

The map shows a grid of townships and ranges. A vertical green shaded area runs through the center, representing the sanitary sewer service area. This area includes parts of the following townships: Klondike, Brighton, Salem, Silver Lake, Camp Lake, Center Lake, and Trevor. The service area is bounded by the Fox River to the west, the Silver Lake Marsh to the east, and extends from the northern edge of the map down to the southern edge. Major roads shown include US-75, US-50, and WI-83. Other geographical features include Silver Lake, Paddock Lake, Montgomery Lake, Voltz Lake, Rock Lake, Peat Lake Wildlife Area, and Fox River Park.

# SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF SILVER LAKE AND ENVIRONS

## KENOSHA COUNTY WISCONSIN

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Special acknowledgement is due SEWRPC Senior Planner Timothy J. McCauley and SEWRPC Research Analyst James P. Siegler for their contributions to this report.

# SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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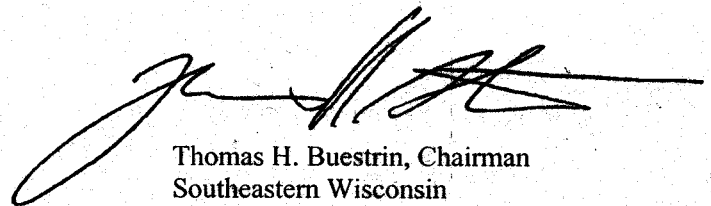
Serving the Counties of: KENOSHA  
MILWAUKEE  
OZAUKEE  
RACINE  
WAUKESHA  
WASHINGTON  
WAUKESHA

**SUBJECT:** Certification of Amendment to the Adopted Regional Water Quality Management Plan (Silver Lake Sanitary Sewer Service Area)

**TO:** The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Kenosha, the Village of Silver Lake, and the Towns of Salem and Wheatland

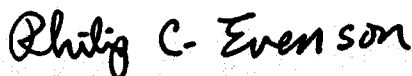
This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Milwaukee Public Museum, Milwaukee, Wisconsin, on the 2nd day of December 1998, the Commission did by unanimous vote of all Commissioners present, being 17 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional water quality management plan, which plan was originally adopted by the Commission on the 12th day of July 1979, as part of the master plan for the physical development of the Region. Said amendment to the regional water quality management plan pertains to the revised Silver Lake sanitary sewer service area and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Waukesha, Wisconsin, this 3rd day of December 1998.



Thomas H. Buestrin, Chairman  
Southeastern Wisconsin  
Regional Planning Commission

ATTEST:



Philip C. Evenson, Deputy Secretary

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**RESOLUTION NO. 98-15**

**RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION AMENDING THE ADOPTED REGIONAL WATER QUALITY MANAGEMENT PLAN, THAT PLAN BEING A PART OF THE MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF THE REGION CONSISTING OF THE COUNTIES OF KENOSHA, MILWAUKEE, OZAUKEE, RACINE, WALWORTH WASHINGTON, AND WAUKESHA IN THE STATE OF WISCONSIN (SILVER LAKE SANITARY SEWER SERVICE AREA)**

WHEREAS, pursuant to Section 66.945(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000; and

WHEREAS, at a meeting held on the 15th day of June 1987, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Silver Lake sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 119, Sanitary Sewer Service Area for the Village of Silver Lake, Kenosha County, Wisconsin, May 1987, as amended; and

WHEREAS, by letter dated January 13, 1998, the Village of Silver Lake requested that the Commission further amend the Silver Lake sanitary sewer service area; and

WHEREAS, the Commission, working with the Village of Silver Lake, has completed revisions to the Silver Lake sanitary sewer service area plan, such revised plan being set forth in SEWRPC Community Assistance Planning Report No. 119 (2nd Edition), Sanitary Sewer Service Area for the Village of Silver Lake and Environs, Kenosha County, Wisconsin, dated December 1998; and

WHEREAS, the newly revised Silver Lake sanitary sewer service area, as documented in SEWRPC Community Assistance Planning Report No. 119 (2nd Edition), was the subject of a public hearing held jointly by the Village of Silver Lake and the Regional Planning Commission on November 16, 1998; and

WHEREAS, Section 66.945(9) of the Wisconsin Statutes authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

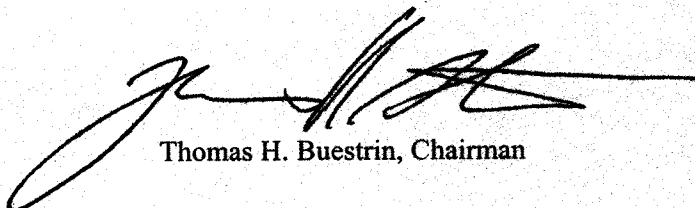
NOW, THEREFORE, BE IT HEREBY RESOLVED:

**FIRST:** That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was amended on the 15th day of June 1987, as set forth in SEWRPC Community Assistance Planning Report No. 119, be and the same hereby is amended to include the newly revised sanitary sewer service area plan for the Village of Silver Lake and environs, as set forth in SEWRPC Community Assistance Planning Report No. 119 (2nd Edition).

**SECOND:** That the said SEWRPC Community Assistance Planning Report No. 119 (2nd Edition), together with the maps, charts, programs, and descriptive and explanatory matter therein contained, is hereby made a matter of public record; and the originals and true copies thereof shall be kept, at all times, at the offices of the Southeastern Wisconsin Regional Planning Commission presently located in the Old Courthouse Building in the City of Waukesha, County of Waukesha, and State of Wisconsin, or at any subsequent office the said Commission may occupy, for examination and study.

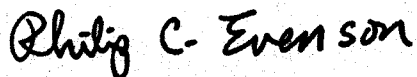
**THIRD:** That a true, correct, and exact copy of this resolution, together with a complete and exact copy of SEWRPC Community Assistance Planning Report No. 119 (2nd Edition), shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 2nd day of December 1998, the vote being: Ayes 17; Nays 0.

A handwritten signature in black ink, appearing to read 'Thomas H. Buestrin', with a long horizontal flourish extending to the right.

Thomas H. Buestrin, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read 'Philip C. Evenson', written in a cursive style.

Philip C. Evenson, Deputy Secretary

**COMMUNITY ASSISTANCE PLANNING REPORT  
NUMBER 119 (2nd Edition)**

**SANITARY SEWER SERVICE AREA FOR  
THE VILLAGE OF SILVER LAKE AND ENVIRONS**

**KENOSHA COUNTY, WISCONSIN**

Prepared by the

Southeastern Wisconsin Regional Planning Commission  
P. O. Box 1607  
Old Courthouse  
916 N. East Avenue  
Waukesha, Wisconsin 53187-1607

The preparation of this report was financed in part through a planning grant from the Wisconsin Department of Natural Resources.

December 1998

Inside Region \$2.50  
Outside Region \$5.00

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## Chapter I

# INTRODUCTION

## BACKGROUND

On July 12, 1979, the Southeastern Wisconsin Regional Planning Commission formally adopted an areawide water quality management plan for Southeastern Wisconsin. The plan is aimed at achieving clean and wholesome surface waters within the seven-county Region, surface waters that are "fishable and swimmable."<sup>1</sup>

The plan has five basic elements: 1) a land use element, consisting of recommendations for the location of new urban development in the Region and for the preservation of primary environmental corridors and prime agricultural lands; 2) a point source pollution abatement element, including recommendations concerning the location and extent of sanitary sewer service areas, the location, type, and capacity of, and the level of treatment to be provided at, sewage treatment facilities, the location and configuration of intercommunity trunk sewers, and the abatement of pollution from sewer system overflows and from industrial wastewater discharges; 3) a nonpoint source pollution abatement element, consisting of recommendations for the control of pollutant runoff from rural and urban lands; 4) a sludge management element, consisting of recommendations for the handling and disposal of sludges from sewage treatment facilities; and 5) recommendations for the establishment of continuing water quality monitoring efforts in the Region.

The plan was formally certified over the period July 23 to September 20, 1979, to all of the local units of government in the Region and to the concerned State and Federal agencies. The plan was formally endorsed by the Wisconsin Natural Resources Board on July 25, 1979. Such endorsement is particularly important because under State law and administrative rules, certain actions by the Wisconsin Department of Natural Resources (WDNR) must be found to be in accordance with the adopted and

endorsed plan. These actions include, among others, WDNR approval of waste discharge permits, WDNR approval of State and Federal grants for the construction of wastewater treatment and conveyance facilities, and WDNR approval of locally proposed sanitary sewer extensions.

## NEED FOR REFINEMENT AND DETAILING OF LOCAL SANITARY SEWER SERVICE AREAS

The adopted regional water quality management plan includes recommended sanitary sewer service areas attendant to each recommended sewage treatment facility (see Map 1). There were in the plan, as initially adopted, a total of 85 such identified sanitary sewer service areas. The initially recommended sanitary sewer service areas were based upon the urban land use configuration identified in the Commission-adopted regional land use plan for the year 2000.<sup>2</sup> As such, the delineation of the areas was necessarily general, and may not have reflected detailed local planning considerations.

Section NR 110.08(4) and Section Comm 82.20(4) of the Wisconsin Administrative Code require that the Wisconsin Department of Natural Resources, with respect to public sanitary sewers, and the Wisconsin Department of Commerce, with respect to private sanitary sewers, make a finding that all proposed sanitary sewer extensions be in conformance with adopted areawide water quality management plans and the sanitary sewer service areas identified in such plans. These Departments, in carrying out their responsibilities in this respect, require that the Southeastern Wisconsin Regional Planning Commission, as the designated areawide water quality management planning agency for the Southeastern Wisconsin Region, review and comment on each proposed sewer extension as to its relationship to the approved plan and sewer service areas. In order to properly reflect local, as well as

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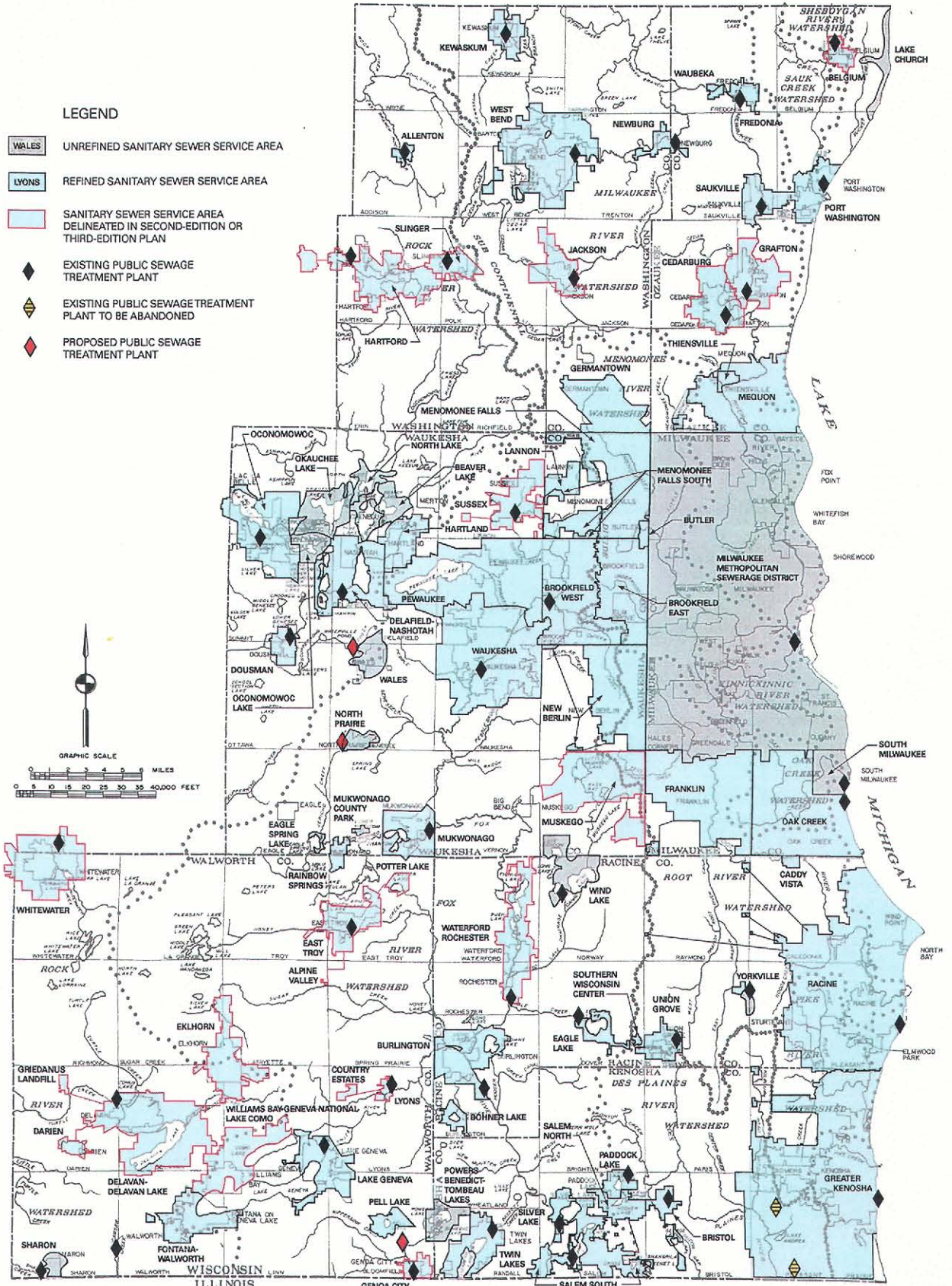
<sup>1</sup>The adopted areawide water quality management plan is documented in SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000, Volume One, Inventory Findings; Volume Two, Alternative Plans; and Volume Three, Recommended Plan.

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<sup>2</sup>See SEWRPC Planning Report No. 25, A Regional Land Use Plan and a Regional Transportation System Plan for Southeastern Wisconsin: 2000, Volume One, Inventory Findings; and Volume Two, Alternative and Recommended Plans.

# MAP 1

## RECOMMENDED SANITARY SEWER SERVICE AREAS IN THE REGION: DECEMBER 1997



Source: SEWRPC

areawide planning concerns in the execution of this review responsibility, the Regional Planning Commission, in adopting the areawide water quality management plan, recommended that steps be taken to refine and detail each of the 85 sanitary sewer service areas delineated in the plan in cooperation with the local units of government concerned. The refinement and detailing process consists of the following seven steps:

1. Preparation of a base map at an appropriate scale for each sanitary sewer service area identified in the areawide water quality management plan.
2. The delineation on that base map of a sanitary sewer service area consistent with the objectives set forth in the adopted regional water quality management plan.<sup>3</sup>
3. The conduct of intergovernmental meetings involving the local or areawide unit or units of government concerned. At these meetings, the initial sanitary sewer service area delineation is to be presented and discussed and the positions of each of the units of government concerned solicited.
4. The preparation of modifications to the initially proposed sanitary sewer service area to reflect concerns expressed at the intergovernmental meetings. These modifications would meet, to the fullest extent practicable, the objectives expressed both in the adopted areawide water quality management and regional land use plans and in any adopted local land use and sanitary sewerage system plans.
5. The holding of a public hearing jointly by the Commission and the local or areawide unit or units of government concerned to obtain public reaction to site-specific sewer service area issues that might be raised by the proposed sewer service area delineation.
6. The preparation of a final sanitary sewer service area map and accompanying report.

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<sup>3</sup>The sewer service areas in the water quality management plan were based upon the urban land use configurations as set forth in the Commission's design year 2000 land use plan. The Commission has since completed and adopted a design year 2020 land use plan, which plan served as the point of departure in the delineation of the sewer service area set forth in this report.

7. Adoption of the final sewer service area map by the Commission and certification of the map to the Wisconsin Department of Natural Resources and the U. S. Environmental Protection Agency as an amendment to the adopted areawide water quality management plan. Desirably, such adoption by the Commission would follow endorsement of the map by the local or areawide unit or units of government concerned. While such a consensus by the local governments concerned will always be sought by the Commission, it is recognized that in some cases unanimous support of the refined and detailed sanitary sewer service areas may not be achieved. In those cases, the Commission will have to weigh the positions of the parties concerned and make a final determination concerning the issues involved.

### **THE SILVER LAKE SANITARY SEWER SERVICE AREA REFINEMENT PROCESS**

The process of refining and detailing the sanitary sewer service areas in Southeastern Wisconsin was initiated after the Commission's adoption of the regional water quality management plan in July 1979. By letter dated February 27, 1986, the Village of Silver Lake requested that the Regional Planning Commission undertake the refinement and detailing of the proposed year 2000 sanitary sewer service area tributary to the Village of Silver Lake sewage treatment facility. Subsequent to the completion of the draft report, a public hearing on this matter was held on October 30, 1986. The Village of Silver Lake sanitary sewer service area plan, as documented in SEWRPC Community Assistance Planning Report No. 119, Sanitary Sewer Service Area For The Village of Silver Lake, Kenosha County, Wisconsin, dated May 1987, was adopted by the Village Board of Trustees on December 2, 1986, and by the Regional Planning Commission on June 15, 1987; and was endorsed by the Wisconsin Department of Natural Resources on January 13, 1988.

The Regional Planning Commission, the Village of Silver Lake, and the Town of Salem subsequently adopted one further amendment to the Silver Lake sanitary sewer service area as initially set forth in SEWRPC Community Assistance Planning Report No. 119. That amendment, adopted in 1990, concerned the removal of about 1 acre of land from the Silver Lake sewer service area, located in the southeastern portion of the Village, and addition of that land to the adjacent Town of Salem sewer service area.

The Regional Planning Commission recognizes that, like other long-range plans, sanitary sewer service area plans

should be reviewed periodically to assure that they continue to reflect properly regional and local urban development objectives, especially as such objectives may relate to the amount and spatial distribution of new urban development requiring sewer service. By letter dated January 13, 1998, the Village of Silver Lake requested the Regional Planning Commission to refine further the currently adopted Silver Lake sanitary sewer service area tributary to the Village of Silver Lake sewage treatment facility. That request was initiated following completion of a wastewater facilities plan for the Village.

Copies of the draft report setting forth a preliminary revised sanitary sewer service area plan were provided to the Towns of Salem and Wheatland; Kenosha County; and the Wisconsin Department of Natural Resources for review and comment prior to the public hearing held on November 16, 1998. The public reaction to the proposed sanitary sewer service area plan, as documented in the minutes contained in Appendix A, is summarized later in this report. The final revised sanitary sewer service area attendant to the Village of Silver Lake sewage treatment facility is described in Chapter III of this report.

## Chapter II

# STUDY AREA DESCRIPTION

### LOCATION

The study area considered for determining the refined Village of Silver Lake sanitary sewer service area is shown on Map 2. The area consists of all the lands encompassed within the corporate limits of the Village of Silver Lake, together with portions of the Towns of Randall, Salem, and Wheatland. The total study area is approximately 16.1 square miles in extent, of which 10.7 square miles, or 67 percent, lie within the Town of Salem; 2.0 square miles, or 12 percent, lie within the Town of Randall; 2.0 square miles, or 12 percent, lie within the Town of Wheatland; and 1.4 square miles, or 9 percent, lie within the Village of Silver Lake. These areas are based upon the most current civil division boundaries.

### POPULATION

The resident population of the study area in 1995 was estimated at 4,500 persons, not including about 600 seasonal residents. Of this total, it is estimated that about 3,250<sup>1</sup> persons were served by public sanitary sewers. The remaining 1,250 persons in the study area were served by onsite sewage disposal systems.

