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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Senate

(Assembly, Senate, or Joint)

Committee on ...
Environment and Natural Resources
(SC-ENR)

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... **HR** ... **bills and resolutions** (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (July/2014)

Senate

Record of Committee Proceedings

Committee on Environment and Natural Resources

Assembly Bill 782

Relating to: a floodplain zoning ordinance exemption for construction activities related to the veterans memorial building in the city of Burlington in Racine County.

By Representatives Kerkman, Gunderson, Vos and Turner; cosponsored by Senator Wirch.

February 28, 2008 Referred to Committee on Environment and Natural Resources.

March 3, 2008 **PUBLIC HEARING HELD**

Present: (5) Senators Miller, Jauch, Wirch, Kedzie and Schultz.
Absent: (0) None.

Appearances For

- Samantha Kerkman, Genoa City — Representative, 66th Assembly District
- Bob Wirch, Kenosha — Senator, 22nd Senate District
- Claude Lois, Burlington — Mayor, City of Burlington
- Kevin Lahner, Burlington — City of Burlington

Appearances Against

- None.

Appearances for Information Only

- Gary Heinrichs, Madison — Department of Natural Resources
- Meg Galloway, Madison — Department of Natural Resources

Registrations For

- Thomas Stelling, Lake Geneva — Burlington VFW 2823
- HM Neil, Burlington — American Legion
- Jerry DeLay, Burlington — American Legion
- Mike Furgal, Monroe — Veterans of Foreign Wars

Registrations Against

- Richard Wedepohl, Madison — himself

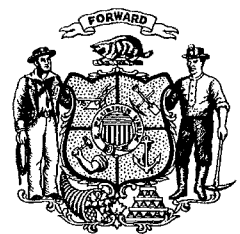
Registrations for Information Only

- None.

March 13, 2008

Failed to concur pursuant to Senate Joint Resolution 1.

Elizabeth Bier
Committee Clerk



**BURLINGTON VETERANS
MEMORIAL BUILDING EXEMPTION
ASSEMBLY BILL 782**

**PROJECT FOR:
VETERANS TERRACE AT ECHO PARK
588 MILWAUKEE AVENUE
BURLINGTON, WISCONSIN**

**PROJECT #:
05022**

**PROJECT:
ADDITION / REMODELING**

**DATE:
March 3, 2008**

**CITY OF BURLINGTON
300 N. PINE STREET
BURLINGTON, WI 53105**

**ARCHITECT:
STELLING & ASSOCIATES ARCHITECTS, LTD.
181 WEST CHESTNUT STREET
BURLINGTON, WI 53105
(262)-763-8725**

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City of Burlington

City Hall - 300 N. Pine Street
Burlington, Wisconsin 53105-1460
Phone: (262) 763-7996 Fax: (262) 763-3474
www.burlington-wi.gov

Date: March 3, 2008

To: Chairman Mark Miller and Members of the Environment and Natural Resources Committee

From: Claude Lois - City of Burlington Mayor

Re: Burlington Veterans Memorial Building Exemption – Assembly Bill 782

Chairman Miller and Members of the Environment and Natural Resources Committee, my name is Claude Lois and I serve as the Mayor of the City of Burlington. I first want to thank you for your consideration of Assembly Bill 782. As you are aware, this bill has unanimously passed the Assembly Natural Resources Committee, and the State Assembly.

In order to fully understand this issue, I must first provide you some historical context. Back in 1959 the three Veterans groups in the City of Burlington - the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans, pulled together with a concept of creating a living memorial to the Burlington area Veterans, and a permanent community center that Burlington could be proud of. As a result, in the name of community service, the entire city pulled together to fund and construct a wonderful facility on the banks of the White River in downtown Burlington. The building opened in 1962 and since that time, countless community events, weddings and receptions have been held at the facility.

Unfortunately, time has taken its toll on the building, and it is no longer the building of choice to host events, and it is time to refurbish it to its previous glory. As a result, the community of Burlington has again come together and is in the process of raising more than \$4 million to refurbish and expand the building. Including meeting all local codes, the refurbishment and addition will bring the building into compliance with current Americans with Disabilities Act standards. More than half of the funds have been raised, and we are now ready to begin construction. The new design remodels the existing building and adds 8900 square feet to the main floor, while creating a parking structure located underneath the addition, allowing access to the existing lower level. The current design meets all of the City of Burlington's zoning regulations and code requirements.

Unfortunately, a technical calculation as interpreted by the Department of Natural Resources is not allowing us to move forward on this project. Currently, the Veterans Memorial Building is not located in the designated 100-year floodplain as designated by the 1982 Federal Emergency Management Agency, Flood Insurance Rate Map. This map is the most current edition of the designated floodplain, as determined by FEMA.

