be deemed effective when personally delivered a notice or three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified mail and return receipt requested, addressed as follows:

If to Developer:

Allen Gokey, Managing Member
North Door Properties, LLC
5776 Ledgecrest Road
De Pere, WI 541152

If to Village:

Village of Sister Bay
c/o Village Clerk
2383 Maple Drive
P.O. Box 769
Sister Bay, WI 54234

(h) Binding Effect. This Agreement is binding upon the parties hereto, as well as their respective heirs, successors and assigns.

(i) Effective Date. This Agreement shall be effective as of the date and year first above written.

(j) No Assignment. The benefits of this Agreement to the Developer are personal and shall not be assigned without the express, prior written approval of the Village Board. Such approval may not be unreasonably withheld, but any unapproved assignment is void. Notwithstanding the above, the burdens of this Agreement are personal obligations of the Developer and shall also be binding on the heirs, successors and assigns of the Developer.

(k) Occupancy Permit. The Developer and the Village agree that the Village will issue occupancy permits for dwelling units within the Development upon satisfaction of local and state building code requirements and completion of each building within the Development.

(l) Signage. Developer agrees that any signage for the Development shall be restricted to onsite signs with the location, size and style of sign to comply with Village of Sister Bay sign code requirements.

(m) Developer Representations and Warranties. Developer represents and warrants to the Village (i) that it is a limited liability company duly organized and existing under the laws of the State of Wisconsin and that all proceedings of the Developer necessary to authorize the negotiation and execution of this Agreement, and the consummation of the transaction contemplated by this Agreement, have been taken in accordance with applicable law, and (ii) that all documents required to be executed and delivered by the Developer have been duly and validly authorized, executed and delivered and will be enforceable against the Developer in accordance with their terms, except as limited by bankruptcy, insolvency or other similar laws of general application affecting the enforcement of creditors' rights.

(n) Nondiscrimination. The Developer agrees not to discriminate on the basis of race, color, religion, sex, ancestry, age, handicap, marital status or national origin in the construction, use or operation of the Development and that the continued use and operation of the Development shall be in compliance with all effective laws, ordinances and regulations relating to discrimination or any of the foregoing grounds.

(o) Severability. If any part, term or provision of this Agreement is held by a court of competent jurisdiction to be illegal or otherwise unenforceable, such illegal or unenforceable part, term or provision shall not affect the validity of any other part, term or provision and the rights of the parties will be construed as if the part, term or provision was never included in this Agreement.

(p) Recording. The parties agree that this Agreement shall be recorded with the Door County Register of Deeds. The Developer shall reimburse the Village for the cost of recording this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

ATTEST:

VILLAGE OF SISTER BAY

Christy Sully, Village Clerk

By: _____
David W. Lienau, Village President

NORTH DOOR PROPERTIES, LLC

By: _____
Allen Gokey, Managing Member

STATE OF WISCONSIN)
)ss
DOOR COUNTY)

Personally came before me this ____ day of _____, 2015 the above named David W. Lienau, Village President, and Christy Sully, Village Clerk to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My Commission: _____

STATE OF WISCONSIN)
)ss
WAUKESHA COUNTY)

Personally came before me this ____ day of _____, 2015, the above named Allen Gokey, Managing Member of North Door Properties, LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My Commission expires _____

EXHIBIT A
TO
DEVELOPMENT AGREEMENT

Description of Property

(See attached)

Plat of Survey

LOCATED IN:
**BLOCK 3, VILLAGE OF SISTER BAY ASSESSOR'S PLAT NO. 2,
GOV'T LOT 4, SECTION 5, T. 31 N., R. 28 E.,
VILLAGE OF SISTER BAY, DOOR COUNTY, WISCONSIN**

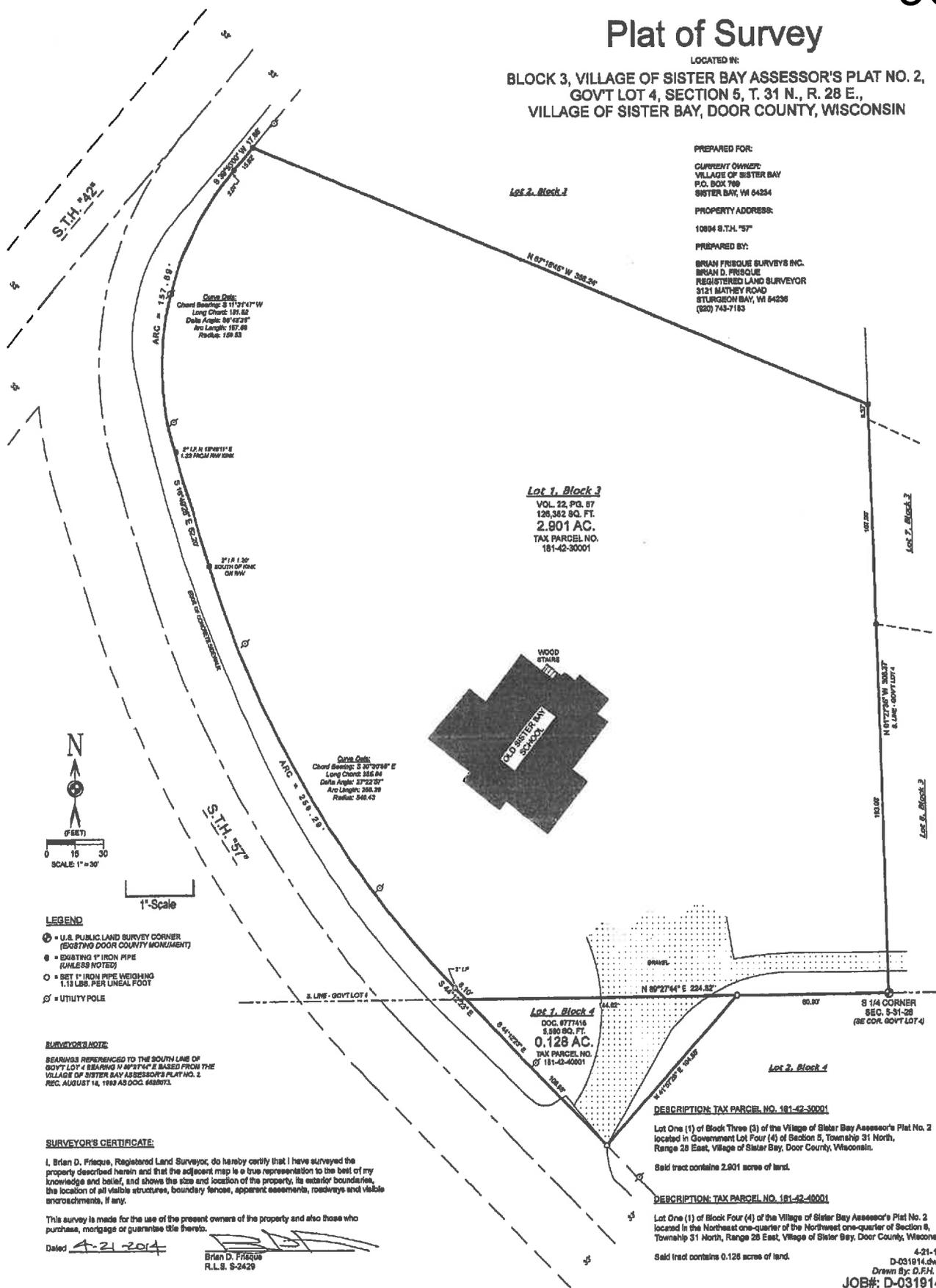
PREPARED FOR:

