

MINUTES

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

PLANNING AND RESEARCH COMMITTEE

Tuesday, August 9, 2011

1:30 p.m.

SEWRPC Office Building
Commissioners' Conference Room
W239 N1812 Rockwood Drive
Waukesha, Wisconsin

Present:

Excused:

Committee Members:

Daniel S. Schmidt, Chairman
Gilbert B. Bakke
Susan S. Greenfield
Robert W. Pitts
Nancy Russell
Daniel W. Stoffel
David L. Stroik
Paul G. Vrakas
John F. Weishan, Jr.

Kimberly L. Breunig
Jose Delgado
William R. Drew
William E. Johnson
John Rogers
Linda Seemeyer

Staff:

Kenneth R. Yunker
Elizabeth A. Larsen
Debra A. D'Amico
William J. Stauber
David A. Schilling

Executive Director
Business Manager
Executive Secretary
Chief Land Use Planner
Principal Planner

ROLL CALL

Chairman Schmidt called the meeting to order at 1:30 p.m. Roll call was taken and a quorum was declared present. Mr. Yunker noted for the record that Commissioners Breunig, Delgado, Drew, Johnson, Rogers, and Seemeyer had asked to be excused.

APPROVAL OF MINUTES OF MEETING OF JUNE 15, 2011

Chairman Schmidt asked if there were any changes or additions to the June 15, 2011, meeting minutes.

On a motion by Mr. Bakke, seconded by Ms. Russell, and carried unanimously, the minutes of the meeting of June 15, 2011, were approved as published.

CONSIDERATION OF AMENDMENT TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN

Sewer Service Area Plan for the City of New Berlin (copy attached to Official Minutes)

Chairman Schmidt asked Mr. Yunker to review with the Committee the proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the City of New Berlin. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated July 28, 2011, concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Yunker indicated that by e-mail message dated May 3, 2011, the City of New Berlin requested that the Commission amend the City of New Berlin sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD) sewage treatment facility. That area is currently documented in SEWRPC Community Assistance Planning Report No. 157, *Sanitary Sewer Service Area for the City of New Berlin, Waukesha County, Wisconsin*, dated November 1987, as amended. The basic purpose of this amendment is to include within the planned sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area.

Mr. Yunker directed the attention of the Committee members to Map 1 of the memorandum document, indicating that the proposed amendment involves the addition to the sewer service area of an area encompassing 692 acres including 60 acres of existing urban land, consisting primarily of residential land (30 housing units) and street rights-of-way, along with limited recreational and commercial land. He said that the subject area includes 216 acres of environmentally significant lands and 416 acres of agricultural and other open land. He noted that under the City of New Berlin comprehensive plan, the developable land within the subject area would be developed for residential and business park use. Also, according to the comprehensive plan, future residential development in the subject area would accommodate just over 200 additional housing units. He indicated that the proposed addition of 692 acres to the City of New Berlin sanitary sewer service area represents an increase in the planned sewer service area of about 6 percent.

Mr. Yunker then directed the attention of the Committee members to Maps 2 and 3 which provide aerial photos, specifically highlighting the environmentally significant lands to be preserved within the sanitary sewer service area. He indicated that future wastewater flows will be able to be accommodated through the wastewater flow allocations for the City of New Berlin under the Milwaukee Metropolitan Sewerage District (MMSD) year 2020 facilities plan. The base sanitary flow allocated under the MMSD 2020 facilities plan to the sewershed containing the subject parcel is 0.448 million gallons per day (mgd), compared to an existing year 2000 flow of 0.029 mgd. The estimated base flow from the proposed sewer service area addition, based upon planned land uses set forth in the City of New Berlin comprehensive plan, approximates 0.211 mgd on an average annual basis.