Additionally, the building is not in the floodplain according to the City of Burlington's officially adopted floodplain zoning map of 1984. This map was produced by the Southeast Wisconsin Regional Planning Commission, based upon FEMA's 1977 study and officially adopted by the Burlington Common Council. However, according to the Department of Natural Resources officials, detailed engineering calculations based upon more detailed study of the site, completed by the engineering firm working with the community on this project, place the existing building and any proposed addition in the 100-year floodplain. It should be noted that the DNR is basing this conclusion upon flood profiles completed in the 1977 study. Based upon this interpretation, the DNR is not allowing us to move forward, as they contend that the refurbished and expanded structure would violate provisions of state statute N.R. 116.

I think that it is very important to point out that the current structure has existed since 1962, and has never been subject to any flooding issues of any kind. Additionally, if this project does not move forward, the existing building is as likely to flood as it was on the day it was built in 1962. **However, if the project is allowed to move forward the refurbished building and addition will be flood-proofed to Federal Emergency Management Association standards and no portion of the addition will be located in the designated floodplain. The bottom line is the refurbished and expanded building will be less likely to flood, than the current building as it stands today.**

Finally, according the DNR regulations, the City and Veterans groups could spend several tens of thousands of dollars to fill the site, officially remove the site from the floodplain, and then remove the fill and build the project as it is currently designed and meet all the requirements of N.R. 116.

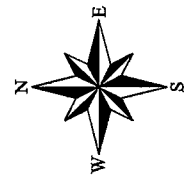
Thank you all very much for your time today and your consideration of this bill. On behalf of the Burlington area Veterans and the entire Burlington community, I respectfully request that you approve this exemption and allow us to move forward on this important community project.

Contact Information:

Mayor Claude Lois
City of Burlington
300 North Pine Street
Burlington, WI 53105
Phone: 262.342.1161