CURRENT OWNER:
VILLAGE OF SISTER BAY
P.O. BOX 760
SISTER BAY, WI 54234

PROPERTY ADDRESS:
10804 S.T.H. 57P

PREPARED BY:

BRIAN FRISQUE SURVEYS INC.
BRIAN D. FRISQUE
REGISTERED LAND SURVEYOR
3121 MATHEY ROAD
STURGEON BAY, WI 54236
(920) 743-7183



- LEGEND**
- ⊙ = U.S. PUBLIC LAND SURVEY CORNER (EXISTING DOOR COUNTY MONUMENT)
 - ⊙ = EXISTING 1" IRON PIPE (UNLESS NOTED)
 - ⊙ = SET 1" IRON PIPE WEIGHING 1.14 LBS. PER LINEAL FOOT
 - ⊙ = UTILITY POLE

SURVEYOR'S NOTE:
BEARINGS REFERENCED TO THE SOUTH LINE OF GOV'T LOT 4 BEARING N 89°21'41" E BASED FROM THE VILLAGE OF SISTER BAY ASSESSOR'S PLAT NO. 2 REC. AUGUST 14, 1999 AS DOC. 6488071.

SURVEYOR'S CERTIFICATE:

I, Brian D. Frisque, Registered Land Surveyor, do hereby certify that I have surveyed the property described herein and that the adjacent map is a true representation to the best of my knowledge and belief, and shows the size and location of the property, its exterior boundaries, the location of all visible structures, boundary fences, apparent easements, roadways and visible encroachments, if any.

This survey is made for the use of the present owners of the property and also those who purchase, mortgage or guarantee this title thereto.

Dated 4-21-2014

Brian D. Frisque
Brian D. Frisque
R.L.S. 9-2429



DESCRIPTION: TAX PARCEL NO. 181-42-30001
Lot One (1) of Block Three (3) of the Village of Sister Bay Assessor's Plat No. 2 located in Government Lot Four (4) of Section 5, Township 31 North, Range 28 East, Village of Sister Bay, Door County, Wisconsin.
Said tract contains 2.901 acres of land.

DESCRIPTION: TAX PARCEL NO. 181-42-40001
Lot One (1) of Block Four (4) of the Village of Sister Bay Assessor's Plat No. 2 located in the Northeast one-quarter of the Northwest one-quarter of Section 5, Township 31 North, Range 28 East, Village of Sister Bay, Door County, Wisconsin.
Said tract contains 0.128 acres of land.

EXHIBIT B
DEVELOPER'S IMPROVEMENTS

(See attached)

EXHIBIT C

FEES

1.	Application Fee	\$ 400.00
2.	Driveway Permit	\$ 25.00
3.	Development Agreement Deposit	\$2,000.00
4.	Engineering Deposit	\$2,000.00



June Case Law Update June 30, 2015

A summary of Wisconsin court opinions decided during the month of June related to planning

For previous Case Law Updates, please go to: www.wisconsinplanners.org/learn/law-and-legislation

Unites States Supreme Court Opinions

Freedom of Speech Under the First Amendment: Government Speech v. Sign Ordinances

On June 18th, the United States Supreme Court announced two decisions related to government's ability to regulate speech under the First Amendment to the United States Constitution as applied to the states through the Fourteenth Amendment. The cases reinforce the public law/private law distinctions that have long been a central component of American jurisprudence.

The first case, [Walker v. Texas Division, Sons of Confederate Veterans](#), involved a design for a specialty automobile and truck license plate proposed by the Sons of Confederate Veterans that featured the Confederate battle flag. The State of Texas refused to issue the specialty plates and the Sons of Confederate Veterans sued alleging a violation of their freedom of speech protections under the First Amendment. In a five to four decision, a majority of the Court's members ruled that the messages on those plates are "government speech" as opposed to "private speech." Writing for the majority, Justice Breyer stated: "[w]hen government speaks, it is not barred by the Free Speech Clause from determining the content of what it says." Equating state issued automobile license plates with government IDs, Breyer cited the practice of states to include slogans on license plates, such as the "America's Dairyland" slogan that appears on Wisconsin license plates. People associate this type of speech with the state. As government speech, the Court found that Texas was entitled to refuse to issue the plates featuring the Confederate flag.

