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

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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.
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


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.

Thomas H. Buestrin, Chairman

ATTEST:

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."¹

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 2000.² 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


²See 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.
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.

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.

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 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 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

1 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.
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

Source: SEWRPC.
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 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

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Source: SEWRPC.
ENVIRONMENTALLY SIGNIFICANT LANDS IN THE VILLAGE OF SILVER LAKE STUDY AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

1995 VILLAGE OF SILVER LAKE CIVIL DIVISION BOUNDARY

Source: SEWRPC.
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.2

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 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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2Precise 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.
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.


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
VILLAGE OF SILVER LAKE SANITARY SEWER SERVICE AREA AS DEFINED IN SEWRPC COMMUNITY ASSISTANCE PLANNING REPORT NO. 119, WITH PROPOSED CHANGES

Map 4

VILLAGE OF SILVER LAKE SANITARY SEWER SERVICE AREA AS DEFINED IN THE FIRST EDITION OF SEWRPC COMMUNITY ASSISTANCE PLANNING REPORT NO. 119, AS AMENDED

AREAS TO BE ADDED TO THE INITIALLY REFINED VILLAGE OF SILVER LAKE SANITARY SEWER SERVICE AREA AS AMENDED

OTHER SANITARY SEWER SERVICE AREAS - TOWN OF SALEM UTILITY DISTRICT NO. 2

1995 VILLAGE OF SILVER LAKE CIVIL DIVISION BOUNDARY

Source: SEWRPC.
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

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

Source: SEWRPC.
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, 1 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 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 20202.

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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2 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 (380 acres) results in an
ANTICIPATED CHANGES IN THE ENVIRONMENTALLY SIGNIFICANT LANDS IN THE VILLAGE OF SILVER LAKE STUDY AREA

- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
- FLOODLANDS PROPOSED TO REMAIN UNDEVELOPED AND ADDED TO THE ADJACENT ENVIRONMENTAL CORRIDOR
- DEVELOPED FLOODLANDS PROPOSED TO BE CLEARED AND ADDED TO THE PRIMARY ENVIRONMENTAL CORRIDOR
- FLOODLANDS LOCATED OUTSIDE THE SILVER LAKE SEWER SERVICE AREA WHICH WOULD BE ADDED TO THE ADJACENT ENVIRONMENTAL CORRIDOR SHOULD THE SEWER SERVICE AREA BE EXPANDED
- PORTION OF ISOLATED NATURAL RESOURCE AREA ANTICIPATED TO BE CONVERTED TO URBAN USE
- PLANNED SANITARY SEWER SERVICE AREA: 2020
- PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
- 1995 VILLAGE OF SILVER LAKE CIVIL DIVISION BOUNDARY

Source: SEWRPC.
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.\(^3\)

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 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.

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\(^3\)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.
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 reconfiguration 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.
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

Source: SEWRPC.
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

Map 7-3

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

Source: SEWRPC.
Map 7-4
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

Source: SEWRPC.
ENVMONMENTALLY 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

Map 7-5

Source: SEWRPC.
Map 7-6
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

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.
APPENDICES
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HEARING

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 LEINWAND, Certified Professional Reporter and Notary
Public in and for the State of Wisconsin.

INDEX

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 F. Faber, Chief Land Use Planner,
Southeastern Wisconsin Regional Planning Commission

COMMENTATORS:

Mr. Don Smith
Chairman, Town of Waukesha
Ms. Shirley Boening
Chairman, Town of Salem
Mr. Chris Kaempfer, P.E.
Chief Engineer, Kaempfer & Associates.
Mr. Pat Meenan
President, Meenan & Company, Inc.
Town Planner, Town of Salem

PROCEEDINGS

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

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

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

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

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

MR. RUBIN: Thank you, Brandon.

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

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

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

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

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

We suggest that these sewer service area plans periodically be updated to take into account new population projections, new development decisions the community might be making, other input like facilities planning work the community might be undertaking. So after this first plan was adopted by the community, the Regional Planning Commission and the DNR, we did get a letter in January of this year to do an update, if you will, a refinement of the sewer service area plan for the Village of Silver Lake. We said we would work with the Village. In fact, at the time, we were working not only with the Village of Silver Lake but with the Village of Paddock Lake and the Town of Salem in an attempt to try to look at all three of those areas at the same time because of the nearness of their service areas.

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

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

Basically under the DNR guidelines, these
sewer service area plans have two functions. One is to
identify a configuration of an area that would be
tributary to the Village's sewage treatment plant.
That area should be reasonable in size to take into
account the growth and change that might be envisioned
within that service area. In other words, is the area
large enough to accommodate the growth of population
and housing units and employment envisioned within the
area?