Mr. Yunker noted that a public hearing on the proposed sewer service area amendment, sponsored jointly by the City of New Berlin and the Regional Planning Commission, was held on July 25, 2011. He said that one resident expressed opposition to the proposed sewer service area amendment, stating that there is no need to expand the sewer service area to accommodate more commercial and residential development, because of the depressed real estate market. He also questioned whether MMSD had sufficient capacity to accommodate the proposed sewer service area expansion. Mr. Yunker stated that the City of New Berlin Community Development Director responded that the proposed amendment would facilitate expansion of the City of New Berlin Westridge Business Park, which is approaching full development. He also indicated that developers have expressed interest in additional business park development. With respect to the MMSD capacity, the MMSD facilities plan proposes that the subject area would be developed for urban use and served by sanitary sewers during the planning period—through the year 2020—and provides planned sewerage system capacity to serve the subject area. Mr. Yunker then noted that on August 2, 2011, the City of New Berlin Common Council approved this amendment.

Mr. Weishan asked whether there was existing capacity in the MMSD sewerage system to serve the subject area or whether the subject area would be served by planned additional capacity recommended in the MMSD facilities

plan. Mr. Yunker said that the staff would research this matter and report its findings to the Committee in a Secretary's Note to the minutes of this meeting.

[Secretary's Note:

Wastewater from the subject area would be conveyed through existing City of New Berlin sewers easterly to a connection with an existing metropolitan interceptor sewer (MIS) near S. 124th Street and W. Grange Avenue, and thence to the MMSD South Shore wastewater treatment plant in Oak Creek. The MMSD 2020 facilities plan recommends that the existing hydraulic capacity of a downstream segment of the MIS—beginning at a point west of the intersection of S. Howell Avenue and W. Ryan Road, extending east in W. Ryan Road and then north in S. Pennsylvania Avenue—be increased according to an adaptive implementation schedule, which involves the regular monitoring of population growth and development in the entire area tributary to the MIS in order to determine the timing of system upgrades. The proposed addition to the sewer service area in New Berlin represents a relatively small part of the total area that would be tributary to the MIS.]

Mr. Weishan stated that he also had concerns about the loss of farmland. He also noted that while the proposed sewer service area expansion may be consistent with the regional land use plan, the regional transportation plan is lagging behind in implementation, particularly with respect to public transit improvement and expansion. Mr. Yunker responded that the progress in implementation of each regional plan element is monitored and documented as part of plan update and reevaluation, which for the regional transportation plan is conducted every four years. The last transportation plan update and reevaluation was completed in 2010, and indicated that planned transit system improvement and expansion had not been initiated and transit service had been reduced, and street and highway system capacity expansion was lagging somewhat behind recommended levels.

Mr. Yunker also noted that some metropolitan areas of the nation have State laws which have plan concurrency requirements, such that proposed developments are not permitted to move forward unless essential public facilities and services are in place. He observed that the State of Wisconsin does not have such a law, and the Commission and its regional plans under State law are strictly advisory. He questioned whether it would be appropriate for the Commission, as an advisory regional planning agency, to impede a sewer service area amendment that is consistent with land use and water quality management plans, if elements of a transportation plan were not being implemented.

Mr. Pitts noted that the City of New Berlin proposed sewer service area amendment is consistent with their community comprehensive plan, and has been approved by their Common Council. Ms. Greenfield observed that cities must plan for their infrastructure as part of their comprehensive plans, and that the City of New Berlin has made a decision to accommodate sewered urban development in the subject area.

Mr. Weishan asked the Commission staff to consider how to monitor and report on regional plan implementation. Mr. Yunker responded that the Commission monitors and reports on regional plan implementation as an essential part of regional plan update and reevaluation. He stated that for most plan elements, this may be every ten years, and for the regional transportation plan, this is accomplished every four years. He stated that he would meet with staff to see if plan implementation monitoring and reporting could be done on a more frequent cycle such as every two or four years for all regional plan elements, and documented in the Commission's Annual Report. He indicated he would report back to the Committee.

In response to a question from Mr. Stoffel, Mr. Stauber indicated that the subject area of this amendment is located east of the subcontinental divide.