In a strongly worded dissent, Justice Alito argued that people seeing cars and trucks passing by on the roads do not read license plate slogans as the government speaking, given the immense variety of what Texas has allowed to be said on vanity license plates. He was joined by Chief Justice Roberts, and Justices Kennedy and Scalia.

In the second case, [Reed v. Town of Gilbert](#), the Court, in a rare unanimous decision, struck down a local government's sign code as a violation of the freedom of speech guaranteed by the First Amendment.

The sign code for the Town of Gilbert, Arizona, prohibited the display of outdoor signs without a permit, but then exempted 23 categories of signs from that requirement. Three categories of exempt signs based on the content of the sign were relevant to the case: Ideological Signs, Political Signs, and Temporary Directional Signs Related to a Qualifying Event. The code defined a "qualifying event" as an event sponsored by a religious, charitable, or other non-profit organization. Temporary Directional

Signs are limited in size (6 square feet), the number which may be placed on property (4), and time (12 hours before and one hour after the event). The signs are treated less favorably than ideological signs (which may be 20 square feet, allowed in any zone and unlimited in time) and political signs (which may be 16 to 32 square feet, depending on the status of the property, and allowed 60 days before and 15 days following an election).

Clyde Reed, the pastor of Good News Community Church, wanted to advertise the time and location of Sunday church services. The church owned no building and held services in elementary schools or other locations in or near the Town. The Church began placing 15 to 20 signs around the Town early in the day on Saturday to announce the time and location of the upcoming service. The signs were removed around midday on Sunday. The Town cited the Church for violating the Town's sign code. Efforts by the Church to reach an accommodation with the Town proved unsuccessful. The Church initiated this lawsuit arguing that the Sign Code abridged their freedom of speech in violation of the United States Constitution.

Justice Thomas, writing for the Court, found the regulations content-based because they focused on the message (the "qualifying event," an ideological matter, an election) which triggered different regulations for each category. As content-based regulations of speech, Thomas said that the regulations were subject to strict scrutiny by the Court. "Content-based laws--those that target speech based on its communicative content--are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests."

As a result of the decision, sign codes similar to the Town of Reed that distinguish between political signs, ideological signs, or temporary directional signs to certain events will be considered to be content-based. These laws, wrote Thomas, likely will be struck down "regardless of the government's benign motive, content-neutral justification, or lack of 'animus toward the ideas contained' in the regulated speech."

The main opinion was supported by Chief Justice Roberts and by Justices Alito, Kennedy, Roberts, Scalia, and Sotomayor. A concurring opinion written by Justice Alito, and joined by Justices Kennedy and Sotomayor, includes a non-comprehensive list of rules that would not be content based as guidance for communities trying to determine what signage they can regulate following the Reed case:

- Rules regulating the size of signs;
- Rules regulating the locations in which signs may be placed;
- Rules distinguishing between free-standing signs and those attached to buildings;
- Rules distinguishing between lighted and unlighted signs;
- Rules distinguishing between signs with fixed messages and electronic signs with messages that change;
- Rules that distinguish between the placement of signs on private and public property;
- Rules distinguishing between the placement of signs on commercial and residential property;
- Rules distinguishing between on-premises and off-premises signs;
- Rules restricting the total number of signs allowed per mile of roadway;
- Rules imposing time restrictions on signs advertising a one-time event.

Government entities may also erect their own signs consistent with the principles that allow governmental speech.

Alito also concluded that: "Properly understood, today's decision will not prevent cities from regulating signs in a way that fully protects public safety and serves legitimate esthetic objectives."

Justices Kagan and Breyer also wrote separate opinions. Justice Kagan expressed her concern that there was no reason to apply strict scrutiny in this case and warned that the Court risks becoming the “Supreme Board of Sign Review.”

Takings -- “I heard it through the grapevine”

The United States Supreme Court also decided an important “takings” case, [Horne v. Department of Agriculture](#). The case involved a challenge to the United States Department of Agriculture’s (USDA) California Raisin Marketing Order that required a percentage of a grower’s crop be physically set aside in certain years for the account of the federal government, free of charge. The Agricultural Marketing Agreement Act of 1937, a hallmark of the New Deal, authorizes USDA to promulgate “marketing orders” to help maintain stable markets for particular agricultural products. (This is the same legislation that enables the milk marketing orders familiar to many farmers in Wisconsin.)

The requirement that raisin growers give part of their crop to the government was meant to keep those raisins off the market temporarily to increase prices for the annual crop as a whole. The Hornes refused to turn over some of their raisins to the government under the order and were fined \$680,000 (an amount equal to the market value of the missing raisins plus a civil penalty for noncompliance). They then sued the federal government alleging that the set-aside requirement resulted in the taking of private property without the payment of just compensation as required by the Fifth Amendment to the United States Constitution. An eight member majority of the United States Supreme Court agreed with the Hornes that the set-aside requirement was an unconstitutional “taking.”

Chief Justice Roberts, writing for the majority, focused on three questions. The first question was whether the duty to pay just compensation under the Fifth Amendment applies to the personal property at issue in the case or does it only apply to real property. The court answered this question in the affirmative citing the protections of private personal property from uncompensated takings included in the Magna Carta which this year is celebrating its 800th anniversary. (For many years the Wisconsin Supreme Court has applied the “takings” provision of the Wisconsin Constitution to personal and intellectual property so the U.S. Supreme Court’s answer to this question has little impact in Wisconsin.)

The second question addressed by Chief Justice Roberts was whether the government may avoid paying just compensation for the physical taking of property by “reserving to the property owner a contingent interest” in the value of the property set-aside by the government. (The government eventually sells the raisins set aside and after deducting expenses returns any net proceeds to the growers.) Justice Roberts notes that since the case involved the physical appropriation of property, any net proceeds returned to the farmer goes to the question of the amount of just compensation and not whether or not the appropriation constituted a “taking.” (This ruling could be important in future cases that answer the question whether payments received under a transfer of development rights program constitute “just compensation.”)