Racine County CORAGIS Project



1 inch equals 150 feet

Printed 2/5/2008

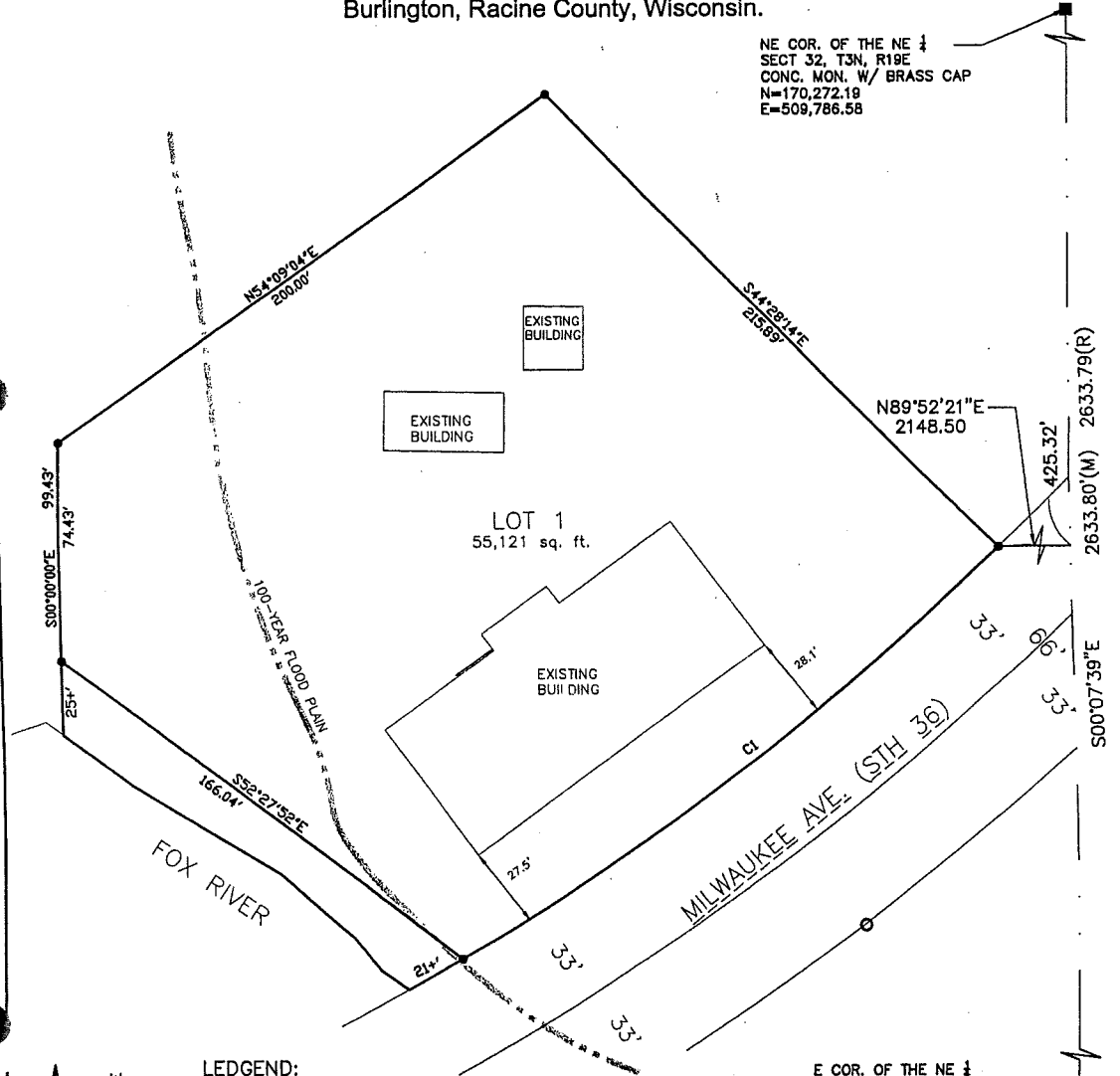


Disclaimer: The information and depictions herein have been produced using data available through photogrammetric means by Racine County. The information and depictions herein are for informational purposes and Racine County specifically disclaims accuracy in this production and specifically admonishes and advises that any and all depiction, measurements, distances depicted herein and as to which specific or precise accuracy is required should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means.

CERTIFIED SURVEY MAP NO. _____

Sheet 1 of 3

That part of the Lots 1, 2, 7 & 8 Block 9, Lots 3 thru 6 Block 10, vacated First Street, Fox Street & Congress Street (Formerly Known as North Street) in the Original Plat of Burlington located in the NW 1/4 of the NE 1/4 of Section 32, Township 3 North, Range 19 East, City of Burlington, Racine County, Wisconsin.



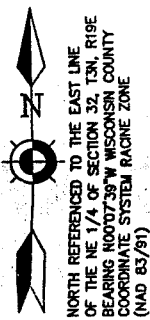
NE COR. OF THE NE 1/4
SECT 32, T3N, R19E
CONC. MON. W/ BRASS CAP
N=170,272.19
E=509,786.58

E COR. OF THE NE 1/4
SECT 32, T3N, R19E
CONC. MON. W/BRASS CAP
N=167,638.40
E=509,792.44

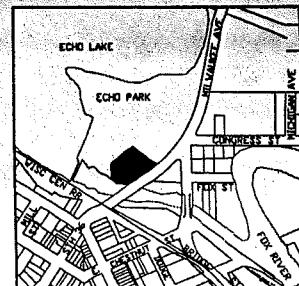
LEDGEND:

- = 1 5/16" X 24" IRON PIPE SET WEIGHING 1.68' LBS/FT.
- = 1" IRON PIPE FOUND
- = CONCRETE MONUMENT W/BRASS CAP
- (dashed line) = 100-YEAR FLOOD PLAN PER RACINE COUNTY GIS

Scale: 1" = 50'



LOCATION SKETCH NOT TO SCALE



Owner:
CITY OF BURLINGTON
300 N. PINE STREET
BURLINGTON, WI 53105

Surveyor:
Kapur & Associates, Inc.
6025 South Pine Street
Burlington, WI. 53105
(262)767-2747

