

MINUTES

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

EXECUTIVE COMMITTEE

Thursday, January 25, 2018

2:00 p.m.

SEWRPC Office Building
Commissioners' Conference Room
W239 N1812 Rockwood Drive
Waukesha, Wisconsin 53187

Present:

Excused:

Committee Members:

Charles L. Colman, Chairman
Michael A. Crowley, Vice-Chair
Thomas H. Buestrin
Mike Dawson
William R. Drew
James T. Dwyer
Aloysius Nelson
Robert Pitts
Daniel S. Schmidt
David L. Stroik
Gustav W. Wirth, Jr.

None

Staff:

Michael G. Hahn	Executive Director
Kevin J. Muhs	Deputy Director
Elizabeth A. Larsen	Assistant Director-Administration

ROLL CALL

Chairman Colman called the meeting to order at 2:00 p.m. Roll call was taken and a quorum was declared present.

APPROVAL OF MINUTES OF NOVEMBER 16, 2017, MEETING

Chairman Colman asked if there were any changes or additions to the November 16, 2017, meeting minutes.

On a motion by Mr. Stroik, seconded by Mr. Dwyer, and carried unanimously, the minutes of the Executive Committee meeting held on November 16, 2017, were approved as published.

APPROVAL OF MINUTES OF NOVEMBER 27, 2017, AND JANUARY 4, 2018, MEETINGS

Chairman Colman asked if there were any changes or additions to the November 27, 2017, meeting minutes, and the January 4, 2018, meeting minutes.

Mr. Pitts noted that he attended the January 4, 2018, meeting, but was not recorded on the minutes. The January 4, 2018, minutes will be corrected to reflect Mr. Pitts' attendance at that meeting.

On a motion by Mr. Wirth, seconded by Mr. Drew, and carried unanimously, the minutes of the Executive Committee meetings held on November 27, 2017, and January 4, 2018, were approved as corrected.

ADMINISTRATIVE COMMITTEE REPORT

Chairman Colman reported that the Administrative Committee, at its meeting held just before this Executive Committee meeting, had taken the following actions.

1. Reviewed and approved disbursements for five financial periods: Year 2017, Nos. 23, 24, 25, and 26; Year 2108, No. 1 extending over the period of October 29, 2017, to January 7, 2018.
2. Reviewed and approved the Statement of Projected Revenues and Expenditures for the period ending January 7, 2018.

There being no questions or comments, on a motion by Mr. Stroik, seconded by Mr. Schmidt, and carried unanimously, the Administrative Committee report was approved.

CONSIDERATION OF CONTRACTS

Chairman Colman asked Ms. Larsen to review the proposed contracts, noting that, prior to the meeting, Committee members had received a one page report with a table listing nine contracts. Ms. Larsen then briefly reviewed the contracts with the Committee.

There being no questions, on a motion by Mr. Dwyer, seconded by Mr. Stroik, and carried unanimously, the contract report was accepted and the report was placed on file (copy of report attached to Official Minutes).

WORK PROGRAM REPORTS

Mr. Hahn reviewed the "Work Program Progress Report." He noted that the report identifies key regional and selected community and county assistance efforts (copy of report attached to Official Minutes).

CONSIDERATION OF AMENDMENT TO THE 2017-2020 TRANSPORTATION IMPROVEMENT PROGRAM (TIP), (Resolution No. 2018-02)

Chairman Colman asked the Commission to consider adoption of Resolution No. 2018-01, amending the 2017-2020 Regional Transportation Improvement Program (TIP). He noted that these materials were provided prior to this meeting.

Mr. Muhs presented Resolution 2018-02, amending the 2017-2020 Regional Transportation Improvement Program (TIP). He indicated there are 6 existing projects and 30 new projects to be amended to the TIP. He stated that the addition of these projects to the TIP were approved by the Commission's Advisory

Committee on Transportation System Planning and Improvement Programming in the Milwaukee Urbanized Area.

There being no questions or comments, on a motion by Mr. Stroik to approve Resolution 2018-02, seconded by Mr. Dwyer, and carried by a vote of 10 ayes and 0 nays, Resolution 2018-02 was approved (copy of Resolution 2018-02 attached to Official Minutes).

UPDATE ON PLANNING ACTIVITIES RELATED TO THE FOXCONN MANUFACTURING DEVELOPMENT

Chairman Colman asked Mr. Hahn to provide an update on activities related to the proposed Foxconn development in Racine County. (During the presentation by the SEWRPC staff, reference was made to a map showing the general locations of the components of the Foxconn site and a map of transit recommendations in Racine and Kenosha Counties taken from the SEWRPC VISION 2050 regional land use and transportation system plan. Those maps are appended to these minutes.)