The final question addressed by the Chief Justice was the government’s argument that the reserve requirement was not a taking because raisin growers voluntarily choose to participate in the raisin market. Chief Justice Roberts disagreed as he was unwilling to find the program was a voluntary exchange.

Chief Justice Roberts then determined the Hornes should be relieved of the obligation to pay the fine as the “just compensation” due to the Hornes for the taking. Although eight of the nine Justices agreed that the raisin set aside program was a “taking,” three of those eight wanted the case sent back to the lower courts to determine whether the Hornes were entitled to any compensation, because they may have benefited financially from the better prices that raisins supposedly got because of the market effects of the government set-aside regime. Three votes was not enough to change the outcome of this issue.

Justice Sotomayor dissented arguing that the raisin growers were not deprived of all of their ownership interests in the raisins that they had to turn over, and thus there was no “taking.”

Court Upholds “Disparate-Impact” Analysis Under the Federal Fair Housing Act

In [Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.](#), the United States Supreme Court held that the Federal Fair Housing Act (FHA) permits disparate impact claims. In a disparate-impact claim, a plaintiff may establish liability, without proof of intentional discrimination. Disparate-impact analysis originated in [Griggs v. Duke Power Co.](#), 401 U.S. 424 (1971), involving a provision of the Civil Rights Act of 1964 prohibiting employment discrimination. The Court held that plaintiffs can make employment discrimination claims without proving intent to discriminate.

The FHA prohibits *intentional* discrimination (“disparate-treatment”) by making it unlawful to “refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, or national origin.” 42 U.S.C. § 3604(a). However, whether or not the FHA encompasses disparate-impact liability had never been addressed by the U.S. Supreme Court until the present case.

The Inclusive Communities Project (ICP) sued the Texas Department of Housing and Community Affairs over how the Department distributes tax credits for low-income housing under the Low-Income Housing Tax Credit Program (LIHTC), 26 U.S.C. § 42(g)(1). ICP claimed that the Department’s policy unintentionally resulted in granting too many credits for housing in predominantly black inner-city areas and too few in predominantly white suburban neighborhoods. The ICP contended that the Department needed to modify its selection criteria in order to encourage the construction of low-income housing in suburban communities.

A five to four majority of the Court agreed with ICP finding that disparate impact claims are cognizable under the FHA. Writing for the majority, Justice Kennedy began his opinion with the statement that: “[t]he underlying dispute in this case concerns where housing for low-income persons should be constructed in Dallas, Texas, that is, whether the housing should be built in the inner city or in the suburbs.” Kennedy summarizes the history of the various Civil Rights laws of the 1960s and finds the disparate-impact claims consistent with the central purpose of the FHA: “The FHA . . . was enacted to eradicate discriminatory practices within a sector of our nation’s economy. . . . These unlawful practices include zoning laws and other housing restrictions that function unfairly to exclude minorities from certain neighborhoods without any sufficient justification. Suits targeting such practices reside at the heartland of disparate-impact liability. . . . The availability of disparate-impact liability, furthermore, has allowed private developers to vindicate the FHA’s objectives and to protect their property rights by stopping municipalities from enforcing arbitrary and, in practice, discriminatory ordinances barring the construction of certain types of housing units.”

Kennedy, however, recognizes limits to disparate-impact liability and highlights the need for a “robust causality requirement”: “a disparate-impact claim that relies on a statistical disparity must fail if the plaintiff cannot point to a defendant’s policy or policies causing that disparity.” Housing authorities have “leeway to state and explain the valid interest served by their policies.” According to Kennedy, [d]isparate-impact liability mandates the ‘removal of artificial, arbitrary, and unnecessary barriers,’ not the displacement of valid governmental policies.” He concludes that “even when courts do find liability under a disparate-impact theory,” remedial orders must “concentrate on the elimination of the offending practice” through “race-neutral means.”

Justice Kennedy was joined by Justices Ginsburg, Breyer, Sotomayor, and Kagan. Justice Alito dissented, joined by Chief Justice Roberts and Justices Scalia and Thomas. Justice Thomas wrote a separate dissent.

The case points out the need for state agencies and local communities to seriously consider the impact of their policies and programs on the availability of low-income housing as they conduct their planning processes.

Same-Sex Marriage and Fair Housing

[Obergefell v. Hodges](#), the U.S. Supreme Court’s recent decision upholding same sex marriage, was not a housing case. Nonetheless, the controversy surrounding the topic might prompt some to ask if it is possible to define “family” in their local zoning code in such a way to exclude same-sex couples from living in “single-family” zoning districts. Currently, the Federal Fair Housing Act does not specifically include sexual orientation and gender identity as prohibited bases. However, the State of Wisconsin has banned discrimination in housing based on sexual orientation since 1982. Any attempt to discriminate against same-sex couples through zoning could be challenged in court.

U.S.E.P.A. Must Consider Cost Impacts of Emission Rules

In [Michigan v. Environmental Protection Agency](#), the United States Supreme Court ruled by a five-to-four vote that the United States Environmental Protection Agency (EPA) must take costs into account when regulating emissions of hazardous air pollutants from stationary sources. The decision, written by Justice Antonin Scalia, temporarily blocks an EPA ruling to regulate power plants until EPA considers cost (such as the cost of compliance) in deciding if the regulation is appropriate and necessary. EPA had intended to consider costs later, when calculating just what controls to impose on a specific power plant.

Wisconsin Supreme Court Opinions

Housing Impact Report Not Required For State Wind Energy Rules

In [Wisconsin Realtors Assoc. v. Public Service Commission of Wisconsin](#), 2015 WI 63, the Wisconsin Supreme Court held that housing impact report was not required as a matter of law when the Public Service Commission (PSC) developed the wind facility siting rules in 2012.

