

VILLAGE OF ELM GROVE
BOARD OF APPEALS
Monday, July 1, 2019 * 5:00 p.m.

Present: Barry Book Chairman, John Finerty, Joe Puchner, and Frank Lorenz. John Allen, Gordon Giampietro and Doug Jacobson excused.
Village Clerk Mary Stredni, Zoning/Planning Administrator Tom Harrigan, and Assistant Village Attorney Chris Koehnke.

1. Roll Call

Chairman Book brought the meeting to order at 5:00 p.m. Mary Stredni took the roll.

2. Minutes

Puchner and Finerty moved and seconded to approve the June 11, 2019 minutes. Motion carried.

3. Consideration, hearing, and action on appeal for administrative decision – 900 Katherine Drive

Former address 13550 Watertown Plank Road.

Mary Stredni swore in Thomas Harrigan, John Florance – property owner, Rob Miller – builder of 900 Katherine Drive and builder/owner of 910 Katherine Drive, Andy Petersen – Ruckert Mielke, David De Angelis – Village Manager, and Richard Paul Jr. – Public Works Director.

Appealing administrative decision made by Village of Elm Grove Public Works Director who determined per his November 6, 2018 letter that as a best practice, the new sanitary lateral servicing the home should be connected to the sewer main located within Watertown Plank Road.

Petersen testified that last fall the sanitary sewer line which is on the 910 Katherine Drive property was lined because it was leaking. 910 Katherine Drive will be allowed to connect to that line as it is the only adjacent line. Typically the Village and the engineers do not want connections to a lined watertight pipe.

Since the Public Works director in November made the determination that the connection for 900 Katherine Drive should be in Watertown Plank Road it has been discovered that to resolve the issue of gravity flow of the sanitary sewer lateral of the new home a sanitary macerating/grinding pump will be needed to be installed to make the sanitary flow to the main in Watertown Plank Road possible. The property owner now wants to connect to the newly lined sewer which goes across 910 Katherine Drive.

Petersen testified that from an engineering perspective, the best solution would be to extend the public sewer south along Katherine Drive to allow both 900 and 910 Katherine Drive to connect to a gravity flow sanitary lateral in a public sewer located in a public right-of-way.

To connect to the lateral on the property of 910 Katherine Drive it would require a perpetual easement. It is always in the best interest of property owners to not use an easement as any maintenance and repair would require the owner of 900 Katherine Drive to go onto the property of 910 Katherine Drive. Both property owners may agree now, but in the future there will be different owners.

Lorenz asked if gravity flow is the best practice. Petersen stated that it is. Puchner asked if the connection across 910 Katherine would work. Petersen stated that it would, but it would require an easement and a second connection to the newly lined lateral.

Finerty asked if there was an estimate of cost to connect in the public right-of-way of Katherine Drive. Peterson stated that he did not know.

Another option to connect to the lateral on 910 Katherine Drive would be to go east into the right-of-way of Elm Grove Road, but the road is higher than the properties.

Finerty clarified that the Watertown Plank Road connection is a private lateral connecting to existing sanitary sewer.

De Angelis testified as to the normal process. Sanitary and stormwater sewer are in the street. The property to the north (910 Katherine Drive) was always vacant. The sewer lateral for 900 Katherine Drive did go north and was assumed that it was connected on the 910 Katherine Drive property line. In the past both lots were owned by the same person so there was no need for an easement. The Village does not want an easement because of issues in the future. In his opinion, there are always problems with different owners in the future. Also, the proposed pool on the property of 910 Katherine Drive is very close to where the line will be which will cause difficulty for service and maintenance. Either the extension of Katherine Drive or the connection to Watertown Plank Road are the best options.

Richard Paul testified that the reason the lateral on 910 Katherine Drive was lined was because it was difficult to get to for repairs and maintenance and it was leaking. Testified that there is no film for this lateral.

Mr. Florance stated that doing a private lateral on Katherine would be expensive. He already has the approval of the owner for 910 Katherine Drive for an easement and does not see how it would negatively affect the Village. Connecting to the newly lined lateral is not a problem in his mind. Planned to go along the back portion of the lot so will not be near any structures.

Rob Miller, owner of 910 Katherine Drive, stated that for 900 Katherine Drive the pitch on Watertown Plank Road will not allow for gravitational pull; a pump will be needed. Testified that the cost would be approximately \$35,000 for the Watertown Plank Road connection. For a new lateral in Katherine Drive, the cost would be approximately \$30,000 to \$35,000. The connection to the lateral on 910 Katherine Drive will be between \$5,000 and \$7000.

De Angelis stated that to put the lateral in the Elm Grove Road right-of-way with the extreme grade would need to go before the Public Works Committee to get permission; asking to deviate from the norm, which is to connect to the closest connection.

Attorney Koehnke asked for verification as to the cost of connecting to Watertown Plank Road. Miller stated about \$35,000 including the pump.

As there was no further testimony, Chairman Book closed the hearing.

4. Convene into closed session
By roll call vote at 6:00 p.m. the Board convened into closed session pursuant to Wis. Stats. §19.85(1)(a) to deliberate the above referenced quasi-judicial hearings.
5. Reconvene into open session
The Board reconvened into open session at 6:17 p.m. Chairman Book stated that the Board of Appeals approved the appeal of the administrative decision and approved the request to connect the new house to the existing sanitary sewer located on the 910 Katherine Drive property which requires a perpetual easement from the owner of 910 Katherine Drive.
6. Adjourn
Puchner and Lorenz moved and seconded to adjourn at 6:20 p.m. Motion carried.

Respectfully submitted,

Mary S. Stredni, Village Clerk