

## Hacker, Marsha

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**From:** Fries, Greg  
**Sent:** Tuesday, August 04, 2009 8:39 AM  
**To:** Hacker, Marsha; Pien, Janet  
**Subject:** FW: Hillcrest Dr drainage assessment

Marsha,

A second correspondence to add to the file on Hillcrest Assessment for BPW on Wed - THANKS

Greg

Greg Fries, P.E.  
Principal Engineer  
City Engineering  
Room 115 City/County Building  
210 Martin Luther King Jr. Blvd.  
Madison, WI 53703

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-----Original Message-----

**From:** Jon Woods [mailto:jpwoods@charter.net]  
**Sent:** Monday, August 03, 2009 6:27 PM  
**To:** Fries, Greg  
**Cc:** pjrooney@charter.net; jpwoods@charter.net; shwerther@gmail.com  
**Subject:** Hillcrest Dr drainage assessment

August 3, 2009

Dear Mr. Fries:

Thank you for your work on the proposed Hillcrest Dr drainage assessment described in a letter from the city dated June 24, 2009.

As property owners included in this plan, we respectfully offer our opinion that fixing this drainage problem should be the responsibility of the property owners of the 2 lots directly affected by flooding, in partnership with the city.

We have hesitated to write, since we value the concept of shared community participation and doing our part, and since our assessment amount is not relatively very great. However, there are principles and precedents involved. We question the approach of estimating the source of drainage water and thereby assessing financial responsibility. Any estimation method, such as the one described of observing downspout gutters, is complicated by different property treatments and improvements by many residents in the neighborhood. For instance, we have extensive underground piping for rainwater diversion to gardens, and many of our neighbors also have gardens that collect rainwater and snowmelt.

Regardless of whether even an exact measurement of water source could be made, ultimately the sources are natural, as indicated in the city engineer's letter: rainwater and snowmelt. Based on the concept of "buyer beware," we believe the primary risk and the primary responsibility for remediation lie with the affected property owners in low-lying lots. We agree that an argument can be made for total community participation in the cost of remediation, by the city, state, or federal government. We believe this is the approach used with federal subsidies for floodplain insurance. We understand the city is already offering the common practice of paying half the cost.

But arbitrarily and questionably identifying a handful of neighbors not directly affected by flooding and arbitrarily and questionably assessing them portions of residual financial responsibility does not seem justified.

Thank you for your attention.

Sincerely,  
Jon Woods and Peggy Rooney  
143 Glenway St  
Madison, WI 53705