The Wisconsin Administrative Procedures Act requires that if any rule proposed by a state agency (including the PSC) “directly or substantially affects the development, construction, cost, or availability of housing in this state,” then the Department of Commerce [now the Department of Administration]

shall prepare a "housing impact report" before that rule is submitted to the Legislative Council staff. Wis. Stat. § 227.115(2).

The Wisconsin Realtors Association initiated this lawsuit arguing that the wind energy rules, Wis. Admin. Code ch. PSC 128, titled "Wind Energy Systems," were invalid because the PSC failed to prepare a housing impact report during the promulgation of the rules.

In a decision written by Justice Abrahamson, the Wisconsin Supreme Court concluded that the texts of the governing statutes and the wind energy rules did not demonstrate as a matter of law that the rules directly or substantially affect the development, construction, cost, or availability of housing in Wisconsin. Chief Justice Roggensack and Justice Ziegler dissented in the case.

Attorney Fees Not Allowed in Public Records Case

[The Journal Times v. City of Racine Board of Police and Fire Commissioners](#) , 2015 WI 56, involved an action by the Journal Times to recover reasonable attorney fees related to the newspaper's efforts to collect information related to a meeting held in closed session by the Commission.

The Commission initially denied the records requests but later provided the requested information. At the time of the request and at the time that the information was provided, no record existed that could have been responsive to the request. The Wisconsin Supreme Court concluded the newspaper had not prevailed in "substantial part" and was therefore not entitled to attorney fees.

Wisconsin Court of Appeals Opinions

Notes Are Not "Records" Under State's Public Records Law

[The Voice of Wisconsin Rapids, LLC v. Wisconsin Rapids Public School District](#), involved a request by the newspaper for access to records involving the school district's investigation into allegations of impropriety surrounding a school athletic program. As part of the investigation, district employees conducted interviews of people related to the program. The newspaper sought disclosure of the notes but the district refused to release the notes. The newspaper then sued the district.

The Wisconsin Court of Appeals held that the district did not need to produce the documents because they fell within the exemption under the public records law for notes prepared for the originator's personal use.

The case is recommended for publication in the official reports.

United States Court of Appeals for the Seventh Circuit

RLUIPA

For an interesting reading on a protracted and messy case out of Chicago on the issue of substantial burden on religion under the Religious Land Use and Institutionalized Persons Act of 2000 see:

<http://www.rluipa-defense.com/2015/06/seventh-circuit-remands-again-world-outreach-conference-center-v-city-of-chicago/>

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0713 SANDWICH BOARD SIGNAGE WITH PERMIT

SEC. 66.0720 ON-PREMISE SIGNS WITHOUT PERMIT

1 (3) The applicant shall provide written 56
 2 documentation from the landowner 57
 3 demonstrating permission for the 58
 4 location of the off-premise sign. 59
 5 (4) The overall shape, height, material, 60
 6 color and setback must have the 61
 7 approval of the Plan Commission. 62
 8 (5) The exact location of the sign shall 63
 9 be approved by the Plan Commis- 64
 10 sion. 65
 11 (6) The overall size, shape, height, ma- 66
 12 terial, color and setback must have 67
 13 the approval of the Plan Commis- 68
 14 sion. 69
 15 (7) Off-premise signs are not permitted 70
 16 in R-1, R-2, R-3 or R-4 districts. 71
 17 **Sec. 66.0713 Sandwich Board Signage with** 72
 18 **Permit** 73
 19 Sandwich board signs are permitted subject to the 74
 20 following conditions: 75
 21 (a) Retail businesses and restaurants may use 76
 22 sandwich board signs on their property in 77
 23 front of their businesses for advertising 78
 24 purposes in the B-1, B-2, B-3, I-1 and P-1 79
 25 districts as permitted provided that the 80
 26 sandwich board signs will not be located 81
 27 on any sidewalk or bikeway if one is pre- 82
 28 sent or in any public right-of-way. 83
 29 (b) Sandwich board sign impact on total per- 84
 30 mitted signage. 85
 31 (1) A sandwich board where the mes- 86
 32 sages and content change on a 87
 33 weekly basis; noticing a special 88
 34 event or other activity that is of a 89
 35 short duration shall not count to- 90
 36 wards the total signage allowed un- 91
 37 der Section 77.0710. Any sign 92
 38 wording that duplicates other per- 93
 39 mitted or allowed signage on a 94
 40 property other than the business 95
 41 name is not permitted. 96
 42 (2) A sandwich board where the word- 97
 43 ing or image is unchanging shall 98
 44 count towards the total signage al- 99
 45 lowed under Section 77.0710. Any 100
 46 sign wording that duplicates other 101
 47 permitted or allowed signage on a 102
 48 property other than the business 103
 49 name is not permitted. Any sand- 104
 50 wich board permitted under this 105
 51 subsection shall also comply with 106
 52 (c)-(g) below. 107
 53 (c) The sandwich board sign must be located 108
 54 in front of the business or restaurant and 109
 55 cannot be located closer than ten feet to an

adjacent property or driveway, and will not
 cause a hazard to traffic or adjoining prop-
 erties. These signs shall require a permit
 and shall not exceed six (6) square feet in
 area on one side or 12 square feet on all
 sides. No more than 25% percent of the
 area on each side of the sign may be used
 for name of the business.
 (d) The sandwich board sign must be removed
 from its display location whenever the
 business is not open. Festivals, non-profits,
 organizations and businesses under con-
 tract with the Village may use sandwich
 board signs on Village owned property or
 other property for advertising purposes in
 any district as permitted provided that the
 sandwich board signs will not be located
 on any sidewalk or bikeway if one is pre-
 sent or in any public right-of-way.
 (e) The Plan Commission shall establish a
 Sandwich Board Design, Guide which will
 reflect various preferred designs and col-
 ors. The Guide shall be updated periodi-
 cally.
 (f) All existing sandwich board signs are con-
 sidered temporary and are no longer per-
 mitted after May 1, 2011.
 (g) After May 1, 2011, the cost for a temporary
 sandwich board sign permit shall be
 \$20.00 except for existing sandwich board
 permit holders.