The forecast of probable future resident population levels for small geographic areas such as the Silver Lake study area is a difficult task, accompanied by uncertainties and subject to periodic revision as new information becomes available. To accommodate unforeseen changes in social and economic conditions, an "alternative futures" approach is utilized by the Regional Planning Commission to project a range of population growth which may be expected to occur over the period 1990 to 2020. The preparation of the Commission's year 2020 regional land use plan incorporated a consideration of two alternative scenarios for regional growth and change, involving different assumptions regarding population lifestyles and economic conditions. The high-growth scenario is intended to represent the

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<sup>1</sup> About 1,900 persons were served by the Village of Silver Lake sanitary sewerage system, while the remainder of 1,350 were served by the Town of Salem Utility District No. 2 sewerage system.

upper extreme of possible future regional growth and change, while the intermediate future is considered to be the most likely scenario.

The Commission's year 2020 land use plan also considered alternative development patterns for accommodating the incremental population and employment levels envisioned under the aforementioned regional growth scenarios. Two development patterns were considered in the preparation of the alternative land use plans. The first, a centralized development pattern, accommodates increases in population and economic activity by promoting a more compact regional settlement pattern, moderating to the extent practicable the current trend toward diffusion of population, employment, and attendant urban development, similar to previously adopted regional land use plans. The second, a decentralized development pattern, accommodates the continued diffusion of population and employment levels historically evident in the Region, but in a manner consistent with the protection of the natural resource base of the Region.

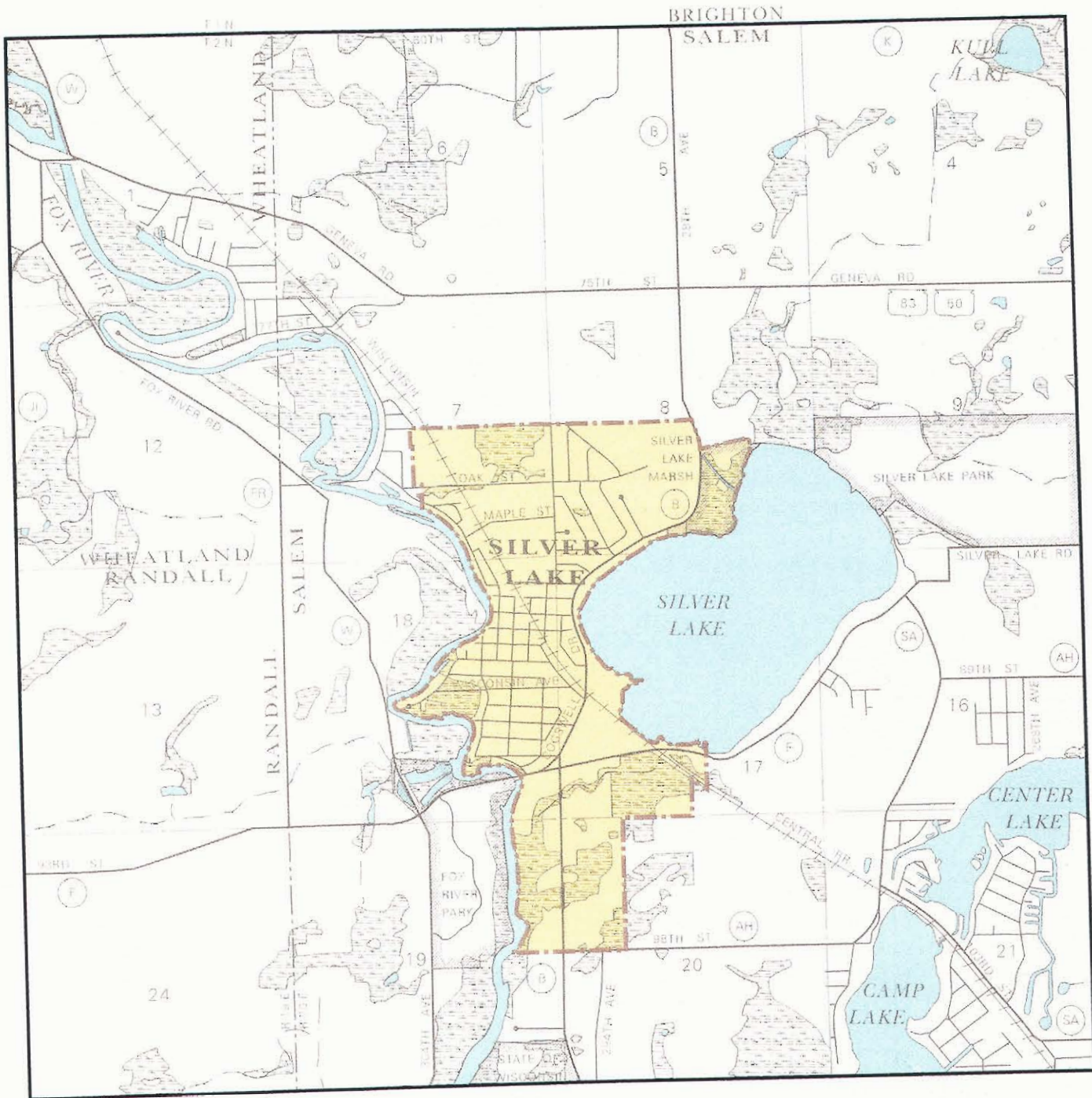
The intermediate-growth centralized land use plan, also the adopted regional land use plan, would accommodate a year 2020 resident population level of about 5,600 persons in the Silver Lake study area. Under a high-growth decentralized alternative, the population level within the study area could be as high as 6,900 persons by the year 2020.

### ENVIRONMENTALLY SIGNIFICANT LANDS

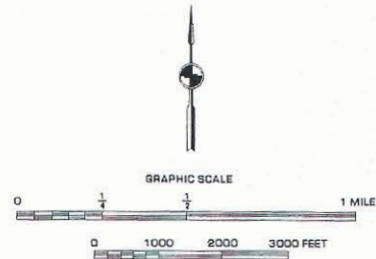
Environmental corridors are defined as linear areas in the landscape containing concentrations of natural resource and resource-related amenities. These corridors generally lie along the major stream valleys, around major lakes, and in the Kettle Moraine area of southeastern Wisconsin. Almost all the remaining high-value wetlands, woodlands, wildlife habitat areas, major bodies of surface water, and delineated floodlands and shorelands are contained within these corridors. In addition, significant groundwater recharge and discharge areas, many of the most important recreational and scenic areas, and the best remaining potential park sites are located within the environmental corridors. Such corridors are, in effect, a composite of the

Map 2

**STUDY AREA IDENTIFIED FOR PURPOSES OF REFINING AND  
DETAILING THE VILLAGE OF SILVER LAKE SANITARY SEWER SERVICE AREA**



--- 1995 VILLAGE OF SILVER LAKE CIVIL DIVISION BOUNDARY





most important individual elements of the natural resource base in southeastern Wisconsin, and have immeasurable environmental, ecological, and recreational value.

The land use element of the adopted regional water quality management plan recommends that lands identified as primary environmental corridors not be developed for intensive urban use. Accordingly, the plan further recommends that sanitary sewers not be extended into such corridors for the purpose of accommodating urban development in the corridors. It was recognized in the plan, however, that it would be necessary in some cases to construct sanitary sewers across and through primary environmental corridors, and that certain land uses requiring sanitary sewer service could be properly located within the corridors, including park and outdoor recreation facilities and certain institutional uses. In some cases, extremely low density residential development at a density not to exceed one housing unit per five acres of upland corridor, compatible with the preservation of the corridors in essentially natural, open uses, may also be permitted to occupy corridor lands, and it may be desirable to extend sewers into the corridors to serve such uses. Basically, however, the adopted regional land use plan seeks to ensure that the primary environmental corridor lands are not destroyed through conversion to intensive urban uses.

One of the first steps in refining the Silver Lake sanitary sewer service area was to map in detail the environmentally significant lands in the study area. Accordingly, Commission inventories were reviewed and updated as necessary with respect to the following elements of the natural resource base: lakes, streams, and associated shorelands and floodlands; wetlands; woodlands; wildlife habitat areas; areas of rugged terrain and high-relief topography; wet, poorly drained, and organic soils; and remnant prairies. In addition, inventories were reviewed and updated as necessary with respect to such natural resource-related features as existing parks, potential park sites, sites of historic and archaeological value, areas offering scenic vistas or viewpoints, and areas of scientific value.

Each of these natural resource and resource-related elements was mapped on one inch equals 400 feet scale ratioed and rectified aerial photographs. A point system for value rating the various elements of the resource base was established (see Table 1). The primary environmental corridors were delineated using this rating system. To qualify for inclusion in a primary environmental corridor, an area must exhibit a point value of 10 or more. In addition, a primary environmental corridor must be at least 400 acres in size, be at least two miles long, and have a

Table 1

**VALUES ASSIGNED TO NATURAL RESOURCE BASE AND RESOURCE BASE-RELATED ELEMENTS IN THE PROCESS OF DELINEATING PRIMARY AND SECONDARY ENVIRONMENTAL CORRIDORS**

Resource Base or Related Element	Point Value
<b>Natural Resource Base</b>	
Lake	
Major (50 acres or more) .....	20
Minor (5-49 acres) .....	20
Rivers or Streams (perennial) .....	10
Shoreland	
Lake or Perennial River or Stream .....	10
Intermittent Stream .....	5
Floodland (100-year recurrence interval) ....	3
Wetland .....	10
Wet, Poorly Drained, or Organic Soil .....	5
Woodland .....	10
Wildlife Habitat	
High-Value .....	10
Medium-Value .....	7
Low-Value .....	5
Steep Slope	
20 Percent or More .....	7
13-19 Percent .....	5
Prairie .....	10
<b>Natural Resource Base-Related</b>	
Existing Park or Open Space Site	
Rural Open Space Site .....	5
Other Park and Open Space Site .....	2
Potential Park Site	
High-Value .....	3
Medium-Value .....	2
Low-Value .....	1
Historic Site	
Structure .....	1
Other Cultural .....	1
Archaeological .....	2
Scenic Viewpoint .....	5
Scientific Area	
State Scientific Area .....	15
State Significance .....	15
County Significance .....	10
Local Significance .....	5

Source: SEWRPC.

minimum width of 200 feet. This environmental corridor refinement process is more fully described in SEWRPC Technical Record, Vol. 4, No. 2, in an article entitled, "Refining the Delineation of Environmental Corridors in Southeastern Wisconsin." The primary environmental corridors, along with secondary environmental corridors and isolated natural resource areas, as delineated in the Silver Lake study area, are shown on Map 3. The secondary environmental corridors should be considered for preservation as the process of urban development proceeds, because such corridors often provide economical



drainageways, as well as needed “green” space, through developing residential neighborhoods. To qualify for inclusion in a secondary environmental corridor, an area must exhibit a point value of 10 or more, and have a minimum area of 100 acres and a minimum length of one mile.

Isolated natural resource areas generally consist of those natural resource base elements that have value, such as wetlands, woodlands, wildlife habitat areas, and surface water areas, but are separated physically from the primary and secondary environmental corridors by intensive urban or agricultural land uses. Since isolated natural resource areas may provide the only available wildlife habitat in an area, provide good locations for local parks and nature study areas, and lend aesthetic character and natural diversity to an area, they should also be protected and preserved in a natural state to the extent practicable. An isolated natural resource area must be at least five acres in size.

In addition, wetlands less than five acres in size, located outside of primary environmental corridors, secondary environmental corridors and isolated natural resource areas, are shown on Map 3. Under Section 23.32 of the Wisconsin Statutes, a wetland is defined as, “an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.” It should be noted the information presented on Map 3 does not represent an exhaustive inventory of wetlands in the study area. The identified wetlands are based upon the 1986 Wisconsin Wetlands Inventory and interpretation of 1995 aerial photographs.<sup>2</sup>

Lands and surface water encompassed within the primary environmental corridors of the Silver Lake study area in 1995 totaled 6.0 square miles, or about 37 percent of the total study area. Lands and surface water encompassed within the secondary environmental corridors totaled less than 0.1 square miles, or less than 1 percent of the study area. Lands and surface water encompassed within isolated natural resource areas totaled about 0.4 square miles, or about 3 percent of the study area. About 17 acres, or less than one-fourth of one percent of the study area, was encompassed within wetlands and surface water areas less than five acres in size. Thus, all environmentally

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<sup>2</sup>*Precise delineation of such small wetlands as well as other environmentally significant lands, including primary and secondary environmental corridors and isolated natural resource areas, can only be determined through field investigation.*

significant lands in the Silver Lake study area encompassed about 6.5 square miles, or 40 percent of the study area.

While the adopted regional water quality management plan places great emphasis upon the protection of the lands identified as primary environmental corridors in essentially natural, open uses, it recognizes that there may be situations in which the objective of preserving the corridor lands directly conflicts with other legitimate regional and local development objectives. For example, the regional plan recognizes that if a community were to determine the need for a strategic arterial street extension through the primary environmental corridor lands in order to service an important local development project, the street extension may be considered to be of greater community benefit than the preservation of a small segment of the primary environmental corridor. When such conflicts in legitimate community development objectives occur, it is important that they be resolved sensitively and that any damage to the natural environment in the corridors be minimized.

While a portion of the delineated floodlands in the Silver Lake study area are contained within the environmental corridors, there are areas of the floodlands utilized for agricultural or other open space uses, as well as some areas along the Fox River currently in urban use, located outside such corridors. The Regional Planning Commission recognizes that such floodlands are generally unsuitable for intensive urban development owing to poor soil conditions and periodic flood inundation. The Commission thus recommends that, as development of lands located within urban areas and adjacent to these floodland areas occurs, such floodland areas should be preserved in essentially natural, open space uses, or in some cases removed from urban uses, and over time become part of the adjacent environmental corridors.

In addition, the adopted regional water quality management plan recognizes that certain secondary environmental corridors, isolated natural resource areas, and wetlands less than five acres in size may be converted to urban uses over the plan design period. However, current Federal, State, and local regulations may effectively preclude development of such areas. Of particular importance in this regard are natural resource protection regulations dealing with wetlands, floodplains, shorelands, stormwater runoff, and erosion control. Therefore, it is important that the developer or local unit of government concerned determine if it is necessary to obtain any applicable Federal, State, or local permits prior to any proposed disturbance of wetlands, floodplains, or other regulated lands.

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## Chapter III

# PROPOSED SANITARY SEWER SERVICE AREA

### SIGNIFICANCE OF SANITARY SEWER SERVICE AREA DELINEATION

As noted earlier in this report, changes in the Wisconsin Department of Natural Resources (WDNR) and Wisconsin Department of Commerce rules governing the extension of sanitary sewers have made the delineation of local sanitary sewer service areas an important process for local units of government and private land developers. Prior to the rule changes, review and approval of locally proposed sanitary sewer extensions by the WDNR and the Department of Commerce was confined primarily to engineering considerations and was intended to ensure that the sewers were properly sized and constructed. The rule changes significantly expanded the scope of the State review process to include water quality-oriented land use planning considerations. Before the two State agencies concerned can approve a locally proposed sanitary sewer extension, they must make a finding that the lands to be served by the proposed extension lie within an approved sanitary sewer service area. Such areas are identified in the Commission's adopted areawide water quality management plan and any subsequent amendments thereto. If a locally proposed sanitary sewer extension is designed to serve areas not recommended for sewer service in an areawide water quality management plan, the State agencies concerned must deny approval of the extension. Consequently, it is important that an intergovernmental consensus be reached in the delineation of proposed sanitary sewer service areas.

### CURRENTLY APPROVED SILVER LAKE SANITARY SEWER SERVICE AREA

The currently identified design year 2000 Silver Lake sanitary sewer service area, tributary to the Village of Silver Lake sewage treatment facility, is set forth in SEWRPC Community Assistance Planning Report No. 119, Sanitary Sewer Service Area for the Village of Silver Lake, Kenosha County, Wisconsin, dated May 1987, as amended. As shown on Map 4, this service area totals 1.9 square miles, or about 12 percent of the total study area of 16.1 square miles. The area encompasses about 0.4 square mile of primary environmental corridor, no secondary

environmental corridor, and 0.2 square mile of isolated natural resource areas.

### REFINED SILVER LAKE SANITARY SEWER SERVICE AREA

A comprehensive review of the Silver Lake sanitary sewer service area was last undertaken during the preparation of the first edition of the SEWRPC Community Assistance Planning Report No. 119 in 1986. The purpose of this refinement effort is to review once again the sewer service needs of lands envisioned to be tributary to the Village of Silver Lake sewage treatment facility and to adjust and extend, as necessary, the sewer service area boundaries to accommodate the design year 2020 population levels envisioned for this service area.

Factors taken into account in the delineation of the refined Silver Lake sanitary sewer service area included the currently identified sanitary sewer service area plan set forth in the first edition of SEWRPC Community Assistance Planning Report No. 119, Sanitary Sewer Service Area for the Village of Silver Lake, Kenosha County, Wisconsin, dated May 1987, as amended, and shown on Map 4; the design year 2020 regional land use plan documented in SEWRPC Planning Report No. 45, A Regional Land Use Plan for Southeastern Wisconsin: 2020, dated December 1997 and adopted by the Regional Planning Commission in 1997; and a wastewater facilities plan completed for the Village of Silver Lake in 1998.

The refinement effort considered the location, type, and extent of existing urban development; the location of areas where onsite soil-absorption sewage disposal systems were known to be failing; the location and extent of gravity drainage areas tributary to planned sewage treatment facilities; the location and capacity of planned trunk sewers; the location of existing property ownership boundaries; and certain pertinent aspects of the natural resource base, including the location and extent of soils suitable for urban development, the location and extent of primary and secondary environmental corridors, and the location and extent of prime agricultural lands.

As previously noted, the Commission, as part of its regional planning program, including the delineation of



sanitary sewer service areas and the subsequent refinements thereof, utilizes the "alternative futures" concept to deal with the uncertainties regarding factors affecting future growth and development within the Region. The sewer service area refinement effort for the Silver Lake area thus incorporates a range of resident population levels, with the most reasonable lower end of the population range based upon the Commission's intermediate-growth centralized land use plan and with the most reasonable upper end of the population range based upon the Commission's high-growth decentralized plan.

Local sanitary sewer service area and sewerage facility planning work should also consider a range of possible future population levels in the evaluation of alternative facility plans in order to identify alternatives which perform well under a reasonable range of possible future conditions. Construction of certain facilities and mechanical and electrical components of sewage treatment facilities such as pumps, compressors, and chemical-feed equipment are typically based upon relatively short-term population and loading forecasts. These facilities are often replaced or rebuilt at intervals of 10 to 15 years and are amenable to expansion in a staged manner. Accordingly, capital investments in such facilities are often limited to those relatively certain to be needed over a 15 to 20-year design period. The use of the intermediate population forecast may thus be most appropriate for use in the design of such facilities.

Consideration of a high-growth population forecast, however, may be appropriate in delineating a service area and in the design of certain components of the sewerage system that have a longer life, including gravity-flow conveyance facilities and such treatment plant components as hydraulic conduits and tanks. With respect to the size of the service area, the high-growth population forecast may be the most logical to use since the Commission forecasting methodology analyses indicate that such a level is indeed potentially achievable within the Southeastern Wisconsin Region. A sanitary sewer service area size based upon that level may also be desirable in order to provide flexibility to communities in determining the spatial distribution of anticipated new urban development and to facilitate the operation of the urban land market. With respect to the design of certain components of the sewerage system, the use of the high-growth population forecast may also be desirable where the physical life of the facilities is substantially greater than 20 years. Thus, facility construction based upon the high-growth forecast and loading levels may be warranted where the physical life of the facilities extends beyond the 20-year planning period.