Mr. Hahn noted that the Commission staff has been involved in several efforts related to the proposed development including:

- Working with the affected municipalities on preparation of a sewer service area amendment for the City of Racine and environs and for the City of Kenosha and environs,
- Leading the effort to evaluate the effectiveness of proposed controls on runoff from the Foxconn site and associated development in the Village of Mount Pleasant, and
- Working with the SEWRPC Advisory Committees on Regional Transportation Planning and Regional Land Use Planning, along with the communities located in the vicinity of the Foxconn site, to prepare an amendment to the VISION 2050 regional land use and transportation plan that will address future land use development and multi-modal transportation facilities associated with the Foxconn development and ancillary residential, commercial, and industrial development.

He began by describing the location of the site relative to the subcontinental divide between the Mississippi River Basin and the Great Lakes Basin. He noted that, because the subcontinental divide runs in a generally north-south direction through the Foxconn manufacturing site in the Village of Mount Pleasant (i.e., the Village straddles the divide), it will be necessary to apply for a Lake Michigan diversion according to the requirements of the Great Lakes-St. Lawrence River Basin Water Resources Compact and the *Wisconsin Statutes* that implement the Compact. He said that, since the Racine Water Utility currently provides Lake Michigan water to portions of Mount Pleasant that are within the Great Lakes Basin and the Racine Utility owns the water distribution system in the Village (the Village of Mount Pleasant is a retail water customer of the Racine Water Utility), the application for a Lake Michigan water supply for that portion of the Foxconn site in the Mississippi River Basin would be submitted by the City of Racine. He noted that SEWRPC, as the areawide water quality planning agency, is generally designated under the *Wisconsin Statutes* as being responsible for delineation of water supply service areas. He said that:

- The Foxconn development is located in a designated electronics and information technology manufacturing zone (EITMZ),

- The recent State of Wisconsin Foxconn legislation specifically removes the statutory requirement that a diversion proposal be consistent with an approved water supply service area plan when the proposed diversion would provide water to a straddling community that includes a EITMZ,
- The section of the *Wisconsin Statutes* (Section 281.348) addressing water supply service area plans includes the requirement for delineation of a water supply service area by a designated areawide water quality planning agency,
- Thus, in the specific case of the Foxconn development, SEWRPC is not required to delineate a water supply area.

He continued by noting that the provision by the Racine Wastewater Utility of wastewater treatment services to areas of the Village of Mount Pleasant containing, and adjacent to, the Foxconn site would require amendment of the regional water quality management plan to include those areas. He also said that SEWRPC is responsible for working with the municipalities involved and the Racine Wastewater Utility Commission to prepare such an amendment, and that the amendment was in progress. He explained that it was originally envisioned that the southeastern part of the Town of Yorkville, which is located along IH 94 west of the Village of Mount Pleasant, would be included in the sewer service area amendment. He mentioned that one of the first steps in Town participation in the amendment (and in a possible Lake Michigan water supply diversion application) would be to amend the Town comprehensive plan to reflect the anticipated land use changes in the area to be provided with sewer and water service. He said that, at a January 22 Town Board meeting to consider amendment of the Town comprehensive plan, the Board decided to lay that matter on the table, effectively killing the measure. He said that the SEWRPC staff had been proceeding as if a specified area within Yorkville would be included in the amended sewer service area, but based on the Town Board action on January 22, the amendment was now being revised to remove areas in the Town.

He noted that the Town has a wastewater treatment plant that serves the Ives Grove area in the vicinity of STH 20 and IH 94, and that the regional water quality management plan has a long-standing recommendation that the Town consider connection of its sewer system to the Racine wastewater treatment plant at such future time that the plant exceeds its useful life. He continued that the Town has been exploring options for meeting phosphorus effluent concentrations established under its wastewater permit issued by the Wisconsin Department of Natural Resources (WDNR), and that connection of the currently served area and the originally proposed additional area to the Racine plant would have been an opportunity to address the phosphorus reduction issues and to implement the regional water quality plan recommendation. He concluded by noting that the Town would be considering short-term plant upgrades and longer-term facilities planning options.

Mr. Hahn then described the SEWRPC effort, in collaboration with Kenosha and Racine Counties, the Villages of Mount Pleasant and Somers, WDNR, and the Wisconsin Department of Transportation to evaluate the effectiveness of proposed controls on stormwater runoff from the Foxconn site and associated development in the Village of Mount Pleasant. He noted that the Kilbourn Road Ditch, which is in the Des Plaines River watershed, flows through the Foxconn site and continues downstream through the Village of Somers in Kenosha County. The objectives of the evaluation of runoff controls are to reduce the possibility of flooding on the Foxconn site and to avoid creating flooding problems upstream of the site in the Town of Yorkville and downstream in the Village of Somers. He said this situation was a good example of the value of SEWRPC's comprehensive watershed planning program in that:

- The 2003 SEWRPC Des Plaines River watershed study included hydrologic and hydraulic analyses to establish recommended controls on runoff from new urban development in the watershed;
- Those controls were expressed as release rates per acre of development (0.30 cubic feet per second per acre for the 100-year event) that, if applied, would be expected to reduce runoff from the development site to a level that would not increase downstream flood flows and stages, and, thus, not increase the flood hazard along downstream rivers and streams; and
- That those recommended controls had been adopted in the Village of Mount Pleasant stormwater management ordinance and would be applied in developing runoff controls for the Foxconn site and in evaluating the degree of control necessary to prevent the creation of flooding problems following development of the site.