**Sec. 66.0720 On-Premise Signs without Per-
 mit**

Except as prohibited in section 66.0770 of this
 chapter, the following signs are permitted in all
 zoning districts without a permit, subject to the
 following regulations:

- 93 (a) Real estate signs.
 94 Real estate signs, not to exceed six square
 95 feet in area on one side and 12 square feet
 96 in area on all sides. Temporary real estate
 97 signs shall be located no closer than ten
 98 feet to any street right-of-way, nor closer
 99 than ten feet to a side or rear lot line.
- 100 (b) Election signs.
 101 Election campaign signs provided, that
 102 permission shall be obtained from the
 103 property owner, renter or lessee; and pro-
 104 vided that such sign shall not be erected
 105 prior to the first day of the "election cam-
 106 paign period" as defined in Section §12.04
 107 of the Wisconsin Statutes, and shall be re-
 108 moved within seven days following the
 109 election. No campaign sign shall be erect-

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0721 ON/OFF-PREMISE SIGNS WITHOUT PERMIT

SEC. 66.0721 ON/OFF-PREMISE SIGNS WITHOUT PERMIT

1 ed in a street right-of-way or on any utility 55
 2 poles. Campaign signs shall not be located 56
 3 within a vision clearance triangle, and 57
 4 shall not exceed 24 square feet in area on
 5 one side and 48 square feet in area on all
 6 sides.
 7 (c) Rummage sale signs.
 8 Rummage sale and garage sale signs pro-
 9 vided that no such signs shall be erected or
 10 placed within a public right-of-way and
 11 further provided that such signs are re-
 12 moved within 12 hours following the sale.
 13 (d) Bulletin boards.
 14 Bulletin boards for public, charitable or re-
 15 ligious institutions not to exceed four
 16 square feet in area on one side located on
 17 the building.
 18 (e) Memorial signs.
 19 Memorial signs, tablets, names of build-
 20 ings, and date of erection when cut into
 21 any masonry surface or when constructed
 22 of metal and affixed flat against a structure.
 23 (f) Official signs.
 24 Official signs, such as traffic control, park-
 25 ing restrictions, Village welcome signs and
 26 related entrance signs, and public notices
 27 when approved by the Zoning Administra-
 28 tor.
 29 (g) Illuminated Open Signs.
 30 A single internally illuminated sign with
 31 the specific word "OPEN" not exceeding
 32 two square feet.
 33 (h) Directional signs.
 34 On-premise directional signs such as "EN-
 35 TER," "EXIT," and "DO NOT ENTER" signs
 36 shall not exceed two square feet.
 37 (i) Parking signs.
 38 Customer parking signs shall be mounted
 39 no less than four feet from the ground and
 40 shall not exceed 24 inches high by 30
 41 inches wide. The lower one-third of the
 42 sign shall be lettered with the words "Cus-
 43 tomer Parking" and may include a direc-
 44 tional arrow below. The upper two-thirds
 45 of the sign may be used for the business
 46 name or logo, but no other advertising
 47 message.
 48 (j) Flags.
 49 One decorative flag, seasonal flag or flag
 50 containing words no larger than 15 square
 51 feet per side shall be permitted on a lot. No
 52 flagpole shall exceed 35 feet in height.
 53 There shall be no limit on the number or
 54 size of country, national, state, local or

government affiliated flags displayed on a lot.

(k) Restaurant Menu Boards.

One menu board is allowed per restaurant. The maximum allowable size for a menu board is four square feet. If it is over four square feet in size the menu board's area shall be included in the total signage calculation. All menu boards must be mounted on the building and match the design of the building and/or any signage displayed on that building. Erasable blackboards or glass-enclosed cases are acceptable.

(l) Temporary construction signs.

Temporary construction signs such as a sign identifying a contractor, designer, or equipment provider may be placed on a construction site without a permit, provided that there shall be no more than one construction sign located on the premises; no sign shall exceed 18 square feet in area on one side or 36 square feet on all sides; and the construction sign shall be removed within 72 hours following the issuance of an occupancy permit. Temporary signs issued as part of a development agreement shall be removed as specified in that agreement.

84 **Sec. 66.0721 On/Off-Premise Signs without**
 85 **Permit**

86 (a) Seasonal signs.

Seasonal signs advertising the sale of seasonal products, including Christmas trees and pumpkins, provided that:

- (1) Only one sign per business site will be allowed.
- (2) The sign shall be set back a minimum of 10 feet from all lot lines.
- (3) The sign area shall not exceed 24 square feet.
- (4) The sign shall not exceed six feet in height.
- (5) The sign shall not be posted for more than 30 consecutive days in any calendar year.

101 (b) Special Event and Fund Raising Signage.

The temporary use of banners, balloons, inflatable signs, streamers, pennants, and other similar signage used for special event, fund raising and other advertising purposes in any district may be allowed provided that the advertising media will not be located on any sidewalk or bikeway

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0722 OTHER ON/OFF-PREMISE SIGNS WITH PERMIT

SEC. 66.0730 RESIDENTIAL DISTRICTS SIGNAGE WITH PERMIT

1 if one is present or in any public right-of-
 2 way. Special events or other advertising for
 3 businesses shall be covered under Section
 4 66.0722(a) below. The signs cannot be
 5 erected more than 14 days before the event
 6 and must be removed within 2 days after
 7 the event. The property owner must grant
 8 permission in writing for the placement of
 9 the sign/media. The sign/media, will not be
 10 located closer than ten feet to an adjacent
 11 property; driveway, and will not cause a
 12 hazard to traffic or adjoining properties.
 13 These sign/media shall not require a permit
 14 and shall not exceed 24 square feet in area
 15 on one side or 48 square feet on all sides.
 16 (c) Failure to Comply with Standards.
 17 Any group, business or entity utilizing (a)
 18 or (b) above that fails to follow the stand-
 19 ards shall be notified in writing that all fu-
 20 ture seasonal, special event and fund rais-
 21 ing signage shall require a regular sign
 22 permit.

