



Village of River Hills
7650 N Pheasant Ln
River Hills, WI 53217

Village Hall: 352-8213
Public Works: 352-0080
Police: 247-2302

PLAN COMMISSION MINUTES

Thursday, September 12, 2024 @ 4:00 pm

This meeting was a virtual meeting through Zoom – Meeting code 899-8300-6194, Passcode 339278

1. Call to Order.

The meeting was called to order at 4:06 p.m.

2. Roll Call.

The following members were present: Chairman & Village President Christopher Noyes, Jeffrey Costakos, Bernie Cohen (at 4:10pm), Alexander Hawley, Fred Lochbihler and Michael Weiss. Members Don Daugherty was absent. Peter Stanford and Trustee Bill Walker were absent and excused. Also present: Village Attorney William Dineen, Village Manager Tammy LaBorde, Public Works Superintendent Craig Schroeder, Village Engineers Aaron Groh and Naomi Rauch of Kapur Inc. and Deputy Clerk/Treasurer Nathan Schafer.

3. Approval of minutes from October 30, 2023

Motion by Weiss and seconded by Lochbihler to approve the October 30, 2023 minutes; motion carried unanimously.

4. Discussion and Action to recommend the Village Board adopt an Ordinance to Repeal and Recreate Section 7.0306 of Chapter Seven (7) of the Zoning Ordinance of the Village of River Hills to Adopt the Updated FEMA Floodplain Maps and Revise the Floodplain Regulations in the Village of River Hills

Attorney Dineen stated that we received notice from FEMA that this was required and we would need to contact the DNR. The DNR prepared a draft ordinance and Dineen went through it and made changes and sent it back to the DNR, which was approved. This contains two steps, the requirements regarding the ordinance and the FEMA maps.

Aaron Groh presented Naomi Rauch who is one of their floodplain specialists at Kapur. Ms. Rauch presented the process that was followed with the revisions. She stated that her plan is to go over the maps and then optional language for the ordinance. The maps are available to review at Village Hall and also online. Regional planning agencies complete studies which can change the floodplain system. Some other changes can be presented by WisDNR. MMSD can also provide updates. All of the data comes together and then FEMA puts out a draft. The communities are then given ninety days to review the maps. There were no appeals on the maps so they are considered final. The community then has six months to adopt and the deadline is October 24. Without the adoption, the Village would no longer belong to the National Flood Insurance Program which would affect those residents with flood insurance as the residents currently receive a discount if the Village has an ordinance in place. Mr. Cohen asked where the information was

Plan Commission Meeting – September 12, 2024

published. Mr. Dineen stated that this information was published in the Federal Register. If this ordinance isn't adopted then there are residents who would be adversely affected. The maps will go into effect whether the Village adopts the ordinance or not. Mr. Cohen stated that he is in the floodplain. There was a motion by Cohen and seconded by Lochbihler to adopt the ordinance; however it was determined by the rest of the Commission to find out the information that Ms. Rauch has to present.

- Ms. Rauch provided a detailed explanation for all of the five maps for the Village of River Hills. The first map has one parcel, 9309 N. River Bend Rd, who previously applied to be removed from the floodplain and now has been brought back in on the new map. This owner can provide additional information in order to be removed. If they have a mortgage, the mortgage company will notify the owner that they now need flood insurance. There are two ways to remove a property from the floodplain – structure and lot.
- The next map shows a change in the drainage area. There is more information that is provided than before and the structures that are adjacent are not in the floodplain. There are three properties (green rectangles) along the Milwaukee river who were removed and continue to remain out of the floodplain on the new maps. Weiss asked what the colors on the map mean. The blue is the area of the 100-year zone and the brown is the area of the 500-year zone. Hawley stated that his home is one of the homes noted and asked about the letter of change that was submitted for his property. Ms. Rauch stated that she can help find the letter.
- The next map shows West Brown Deer Road and the floodplain went down.
- The next map shows that Indian Creek area changed. There are two properties (one on Pheasant and one on N. River Rd) that have more information than before and they were changed from Zone A to Zone AE.
- The last map shows along the Milwaukee River near Good Hope Road. There wasn't much change as determined by the elevations on the maps. Cohen asked about flood insurance if you are not in the floodplain. Ms. Rauch stated that if you are not in the floodplain, you are not required to get insurance.

Ms. Rauch stated that the adoption of the maps also includes adoption of the Flood Insurance Study which includes flow rates and different flood profiles.

Ms. Rauch stated that there was information presented regarding the Community Rating System (CRS) program and currently there are sixteen communities in the entire State that participate in CRS. They get additional flood insurance benefits for their residents but includes a lot of work of staff. This is optional language.

Ms. Rauch stated that the ACT 175 language is optional to include in the Ordinance. This allows for more leniency on non-conforming structures that are in the floodplain to do improvements. Dineen stated that this language is included in the proposed ordinance and is compliant with state and federal code. The language starts on page 19 of the draft ordinance. Dineen stated that it was added in order to give flexibility to the resident to add value to the property. Mr. Groh stated that this relates to residential private property which gives them more flexibility and most communities include the ACT 175 language. Lochbihler asked if the Village would now be liable if this language is included. Dineen stated that there is no liability that the Village is assuming.

Plan Commission Meeting – September 12, 2024

Hawley asked about the 50% rule section that is being included in the ordinance through ACT 175. Ms. Rauch reviewed the language under the ACT. If you raise the living quarters above the floodplain, you can go beyond the substantial improvement 50%, you still are non-conforming, but if you raise above the flood protection level you can do improvements. Dineen stated that it appears there are very few properties in the Village that would be affected.

Weiss asked if staff is recommending approval of this ordinance. Supt. Schroeder stated yes. Dineen stated that he recommends that the Plan Commission recommend to the Village Board to adopt the ordinance.

Motion by Weiss, seconded by Costakos to recommend that the Village Board adopt the draft Ordinance No. 580 to Repeal and Recreate Section 7.0306 of Chapter Seven (7) of the Zoning Ordinance of the Village of River Hills to Adopt the Updated FEMA Floodplain Maps and Revise the Floodplain Regulations in the Village of River Hills; motion carried unanimously.

5. Adjourn

Motion by Weiss and seconded by Lochbihler to adjourn meeting at 4:54 p.m.; motion carried unanimously.

Submitted by Tammy LaBorde, Clerk on September 13, 2024.