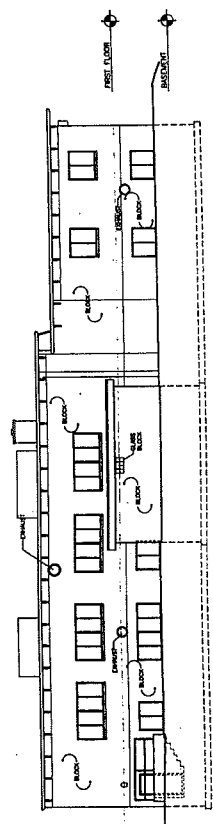
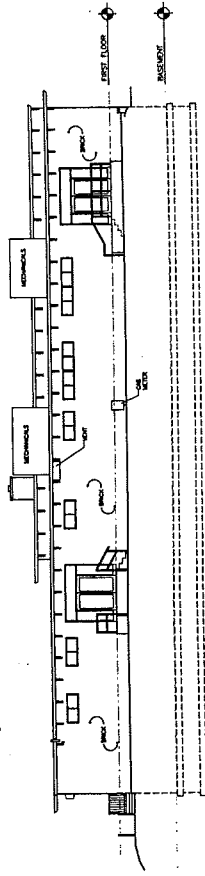
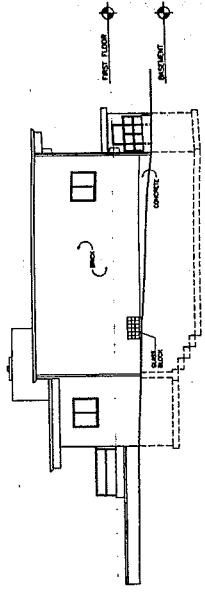
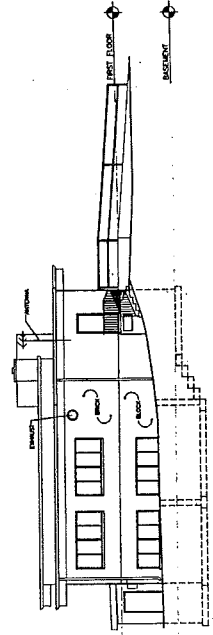
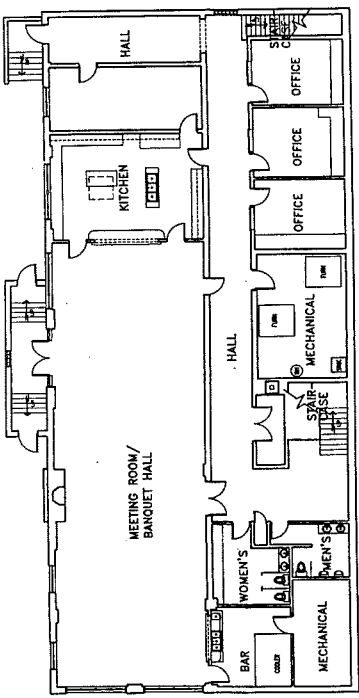
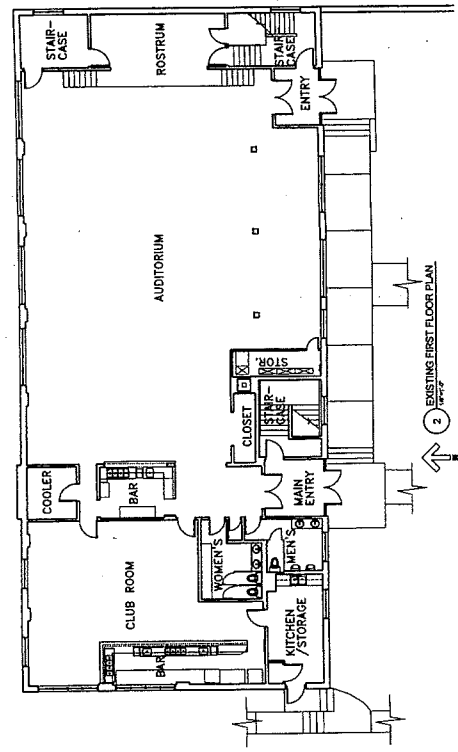
CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD	TANGENT
CI	250.14	921.93	153°2'45"	N53°18'09"E	249.38	125.64

NOTE: SEE SITE PLAN FOR EXISTING AND PROPOSED CONTOURS

MINIMUM BUILDING SETBACKS PER I-1 ZONING			
ZONING DISTRICT	FRONT/STREET	SIDE YAF	REAR YARD
INSTITUTIONAL	25'	10'	25'

Revised: June 25, 2007





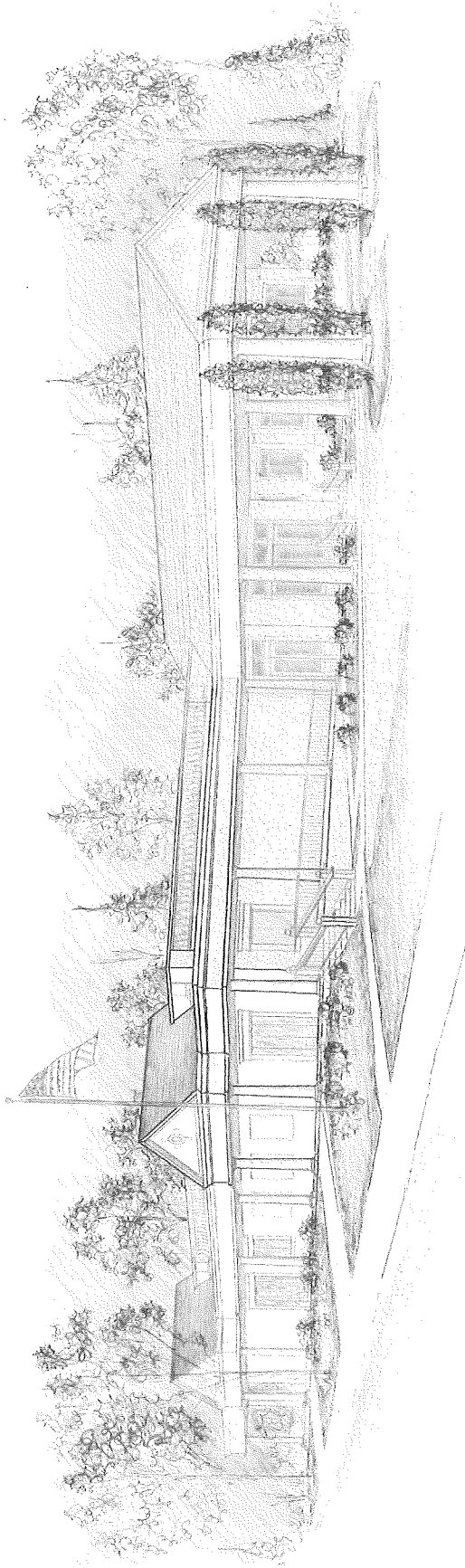
STELLING & ASSOCIATES
 ARCHITECTS, LTD.
 1000 GARDEN STREET, SUITE 100
 BURLINGTON, VT 05405