Under the foregoing conditions, the resident population levels of the area anticipated to be tributary to the Village of Silver Lake sewage treatment facility would, by the design year 2020, range from about 3,480 persons under the Commission's intermediate-growth centralized plan, or the Commission's adopted regional land use plan, to about 4,450 persons under the Commission's high-growth decentralized plan.

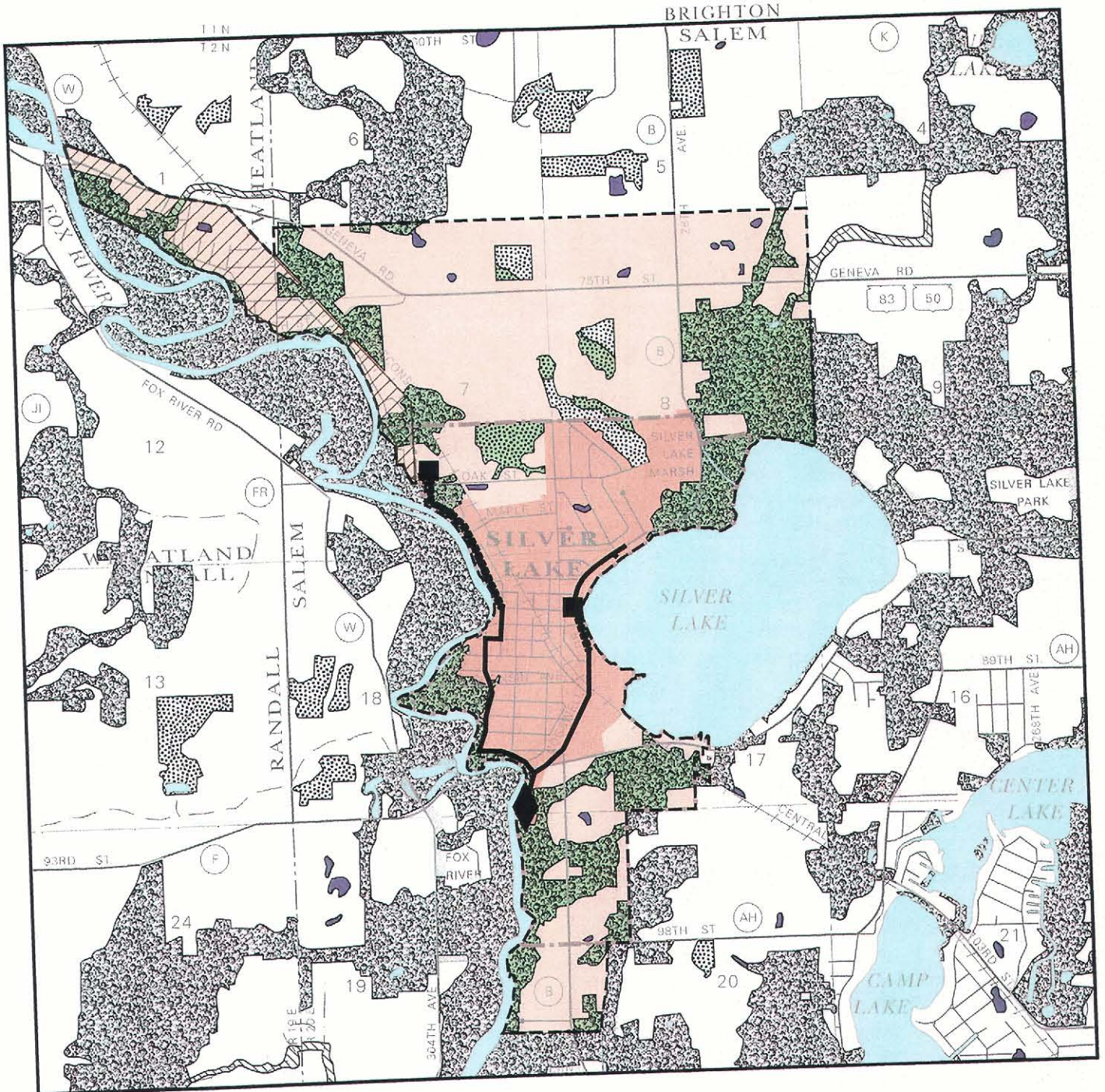
The refined year 2020 Silver Lake sanitary sewer service area anticipated to be tributary to the Village of Silver Lake sewage treatment facility, together with environmentally significant areas and trunk sewers, as submitted to public hearing, is shown on Maps 4 and 5. Map 4 shows, with a red hatch pattern, the area proposed to be added to the Silver Lake sewer service area in the refinement effort. That area encompasses about 1.2 square miles. Map 5 depicts the refined Silver Lake sanitary sewer service area, together with environmentally significant areas and trunk sewers, as submitted to public hearing.













The gross refined Silver Lake sanitary sewer service area encompasses 3.1 square miles, or 19 percent of the total study area of 16.1 square miles. This gross sewer service area includes about 0.7 square mile of primary environmental corridor, 3 acres of secondary environmental corridor, 0.1 square mile of isolated natural resource areas, and 7 acres of wetlands and surface water areas less than five acres in size. Therefore, a total of about 0.8 square mile, or about 26 percent of the sewer service area, would encompass environmentally significant areas, consisting of primary environmental corridors, secondary environmental corridors, isolated natural resource areas, and wetlands and surface water areas less than five acres in size.

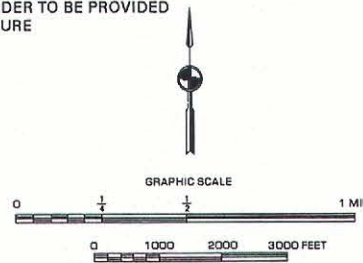
Shown with a green background color on Map 5 are lands within the planned sanitary sewer service area that are ineligible for sewer service. These areas include all primary environmental corridor, as well as wetlands, floodplains, shorelands, and steeply sloped areas within secondary environmental corridors and isolated natural resource areas.

Shown with a hatch pattern on Map 5 is an area, located along the Fox River northwest of the Village, encompassing about 160 acres and containing about 160 housing units which are currently served by individual onsite sewage disposal systems. It is anticipated that this area will eventually require public sanitary sewer service. The 160-acre area was included in the long-term sewer service area set forth in the Village's recently-completed wastewater facilities plan. It is envisioned that, over time,

VILLAGE OF SILVER LAKE PLANNED SANITARY SEWER SERVICE AREA: 2020



-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  EXISTING AREA SERVED BY VILLAGE OF SILVER LAKE SANITARY SEWERS: 1995
-  PLANNED SANITARY SEWER SERVICE AREA: 2020
-  LANDS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA INELIGIBLE FOR SEWER SERVICE
-  PORTION OF PLANNED SANITARY SEWER SERVICE AREA CURRENTLY SERVED BY INDIVIDUAL ONSITE SEWAGE DISPOSAL SYSTEMS WHICH WILL REQUIRE AGREEMENTS BETWEEN THE VILLAGE OF SILVER LAKE AND THE TOWNS OF SALEM AND WHEATLAND IN ORDER TO BE PROVIDED WITH PUBLIC SANITARY SEWER SERVICE IN THE FUTURE
-  PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
-  EXISTING PUBLIC SEWAGE TREATMENT FACILITY
-  EXISTING TRUNK SEWER
-  EXISTING FORCE MAIN
-  EXISTING PUMPING STATION
-  1995 VILLAGE OF SILVER LAKE CIVIL DIVISION BOUNDARY





as individual onsite sewage disposal systems in the area cease to function properly, the area will need to be provided with public sanitary sewer service through the Village of Silver Lake sewage treatment plant. However, the provision of sewer service will be subject to agreements between the Village of Silver Lake and the Towns of Salem and Wheatland.

It should be noted that the environmentally significant lands indicated on Map 5 total 135 acres more than the environmentally significant lands indicated on Map 3. Shown in blue on Map 6 are about 90 acres of land located within the 100-year recurrence interval flood hazard area associated with the Fox River. 45 acres of these lands lie within the Silver Lake sewer service area, while the remaining 45 acres lie outside of the sewer service area. All 90 acres of such lands are currently undeveloped and lie adjacent to primary environmental corridor lands. It is anticipated that over time, these lands will be withdrawn from open space uses and re-vegetated to possess the characteristics of, and added to, the adjacent primary environmental corridor.

Consistent with recommendations set forth in the comprehensive plan for the Fox River Watershed,<sup>1</sup> approximately 160 existing housing units on 70 acres of developed floodlands located along the Fox River within and northwest of the Village of Silver Lake would eventually be removed from urban use, converted to park and open space uses, and added to the adjacent primary environmental corridor. These areas are shown in red on Map 6.

Shown in gold on Map 6 are 40 additional acres of land located within 100-year recurrence interval flood hazard areas lying outside of the proposed Silver Lake sewer service area, not located within any other planned sanitary sewer service areas, and not specifically designated for open space use under the Fox River watershed plan. These floodplain areas would be added to adjacent environmental corridors should any sewer service area be expanded into those areas.

Shown in a dot pattern with orange background on Map 6 are 25 acres of isolated natural resource area lands anticipated to be converted to urban use. These areas are located in the northwestern part of the Village, consist of upland woods, and do not contain wetlands, floodlands, or

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<sup>1</sup>As set forth in SEWRPC Planning Report No. 12, A Comprehensive Plan for the Fox River Watershed, Volume one, Inventory Findings and Forecasts, 1969, and Volume Two, Recommended Plan, 1970.

steep slopes. A preliminary plat for a residential subdivision has been prepared and is under review by the Village.

Consistent with recommendations set forth in the currently approved Silver Lake sanitary sewer service area plan, as set forth in the first edition of SEWRPC Community Assistance Planning Report No. 119, three acres of secondary environmental corridor located in U.S. Public Land Survey Section 1, Township 1 North, Range 19 East, in the Town of Wheatland, are proposed to be reclassified as primary environmental corridor. This area is shown with a green background shade on Map 6.

The refined Silver Lake sanitary sewer service area tributary to the Village of Silver Lake sewage treatment facility would accommodate a year-round and seasonal resident population of about 3,900 persons, assuming full development of vacant lands within the sewer service area. This population level lies within the range of population levels envisioned for the sewer service area under Commission alternative regional land use plans for the year 2020. The population and housing unit levels envisioned in the Silver Lake sewer service area would be accommodated at an overall density of about 2.8 dwelling units per net residential acre. This density lies within the recommended density range for the Silver Lake area as identified in the Commission-adopted regional land use plan for the year 2020<sup>2</sup>.

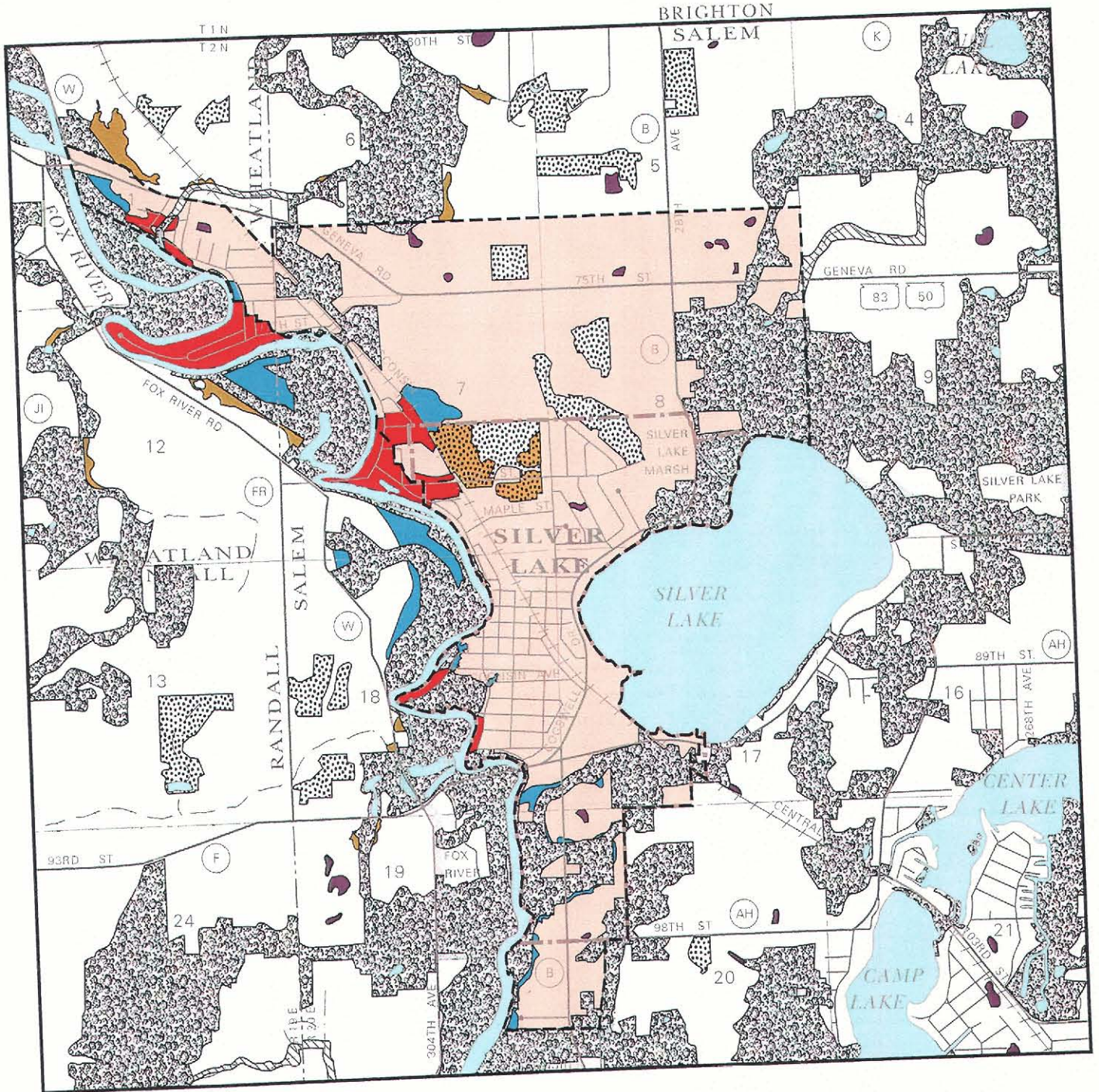
## WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the refined sanitary sewer service area plan herein set forth, it is envisioned that all urban lands within the planned urban service area would receive sanitary sewer service. It is also envisioned that all lands identified as primary environmental corridor would not be developed for intensive urban use. It is recognized, however, that certain land uses requiring sanitary sewer service could be properly located in the primary environmental corridors, including park and outdoor recreation facilities, certain institutional uses, and in some cases, extremely low-density residential development at a density not to exceed

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<sup>2</sup>Net residential density in the refined Silver Lake sanitary sewer service area is determined by dividing the total number of dwelling units anticipated in the sewer service area in the design year by the net residential land area anticipated within that area. The total number of dwelling units anticipated in the Silver Lake sewer service area in the design year (1,600 units) divided by the net residential land within the sewer service area (580 acres) results in an

**ANTICIPATED CHANGES IN THE ENVIRONMENTALLY SIGNIFICANT LANDS IN THE VILLAGE OF SILVER LAKE STUDY AREA**



one housing unit per five acres of upland corridor land, compatible with the preservation of the corridors in essentially natural, open uses. These plans also recognize that certain secondary environmental corridors and isolated natural resource areas may be converted to urban uses over the plan design period. However, current Federal, State, and local regulations may effectively preclude development of such areas. Of particular importance in this regard are natural resource protection regulations dealing with wetlands, floodplains, shorelands, stormwater runoff, and erosion control. Therefore, it is important that the developer or local unit of government concerned determine if it is necessary to obtain any applicable Federal, State, or local permits before any proposed disturbance of wetlands, floodplains, or other regulated lands.<sup>3</sup>

In addition, the provision of public sanitary sewer service to those lands within the planned sanitary sewer service area which are currently developed and served by onsite sewage disposal systems may be expected to reduce the pollutant loadings from the existing onsite sewage disposal systems to both surface and ground waters.

Accordingly, assuming that any applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

## **COST-EFFECTIVENESS ANALYSIS OF SEWAGE CONVEYANCE AND TREATMENT ALTERNATIVES**

The planned Silver Lake sanitary sewer service area set forth in this report is about 1.2 square miles, or about 63 percent larger than the currently adopted sewer service area set forth in the first edition of SEWRPC Community Assistance Planning Report No. 119 as amended. All of

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*overall net residential density of 2.8 dwelling units per acre.*

*<sup>3</sup>It should be noted that the sanitary sewer service area map set forth herein, particularly the environmental corridors and isolated natural resource areas shown thereon, are a representation of conditions at the time of map preparation and that such physical features may change over time from natural or human causes. Therefore, the presence and location of wetlands, navigable water, floodplains, and similar site features should be verified by developers, and applicable permits obtained prior to any land disturbing activity.*

the proposed additions to the Silver Lake sewer service area lie adjacent to the current sewer service area. The nearest other public sanitary sewer system, the Town of Salem Utility District No. 2 sewerage system, as currently approved, is located approximately 1 mile due east of the proposed sewer service area. The recently-completed wastewater facilities plan for the Village considered connection to the Town of Salem system, and abandonment of the Village's existing sewage treatment facility, as an alternative for wastewater treatment. That study concluded that such an option would be the most costly alternative for upgrading the Village's sewage treatment capacity. Thus, no further analyses were deemed necessary to conclude that the proposed sewer service area would be most cost effectively served by the Village of Silver Lake sanitary sewerage system.

## **SEWAGE TREATMENT PLANT CAPACITY IMPACT ANALYSIS**

The Village of Silver Lake sewage treatment facility has a design hydraulic loading capacity of 0.3 million gallons per day (mgd) on an average annual flow basis. The average annual flow rate in 1997 was about 0.28 mgd. The Village recently completed a sewerage system facility plan which provides recommendations as to the best means of upgrading and expanding the Village's sewage treatment plant. That plan is documented in a report entitled Facilities Plan, Village of Silver Lake Wastewater Treatment Plant, Kenosha County, Wisconsin, dated January 1998. The Village is now proceeding with detailed design of the proposed sewage treatment plant modifications. The new plant will be designed to serve a planned population level of 3,825 persons. The new plant will have a design hydraulic capacity of 0.47 mgd on an average annual basis.

It should be noted that the currently developed area located northwest of the Village along the Fox River, shown in a hatch pattern on Map 5, was included in the Village's sewerage system facilities plan. Depending upon the level and density of growth that will actually occur upon full development of the revised sewer service area set forth herein, and whether the aforementioned area is actually served, it may be necessary to re-examine sewage treatment plant capacity needs.

Based upon the foregoing, the Village of Silver Lake sewage treatment plant will be designed to serve the sewer service area provided for herein. Furthermore, the level of population inherent in that sewer service area is within the range of possible future year 2020 population levels envisioned for the Silver Lake area under the regional land use plan. Thus, adequate plant capacity should be available to treat sewage flows from that proposed sewer service area.

## **PUBLIC REACTION TO THE REFINED SANITARY SEWER SERVICE AREA**

A public hearing was held on November 16, 1998, at the Silver Lake Village Hall to receive public comment on and reaction to proposed revisions to the Silver Lake sanitary sewer service area. The hearing was sponsored by the Village of Silver Lake and the Regional Planning Commission. Summary minutes of the public hearing are presented in Appendix A

A summary of the findings and recommendations of the Silver Lake sanitary sewer service area update and refinement effort was presented prior to receiving public comment. Topics specifically addressed in the summary presentation included the rationale for revising the Silver Lake sewer service area, the importance of the delineation of the outer boundaries of the sewer service area, the importance of the delineation of the environmentally sensitive lands within the service area, and the significance of these lands insofar as the future extension of sewer service is concerned. The probable impact of planned development within the revised sanitary sewer service area on the capacity of the Silver Lake sewage treatment plant was also summarized. Comments on the refined plan were then solicited. It was announced that the record of the public hearing would be kept open for written comments through November 23, 1998.