There being no further questions or discussion, on a motion by Mr. Vrakas, seconded by Mr. Pitts, and carried

unanimously, the SEWRPC Staff Memorandum dated July 28, 2011, was approved and recommended for Commission adoption.

CONSIDERATION OF CHAPTER IV, “EXISTING HOUSING,” AND CHAPTER VII “DEMOGRAPHIC AND ECONOMIC CHARACTERISTICS” OF SEWRPC PLANNING REPORT NO. 54, “A REGIONAL HOUSING PLAN FOR SOUTHEASTERN WISCONSIN: 2035”

Chapter IV, “Existing Housing”

Mr. Schmidt asked Mr. Yunker to review with the Committee Chapter IV, *Existing Housing*, of the regional housing plan. Mr. Yunker utilized a PowerPoint presentation to assist in review of this chapter and of Chapter VII (copy attached to Official Minutes). Mr. Yunker noted that Chapter IV of the plan has been approved by the Advisory Committee. As Mr. Yunker went through the presentation, the following questions and comments were made by the Commissioners.

A discussion ensued relative to Kenosha County having the highest rate of housing foreclosures in the Region. Mr. Pitts observed that it may be a result of major companies closing or moving out of Kenosha County—or Lake County, Illinois—which resulted in job and income loss to Kenosha County residents. Ms. Russell noted that beyond people losing their jobs, there have been impacts as a result of loss of overtime pay, paying more for benefits, and lack of raises.

Mr. Stoffel asked about the use of the word, “segregated” in the report, questioning whether it means government and other institutions are forcibly separating the minority population. Mr. Yunker indicated that Commission staff has had considerable discussions about the use of this word, and was utilizing the term in its meaning being physically separate, but not through use of force or law. He suggested that the report should describe and clarify the use of the word in the report.

[Secretary’s Note: The first full paragraph on page IV-4 has been revised as follows:

“Concentrations of racial and ethnic groups in the Region in the year 2000 are shown on Maps IV-1 through IV-5. Map IV-6 shows concentrations of all minority populations in the Region in 2000. Map IV-7 shows the Region’s population by race and ethnicity, including persons of White-Non Hispanic origin. Similar to the 2008 ACS data, these maps show that African Americans have experienced the greatest degree of population concentration among minority groups in the Region. Map IV-8 shows concentrations of families in poverty in the Region in 2000. Areas with concentrations of families experiencing poverty tend to overlap with areas that have a high concentration of minority populations. Racial composition and other demographic information, such as household income and educational attainment, is presented by sub-regional housing analysis area in Chapter VII. Chapter VI provides a summary of some of the historical practices that led to segregated housing patterns. Although past Federal and State housing practices have likely contributed to the concentrations of low cost housing and lower income and minority populations in the Region’s central cities, current laws prohibit housing discrimination on the basis of race, ethnicity, and other personal or family characteristics. Use of the term “segregated” in this report does not imply that such segregation is the result of public or private laws or policies that mandate that racial or ethnic minority groups reside in separate areas, but rather reflects the existing physical separation and concentration of minority residents in certain portions of the Region.”]

Chapter VII, “Demographic and Economic Characteristics” with Appendix H

Mr. Schmidt asked Mr. Yunker to review with the Committee Chapter VII, *Demographic and Economic Characteristics* and Appendix H of the regional housing plan (copies attached to Official Minutes).

He stated that Chapter VII of the plan has been approved by the Advisory Committee. As Mr. Yunker went through the presentation of the chapter, there were the following questions and comments made by the Commissioners.

In response to a question by Mr. Stoffel referring to the Region map displaying 39 Region subareas on Page 22 of the presentation, Mr. Yunker indicated that the subareas shown on maps in this chapter were used by the Commission in the past with some modest modification for the regional housing study.

In response to an inquiry by Ms. Greenfield, Mr. Yunker said that the Commission staff’s forecast of job growth to the year 2035 anticipated significantly slower growth in the future, than has occurred over the last few decades.