ADDITION/REMODELING
 VETERANS TERRACE AT
 ECHO LAKE
 599 MILWAUKEE AVENUE
 BURLINGTON, VT 05405

PROJECT # 2000000
 DATE 03/20/07
 DRAWN BY [illegible]
 CHECKED BY [illegible]
 PROJECT LOCATION [illegible]

DATE	03/20/07
PROJECT NO.	2000000
PROJECT NAME	[illegible]
PROJECT LOCATION	[illegible]
PROJECT OWNER	[illegible]
PROJECT ARCHITECT	[illegible]
PROJECT ENGINEER	[illegible]
PROJECT CONTRACTOR	[illegible]

RENDERING
 1 OF 1



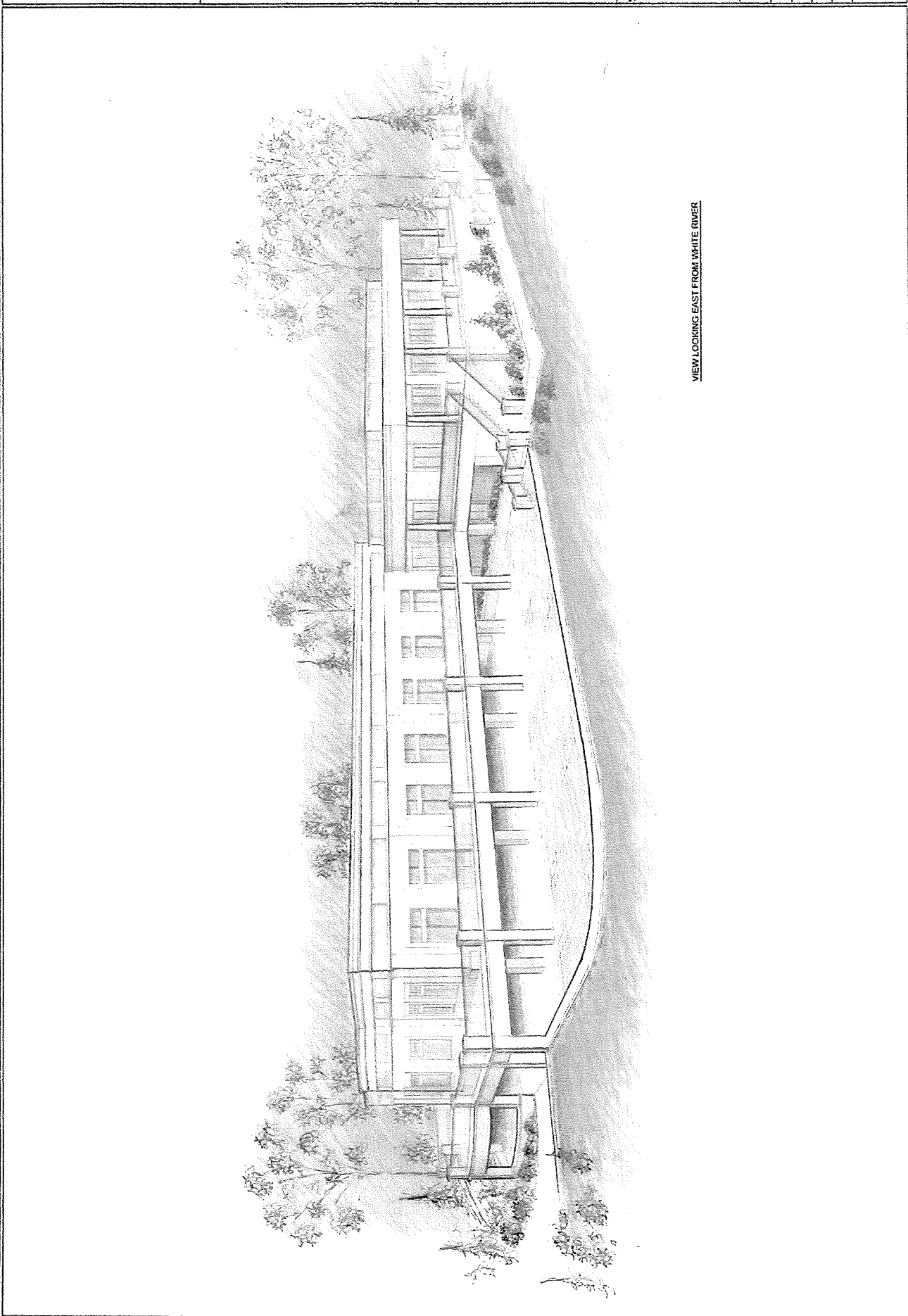
VIEW LOOKING WEST ACROSS MILWAUKEE AVENUE