On behalf of the Village of Silver Lake, the Village President expressed support for the revised sanitary sewer service area plan as presented at the public hearing.

The proposed revisions to the Silver Lake sanitary sewer service area were opposed by representatives of the Town of Salem. The Chairperson of the Town of Salem submitted a letter expressing the Town's opposition, referencing memoranda prepared by the Town Planner and Town Engineer explaining the Town's position. Following the hearing, on behalf of the Village of Silver Lake, the Village Engineer submitted a letter dated November 17, 1998, for entry into the record of the public hearing, responding to the issues raised by the Town and again recommending approval of the proposed sewer service area plan. All written materials submitted into the record of the public hearing are reproduced in Appendix B.

Review of the record of the public hearing indicates that the Town's opposition centers on five issues. The concerns raised by the Town and related findings by the Commission and the Village are summarized as follows:

1. The Town of Salem expressed a concern that the location and size of the proposed sanitary sewer service area is not consistent with the area identified for urban use under the year 2020 regional land use plan. The Town also indicated that the sewer service area should be sized to accommodate a population envisioned for the area under an intermediate growth scenario, or about 3,480 persons.

Findings: The pattern of urban development for each urban service area in the Region as reflected on the year 2020 regional land use plan map is a generalized pattern which is sized to accommodate growth and development envisioned under an intermediate-growth scenario. It is intended that the generalized land use pattern shown on the regional land use plan be refined and detailed through local planning efforts, including the preparation of local sewer service area plans, which more closely reflect local land use objectives. In such local planning, communities may choose to anticipate population levels beyond those envisioned under an intermediate growth scenario, ranging up to the levels anticipated under a high growth scenario as set forth in the 2020 regional land use plan, and size their urban service areas accordingly. Local efforts to refine and detail the regional plan may thus identify urban service areas which differ in size and location from the generalized areas shown on the regional plan map.

Under the Wisconsin Statutes, a key criterion attendant to the approval of sanitary sewer service area plans relates to the existence of a reasonable relationship between the supply of developable land included within the perimeter of such an area and the amount of population growth anticipated for the area. The adopted regional land use plan considers both developable land and regional population projections, and thus provides for a reasonable range of population growth for the Silver Lake area, from 3,480 persons under an intermediate growth scenario, to 4,450 persons under a high growth scenario. As noted earlier in this report, the population which could be accommodated in the proposed sewer service area, 3,900 persons, falls within that growth range and accordingly meets that planning criterion.

2. In related comments, the Town of Salem expressed concern that the proposed sewer service area includes lands located northwest of the Village, east of the Fox River, extending into the Town of

Wheatland, and noted that the year 2020 regional land use plan does not envision any substantial new growth and development along this corridor.

Findings: As documented earlier in this report, the area in question contains about 160 housing units currently served by individual onsite sewage disposal systems. The area has been included in the proposed sewer service area to enable the provision of sewer service to existing development as onsite sewage disposal systems cease to function properly. The sewer service area plan notes that the provision of sewer service in this area will be subject to agreements between the Village of Silver Lake and the Towns of Salem and Wheatland.

3. The Town of Salem expressed a concern that the Town land use plan was not adequately considered in revising the sewer service area, noting that the Town plan does not envision new urban growth to occur in areas of the Town of Salem north or south of the current Village of Silver Lake boundaries.

Findings: Inconsistencies between plans of an incorporated municipality, such as the Village of Silver Lake, and an unincorporated town, such as the Town of Salem, are not uncommon. Wisconsin law authorizes incorporated municipalities to plan for extraterritorial jurisdiction areas in towns because of the potential for future annexation of such lands. Conflicts between local plans is not a basis for withholding approval of sewer service area plans. Rather, as noted above, a key criterion is that there be a reasonable relationship between the amount of developable land in the proposed sewer service area and the level of growth which may be anticipated. As noted above, this criterion is met for the proposed Silver Lake sewer service area.

4. The Town of Salem expressed a concern that the proposed sanitary sewer service area is inconsistent with the planned service area identified in the Village of Silver Lake sewerage facilities plan.

Findings: As noted earlier in this report, a sewerage facilities plan, including a preliminary sewer service area, was completed for the Village of Silver Lake in January 1998. During the sewer service area refinement process documented in this report, the sewer service area identified in the facilities plan was reconsidered and certain modifications made. The primary modification to

the facilities plan sewer service area was the removal of planned sanitary sewer service area west of the Fox River and the addition of sanitary sewer service area north of the Village, along with a re-configuration of the northeastern sewer service area boundary. With these changes, there is no need to extend sewers through the Fox River environmental corridor, as there would have been under the facilities plan. The resulting proposed sewer service area may be viewed as being more compact and centralized than the area identified in the facilities plan. The proposed sanitary sewer service area would accommodate approximately the same population as the service area identified in the facilities plan.

5. The Town of Salem indicated that certain lands within the proposed sanitary sewer service area located north of the Village may be able to be provided with public sanitary sewer service by the Town of Salem more cost effectively. Specifically, such lands include the south one-half of the south one-half of Section 5 and most of the north one-half of the north one-half of Section 8, U.S. Public Land Survey Town 1 North, Range 20 East. The Town recommended that, if they are to be included in a sanitary sewer service area, these lands should be placed in the sewer service area of the Town of Salem. The Town indicated that service to this area would require relocation to the west of an existing lift station located on STH 50.

Findings: The Town of Salem has not previously indicated any intention of extending its sanitary sewer service area into the area in question. Indeed, the service area attendant to the existing lift station on STH 50, as previously identified by the Town, is located more than one-half mile east of the area in question. A significant portion of the area in question, comprised of the north one-half of the northwest one-quarter of Section 8 and adjacent lands to the north and east, are part of the currently adopted Silver Lake sanitary sewer service area. The Village Engineer has indicated that much of the area in question drains west towards the Fox River, and that for the Village to serve future development along STH 50 and east of CTH B, only minor pumping, using grinder pumps or a small lift station, would be required.

Given the foregoing findings, the Commission and Village staffs concluded there was no basis in the public hearing record that would require adjusting the boundary of the

proposed Silver Lake sewer service area. Upon consideration of these findings, the Village Board determined to proceed with adoption of the revised sewer service area plan as that plan was taken to public hearing. On November 18, 1998, the Board of Trustees of the Village of Silver Lake acted to approve the new sanitary sewer service area plan for the Village of Silver Lake as shown on Map 5.

## **IMPLEMENTING RECOMMENDATIONS**

It is recommended that the following steps be taken to implement the sanitary sewer service area proposals contained in this report:

1. Formal adoption of SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000, and this SEWRPC Community Assistance Planning Report by the Village Board of Silver Lake. In addition, endorsement of the plan by the Town Board of the Towns of Salem and Wheatland, as having lands affected by the planned sanitary sewer service area; and by the Kenosha County Land Use Committee as the county planning agency having joint responsibility with the Towns in planning and zoning and otherwise regulating the development of lands in the study area, would be desirable.
2. Formal adoption of this SEWRPC Community Assistance Planning Report by the Regional Planning Commission as an amendment to the regional water quality management plan set forth in SEWRPC Planning Report No. 30, with certification of this report as a plan amendment to all parties concerned, including the Wisconsin Natural Resources Board and the U.S. Environmental Protection Agency.
3. Review by all of the local units of government concerned of their zoning, land subdivision control, and related ordinances to ensure that the policies

expressed in such ordinances reflect the urban development recommendations inherent in the final delineated Silver Lake sanitary sewer service area as shown on Map 5. In particular, steps should be taken to ensure that those lands identified as being environmentally significant in this report are properly zoned to reflect a policy of retaining such lands, insofar as possible, in essentially natural, open uses.

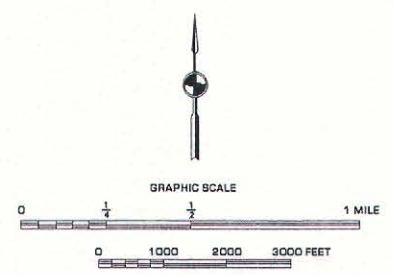
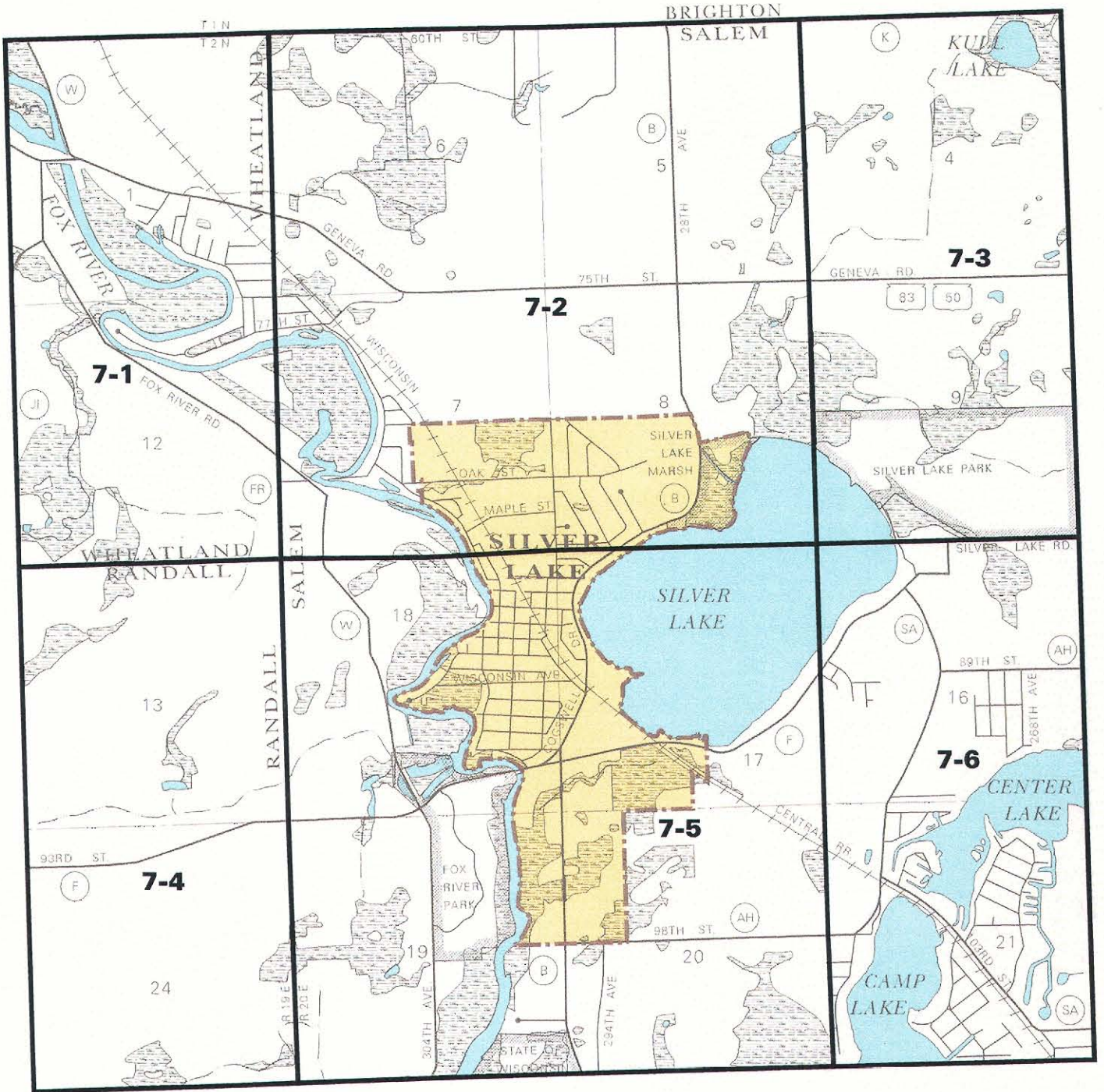
4. Review by the Village of Silver Lake of utility extension policies to ensure that such policies are consistent with the urban land development recommendations inherent in the delineation of the planned sanitary sewer service area.

## **SUBSEQUENT REFINEMENTS TO THE SILVER LAKE SEWER SERVICE AREA**

This report presents the revised Silver Lake sewer service area tributary to the Village of Silver Lake sewage treatment facility. The refined sewer service area was subjected to review at a public hearing. It is envisioned that the delineated sewer service area will accommodate all new urban development anticipated in the Silver Lake area to the year 2020. Like other long-range plans, however, this sewer service area plan should be periodically reviewed, at about five year intervals, to assure that it continues to properly reflect the urban development objectives of the communities involved, especially as such objectives may relate to the amount and spatial distribution of new urban development requiring sewer service. Should it be determined by the Village of Silver Lake, as the operator of the sewage treatment facility involved, or by the communities involved, that amendments to the sewer service area plan as presented herein are necessary, the particular unit of government should ask the Southeastern Wisconsin Regional Planning Commission for assistance in undertaking the technical work required to properly amend the plan. Any such plan revision should be carried out in a manner similar to that utilized in the refinement effort described in this report.

Map 7

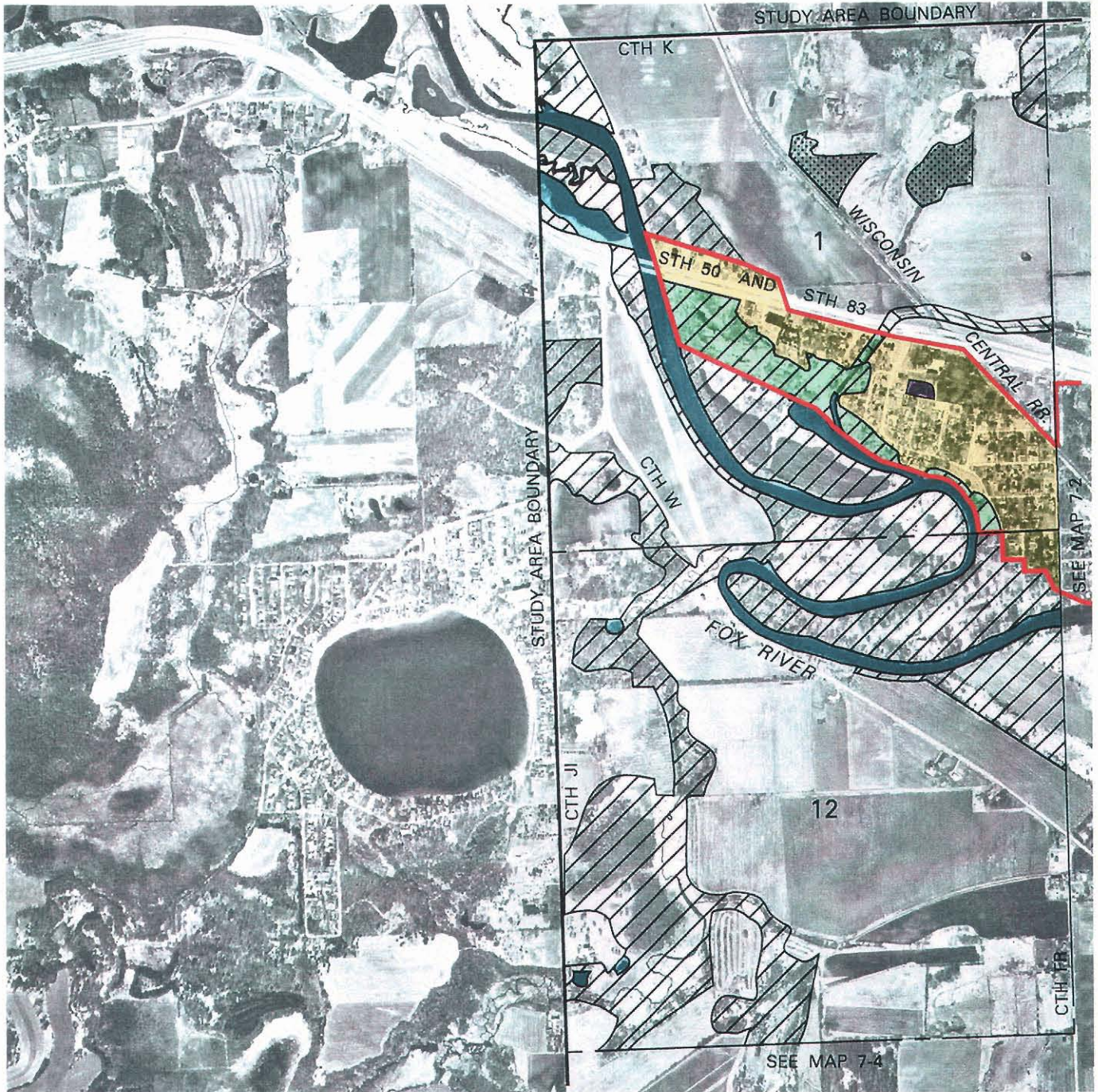
INDEX OF MAPS SHOWING ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF SILVER LAKE AND ENVIRONS











Source: SEWRPC.

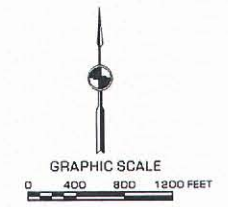
**ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF SILVER LAKE AND ENVIRONS**

**U. S. Public Land Survey Sections 1 and 12  
Township 1 North, Range 19 East**



-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY
-  LANDS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA INELIGIBLE FOR SEWER SERVICE



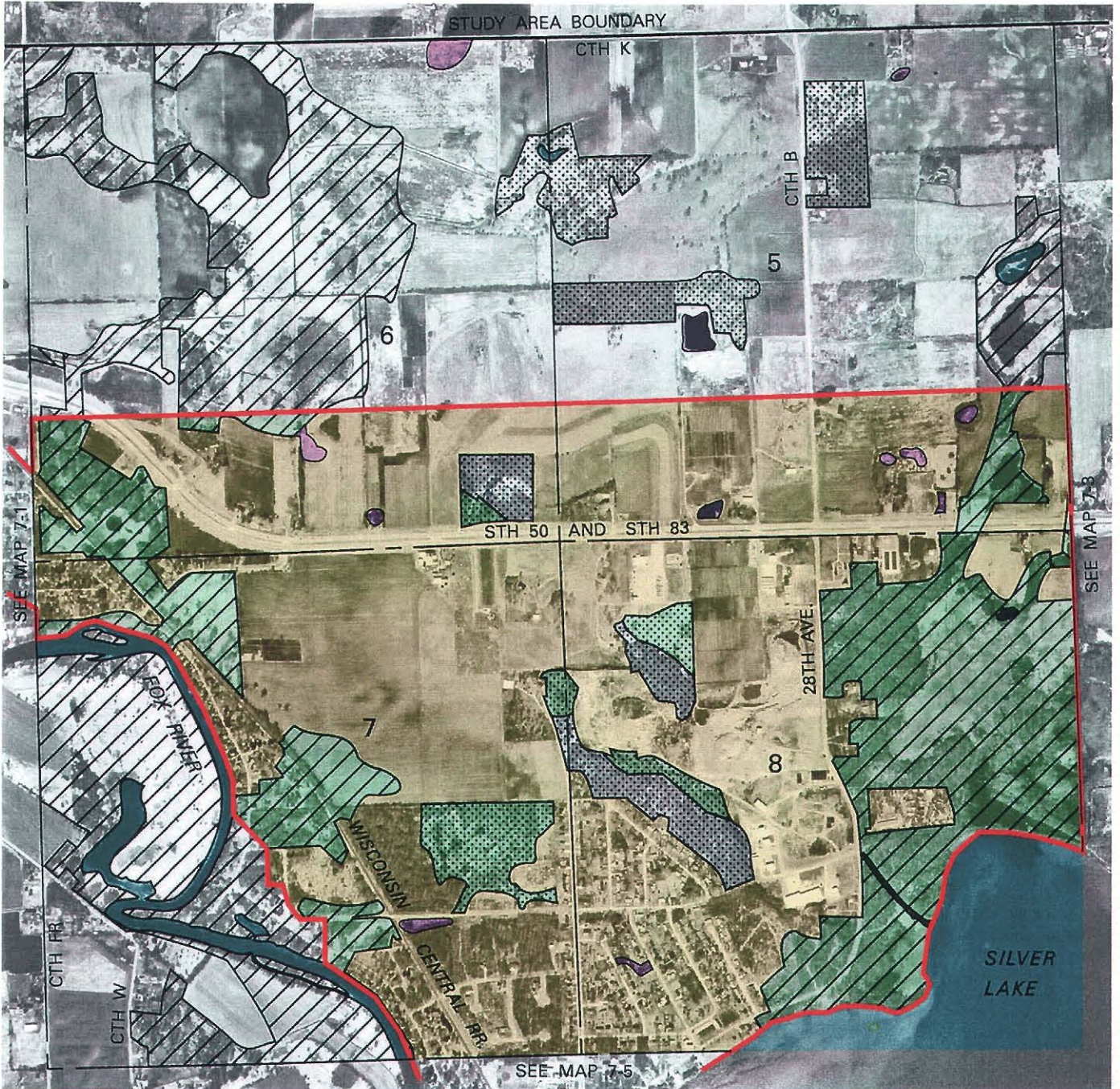
Source: SEWRPC.