23 **Sec. 66.0722 Other On/Off-Premise Signs**
 24 **with Permit**

25 (a) Long Duration Special Event and Fund
 26 Raising Signage.
 27 The temporary use of banners, balloons,
 28 inflatable signs, streamers, pennants, and
 29 other similar signage used for special event
 30 or fund raising and other advertising pur-
 31 poses in any district may be permitted pro-
 32 vided that the advertising media will not be
 33 located on any sidewalk or bikeway if one
 34 is present or in any public right-of-way.
 35 The signs cannot be erected more than 45
 36 days in a calendar year and must be re-
 37 moved within 2 days after the event. The
 38 property owner must grant permission in
 39 writing for the placement of the
 40 sign/media. The sign/media, will not be lo-
 41 cated closer than ten feet to an adjacent
 42 property; driveway, and will not cause a
 43 hazard to traffic or adjoining properties.
 44 These sign/media shall require a permit
 45 and shall not exceed 24 square feet in area
 46 on one side or 48 square feet on all sides.
 47 1. Provisions of this section (a)
 48 shall be allowed for an unlimited number
 49 of days during the Bayshore Drive Recon-
 50 struction Project. Subsection (1) shall au-
 51 tomatically expire on May 25, 2016 or the
 52 completion of the Bayshore Drive Project
 53 as determined by the Village Administrator;
 54 whichever occurs first.
 55 (b) Time and Temperature signs.

56 Time and Temperature signs require a
 57 permit but may be erected as wall signs,
 58 projecting signs, monument signs, or free-
 59 standing signs, provided that they meet the
 60 requirements for each of those sign types.
 61 The area of the time and temperature sign
 62 shall be included in the total permitted
 63 signage.
 64 (c) Changeable copy signs.
 65 Changeable copy signs, fixed or moveable,
 66 may be permitted for theaters, churches
 67 and schools. If approved by the Plan
 68 Commission, gas station price signs will be
 69 considered permitted addition signage.

70 **Sec. 66.0730 Residential Districts Signage**
 71 **with Permit**

72 The following signs are permitted in any residen-
 73 tial district and are subject to the following regula-
 74 tions:

75 (a) Residential development signs.
 76 Single family, two family and multifamily
 77 residential development signs, not to ex-
 78 ceed six feet in height and 24 square feet
 79 in area on one side and 48 square feet in
 80 area on all sides, placed at the entrance to
 81 a subdivision or development. The sign
 82 shall be located no closer than ten feet to
 83 any street right-of-way, nor closer than ten
 84 feet to any side or rear lot line.
 85 (b) Temporary development signs.
 86 Temporary development signs for the pur-
 87 pose of designating a new building or de-
 88 velopment, or for promotion of a subdivi-
 89 sion may be permitted for a limited period
 90 of time provided that the sign shall not ex-
 91 ceed 18 square feet in area on one side
 92 and 36 square feet in area on all sides and
 93 shall be located not closer than ten feet
 94 from any street right-of-way, nor closer
 95 than ten feet to any side or rear lot line.
 96 The Plan Commission shall specify the pe-
 97 riod of time the sign may remain based on
 98 the size of the development allowing a rea-
 99 sonable time to market the development
 100 provided that the sign shall not be in place
 101 for more than 60 days of the issuance of an
 102 occupancy permit. Projects covered by a
 103 development agreement shall specify the
 104 date for the removal of the sign.
 105 (c) Home occupations signs.
 106 Home occupation, cottage rental and pro-
 107 fessional home office signs not to exceed
 108 three square feet in area. The signs shall be
 109 set back at least six feet from the nearest

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0501 ACCESSORY USES AND STRUCTURES

SEC. 66.0501 ACCESSORY USES AND STRUCTURES

1		57			
2	2.	The inspection of the	58		rating per ILHR 21.08.
3		installation under the	59		Without the one-hour
4		then current building	60		fire rating, the mini-
5		code; and	61		imum separation shall
6	3.	In addition, the pay-	62		be ten (10) feet.
7		ment of all fees and	63	2.	An accessory building
8		penalties associated	64		over 120 square feet
9		with impact fees, zon-	65		may be erected, al-
10		ing permits, building	66		tered or moved to a
11		permits and other ap-	67		location within ten
12		plicable fees if not	68		(10) feet of the nearest
13		paid at the time the	69		wall of the principal
14	(b)	installation occurred.	70		building.
15		<u>Setback requirements.</u>	71	c.	Side yard setback.
16	(1)	All accessory structures except the	72		1. See district require-
17		minor structures in subsection (a)(1)	73		ment for primary
18		shall comply with all setback and	74		structures. (<i>Amended</i>
19		yard requirements for accessory	75		<i>Ordinance 207-</i>
20		structures. (<i>Amended Ordinance</i>	76		<i>100912</i>)
21	(2)	207-100912)	77	d.	Rear yard setback.
22		If the Plan Commission establishes a	78		1. See district require-
23		large project setback as specified in	79		ment for primary
24		Section 66.0307(d) that setback	80		structures. (<i>Amended</i>
25		shall also apply to all accessory	81		<i>Ordinance 207-</i>
26		buildings. (<i>Amended Ordinance</i>	82		<i>100912</i>)
27	(3)	207-100912)	83	e.	Front yard setback.
28		All accessory buildings for all zon-	84		1. No accessory building
29		ing districts, shall comply with the	85		shall be placed in a
30		following setback requirements.	86		front yard setback ar-
31		(<i>Amended Ordinance 207-100912</i>)	87		ea.
32		(Entire subsection amended Ordinance	88		2. Existing single-family
33		146-110408)	89		homes as of July 1,
34	a.	Setback from easements.	90		2008, in the R-1 dis-
35		1. No accessory building	91		trict located within
36		shall be placed over	92		one hundred (100)
37		an easement that pro-	93		feet of the ordinary
38		hibits such placement.	94		high water mark may
39		No accessory building	95		be permitted to have
40		shall encroach into	96		one accessory build-
41		the public right-of-	97		ing located in the
42		way. No accessory	98		front yard area set-
43		building shall en-	99		back area. The acces-
44		croach upon the street	100		sory building may not
45		yard of a corner lot.	101		be located any closer
46	b.	Setback from principal build-	102		than forty (40) feet
47		ings.	103		from the edge of the
48	1.	An accessory building	104		pavement and fifteen
49		of 120 square feet or	105		(15) feet from the side
50		less may be erected,	106		lot line. Any modifica-
51		altered or moved to a	107		tions to non-
52		location that is not	108		conforming accessory
53		less than five (5) feet	109		buildings subject to
54		from the nearest wall	110		this exemption shall
55		of a principal build-	111		comply with
56		ing; if it is constructed	112		§66.0903. If an exist-
		with a one-hour fire			ing home is demol-