Mr. Hahn noted that the SEWRPC staff had begun the process of preparing an amendment to the VISION 2050 regional land use and transportation plan that would consider possible future land use changes associated with the Foxconn development and related residential, commercial, and industrial development in the vicinity of the Foxconn site and beyond, as well as multi-modal transportation options to accommodate the necessary workforce. He said that the Foxconn project presented an opportunity to implement some of the VISION 2050 recommendations regarding highways and transit, to develop other multi-modal transportation recommendations to accommodate the new development and connect the workforce in the Region to the jobs created, and to implement recommendations from the SEWRPC regional housing plan regarding the provision of housing that is affordable to the workforce in a municipality. He then asked Mr. Muhs to elaborate on the VISION 2050 amendment process and objectives.

Mr. Muhs noted that VISION 2050 was adopted by the Commission in July 2016, and therefore, did not include any significant development occurring at the Foxconn site. He stated that the Commission staff intends to amend VISION 2050 to account for the impacts to housing, employment, and land use that are expected to result from the Foxconn development, and to include the transportation facilities and services needed to adequately serve the Foxconn site and nearby associated developments. He also indicated that the planned amendment would include a section emphasizing applicable recommendations from VISION 2050 for implementing agencies to consider as they develop the Foxconn site, associated developments, and transportation facilities near the Foxconn site. He emphasized that the amendment would include changes to all modes of transportation, including transit services and bicycle and pedestrian facilities. He then described some of the changes to land use and transportation that may be included in the draft amendment, depending on further conversations with implementing agencies and local units of government. Mr. Muhs reviewed the Commission staff's planned process for amending the Plan, noting that the process described may change based on ongoing discussions between the Wisconsin Department of Transportation and the Federal Highway Administration. He described that the Commission staff intend to work with the Commission's Advisory Committees on Regional Land Use Planning and Regional Transportation Planning to develop a draft amendment for the public's review. Following a public involvement process that will include multiple public meetings in different locations within the Region, the Advisory Committees will review the public comment and consider a draft of the amendment revised in response to public comment. The Commission's Planning and Research Committee will also review the revised amendment. Following approval by the Advisory Committees and the Planning and Research Committee, the Commission will consider the amendment to VISION 2050.

During the course of the Commission staff presentations, Commissioners and staff discussed the following:

- The stormwater release rate for new development;

- The locations of water and wastewater utilities;
- The extent of proposed road widenings;
- The location on the Foxconn site of the railroad tracks for the Amtrak Hiawatha passenger service;
- The possible provision of shuttle service from the nearby Amtrak station in the Village of Sturtevant to the Foxconn site;
- The status of ownership of the lands needed to accommodate the Foxconn development as proposed;
- The VISION 2050 recommendation to extend to the City of Racine and the City of Milwaukee the Metra commuter rail line that currently connects the Chicago area and the City of Kenosha;
- Increased costs to local school districts as the population of the area increases;
- The Town of Yorkville's intention to hold an April 2018 referendum on incorporation as a Village;
- The procedure that the SEWRPC staff applies to estimating the population increases associated with a development of this magnitude;
- Whether areas east of IH 94 and north of the Foxconn site have sewer service;
- The expectations for the Tax Incremental District established by the Village of Mount Pleasant; and
- Potential rate increases for electric utility customers associated with power distribution system improvements needed to serve the Foxconn manufacturing development.

CORRESPONDENCE AND ANNOUNCEMENTS

Mr. Hahn informed the Commissioners of a letter that was mailed to Senators Lasee, Tiffany, and LeMahieu regarding the proposed Senate Bill 640. This Bill includes provisions that promote development of workforce housing, however, this Bill also would eliminate the ability of a municipality to enforce ordinance provisions that are stricter than the uniform State standards for stormwater management if the stricter provisions are necessary to mitigate flooding and comply with Federally-approved total maximum daily load (TMDL) requirements. He noted that, in 2013, when the State Legislature was considering a bill to establish uniform State stormwater management standards, the Commission staff had specifically requested the inclusion of exceptions to the uniform standards to allow for locally-specified measures to mitigate flooding and to enable more stringent controls on water quality to promote achievement of pollution load reductions in an effort to meet total maximum daily loads specified in stormwater discharge permits. He noted that the application to the Foxconn development of the runoff controls recommended under the Commission's Des Plains River Watershed Study, was an example of the value of more stringent flood mitigation requirements.

He then announced that the Association of Wisconsin Regional Planning Commissions (AWRPC) is hosting a summit in Steven's Point on June 14, 2018, that will be geared toward staff and Commissioners. Mr. Dawson, Mr. Schmidt, and Mr. Colman stated they would be interested in attending this event.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:45 p.m. on a motion by Mr. Dwyer, seconded by Mr. Wirth, and carried unanimously.

Respectfully submitted,

Michael G. Hahn
Executive Director

MGH/KJM/EAL/dd
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