Map 7-2

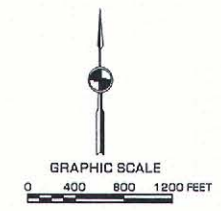
**ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF SILVER LAKE AND ENVIRONS**

**U. S. Public Land Survey Sections 5, 6, 7, and 8  
Township 1 North, Range 20 East**



-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY
-  LANDS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA INELIGIBLE FOR SEWER SERVICE

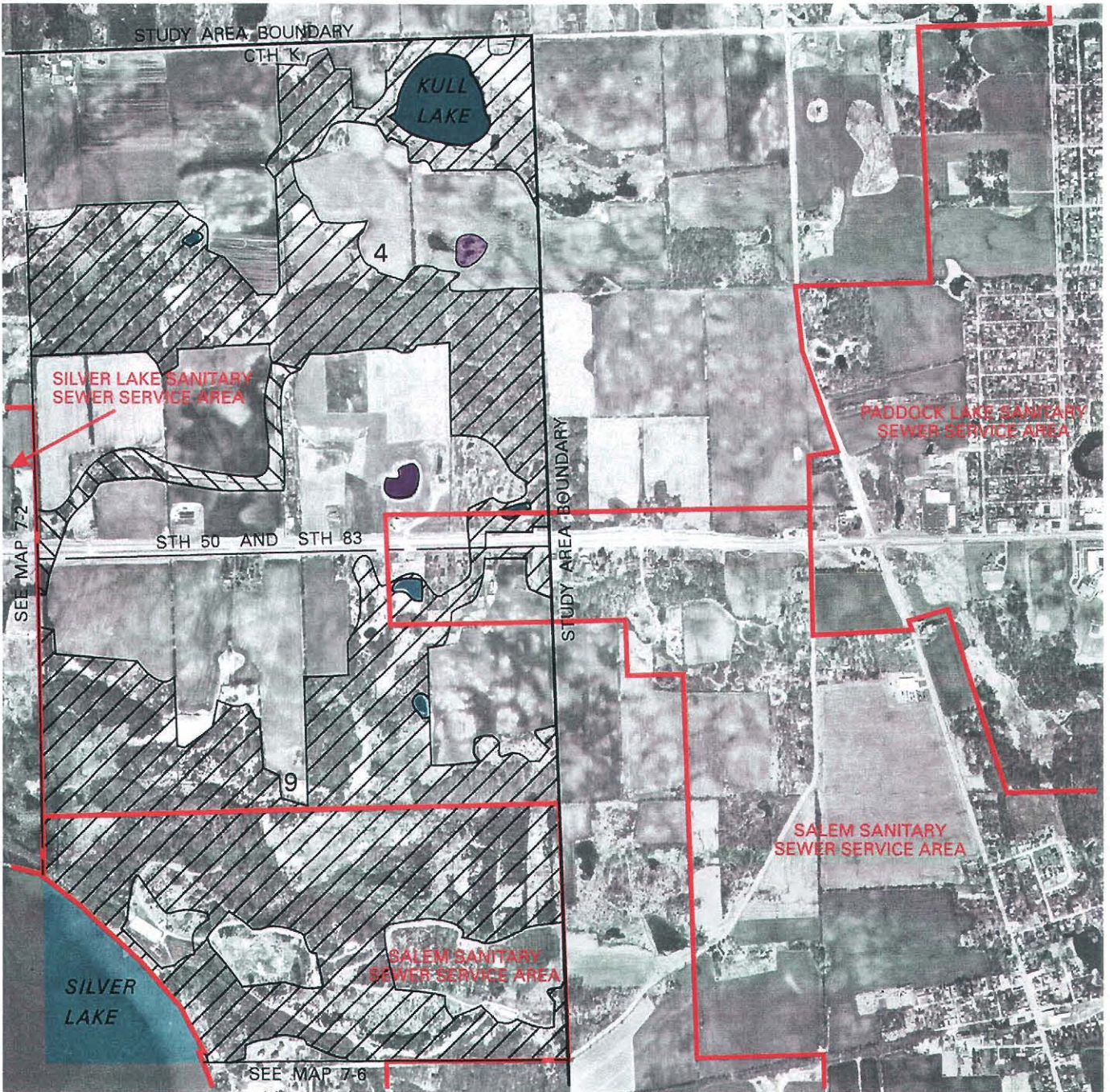


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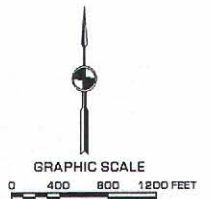
Map 7-3

ENVIRONMENTALLY SIGNIFICANT LANDS  
FOR THE VILLAGE OF SILVER LAKE AND ENVIRONS

U. S. Public Land Survey Sections 4 and 9  
Township 1 North, Range 20 East



- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
- SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
- GROSS SANITARY SEWER SERVICE AREA BOUNDARY






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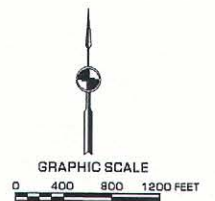
**ENVIRONMENTALLY SIGNIFICANT LANDS  
FOR THE VILLAGE OF SILVER LAKE AND ENVIRONS**

**U. S. Public Land Survey Sections 13 and 24  
Township 1 North, Range 19 East**



-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA

 SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

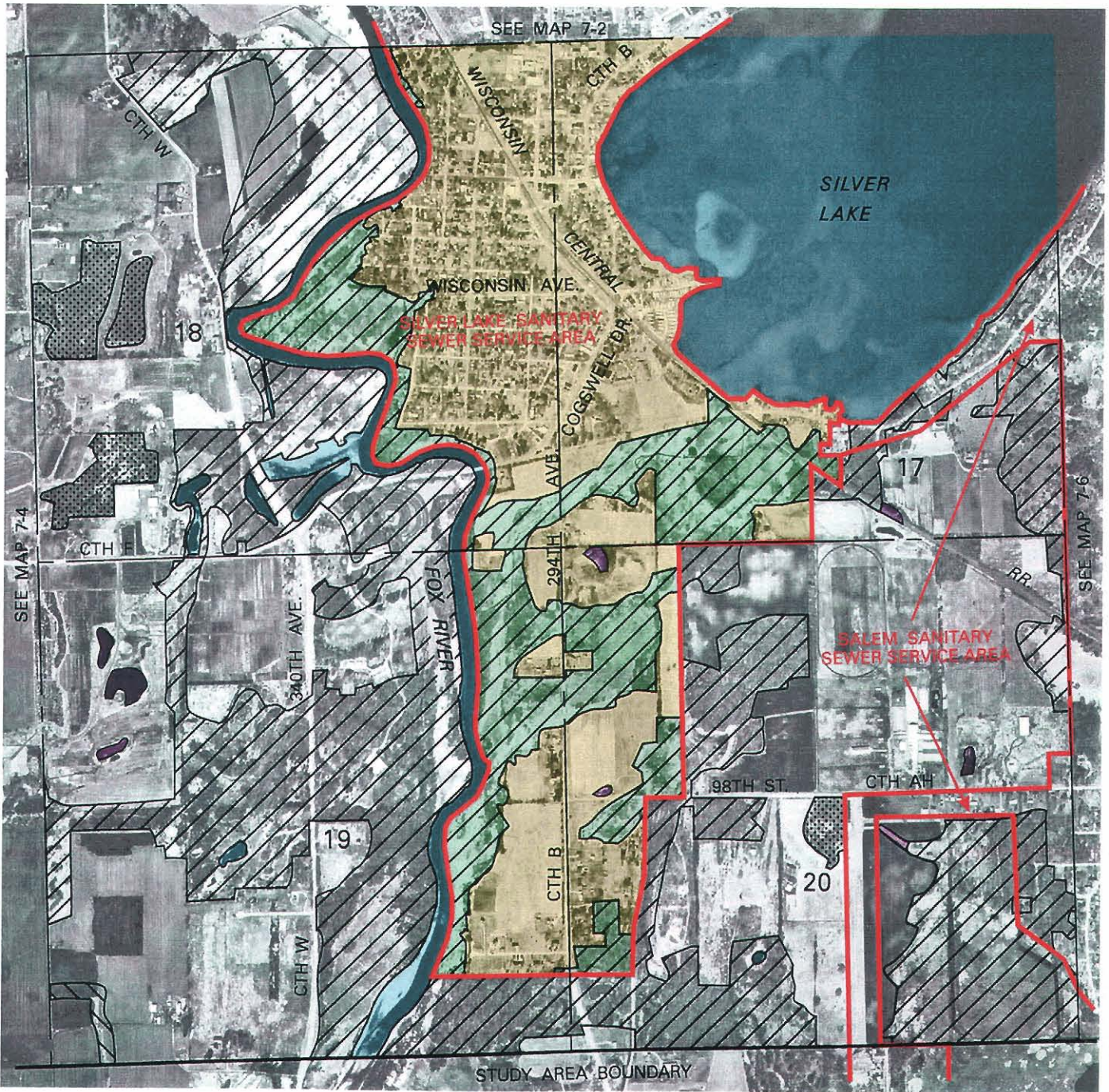


Source: SEWRPC.

Map 7-5

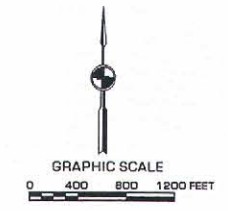
**ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF SILVER LAKE AND ENVIRONS**

U. S. Public Land Survey Sections 17, 18, 19, and 20  
Township 1 North, Range 20 East



- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

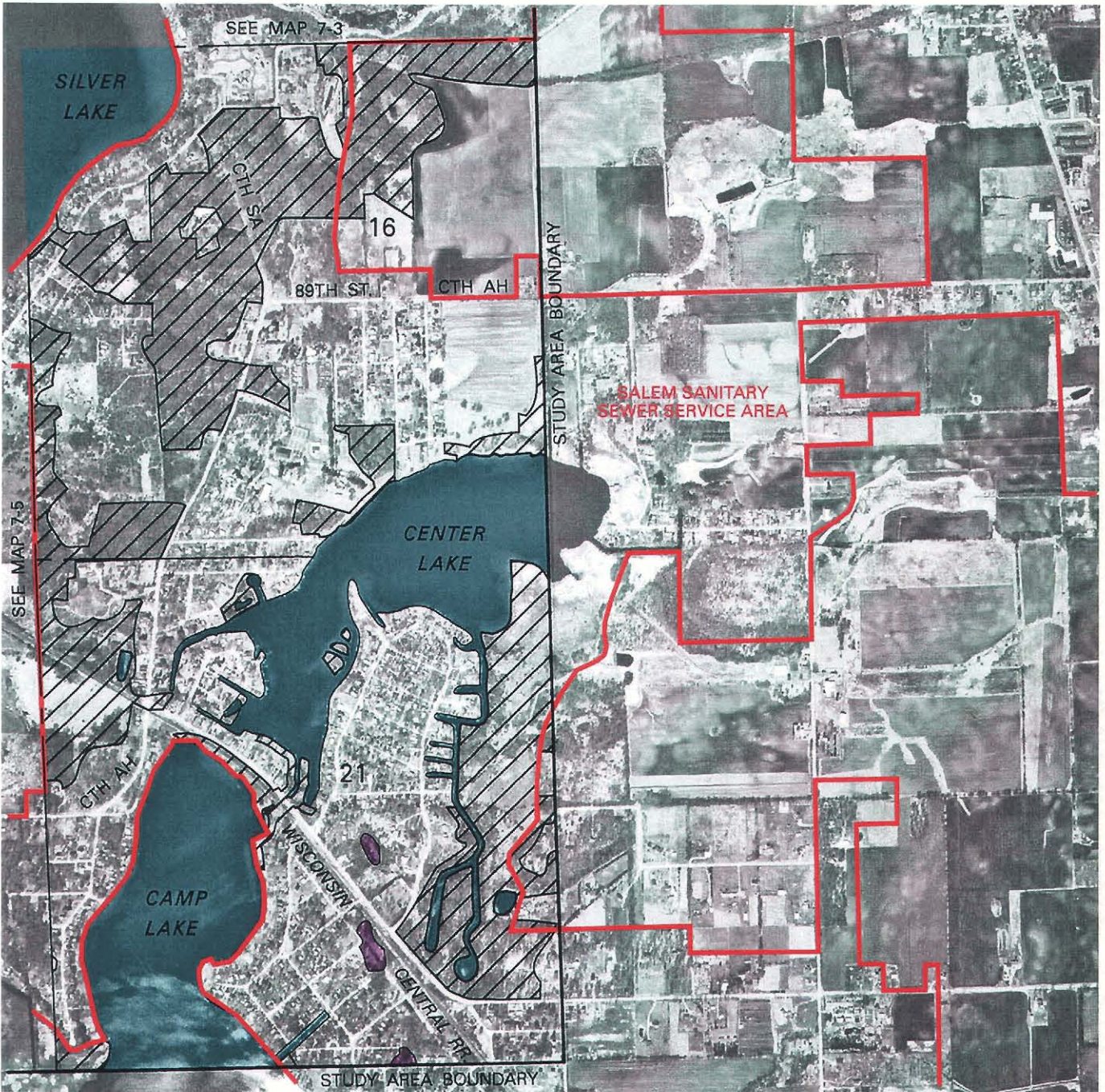
- SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
- PLANNED SANITARY SEWER SERVICE AREA
- GROSS SANITARY SEWER SERVICE AREA BOUNDARY
- LANDS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA INELIGIBLE FOR SEWER SERVICE







Source: SEWRPC.

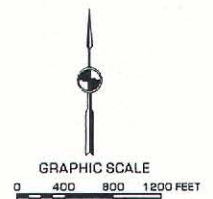
**ENVIRONMENTALLY SIGNIFICANT LANDS  
FOR THE VILLAGE OF SILVER LAKE AND ENVIRONS**

**U. S. Public Land Survey Sections 16 and 21  
Township 1 North, Range 20 East**



**LEGEND**

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY



Source: SEWRPC.

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## **APPENDICES**

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MINUTES OF PUBLIC HEARING

H E A R I N G

before the

VILLAGE BOARD OF THE VILLAGE OF SILVER LAKE

in the matter of the

PROPOSED SEWER SERVICE AREA REVISION

---

PROCEEDINGS had and evidence taken at the

Silver Lake Village Hall, 113 South First Street, Silver Lake,  
Wisconsin, commencing at 7:00 p.m. on November 16, 1998,

before JAM L'EBLAN, Certified Professional Reporter and Notary

Public in and for the State of Wisconsin.

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I N D E X

THE VILLAGE BOARD OF THE VILLAGE OF SILVER LAKE:

Mr. Michael Faber, Village President  
Mr. Larry Carnes  
Mr. Steve Shippee  
Mr. Alan Bryner  
Mr. Sam Barranco

PRESENTERS:

Mr. Brandon A. Foss, Project Engineer,  
Crispell-Snyder, Inc., Engineers and Architects

Mr. Bruce P. Rubin, Chief Land Use Planner,  
Southeastern Wisconsin Regional Planning Commission

COMMENTATORS:

Mr. Don Smitz  
Chairman, Town of Wheatland

Ms. Shirley Boening  
Chairman, Town of Salem

Mr. Chris Kaempfer, P.E.  
Chief Engineer, Kaempfer & Associates.

Mr. Pat Meehan  
President, Meehan & Company, Inc.  
Town Planner, Town of Salem

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P R O C E E D I N G S

MR. FABER: This public hearing for the Village of Silver Lake sewer service area is called to order at 7:00 p.m. this November 16th, 1998.

Board members for the Village of Silver Lake present are Alan Bryner, Sam Barranco, Larry Carnes, Steve Shippee and myself, Village President Michael Faber. And at this point I'm going to turn it over to our village engineer, and the next time you'll hear from me is when it's time to adjourn. Brandon Foss, Crispell-Snyder?

MR. FOSS: Thank you, Mike.

My name, again, is Brandon Foss. I'm the project engineer in the environmental facilities planning section for Crispell-Snyder Engineers of Elkhorn. With me is Doug Snyder who is the project manager for our section in Elkhorn.

The purpose of this meeting is to receive public comment on, and reaction to, a proposed refinement to the sanitary sewer service area for the Village of Silver Lake.

I want this meeting to be conducted in an orderly fashion, so I'm going to inform you as to how this hearing is to proceed. As soon as I'm done, I'm going to turn this hearing over to Mr. Bruce Rubin from

1 SEWRPC who will present their report to you.  
 2 After Bruce is done presenting the report,  
 3 we will ask the Village Board if they have any  
 4 comments. After the Village Board presents its  
 5 comments, I will ask the DNR, if they're present, if  
 6 they have any comments. After we're done with the DNR,  
 7 we'll ask any neighboring concerned municipalities or  
 8 townships if they have any comments. If they have none  
 9 or when they're done, I'll then ask the citizens and  
 10 the general public for their comments. After all  
 11 comments are completed, I will then turn the meeting  
 12 back over to Mike Faber for closing.

13 There are three rules for this public  
 14 hearing. First, we have a court reporter present. The  
 15 minutes of this meeting will be included in the final  
 16 report from SEWRPC. Anyone with a comment or asking a  
 17 question, please stand up and state your name and your  
 18 affiliation. Everything you say will be put into the  
 19 transcript, so please speak slowly and clearly.

20 The second rule, we will attempt to answer  
 21 as many questions as we can tonight. Depending on the  
 22 type of question, I may redirect it to either the  
 23 Village Board or back to Bruce for an answer. Any  
 24 questions that cannot be answered tonight will be  
 25 answered in written form.

1 In addition, and this is the third rule, we  
 2 will hold the record of this hearing open and accept  
 3 written comments until next week, Monday, November 23,  
 4 1998.