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

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

Probably the best way for me to go through
this report is just to direct your attention to the
three maps that are shown on the back wall here. The
first map on my left is titled "Village of Silver Lake
Sanitary Sewer Service Area" as defined in Community
Assistance Planning Report No. 119 with the proposed
changes. This shows the relationship of the current
sewer service area which this map here shows in this
gray shaded area. That's their currently adopted
service area. It encompasses about 1.9 square miles of
area. And it's that area that is currently adopted and
has been set forth in that Community Assistance
Planning Report No. 119.

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

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

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

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

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

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

And then the isolated natural resource
areas are remnant. They're usually remnant woodland or
wetland areas that have been left after urban
development or agricultural has proceeded within an
area.

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

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

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

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

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

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

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

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

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

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

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

Procedurally, since I'm basically done with
my brief overview of this document, the Village would
consider whatever comments are made at the public
hearing. They should address whatever issues would
come to be. Ultimately then, the Regional Planning
Commission would consider this then as an amendment to
the water quality management plan, and it would be
transmitted to the Department of Natural Resources for
their final consideration.

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

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

MR. FABER: My name is Michael Faber. I'm
the Village Board president. Basically I'd like to say
thank you to Bruce. I know it's been a long, tedious
end to this. The Village, along with Crispell-Snyder,
has worked diligently in getting it all done, and I
thank you for your presentation. It looks like a good
outline on behalf of the Village, and that's all I have
to say.
MR. FOSS: Any further questions from the Village? Anyone here from the DNR tonight? Any questions from neighboring municipalities or townships?

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

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

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

MR. RUBIN: Uh-huh.

MR. SMITZ: Thank you, sir.

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

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

First of all, Diann Tesar is the supervisor with myself. Next to her is Brad Zautcke. He is our service utility manager. And then in the back we have Bill Houtz. The gentleman in the middle, he is our Planning Board chairman. Next to him is our secretary on the Plan Board. I've also brought with us tonight our engineer, Chris Kaempfer, and our planner, Pat Meehan. They hopefully won't be making comments. So with that, I would like to read my opening letter into the record. And this is today's date, and it is addressed to Southeastern Wisconsin Regional Planning Commission to Bruce and Mr. Evenson. I assumed that he would be here tonight, but --

"Gentlemen --" Proposed Sewer Service Area in Silver Lake. "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 & Company, Inc., (dated November 10, 1998) and Kaempfer & 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, Shirley Boening, Chairman, Town of Salem."

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

MR. KAEMPFER: My name is Chris Kaempfer. I'm chief engineer at Kaempfer & Associates. We're the utility district consulting engineer, and we were asked by the Town to review the proposed revisions. And we submitted a memo to the Town for their consideration, and it says, "The preliminary draft report for the Sanitary Sewer Service Area for the Village of Silver Lake and Environ 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 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 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 of Salem is shown in orange on the attached map."

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

"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:

"The existing sewage lift station on State Highway 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 State Highway 50. The proposed sewer service area could be served by gravity sewers from the State Highway 50 sewage lift station.

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

"3. The Utility District No. 2 Wastewater Treatment Plant already 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 and cost of their sewage treatment plant."

What we're saying right now is the Town has sewer service in this part of their sewer service area. There's a lift station here. When the lift station was designed, it was noted that the low point for Highway 50 is at the boundary of the sewer service area, so the sewers are designed to be extended in the future when the Town would someday put this into their plan for sewer service.

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

MS. BOENNING: Pat Meehan is our planner.

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

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

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

"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 of the Town of Salem Land Use Plan."

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

Also absent from the document that we reviewed was a local Land Use Plan for the Village of Silver Lake itself, so we're not sure exactly where the sanitary sewer service area boundaries came from. Sanitary service area refinement should be based upon local Land Use Plans, we feel.

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

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

I note that after reviewing the proposed sewer service area document that the high growth scenario of 4,450 persons was used for the year 2020.
population. That amounts to an increase of 2,391 persons or about 54 percent over the 1995 population of the Village. We feel that this is much too high of a population level to use. The use of such a high growth scenario is excessive, and the amount of land allocated to growth and development for the Village of Silver Lake is excessive based upon that type of plan.

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

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

MR. FABER: Thank you all for coming, and I adjourn this public hearing at 7:32 p.m. this November 16th. This public hearing is adjourned. (Hearing adjourned at 7:32 p.m.)
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November 16, 1998

Southeastern Wisconsin Regional Planning Commission
916 N. East Avenue
Post Office Box 1667
Waukesha, WI 53187-1667

RE: Silver Lake Sewer Service Area

To: Shirley Ewing, Town Chairperson
From: Chris Kaempfer, P.E.

DATE: November 12, 1998

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 unserviced. 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 (SWRPRC) 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 District.

3. The Utility District No. 2 WTP 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 WTP expansion.

Thank you very much.