STELLING & ASSOCIATES
 ARCHITECTS, LTD.
 1700 W. CHRYSLER STREET, SUITE 200, WILSON, WI 53190
 TEL: 414.251.1234 FAX: 414.251.1235

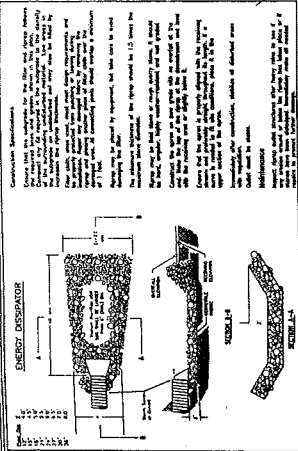
ADDITION/REMODELING
 VETERANS TERRACE AT
 ECHO LAKE
 608 W. WALKER AVENUE
 BURLINGTON, WI 53113

DATE: 3-17-07
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]

RENDERING
 1 OF 1



VIEW LOOKING EAST FROM WHITE RIVER



Construction Specifications:

1. All construction shall be in accordance with the latest editions of the International Building Code, International Residential Code, and all applicable local, state, and federal codes and regulations.

2. All materials and workmanship shall be of the highest quality and shall be subject to inspection and approval by the local building department.

3. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable codes and regulations.

4. The contractor shall maintain access to all adjacent properties at all times.

5. The contractor shall be responsible for protecting all existing utilities and structures on the site.

6. The contractor shall be responsible for the removal and disposal of all debris and waste materials.

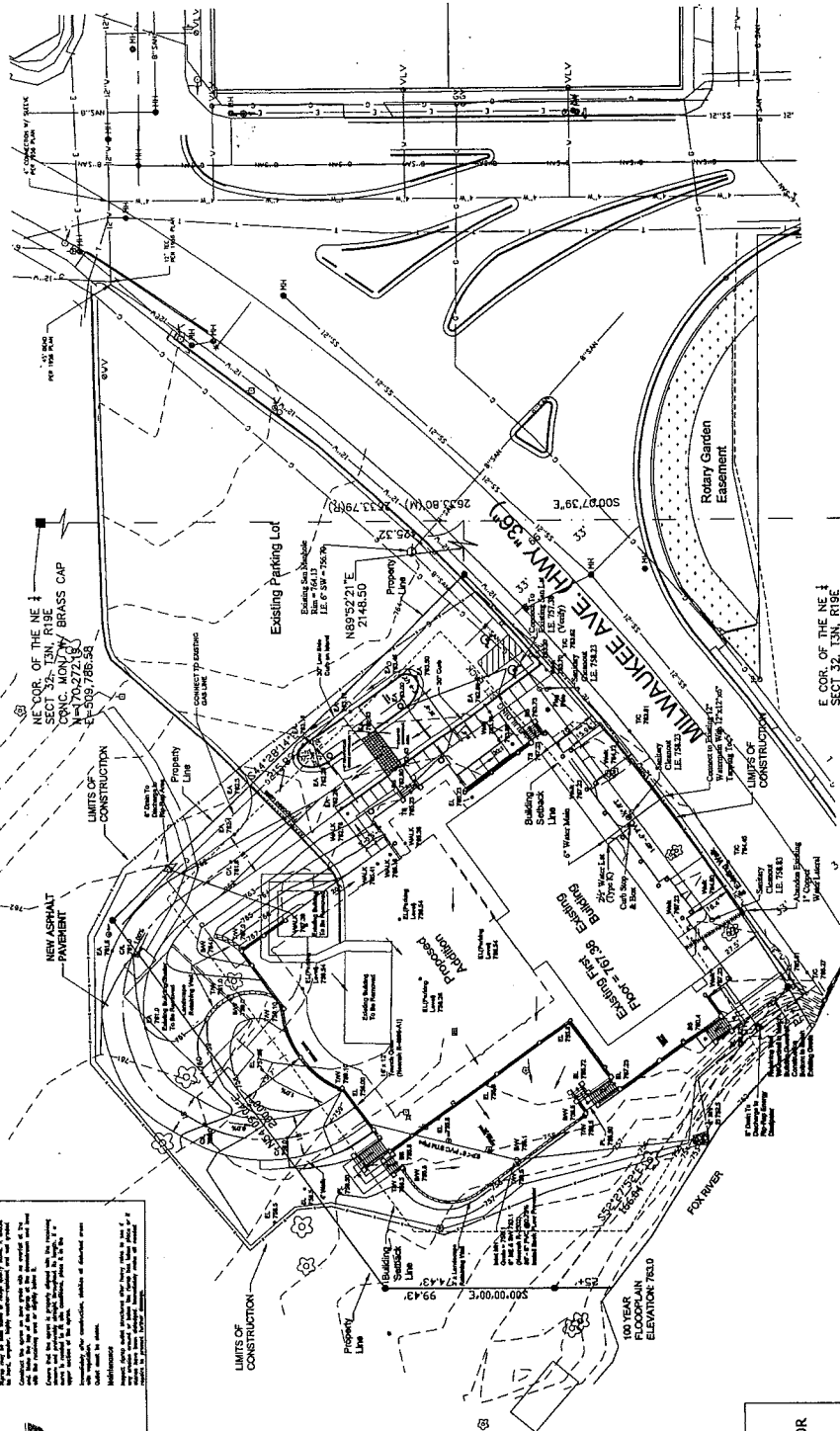
7. The contractor shall be responsible for the final cleanup and restoration of the site.

CERTIFIED SURVEY MAP NO.

That part of the Lots 1, 2, 7 & 8 Block 9, Lots 3 thru 6 Block 10, vacated First Street, Fox Street & Congress Street (Formerly Known as North Street) in the Original Plat of Burlington located in the NW 1/4 of the NE 1/4 of Section 32, Township 3 North, Range 19 East, City of Burlington, Racine County, Wisconsin.