5 The official transcript of this hearing and  
 6 written questions and responses will be forwarded to  
 7 the Village Board and to SEWRPC for their approval.  
 8 There's also an attendance sheet. It's on a red clip  
 9 board going around, being circulated around the room.  
 10 Everybody should neatly print their name and their  
 11 affiliation on the form. I'll now turn it over to  
 12 Bruce Rubin from SEWRPC for his report.

13 MR. RUBIN: Thank you, Brandon.

14 Some of you might ask why is the  
 15 Southeastern Wisconsin Regional Planning Commission  
 16 here? It's a sewer service area planned for the  
 17 Village of Silver Lake. To answer that I might go back  
 18 a little bit in history to explain part of that  
 19 rationale.

20 Back in 1979, the Regional Planning  
 21 Commission completed a regional water quality  
 22 management plan for the entire seven-county Southeast  
 23 Wisconsin region. As part of that planning program,  
 24 they identified in that report sewer service areas  
 25 attendant to the 85 or so sewage treatment plants in

1 the region that existed at that time.

2 The DNR, which is a regulatory agency, said  
 3 they wanted to use the sewer service areas indicated in  
 4 that regional water quality management report as the  
 5 basis for deciding sewer extensions within the  
 6 seven-county region.

7 The Regional Planning Commission responded  
 8 by saying we didn't intend that one very generalized  
 9 map to be used by a regulatory agency as the basis for  
 10 sewer extensions. They said then you should go work  
 11 with the individual units of government to refine those  
 12 sewer service areas to take into account local  
 13 development decisions and come back to the DNR with a  
 14 sewer service area report for their approval.

15 The Regional Planning Commission has since  
 16 15 years been working with the local communities  
 17 involved. And in fact, back in 19 -- Oh, I think it  
 18 was back in -- '87, I think it was, 1987, we completed  
 19 the first edition of the sewer service area report for  
 20 the Village of Silver Lake.

21 We suggest that these sewer service area  
 22 plans periodically be updated to take into account new  
 23 population projections, new development decisions the  
 24 community might be making, other input like facilities  
 25 planning work the community might be undertaking. So

1 after this first plan was adopted by the community, the  
 2 Regional Planning Commission and the DNR, we did get a  
 3 letter in January of this year to do an update, if you  
 4 will, a refinement of the sewer service area plan for  
 5 the Village of Silver Lake. We said we would work with  
 6 the Village. In fact, at the time, we were working not  
 7 only with the Village of Silver Lake but with the  
 8 Village of Paddock Lake and the Town of Salem in an  
 9 attempt to try to look at all three of these areas at  
 10 the same time because of the nearness of their service  
 11 areas.

12 That process has continued, in fact, with  
 13 the review of the sewer service areas for, I think,  
 14 more than a year. And the Village of Silver Lake, upon  
 15 completing their facilities plan, requested that we  
 16 proceed with the refinement of their service area. And  
 17 the Commission agreed to do so because of the time  
 18 period that was involved in working with the other  
 19 communities involved.

20 The sewer service area plan document is  
 21 this document here. It's called Sewer Service Area for  
 22 the Village of Silver Lake Environs. I think most of  
 23 the Village officials and everybody has a copy of this  
 24 report.

25 Basically under the DNR guidelines, these

1 sewer service area plans have two functions. One is to  
2 identify a configuration of an area that would be  
3 tributary to the Village's sewage treatment plant.  
4 That area should be reasonable in size to take into  
5 account the growth and change that might be envisioned  
6 within that service area. In other words, is the area  
7 large enough to accommodate the growth of population  
8 and housing units and employment envisioned within the  
9 area?

10 To determine what is reasonable, the  
11 Commission has prepared, for most communities, a range  
12 of population levels that says it is reasonable for the  
13 particular community or the particular urban service  
14 area involved. If the population envisioned within the  
15 community service area falls within that range, it's  
16 determined to be reasonable relative to that particular  
17 sewer service area.

18 The second item that's included in the  
19 sewer service area reports are the identification of  
20 environmentally significant lands. The DNR requires in  
21 an area-wide water quality management plan that you  
22 identify and take into account these environmentally  
23 significant features, so we do that.

24 Probably the best way for me to go through  
25 this report is just to direct your attention to the

1 three maps that are shown on the back wall here. The  
2 first map on my left is titled "Village of Silver Lake  
3 Sanitary Sewer Service Area" as defined in Community  
4 Assistance Planning Report No. 119 with the proposed  
5 changes. This shows the relationship of the current  
6 sewer service area which this map here shows in this  
7 gray shaded area. That's their currently adopted  
8 service area. It encompasses about 1.9 square miles of  
9 area. And it's that area that is currently adopted and  
10 has been set forth in that Community Assistance  
11 Planning Report No. 119.

12 Also shown on that map are the areas  
13 envisioned to be added in this red cross-hatched area,  
14 mostly to the north of the Village. So the refined  
15 sewer service area with the red hatched area added  
16 would be about 3.1 square miles in area, about  
17 1.2 square miles larger than the currently existing  
18 service area.

19 The second map shows that refined sewer  
20 service area with the inclusion of those identified  
21 environmentally significant lands.

22 Shown on the map here as far as the  
23 environmentally significant lands are three patterns.  
24 One's called primary environmental corridors. The  
25 second is called secondary environmental corridors.

1 And this dot pattern is isolated natural resource  
2 areas. These are the areas that the DNR wants to  
3 commit these to identify and to take into account when  
4 it comes to development decisions within their  
5 particular community.

6 Within the service area, the primary  
7 environmental corridors, which really are the highest  
8 value resource areas, they're a composite of the best  
9 remaining elements of the natural resource base in the  
10 Village. They consist of, in addition to the lake  
11 which is the primary corridor, adjacent rivers,  
12 streams, shorelands, wetlands, floodplain areas, areas  
13 of steep slope topography, areas that aren't really  
14 needed for urban development and in many cases are not  
15 even well-suited for urban development. Those areas,  
16 if you look here, there's quite a few of them  
17 associated with the Fox River. These are areas that  
18 under the sewer service area plan would best remain an  
19 open, natural use.

20 The secondary environmental corridors,  
21 which usually connect between environmental primary  
22 corridors, are narrower. They're not as large. They  
23 don't have the resource features. There's only a few  
24 of these.

25 And then the isolated natural resource

1 areas are remnant. They're usually remnant woodland or  
2 wetland areas that have been left after urban  
3 development or agricultural has proceeded within an  
4 area.

5 So within the revised sewer service area  
6 shown on this map, there are about seven tenths of a  
7 square mile of the primary environmental corridor.  
8 There's no secondary environmental corridor in the  
9 service area and about two tenths of a square mile of  
10 the isolated natural resource area.

11 This sewer service area under the  
12 Commission studies would accommodate a range of  
13 population from about 3,500 to over 4,400. The size of  
14 the service area envisioned and the population level  
15 within that area has been chosen to be about 3,900  
16 persons which falls within that population range.

17 Now, also shown on this map in addition to  
18 those environmentally significant lands shaded in the  
19 green color are those lands within the sewer service  
20 area that are not envisioned to be provided with public  
21 sanitary sewer. These are areas that according to the  
22 DNR, they frown on extending sewers into those areas.  
23 If you came to them with a sewer extension, more than  
24 likely they would say find another spot, if you will.

25 Also shown in here is kind of a hatch

1 pattern, this here. These are areas within the Town of  
2 Wheatland and Town of Salem up here which are adjacent  
3 to the Fox River. There are a lot of homes. There are  
4 about 160 homes, total, in the area, some of which may  
5 be experiencing problems with septic systems. It was  
6 thought over time they may require sewer service area  
7 and under this plan would be provided sewer service  
8 area through the Village's treatment plant. And it  
9 would be up to the Village and the Town and the people  
10 to work together to determine the best way and the  
11 service and what cost would be involved. It's kind of  
12 a special area within the sewer service area itself.

13 Now, if I can direct your attention to the  
14 third map, "Anticipated Changes in the Environmentally  
15 Significant Lands in the Service Area," over time these  
16 environmentally significant lands may not necessarily  
17 remain static. And in many instances, the amount of  
18 these will grow from what currently exists. In other  
19 words, there may be a number of acres of land within a  
20 floodplain, for example, that are in agricultural use  
21 that if you left them to their natural condition and  
22 didn't develop such land and they were no longer in  
23 agricultural use, they would revert back to their  
24 natural conditions and then be added to the adjacent  
25 corridor lands.

1 If you look at the blue colored areas on  
2 the map, there's about 90 acres total which are within  
3 that floodplain area and, under the plan, would be  
4 envisioned to be added to the primary corridor but in  
5 the designed period.

6 Shown in red are also lands which are  
7 currently in urban use and unlike the lands which were  
8 envisioned to be provided with sewer because of  
9 malfunctioning septic systems according to the  
10 Commission's Fox River watershed report. It's  
11 envisioned that any homes in these areas over time, the  
12 lands -- the homes would be purchased, demolished and  
13 eventually the lands reverted back to their natural  
14 condition, a hundred-year floodplain. And it was the  
15 most cost effective way of handling the flooding  
16 problems in the area. So over time it would be  
17 envisioned that these would revert back to a natural  
18 corridor condition as well.

19 And the last color shown as kind of a  
20 goldish or greenish color is lands which are  
21 floodlands, but they're outside of the currently  
22 approved sewer service area as opposed to lands that  
23 might eventually, if the service area were ever to  
24 expand, be added to the corridor itself.

25 There are some small wetland areas in the

1 purple color that we've identified, and these are on at  
2 the request of the DNR, the regulatory agency. They  
3 want to know where everything is. And if there's any  
4 development within even those areas, there may be  
5 permits required. It alerts the communities and the  
6 property owners involved that there may be some  
7 developmental limitations concerning those lands.

8 So if you take into account really what  
9 we're starting with and this is what we're ending with  
10 and there's certain lands within here that are kind of  
11 off-limits to development, that's why the size of the  
12 service area to accommodate the population would  
13 include a significant addition of land north of the  
14 Village as shown on that map.

15 The Village has completed a facilities  
16 plan. They've designed a treatment plant to basically  
17 fit the population levels envisioned under this plan.  
18 And of course, if the development proceeds according to  
19 the plans of the Village, especially if we're  
20 eliminating some of the potential problems with  
21 malfunctioning septic systems, it could result in  
22 positive water quality impacts which is what the DNR  
23 would like to see.

24 Procedurally, since I'm basically done with  
25 my brief overview of this document, the Village would

1 consider whatever comments are made at the public  
2 hearing. They should address whatever issues would  
3 come to be. Ultimately then, the Regional Planning  
4 Commission would consider this then as an amendment to  
5 the water quality management plan, and it would be  
6 transmitted to the Department of Natural Resources for  
7 their final consideration.

8 I think I'll stop right there, and if  
9 there's any questions of me, I'll try to answer them.  
10 If there are questions of the Village or the engineer,  
11 they can answer those questions.

12 MR. FOSS: Thanks. Once again, time for  
13 comments and questions. First we'll take comments or  
14 questions from the Village Board. And again, please  
15 stand and state your name and speak slowly so that  
16 everything will be properly transcribed. Anybody from  
17 the Village?

18 MR. FABER: My name is Michael Faber. I'm  
19 the Village Board president. Basically I'd like to say  
20 thank you to Bruce. I know it's been a long, tedious  
21 go of this. The Village, along with Crispell-Snyder,  
22 has worked diligently in getting it all done, and I  
23 thank you for your presentation. It looks like a good  
24 outline on behalf of the Village, and that's all I have  
25 to say.

1 MR. FOSS: Any further questions from the  
2 Village? Anyone here from the DNR tonight? Any  
3 questions from neighboring municipalities or townships?

4 MR. SMITZ: Don Smitz from the Town of  
5 Wheatland. I'm the town chairman. I understand the  
6 gentleman said -- They mentioned Wheatland. Down  
7 along the river there, how far down would you -- How  
8 far would your services go for us down there?

9 MR. RUBIN: Well, to the extent that's  
10 shown on the map there. It goes about a mile in,  
11 mostly in Section 1, up to the river, up to the river  
12 itself, not any land west of the river, all lands --

13 MR. SMITZ: All lands east of the river  
14 more or less?

15 MR. RUBIN: Uh-huh.

16 MR. SMITZ: Thank you, sir.

17 MR. FOSS: Any other questions from  
18 neighboring municipalities or townships?

19 MS. BOENING: Good evening, gentlemen,  
20 ladies. My name is Shirley Boening. I am town chair  
21 of the Town of Salem. I have a letter that I would  
22 like to read into the record. I would also like to  
23 introduce some staff and people that we have with us  
24 representing the Town of Salem tonight.

25 First of all, Diann Tesar is the supervisor

1 with myself. Next to her is Brad Zautcke. He is our  
2 service utility manager. And then in the back we have  
3 Bill Houtz. The gentleman in the middle, he is our  
4 Planning Board chairman. Next to him is our secretary  
5 on the Plan Board. I've also brought with us tonight  
6 our engineer, Chris Kaempfer, and our planner,  
7 Pat Meehan. They hopefully won't be making comments.

8 So with that, I would like to read my  
9 opening letter into the record. And this is today's  
10 date, and it is addressed to Southeastern Wisconsin  
11 Regional Planning Commission to Bruce and Mr. Evenson.  
12 I assumed that he would be here tonight, but --

13 "Gentlemen --" Proposed Sewer Service Area  
14 in Silver Lake. "This letter is being written in  
15 response to your letter of November 3, 1998, and the  
16 attachment, 'Sanitary Sewer Service Area for the  
17 Village of Silver Lake and Environs.'

18 "Please consider this letter as a formal  
19 written public hearing comment for the Public Hearing  
20 being held on November 16, 1998. With respect to the  
21 public hearing, please find attached memorandums from  
22 Meehan & Company, Inc., (dated November 10, 1998) and  
23 Kaempfer & Associates (dated November 12, 1998)  
24 written to the Town Chairman and the Town Board of the  
25 Town of Salem. These comments were presented to the

1 Town Board at the meeting of November 12, 1998. The  
2 Town Board is in unanimous support of these comments  
3 and are to be considered as comments of the Town.

4 "In light of these comments, the Town of  
5 Salem would like to go on record as being opposed to  
6 the extent, configuration, and amount of land area  
7 within the Town of Salem set aside for the sewer  
8 service area of the Village of Silver Lake.

9 "We ask you to table any action on the  
10 sewer service area for further refinement and revisions  
11 since the Town Board, at their November 12, 1998,  
12 meeting has requested that a cost effective analysis be  
13 done relating to the possibility of serving all or a  
14 portion of the Silver Lake Sewer Service Area.

15 "Thank you very much. Sincerely yours,  
16 Shirley Boening, Chairman, Town of Salem."

17 And at this time also, Mike, I would like  
18 to congratulate you on your very nice facility here.  
19 And with that, Chris, would you please read your  
20 comments into the record?

21 MR. KAEMPFER: My name is Chris Kaempfer.  
22 I'm chief engineer at Kaempfer & Associates. We're the  
23 utility district consulting engineer, and we were asked  
24 by the Town to review the proposed revisions. And we  
25 submitted a memo to the Town for their consideration,

1 and it says, "The preliminary draft report for the  
2 Sanitary Sewer Service Area for the Village of  
3 Silver Lake and Environs calls for the Silver Lake  
4 sewer service area to be expanded to the north and west  
5 of the Village. The Town of Salem Land Use Plan calls  
6 for a large portion of the area to remain rural and  
7 unsewered. We recommend that the Town of Salem request  
8 the sewer service area additions that are in conflict  
9 with the Town of Salem Land Use Plan be deleted from  
10 the proposed sewer service area plan.

11 "If Southeastern Wisconsin Regional  
12 Planning Commission decides that the area should be in  
13 the proposed sewer service area, we recommend that the  
14 Town of Salem request that the northeastern portion of  
15 the proposed sewer service area be placed in the  
16 Town of Salem sewer service area. The area that could  
17 be served by the Town of Salem is shown in orange on  
18 the attached map."

19 Now, I have an attached map, but for your  
20 information, the area that we're looking at is this  
21 area right in here, the northeast corner of the  
22 proposed area.

23 "We feel the area should be in the Town of  
24 Salem sewer service area because it will be more cost  
25 effective. We feel it will be more cost effective to

1 serve the area for the following reasons:  
2 "The existing sewage lift station on  
3 State Highway 50 is designed to be relocated so it can  
4 serve the proposed sewer service area. The existing  
5 force main and sanitary sewer would be extended to  
6 serve the existing development along State Highway 50.  
7 The proposed sewer service area could be served by  
8 gravity sewers from the State Highway 50 sewage lift  
9 station.

10 "The conveyance system to serve the  
11 proposed sewer service area already exists in the  
12 Town of Salem Utility District.

13 "3. The Utility District No. 2 Wastewater  
14 Treatment Plant already has adequate capacity to serve  
15 the proposed sewer service area.

16 "4. Including the area in the Town of  
17 Salem sewer service area would allow the Village of  
18 Silver Lake to reduce the size and cost of their sewage  
19 treatment plant."

20 What we're saying right now is the Town has  
21 sewer service in this part of their sewer service area.  
22 There's a lift station here. When the lift station was  
23 designed, it was noted that the low point for  
24 Highway 50 is at the boundary of the sewer service  
25 area, so the sewers are designed to be extended in the

1 future when the Town would someday put this into their  
2 plan for sewer service.

3 This force main would then be extended  
4 back, and this lift station would be relocated to  
5 approximately this point. At this point we can get  
6 gravity sewer service to this entire area of the  
7 proposed sewer service area, so we feel that the  
8 facilities are already in there. There's already a  
9 plan to serve that portion of it, so it really doesn't  
10 make sense for that to be in the Village of Silver Lake  
11 sewer service area. Thank you.

12 MS. BOENNING: Pat Meehan is our planner.

13 MR. MEEHAN: My name is Pat Meehan. I'm  
14 the president of Meehan & Company, Incorporated. I'm  
15 the town planner for the Town of Salem. I have  
16 submitted -- and I'm not sure who we hand this to, who  
17 is taking hard copies of memos and things. Much of my  
18 comment tonight is outlined in a memorandum that I'm  
19 requesting become part of the public record here. I'd  
20 like to hit on some of the high points of that  
21 memorandum.

22 The first point is that the Town of Salem  
23 was only given 12 days notice of this public hearing,  
24 and we feel it's an inadequate time period for the  
25 Town's consideration of all possible cost effective

1 solutions.

2 The second point, and if you refer in the  
3 documents that I just entered into the public record to  
4 Exhibits A, B and C, is that the planned sewer service  
5 area appears to be inconsistent with the Town Land Use  
6 Plan relative to the north and southern extremities of  
7 the Village, the sewer service area.

8 "The Town of Salem Comprehensive Land Use  
9 Plan does not indicate new growth or development to  
10 occur in either areas of the Town of Salem north or  
11 south of the current Village of Silver Lake corporate  
12 limits as indicated on Map 5 of the SEWRPC draft  
13 'Sanitary Sewer Service Area for the Village of  
14 Silver Lake and Environs.' Therefore, we conclude that  
15 the proposed expansion of the provisions of sanitary  
16 sewer service to areas of the Town of Salem not planned  
17 for growth and development is inconsistent with the  
18 adopted Town of Salem Comprehensive Land Use Plan."

19 I also note in my memorandum that the  
20 Town of Salem Land Use Plan was not even referenced in  
21 the document, so we're not even sure if it was really  
22 looked at.