Ms. Russell noted that the seventh line in the first paragraph on page 9 should be corrected to state that Hispanic household income is 82 percent of White-Non Hispanic household income in Walworth County. Ms. Russell also noted that Table VII-28 indicates the median earnings of White-Non Hispanic workers residing in Walworth County were \$26,969, approximately 15 to 30 percent less than those of the other six counties. Mr. Yunker observed that the American Community Survey data indicate Walworth County has a higher proportion of residents working in the service occupations compared to the other Counties.

There being no further questions or comments, it was moved by Ms. Russell, seconded by Mr. Bakke, and carried unanimously, to approve Chapter IV and Chapter VII.

CONSIDERATION OF SEWRPC COMMUNITY ASSISTANCE PLANNING REPORT NO. 133 (3rd EDITION), “A PARK AND OPEN SPACE PLAN FOR OZAUKEE COUNTY”

Mr. Schmidt asked Mr. Schilling to review with the Committee Community Assistance Planning Report No. 133 (3rd Edition), *A Park and Open Space Plan for Ozaukee County*. Mr. Schilling gave an overview of *A Park and Open Space Plan for Ozaukee County* utilizing a PowerPoint presentation (copy attached to Official Minutes), noting that the plan has been approved by the Ozaukee County Land Preservation Board, the County Comprehensive Planning Board, and the Ozaukee County Board of Supervisors.

As Mr. Schilling gave his presentation, the following questions and comments were made by the Commissioners.

Ms. Russell drew attention to Map 14 of the park plan report showing the results of a land evaluation and site assessment (LESA) analysis of farmland in Ozaukee County, which was used as a basis for identifying prime agricultural land in the County. She asked whether such a map would be prepared for Walworth County as part of its park and open space plan update. Mr. Schilling responded that the LESA analysis was carried out for Ozaukee County as part of that County’s comprehensive planning work. He noted that in its comprehensive plan, Walworth County had reaffirmed its longstanding system for identifying prime agricultural land on the basis of agricultural soil capability classes. Mr. Yunker indicated that the upcoming park and open space plan for Walworth County would incorporate the County’s recommendations for the preservation of prime agricultural land.

In response to a question by Mr. Vrakas, Mr. Schilling indicated that the park planning process provided many opportunities for public input—including park user surveys, a mail-out opinion survey, six informational meetings, and a public hearing. He noted that more than 900 individuals provided input through the surveys, informational meetings, and public hearing.

Mr. Stoffel asked whether the planning process included a review of progress toward the implementation of the previous County park and open space plan. Mr. Schilling indicated that the planning process did include a review of

the implementation of key recommendations of the previous County park plan, noting that this was documented in Chapter I of the park plan report. Mr. Yunker stated that the staff is working on three other county park plan updates that each update would include a review of progress toward implementing the previous county park plan, and that the results of that review would be documented in each park plan report.

In response to a question by Ms. Greenfield, Mr. Schilling indicated that recommendations for the preservation of natural areas and critical species habitat sites, as set forth in the recently updated regional natural areas and critical species habitat protection and management plan, have been incorporated into the new Ozaukee County park and open space plan.

There being no further questions or comments, a motion to recommend the SEWRPC Community Assistance Planning Report No. 133 (3rd Edition), *A Park and Open Space Plan for Ozaukee County* for its adoption by the full Commission was made by Mr. Stoffel, seconded by Ms. Greenfield, and carried unanimously.

CORRESPONDENCE/ANNOUNCEMENTS

Chairman Schmidt asked Mr. Yunker if there was any correspondence or announcements. Mr. Yunker reported there was no correspondence to report and made an announcement that there may be a brief Planning and Research Committee meeting scheduled prior to the Quarterly Commission Meeting on September 14, 2011, at 2:30 p.m. in Ozaukee County.

ADJOURNMENT

There being no further business to come before the Committee, on a motion by Mr. Pitts, seconded by Mr. Stroik, and carried unanimously; the meeting was adjourned at 3:36 p.m.

Respectfully submitted,

Kenneth R. Yunker
Deputy Secretary