Limits of construction defined by silt fence

Total Site Area = 1.25 acres



CONSTRUCTION SPECIFICATIONS:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, AND ALL APPLICABLE LOCAL, STATE, AND FEDERAL CODES AND REGULATIONS.
2. ALL MATERIALS AND WORKMANSHIP SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL APPLICABLE CODES AND REGULATIONS.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF ALL DEBRIS AND WASTE MATERIALS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FINAL CLEANUP AND RESTORATION OF THE SITE.

SPOT GRADE LEGEND:

BLDG - Building
 Walk - Sidewalk
 C/L - Drive Centerline
 B/W - Bottom of Retaining Wall
 T/W - Top of Retaining Wall
 PL - Platform
 EA - Edge of Asphalt
 TS - Top of Stair
 BS - Bottom of Stair
 EXP - Exposed Footing Wall

NOTE:

EXISTING FIRST FLOOR ELEVATION: 767.38 = 100'-0"

See Plumbing Sheet P-201 For Interior Plumbing

LEGEND:

● = 1 5/16" X 24" IRON PIPE SET WEIGHING 1.68' LBS/FT.

■ = 100-YEAR FLOOD PLAIN PER RACINE COUNTY GIS

PROPOSED SITE PLAN

FIELD # 10-1007

DATE 03/22

C100

1 OF 4

STELLING & ASSOCIATES ARCHITECTS
 1100 CENTRAL PARKWAY EAST
 MILWAUKEE, WI 53219

ADDITION/REMODELING
VETERANS TERRACE AT ECHO PARK
 608 MILWAUKEE AVENUE
 BURLINGTON, WI 53105

Site Plan & Existing Conditions

CONTRACTOR:
 [Name Redacted]
 [Address Redacted]
 [City, State, Zip Redacted]

OWNER:
 [Name Redacted]
 [Address Redacted]
 [City, State, Zip Redacted]

DATE: 03/22

SCALE: 1" = 20'