23 Also absent from the document that we  
24 reviewed was a local Land Use Plan for the Village of  
25 Silver Lake itself, so we're not sure exactly where the

1 sanitary sewer service area boundaries came from.  
2 Sanitary service area refinement should be based upon  
3 local Land Use Plans, we feel.

4 Three different sewer service area  
5 boundaries have been proposed for the Village within  
6 the last 12 months, and those are outlined in my  
7 Exhibits A, B and C. Because so many have been  
8 advanced by the Village, by SEWRPC, it leaves us in  
9 kind of an interesting situation because we seem to be  
10 always reviewing something totally different than the  
11 last thing we looked at without our input.

12 The maps, as you'll notice from the  
13 exhibits that I submitted, are inconsistent with each  
14 other with respect to configuration, extent and amount  
15 of the urban growth area indicated. The memorandum  
16 that I submitted, without being unduly long here  
17 tonight, does indicate where those inconsistencies are.  
18 And they also appear to be inconsistent with the  
19 Regional Land Use Plan that's adopted for the year  
20 2020. And we feel that at least the sewer service area  
21 should be consistent with the adopted Regional Land Use  
22 Plan.

23 I note that after reviewing the proposed  
24 sewer service area document that the high growth  
25 scenario of 4,450 persons was used for the year 2020

1 population. That amounts to an increase of 2,391  
 2 persons or about 54 percent over the -- I believe it  
 3 was the 1995 population of the Village. We feel that  
 4 this is much too high of a population level to use.  
 5 The use of such a high growth scenario is excessive,  
 6 and the amount of land allocated to growth and  
 7 development for the Village of Silver Lake is excessive  
 8 based upon that type of plan.

9 We feel that development of that sewer  
 10 service area, if approved as it is, would probably  
 11 leap-frog within the sewer service area over the next  
 12 20-year period or so. We ask that you reduce your year  
 13 2020 population growth level for the Village to the  
 14 adopted Regional Land Use Plan number of 3,480 persons  
 15 and not 4,450 persons. And if that is changed to the  
 16 adopted Regional Land Use Plan number, Maps 4, 5 and 6  
 17 of the sewer service area plan should also be revised  
 18 to reflect the SEWRPC-adopted Year 2020 Regional Land  
 19 Use Plan. Thank you.

20 MR. FOSS: Any other comments from  
 21 neighboring municipalities? Any comments from the  
 22 citizens or general public? At this point I'll turn it  
 23 back over to you, Mike.

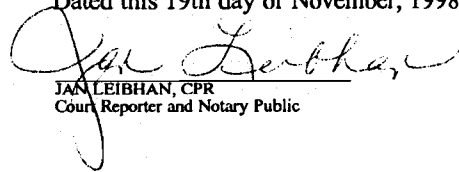
24 MR. FABER: Thank you all for coming, and I  
 25 adjourn this public hearing at 7:32 p.m. this

1 STATE OF WISCONSIN )  
 2 KENOSHA COUNTY ) SS:

3  
 4  
 5 I, JAN LEIBHAN, Certified Professional  
 6 Reporter and Notary Public in and for the State of Wisconsin,  
 7 certify that I stenographically reported and reduced to  
 8 typewriting the foregoing proceedings taken on November 16,  
 9 1998, and that the same is true and correct in accordance with  
 10 my original machine shorthand notes taken at said time and  
 11 place.

12  
 13 I certify that I am neither related to nor  
 14 an employee of any party or attorney to this action, and I  
 15 certify that I have no financial interest in the matter.

16 Dated this 19th day of November, 1998.

17   
 18  
 19 JAN LEIBHAN, CPR  
 20 Court Reporter and Notary Public

21  
 22  
 23 My commission expires November 12, 2000.

1 November 16th. This public hearing is adjourned.  
 2 (Hearing adjourned at 7:32 p.m.)  
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WRITTEN MATERIALS SUBMITTED INTO THE RECORD OF THE PUBLIC HEARING



KENOSHA COUNTY
P.O. BOX 443 • 9814 ANTIOCH ROAD (Hwy 83) • SALEM, WI 53168
TELEPHONE (414) 843-2313 FAX (414) 843-4432

Kaempfer & Associates, Inc.
Consulting Engineers

650 East Jackson St. P.O. Box 150
Oconto Falls, Wisconsin 54154
(920) 846-3932 Fax (920) 846-8319

November 16, 1998

Southeastern Wisconsin Regional Planning Commission
916 N. East Avenue
Post Office Box 1607
Waukesha, WI 53187-1607

In re: PROPOSED SEWER SERVICE AREA

Gentlemen:

This letter is being written in response to your letter of November 3, 1998, and the attachment: "Sanitary Sewer Service Area for the Village of Silver Lake and Environs."

Please consider this letter as a formal written public hearing comment for the Public Hearing being held on November 16, 1998. With respect to the Public Hearing, please find attached memorandums from Meehan and Company, Inc., (dated November 10, 1998) and Kaempfer and Associates, (dated November 12, 1998) written to the Town Chairman and the Town Board of the Town of Salem. These comments were presented to the Town Board at the meeting of November 12, 1998. The Town Board is in unanimous support of these comments and are to be considered as comments of the Town.

In light of these comments, the Town of Salem would like to go on record as being opposed to the extent, configuration, and amount of land area within the Town of Salem set aside for the sewer service area of the Village of Silver Lake.

We ask you to table any action on the sewer service area for further refinement and revisions, since the Town Board, at their November 12, 1998, meeting has requested that a cost effective analysis be done relating to the possibility of serving all or a portion of the Silver Lake Sewer Service Area.

Thank you very much.

Sincerely yours,

Handwritten signature of Shirley Boening
SHIRLEY BOENING
Chairman
Town of Salem

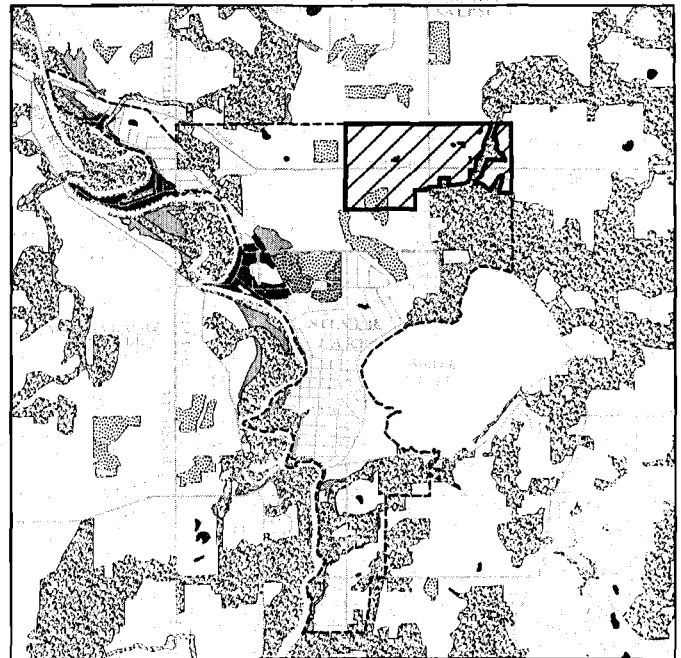
DATE: November 12, 1998 E121-01.09
TO: Shirley Boening, Town Chairperson
FROM: Chris Kaempfer, P.E.
PROJECT: Sewer Service Area Revisions
RE: Silver Lake Sewer Service Area Revisions

The preliminary draft report for the Sanitary Sewer Service Area for the Village of Silver Lake and Environs calls for the Silver Lake sewer service area to be expanded to the north and west of the Village. The Town of Salem Land Use Plan calls for a large portion of the area to remain rural and unsewered. We recommend that the Town of Salem request that the sewer service area additions that are in conflict with the Town of Salem Land Use Plan be deleted from the proposed sewer service area plan.

If Southeastern Wisconsin Regional Planning Commission (SEWRPC) decides that the area should be in the proposed sewer service area, we recommend that the Town of Salem request that the northeastern portion of the proposed sewer service area be placed in the Town of Salem sewer service area. The area that could be served by the Town is shown in orange on the attached map.

We feel the area should be in the Town of Salem sewer service area because it will be more cost-effective. We feel it will be more cost-effective to serve the area for the following reasons:

- 1. The existing sewage lift station on STH '50' is designed to be relocated so it can serve the proposed sewer service area. The existing force main and sanitary sewer would be extended to serve the existing development along STH '50'. The proposed sewer service area could be served by gravity sewers from the STH '50' sewage lift station.
2. The conveyance system to serve the proposed sewer service area already exists in the Town of Salem Utility Districts.
3. The Utility District No. 2 WWTTP has adequate capacity to serve the proposed sewer service area.
4. Including the area in the Town of Salem sewer service area would allow the Village of Silver Lake to reduce the size of their WWTTP expansion.



# MEEHAN & COMPANY, I N C.

PATRICK J. MEEHAN AICP, AIA  
PRESIDENT

P O BOX 32098  
FRANKLIN, WI 53112  
PHONE (414) 539-9559  
FAX (414) 520-9559

## MEMORANDUM

TO: Town Chairman and Town Board  
Town of Salem

FROM: Meehan & Company, Inc.  
Patrick J. Meehan, AIA, AICP

SUBJECT: SEWRPC's Preliminary Draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" (undated, transmitted by SEWRPC letter to the Town dated November 3, 1998)

DATE: November 10, 1998

Pursuant to the November 6, 1998 request of the Town Chairperson, Meehan & Company, Inc. has reviewed the above captioned document and comments as follows:

- The Town of Salem has a formally adopted land use plan which was adopted by Town Plan Commission resolution on September 28, 1994 and by Town Board resolution on October 10, 1994. The Town adopted land use plan addresses planned land uses for all of those areas which are under Town jurisdiction-including the majority of the area indicated on the preliminary draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs." In general, the Town of Salem Comprehensive Land Use Plan does not indicate new growth or development to occur in either areas of the Town of Salem north or south of the current Village of Silver Lake corporate limits as indicated on Map 5 of the SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs." Therefore, the proposed expansion of the provision of sanitary sewer service to areas of the Town of Salem not planned for growth and development is inconsistent with the adopted Town of Salem Comprehensive Land Use Plan.

No reference to the Town of Salem's adopted land use plan is made in the SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs." It could be concluded that either the Town's land use plan was not examined or that it was examined and ignored. In either case, the Town of Salem Comprehensive Land Use Plan should be referenced and a rationale provided as to why it was not followed.

The Town of Salem is unaware of any such adopted detailed land use plan for the Village of Silver Lake.

□ COMMUNITY PLANNING □ LAND PLANNING & DESIGN □ ZONING □

- Figure 5-1 of the January 1998 Village of Silver Lake Facilities Plan indicates the proposed revised sanitary sewer service area for the Village of Silver Lake. Map 5 of the SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" indicates the extent of the planned sanitary sewer service area for the year 2020. Based upon a comparison of these two maps, the Village of Silver Lake Facilities Plan and the SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" can be deemed as inconsistent with each other since the configuration, extent, and amount of the urban growth area depicted on the two maps is not the same. Notable examples of these inconsistencies are as follow:
  - The SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" indicates a large area of "Anticipated Sewer Service Area Additions" in the south one-half of U.S. Public Land Survey Sections 6 and 5, the southwest one-quarter of Section 4, the north one-half of Section 7, and the northwest one-quarter of Section 8. Figure 5-1 of the Village of Silver Lake Facilities Plan, however, does not indicate "Anticipated Sewer Service Area Additions" in the south one-half of U.S. Public Land Survey Sections 6, only in a small portion of the south one-half of Section 5, only a small portion of the southwest one-quarter of Section 4, and only a small portion of the north one-half of Section 7.
  - Figure 5-1 of the Village of Silver Lake Facilities Plan indicates significant strips of "Anticipated Sewer Service Area Additions" along both the east and west side of the Fox River extending for a distance of about 3.5 miles inclusive of significant areas of SEWRPC-delineated environmental corridor areas. The SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" only indicates about 2.5 miles of "Planned Sanitary Sewer Service Area" located on the northeast side of the Fox River.
  - Figure 5-1 of the Village of Silver Lake Facilities Plan does not indicate an area of "Anticipated Sewer Service Area Additions" on the south side of the current Village of Silver Lake corporate boundaries along both sides of CTH B. The SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" indicates a "Planned Sanitary Sewer Service Area" on the south side of the current Village of Silver Lake corporate boundaries in both U.S. Public Land Survey Sections 19 and 20 along both sides of CTH B.
  - Figure 5-1 of the Village of Silver Lake Facilities Plan indicates a strip of "Anticipated Sewer Service Area Additions" along both sides of CTH B for a distance of about one-half mile in the south one-half of U.S. Public Land Survey Section 5. The SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" does not indicate a strip of "Planned Sanitary Sewer Service Area" at this location along CTH B.
  - Figure 5-1 indicates a strip of "Anticipated Sewer Service Area Additions" along both sides of STH 50/STH B3 for a distance of about one-half mile into U.S. Public Land Survey Sections 4 and 9. The SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" does not indicate a strip of "Planned Sanitary Sewer Service Area" at this location.
- Map 5 of the SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" indicates the proposed extent of the planned sanitary sewer

service area for the year 2020. Map 10 of SEWRPC Planning Report No. 45 titled A Regional Land Use Plan for Southeastern Wisconsin: 2020 indicates the planned extent of suburban, low density, medium density, and high density development in the Village of Silver Lake and surrounding environs. Based upon a comparison of the proposed planned sanitary sewer service area to the configuration, extent, and amount of the suburban, low density, medium density and high density development growth and development areas depicted on the SEWRPC-adopted year 2020 regional land use plan, there are several major inconsistencies with the SEWRPC-adopted year 2020 regional plan including the following:

- Map 5 of the SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" indicates a large area of "Anticipated Sewer Service Area Additions" in the south one-half of U.S. Public Land Survey Sections 6 and 5, the southwest one-quarter of Section 4, the north one-half of Section 7, and the northwest one-quarter of Section 8. Map 10 of the SEWRPC-adopted year 2020 regional land use plan, however, does not indicate growth and development in the south one-half of U.S. Public Land Survey Sections 6 or the southeast one-quarter of Section 5 [Map 10 indicates these two areas as agricultural and rural density residential land].
- Map 5 of the SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" indicates about 2.5 miles of "Planned Sanitary Sewer Service Area" located on the northeast side of the Fox River. The SEWRPC-adopted year 2020 regional land use plan map does not indicate any substantial growth and development on the northeast side of the Fox River. [Map 10 indicates this area as predominantly agricultural and rural density residential land].

If the Town of Salem's adopted Comprehensive Land Use Plan is not to be followed at a minimum Maps 4, 5, and 6 of the SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" should be revised to reflect the SEWRPC-adopted year 2020 regional land use plan map in the above referenced areas in order to assure consistency at least with the adopted 2020 regional land use plan.

- SEWRPC's draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs" (p. 13) indicates SEWRPC's forecast year 2020 population for the Village of Silver Lake will range from SEWRPC's intermediate growth scenario of 3,480 persons to a high growth scenario of 4,450 persons.

According to the Demographic Services Center of the Wisconsin Department of Administration, the 1998 estimated population of the Village of Silver Lake is only 2,059 persons. The Demographic Services Center (in its publication titled Official Municipal Population Projections, 1990-2015, p. 39) indicates that the population of the Village of Silver Lake will only be 2,608 persons by the year 2015.

Therefore, the high growth scenario of 4,450 persons by the year 2020, an increase of 2,391 persons or about 54 percent, appears extremely high for a Village such as the Village of Silver Lake. The use of the high-growth scenario 2020 population level results in an extremely excessive amount of land allocated to growth and development for the Village of Silver Lake. This will probably result in "leap frog" development occurring at the sewer service area fringes of the Village resulting in increased cost for the provision of some municipal services.

Given the various inconsistencies of the three plans previously mentioned (all of which are less than one year old), it appears that there is no consistent plan advanced by either the Village of Silver Lake or SEWRPC regarding the configuration and extent of the growth and development which is to occur on the fringes of the Village of Silver Lake to the year 2020.

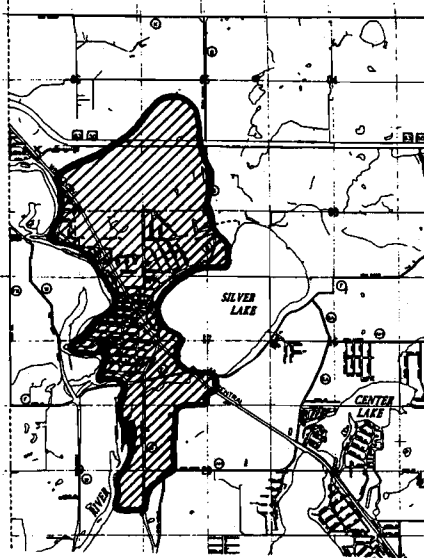
Based upon the foregoing analyses and findings the following concluding comments are made regarding the SEWRPC draft "Sanitary Sewer Service Area for the Village of Silver Lake and Environs":

- The Town of Salem Comprehensive Land Use Plan should be referenced and a rationale provided as to why it was not followed.
- The year 2020 population level advanced by the adopted year 2020 regional land use plan--a Village of Silver Lake year 2020 population of 3,480 persons--should be used (i.e. SEWRPC's intermediate-growth scenario) to determine the extent of the year 2020 sanitary sewer service area for the Village.
- Maps 4, 5, and 6 should be revised to reflect the SEWRPC-adopted year 2020 regional land use plan map for the Village and surrounding environs to assure consistency with the adopted 2020 regional land use plan.

■ ■ ■

## EXHIBIT A

EXTENT OF VILLAGE OF SILVER LAKE URBAN AREA SUGGESTED BY THE  
ADOPTED YEAR 2020 REGIONAL LAND USE PLAN  
(Plan Dated December 1997)



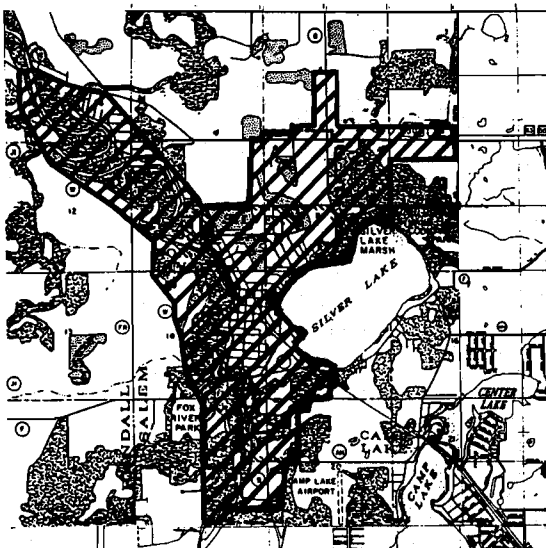
NORTH

SCALE: 1" = 4,000'

Source: SEWRPC Planning Report No. 45 *A Regional Land Use Plan for Southeastern Wisconsin, 2020*, p. 63 (Map 10) and Meehan & Company, Inc.