Village of Sister Bay PLAN COMMISSION REPORT

Meeting Date 07/28/15

Item No.: 10

Activities:

Line Burial- Work on the Bay Shore Dr. Line Burial project is substantially completed. Crews from WPS will still need to remove the temporary lighting that is present at the end of the DOT project, after decorative lighting is installed. We will need to inspect and complete any remaining restoration in the summer of 2016, after DOT has completed its work, and the disturbed areas have had time to settle. We do not have a final cost for the project, and anticipate billing to be completed by September. This project is likely to have exceeded original estimates by approximately \$100,000.

Sledding Hill- Work starts and stops on the project, largely around the Beach and excavation of materials there. Roughly 1000 yards of cobble still needs to be removed from the beach to make way for the new sidewalk. Hockers will complete this project after the Beach has been completed.

Beach- The anticipated substantial completion date for the project is August 6. The project was scheduled for an approximate \$165,000 cost under-run. The Parks Committee decided to use approximately \$105,000 of these monies to construct a reclaimed paver sidewalk around the entire beach, using pavers that would have been destroyed by the installation of the new Mill Rd. West Parking lot (DOT Staging Area). Staff had to make urgent decisions (with consultation with the Village President) concerning grading on 7/17/15. The cost of these changes is unknown at this time, and were made to preserve seating area at the Sister Bay Stage. We still have outstanding litigation risk from the DNR as well as the Sister Bay Yacht Club.

Sunsplash- Sunsplash is scheduled to take place on August 7th and 8th. As of this writing, all media from the Department of Tourism JEM Grant had been placed (\$25,500 grant and \$5800 local match). Vendors are heavily beginning to call, and ticket sales have increased steadily. Due to a restriction in the grant, no advertising could be placed until July 1. It has been interesting to see how much action has taken place since that date.

Personnel- The search for a new finance director will resume with advertising being placed again at the end of July. Also, a Parks Department employee is on medical leave for 3-4 months. Joe Balderotta will return as Ice Rink Manager this coming season, and will begin preparation work appropriately.

Marina- Significant accounting issues are being worked through. The good news is that sales look to be up substantially across all categories. The "Marina Guest Events" have been a huge success with guests, and 17 reported coming for, or staying extra nights because of our Fish Boil on 7/15. Revenue for this time period was up approximately \$3500 compared to the same week last year. Our final advertising piece is scheduled to go out at the end of July to target early fall boaters.

Marketing- Movies in the Park are a project that we need to run for a full year to determine best fit programming. Willy Wonka had approximately 120 attendees. Night of the Living Dead, 56. Crybaby, a SBAA film, had 28. We will know how better to select programming after our run this year.

Other marketing efforts center around Marinafest, and the Ice Rink.

We have rebuilt the Village's website, www.sisterbaywi.gov some kinks still need to be worked out technically, and we await the County IT department to be able to complete those (issues with our internal server).

We have written a newsletter, and recommend that the Board approve funding to complete one of those each quarter. The Summer 2015 letter is being sent as a promotion for Sunsplash and Marinafest and covered with funds from those areas. It is attached, and staff would love to see a column rotated as a message from our elected officials....something like "representatives message". Staff has also started to look into a "neighborhood ombudsman" program.

Niagara Ridge- Construction is underway, and we look forward to 36 new apartments soon.

Harbor View-Plan Commission will review on 7/28

Stony Ridge- Mr. Garot has not met deadlines agreed to in the development agreement. Engineering work has been completed. An email from 7/14 to him and his expeditor has not been returned. A cease and desist order was served by I and the State Building Inspector on one of Mr. Garot's condo properties that was sold and subsequently occupied without final state inspection, or a certificate of occupancy issued by our offices. UPDATE- Bids were received for Garot Project; Stormwater portion came in drastically higher than estimate (\$60,000) at \$300,000. Engineers are working with bidders on solutions to lower end costs. My Garot hopes to have architectural and site plans to Plan Commission Soon.

Code Enforcement-

Letters were issued for the following Zoning Violations:

- WILLIAM & SHEILA LUNDQUIST-Maple Dr. Unscreened Propane Tank
- Steve Thomas-2398 Country Walk Dr.- Unkempt Vegetation
- Door County Laundry-2494 Country Walk Dr.-Unkempt Vegetation
- Scandia Real Estate LLC (Beacon Marine)-Boats Parked on R-1 lot beside non-conforming business

Site Visits were made to the following:

- Jungwirth's Ace-Drink Machine placed in Right of Way
- Harbor Pie Company-Unpermitted Sandwich Board Sign
- Ashley Lusk and Tyler Frykman-10627 Mill Rd- Unpermitted Fireworks
- Harbor View Estates-Unpermitted Real Estate Sign

Outstanding Issues:

The Creamery: location of temporary Goat pen.

Fiscal Impact: unknown for the future.

Respectfully submitted,

Zeke Jackson
Village Administrator