FIELD #: 10-1007

DATE: 03/22

C100

1 OF 4

STELLING & ASSOCIATES
ARCHITECTS, LTD.
1875 OREGON STREET, BIRMINGHAM 5102
TEL: 205-978-1100

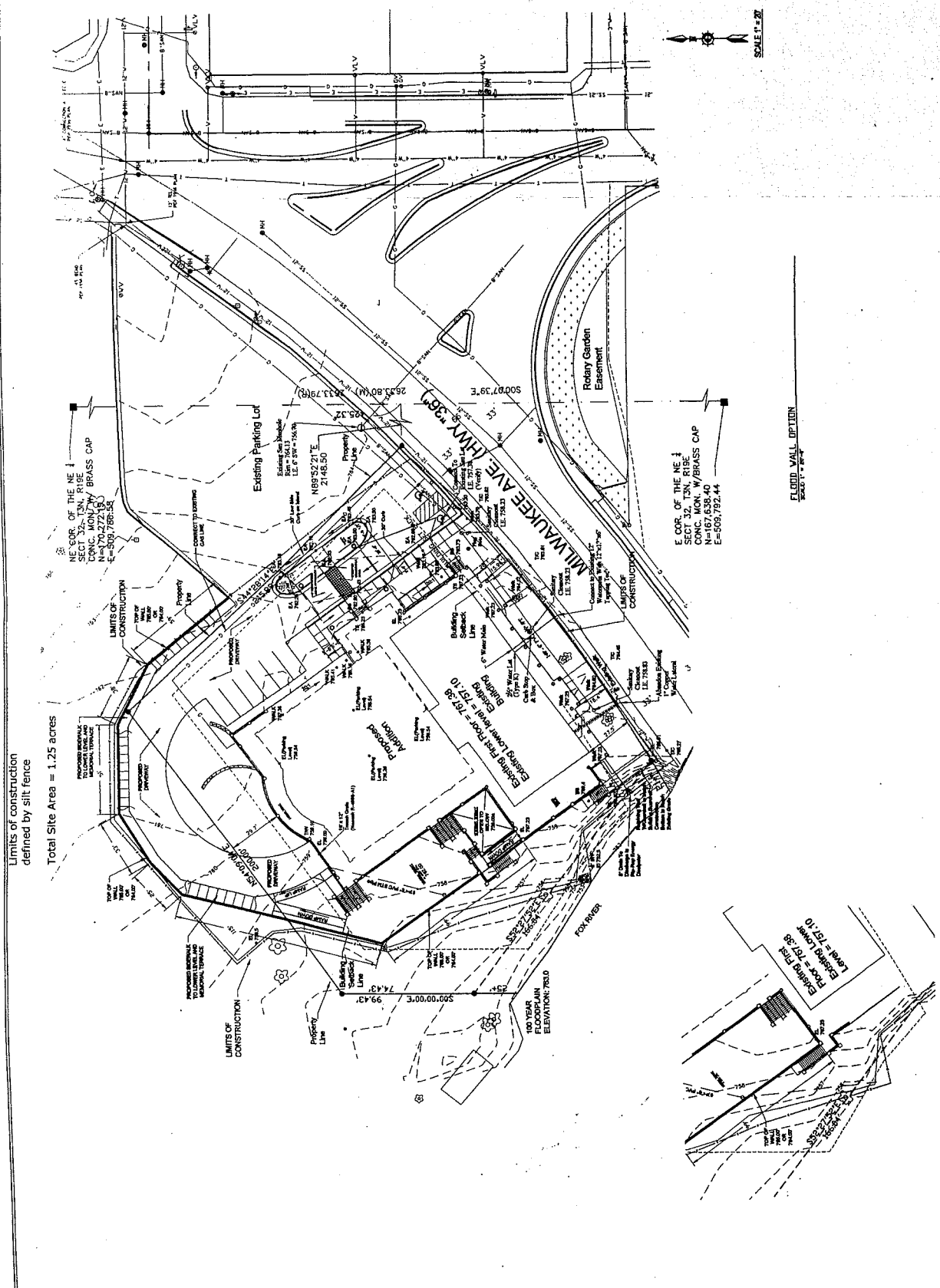
ADDITION/REMODELING
VETERANS TERRACE AT
ECHO PARK
508 MILWAUKEE AVENUE
DUBLIN, OH 43017

Site Plan
& Flood Wall
Options

DATE: 11/10/09
DRAWN BY: J. H. HARRIS
CHECKED BY: J. H. HARRIS
SCALE: 1" = 20'

NO. 24-0308
0002

C1001
1 OF 1



Limits of construction defined by silt fence
Total Site Area = 1.25 acres

CALL DIGGERS HOTLINE
1-800-242-8511
FOR A LIST OF LOCAL CONTRACTORS
AND SUPPLIERS IN YOUR AREA.

OPTIONAL STAIRS FOR FLOOD WALL
SCALE: 1" = 20'