## EXHIBIT B

EXTENT OF VILLAGE OF SILVER LAKE URBAN AREA SUGGESTED BY THE  
VILLAGE OF SILVER LAKE FACILITIES PLAN  
(Plan Dated January 1998)



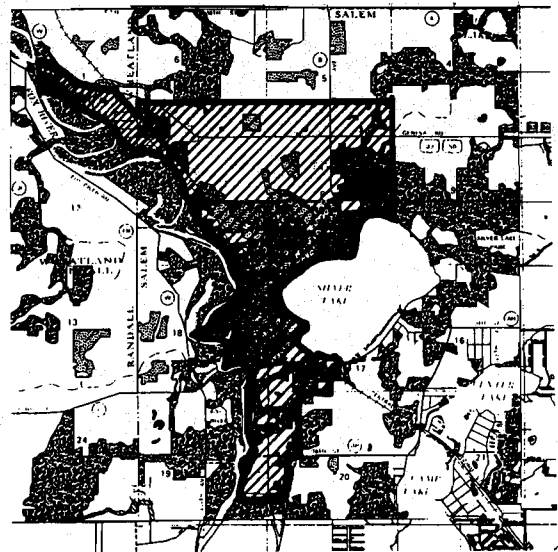
NORTH

SCALE: 1" = 4,000'

Source: Crispell-Snyder, Inc. *Facilities Plan: Village of Silver Lake Wastewater Treatment Plant, Kenosha County, Wisconsin*, p. 5-2 (Figure 5-1) and Meehan & Company, Inc.

## EXHIBIT C

EXTENT OF VILLAGE OF SILVER LAKE URBAN AREA SUGGESTED BY THE  
PRELIMINARY DRAFT YEAR 2020 SANITARY SEWER SERVICE AREA PLAN  
(“Preliminary Plan” Dated November 1998)



NORTH

SCALE: 1" = 4,000'

Source: “Preliminary Draft” SEWRPC Community Assistance Planning Report No. 119 (Second Edition) *Sanitary Sewer Service Area for the Village of Silver Lake and Environs*, p. 14 (Map 5) and Meehan & Company, Inc.



November 17, 1998

Southeastern Wisconsin Regional Planning Commission  
916 N. East Avenue  
P.O. Box 1607  
Waukesha, WI 53187-1607

Attn: Mr. Philip C. Evenson  
Executive Director

Re: Sanitary Sewer Service Area Revisions  
Village of Silver Lake  
Kenosha County, Wisconsin  
Project No. 96053K

Dear Mr. Evenson:

On behalf of the Village of Silver Lake, we are responding to the written comments provided by the Town of Salem, their Town engineer, and their Town planner. We will address the three letters separately, and have included them in Appendix A as a reference.

Our response to the letter written by Shirley Boening dated November 16, 1998 is as follows:

- The letter requests that SEWRPC hold action on Silver Lake's proposed sewer service area determination until the Town completes a cost-effectiveness analysis of serving all or a portion of the Silver Lake sewer service area. As you know, this analysis was already completed as part of the wastewater treatment plant facility plan for the Village of Silver Lake that was submitted to the DNR for their approval. A copy of the DNR approval letter is included in Appendix B.

Our response to the letter written by Chris Kaempfer dated November 12, 1998 is as follows:

- The Town engineer intends to relocate an existing lift station to serve lands to the west that are in both the existing and proposed Silver Lake sewer service area. The design service area for this existing STH 50 lift station did not include any of the existing or proposed Silver Lake sewer service area. Please refer to a copy of the approval letter submitted to SEWRPC in Appendix C. In addition, the Town of Salem's existing lift station #2 on 84<sup>th</sup> Street was recently relocated, and again the design service area did not include any of the existing or proposed Silver Lake sewer service area. The majority of the land in the Silver Lake sewer service area drains west towards the Fox River and flows by gravity directly into future extensions of an existing Village sewer. In order for Silver Lake to serve future development along STH 50 and east of CTH B, minor pumping may be required (grinder pumps or a small package lift station). However, this would be far more reasonable than Salem installing a

<p>ELKHORN PO. Box 370 114 W. Court Street, 53121 (414) 773-5600 FAX (414) 773-5106</p>	<p>RACINE 5770 Taylor Avenue, 53403 (414) 554-8530 FAX (414) 554-1503</p>	<p>SHEBOYGAN PO. Box 935 2722 N. 71st Street, 53087 (920) 458-5512 FAX (920) 458-4530</p>
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large lift station or 'relocating' the existing one, and then transmitting the sewerage over twice the distance as Silver Lake for treatment.

- Both the Village's and the Town's existing sewer systems are equally capable of transmitting sewage to their respective treatment plants.
- The design of the proposed wastewater treatment plant expansion for the Village of Silver Lake was based upon projected population growth within the proposed sewer service area. In addition to the population projections proposed by SEWRPC, additional population equivalents would result from new sanitary sewer service to business and industry. Therefore, downsizing of the Silver Lake WWTP expansion would not be realized.

Regarding the letter written by Patrick Meehan dated November 10, 1998; our comments are as follows:

- A published land use plan is not required to adopt or revise a sewer service area. Furthermore, the Village of Silver Lake would not agree with or support a land use plan that indicates zero growth of the Village.
- The STH 50 corridor will be a major corridor for urban development. This area has and will continue to feel pressure for development due to growth from the Chicago/Northern Illinois area and Kenosha. Western Kenosha County has experienced significant growth over the past 5 to 10 years. It is the Village's position that similar growth could be expected to continue.
- The proposed sewer service area is contiguous to the Village of Silver Lake and reflects sound planning for long-term growth of the Village. This natural expansion of the Village will provide opportunities for business, industry, and new residents to locate within a planned area to prevent urban sprawl. In addition, the Village will be undertaking a comprehensive neighborhood planning effort in the near future to identify the appropriate mix of land uses for the proposed sewer service area. It is also our understanding that several property owners along STH 50 and east of CTH B have already expressed an interest in being annexed into the Village.

In conclusion, the proposed sewer service area expansion can be served most efficiently by the Village of Silver Lake; can be served almost entirely by gravity flow to existing Silver Lake sewers; and would accommodate the orderly growth of the residential, commercial, and industrial sections of the Village. The process of refining the sewer service areas for the Village of Silver Lake, the Village of Paddock Lake, and the Town of Salem, has been ongoing for over two years. Please reference the letter from SEWRPC dated October 30, 1996 in Appendix D. The Town of Salem is opposed to any growth of the Village of Silver Lake and is therefore also opposed in any subsequent related actions that facilitate this process. Any further justification of the proposed expansion of Silver Lake's sewer service area would be a disservice to the residents of the area and only serves to delay proper planning and development of the Village of Silver Lake. Therefore, we ask that you approve the proposed sewer service area revision for the Village of Silver Lake at the next SEWRPC meeting scheduled for December 2, 1998.

If you have any questions, please feel free to contact me at the Elkhorn office.

Sincerely,

CRISPELL-SNYDER, INC.

*Brandon A. Foss*  
Brandon A. Foss  
Project Engineer

BAF/snl

cc: Mike Faber, Village President  
Al Bryner, Village Trustee  
Bob Williams, Village Public Works Superintendent



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Tommy G. Thompson, Governor  
George E. Meyer, Secretary

PO Box 7921  
101 South Webster Street  
Madison, Wisconsin 53707-7921  
TELEPHONE 608-286-2621  
FAX 608-287-3579  
TDD 608-287-6897

October 29, 1998

In Reply Refer to: 98-0058  
CWF 4100-01

Mr. Michael J. Faber, President  
Village of Silver Lake  
P.O. Box 42  
Silver Lake, WI 53170

SUBJECT: Facilities Plan Approval  
Village of Silver Lake  
Proposed construction of a wastewater treatment  
facility

Dear Mr. Faber:

The Department of Natural Resources has completed the review of your facilities plan. The facility plan is hereby approved. We concur with the selected alternative which recommends constructing a new wastewater treatment facility to serve the Village of Silver Lake. The facility will consist of an oxidation ditch with capabilities for biological and chemical phosphorus removal and an ultraviolet disinfection system. The existing compact plant will be modified and used for sludge storage. All construction activities will take place at the existing treatment plant site. Discharge of treated wastewater will continue to the Fox River.

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions just be filed.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

*Quality Natural Resources Management  
Through Excellent Customer Service*

Mr. Michael J. Faber - October 29, 1998

To request a contested case hearing pursuant to section 227.42, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

This notice is provided pursuant to section 227.48(2), Stats.

Sincerely,

*Charles R. Lepin*, P.E.  
Charles R. Lepin, Chief  
Great Lakes and Watershed Planning Section  
Bureau of Watershed Management

CRJ:SB8  
silverlake.fp

cc: Crispell-Snyder, Inc., Brandon A. Foss, P.E.  
Jackie Schuda-DNR-Milwaukee ANNEX  
Community Financial Asst.-CF/8

# Kaempfer & Associates, Inc.

Consulting Engineers

P.O. Box 150  
Oconto Falls, Wisconsin 54154 (414) 846-3932

January 23, 1995

E121-11.02

Mr. Kurt Bauer  
Southeastern Wisconsin Regional Planning Commission  
P.O. Box 1607  
Waukesha, WI 53187

Re: Town of Salem Utility District No. 1  
STH '50' Sewer Extension

Dear Mr. Bauer:

The Town of Salem Utility District No. 1 proposes to construct approximately 4,300 lineal feet of 8-inch and 10-inch diameter sanitary sewer along STH '50', 1,000 lineal feet of 8-inch diameter sanitary sewer along 262nd Avenue and 4300 lineal feet of 8-inch diameter force main along STH '50' in the Town of Salem, Kenosha County, Wisconsin. The STH '50' Sewer Extension is part of the proposed service area of the CTH 'F' Sanitary Sewer Extension which was approved by you in a letter dated January 13, 1992. We are requesting a letter indicating that the sewer extensions are in conformance with the 208 Plan for the area. The letter will be submitted to the Wisconsin Department of Natural Resources (WDNR) for sanitary sewer extensions approval. Enclosed for your review are two location maps indicating the area of the proposed sanitary sewer extensions.

If you have any questions or require additional information, please contact Brian Powell or me.

Sincerely,

KAEMPFER & ASSOCIATES, INC.

*Miles A. Winkler*  
Miles A. Winkler, P.E.

MAW:dpl

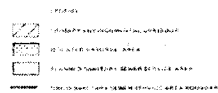
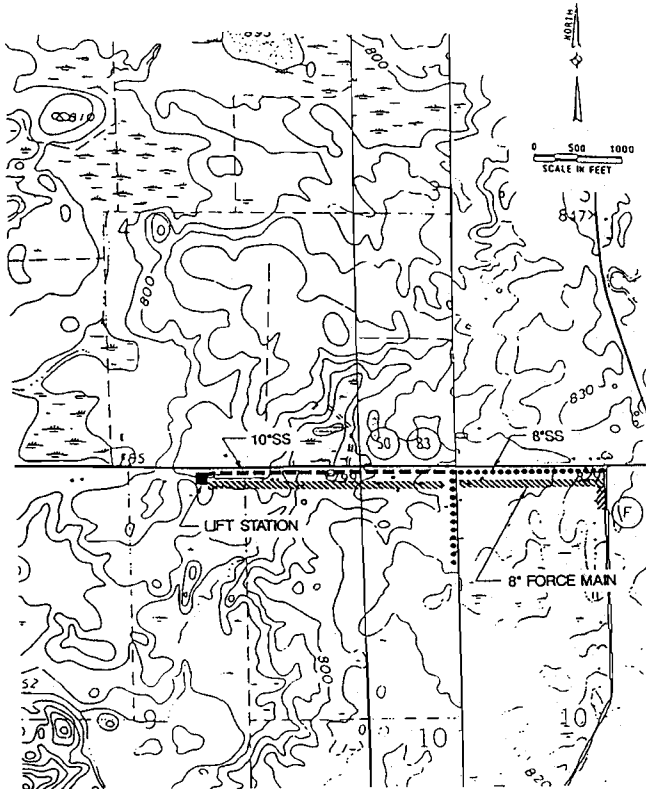
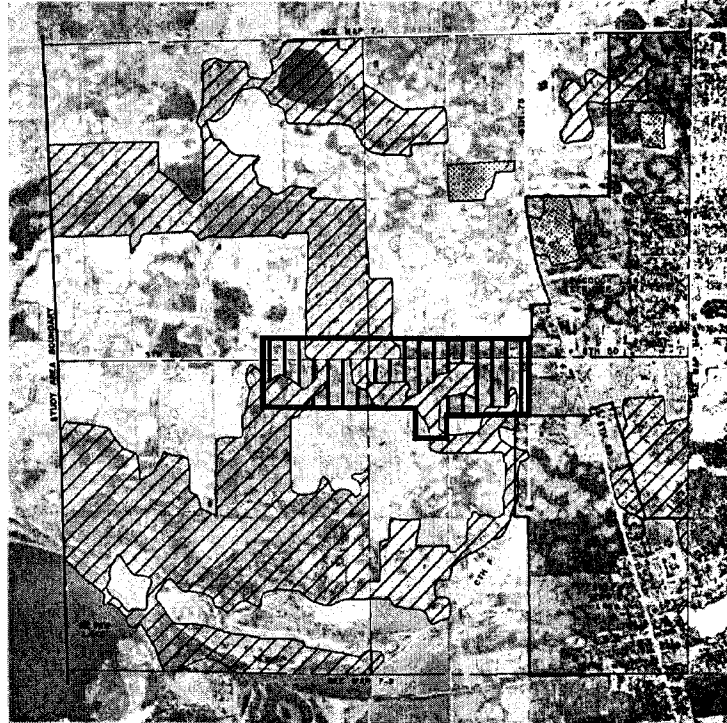
cc: Mr. Peter C. Wachs, Plant Manager

Enc: As Noted

Map 7-5

## ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE SALEM/PADDOCK LAKE/BRISTOL AREA

U. S. Public Land Survey Sections 3, 4, 9, and 10  
Township 1 North, Range 20 East



**PROPOSED SERVICE AREA**

Source: SLWRPC.

30

Project Location Map

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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 WASHINGTON



November 14, 1996

Ms. Marlene P. Goodson, President  
 Village of Paddock Lake  
 Municipal Building  
 6969 - 236th Avenue  
 Salem, Wisconsin 53168

Mr. Michael J. Faber, President  
 Village of Silver Lake  
 Village Hall  
 113 S. First Street  
 P. O. Box 57  
 Silver Lake, Wisconsin 53170

Ms. Shirley Boening, Chairman  
 Town of Salem  
 Town Hall  
 9814 Antioch Road, Hwy. 83  
 P. O. Box 443  
 Salem, Wisconsin 53168

Dear Ms. Goodson, Ms. Boening, and Mr. Faber:

This letter is intended to propose a time schedule for completion of requested refinements to the sanitary sewer service area plans for the Villages of Paddock Lake and Silver Lake and the Town of Salem. In so doing, this letter will also formally respond to Ms. Goodson's letter of October 18, 1996, requesting that the Village of Paddock Lake have sufficient time to complete analyses with respect to this matter; to a letter dated October 4, 1996, from Ms. Sharon L. Kerkman, Clerk/Treasurer, Village of Silver Lake writing on behalf of the Village Board and requesting that the Commission work with the Village to complete refinements to its sewer service area plan; and to Ms. Boening's letter of October 25, 1996, requesting that the Commission act on the Town of Salem's pending proposal to amend its sewer service area plan at the Commission meeting scheduled for December 4, 1996.

As the designated water quality management planning agency for South-eastern Wisconsin, the Commission has the responsibility to work with local units of government to prepare and adopt sanitary sewer service area plans. These plans fulfill the requirements set forth in Chapter NR 121 of the Wisconsin Administrative Code. As an advisory planning agency, the Commission works individually and, as necessary, collectively with local governments to prepare and document such plans and to formally certify them to the Wisconsin Department of Natural Resources. That Department has the regulatory authority to approve such plans and to use those plans as the basis for making day-to-day decisions concerning State approval of sanitary sewer extensions.

The emerging urban development patterns in the central portion of Kenosha County are such that it will be necessary for the Commission to work collectively with the Villages of Paddock Lake and Silver Lake and the Town of

Ms. Marlene P. Goodson  
 Ms. Shirley Boening  
 Mr. Michael J. Faber  
 November 14, 1996  
 Page 2

Salem in preparing and documenting the three sewer service area plans concerned. In conducting this work effort, the Commission will seek a consensus among the three local units of government as to the appropriate areal extent of each of the areas, recognizing that common boundaries have become necessary. If the local governments can reach agreement as to such common boundaries, then the Commission will accept such agreements and document them in a common report. If the local governments are not able to reach agreement as to common boundaries, then it is incumbent on the Commission in discharging its responsibilities to conduct whatever technical analyses are necessary to determine the most cost-effective way in which to provide sanitary sewer service to the lands concerned, and make a recommendation to the Wisconsin Department of Natural Resources as to common boundaries based upon those analyses. It is the Commission's preference that the three local governments concerned reach agreement among themselves as to common sewer service area boundaries.

As the initial moving party in this matter, the Town of Salem is understandably desirous of adjusting its sewer service area boundary in an expeditious manner as possible. The Commission is sensitive to this desire. The Commission, however, is also sensitive to the concerns of the Villages of Paddock Lake and Silver Lake who are in the midst of responding to other requirements of the Wisconsin Department of Natural Resources attendant to sewerage facilities planning and the need for time to properly complete such planning. In particular, Ms. Goodson, on behalf of the Village of Paddock Lake, has asked that the Commission make no determination in this matter before April 1, 1997. This would give the Village sufficient time to complete its technical work. It would appear that such a time schedule would also accommodate the technical work being conducted for the Village of Silver Lake.

Based upon the foregoing, the Commission proposes the following time schedule for completion of this matter of importance to all three local governments:

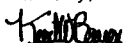
Item	Approximate Timing
1. Completion by the Villages of Paddock Lake and Silver Lake of sewerage facilities planning and related technical analyses; submittal of results of facilities planning and attendant service areas by the Villages to SEWRPC; individual and joint meetings as necessary to share information and concerns; supplemental technical work by SEWRPC as necessary	November 1996 through February 1997
2. Preparation of joint sewer service area plan document by Commission staff and joint meetings with local governments	March 1997

Ms. Marlene P. Goodson  
 Ms. Shirley Boening  
 Mr. Michael J. Faber  
 November 14, 1996  
 Page 3

- |   |            |
|---|------------|
| 3. Public hearing on proposed joint sewer service area plan   | April 1997 |
| 4. Consideration of joint sewer service area plan by Villages of Paddock Lake and Silver Lake and Town of Salem | May 1997   |
| 5. Commission adoption of joint sewer service area plan   | June 1997  |

It is important that all parties understand that the Commission can make no recommendation to the Wisconsin Department of Natural Resources without first having ensured the full participation in the sewer service area planning of each of the local governments concerned. This necessarily will take time and makes consideration of the initiating request by the Town of Salem at the December 1996 meeting of the Commission not possible. The Commission will do all it can to seek agreement among the three local governments as to this matter. In the event that such an agreement cannot be reached, and only in that event, will the Commission conduct its own supplemental cost-effective analyses to serve as a basis for a recommendation in this matter.

We trust that the foregoing is responsive to the requests and concerns of the local governments involved, understanding that the complex intergovernmental nature of this matter makes immediate consideration of the Salem request impractical. Should you have any questions concerning the proposed time schedule and procedure, please do not hesitate to call.

Sincerely,  
  
 Kurt W. Bauer  
 Executive Director

KWB/PCE/rj  
 SILVERLK.LTR

- cc: Mr. Leon T. Dreger, SEWRPC Commissioner  
 Mr. Thomas J. Corlinski, SEWRPC Commissioner  
 Mrs. Sheila M. Siegler, SEWRPC Commissioner  
 Mr. George E. Melcher, Director of Planning and Development, Kenosha County  
 Mr. Charles R. Ledin, Chief, Planning and Policy Section, Bureau of Water Resources Management, Wisconsin Department of Natural Resources-Madison  
 Mrs. Gloria L. McGutcheon, District Director, Southeast District, Wisconsin Department of Natural Resources
- bcc: B. P. Rubin  
 R. P. Biebel