Sincerely yours,

Shirley Ewing
Chairperson
Town of Salem

Included on the following page is a map showing the proposed sewer service area.
MEMORANDUM

TO: Town Chairman and Town Board
FROM: Meehan & Company, Inc.
SUBJECT: SEWRPC’s Preliminary Draft “Sanitary Sewer Service Area for the Village of Silver Lake and Environs” dated transmitted for 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:

1. The Town of Salem has a normally adopted land use plan which was adopted by Town Plan Commission resolution on September 28, 1994, and by Trial 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—excluding the majority of the areas indicated on the preliminary draft “Sanitary Sewer Service Areas for the Village of Silver Lake and Environs.” Improved, the Town of Salem Comprehensive Land Use Plan does not indicate nor 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 exemption of the provision of sanitary sewer service to areas of the Town of Salem not planned for growth and development is not consistent 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.

Given the various inconsistencies of the three plans previously mentioned, it is apparent 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 Areas for the Village of Silver Lake and Environs”:

i. The Town of Salem Comprehensive Land Use Plan should be referenced and a rationale provided as to why it was not followed.

ii. The year 2020 population level advanced by the adopted year 2020 regional land use plan-which is the 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 areas for the Village of Silver Lake.

iii. 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 areas to ensure consistency with the adopted year 2020 regional land use plan.

2. Figure 5.1 of the January 1999 Village of Silver Lake Facilities Plan indicates the proposed revised sanitary sewer service areas for the Village of Silver Lake. Map 5 of the SEWRPC draft “Sanitary Sewer Service Areas 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 Areas for the Village of Silver Lake and Environs” can be determined to be consistent with each other where appropriate; however, the configurations, extents, and areas of the Village of Silver Lake Facilities Plan is the same. Notable examples of these inconsistencies are as follows:

a. 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 5 and 6, the southeast one-quarter of Section 4, the north one-half of Section 7, and the northeast one-quarter of Section 8. Figure 5.1 of the Village of Silver Lake Facilities Plan indicates a definite area consistent with such additions. The Town of Salem Comprehensive Land Use Plan indicates there are no areas of the Village of Silver Lake that are to be used for sanitary sewer service areas for the year 2020.

b. The SEWRPC draft “Sanitary Sewer Service Area for the Village of Silver Lake and Environs” indicates a strip 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-designated environmental corridor areas. The SEWRPC draft “Sanitary Sewer Service Area for the Village of Silver Lake and Environs” indicates about 2.5 miles of “Planned Sewer Service Area” located on the northeast side of the Fox River.

The Town of Salem Comprehensive Land Use Plan indicates there is no such area of “Anticipated Sewer Service Area Additions” in the south side of the Village of Silver Lake corporate boundaries as indicated on the Village of Silver Lake Facilities Plan.

ii. The SEWRPC draft “Sanitary Sewer Service Area for the Village of Silver Lake and Environs” indicates a strip of “Anticipated Sewer Service Area Additions” along both sides of CTH B from a distance of about one quarter mile into U.S. Public Land Survey Sections 19 and 20 along both sides of CTH B.

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 from a distance of about one quarter mile into U.S. Public Land Survey Sections 19 and 20 along both sides of CTH B.

The Village of Silver Lake Facilities Plan indicates an area of “Anticipated Sewer Service Area Additions” in the south one-half of U.S. Public Land Survey Section 3. The SEWRPC draft “Sanitary Sewer Service Area for the Village of Silver Lake and Environs” indicates a strip of “Planned Sewer Service Area” at this location along CTH B.

vi. 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 Annual Population Estimates Wisconsin 2000 Census) indicates the population of the Village of Silver Lake will remain a total of 2,059 persons for the year 2020.

Therefore, the bathtub stream of 4,450 persons per the year 2020 is an overestimate of about 30 percent compared to present figures for the Village of Silver Lake. Therefore, the area of “Anticipated Sewer Service Area Additions” along both sides of CTH B as indicated on the SEWRPC draft “Sanitary Sewer Service Area for the Village of Silver Lake and Environs” is unreasonable and not consistent with the development of the Village of Silver Lake or anticipated development over the next several years.

3. 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 the SEWRPC Planning Report No. 26 titled Regional Land Use Plan for Southeastern Wisconsin (2020) indicates the planned extent of urban, low-density, medium-density, and high-density development in the Village of Silver Lake and surrounding areas. Based upon a comparison of the proposed planned sanitary sewer service areas to the configuration, extent, and amount of the above land use plan areas, there are several inconsistencies with the SEWRPC adopted year 2020 regional plans including the following:

a. 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 5 and 6, the southeast one-quarter of Section 4, the north one-half of Section 7, and the northeast one-quarter of Section 8. The Town of Salem Comprehensive Land Use Plan does not indicate growth and development in the south one-half of U.S. Public Land Survey Sections 6 or the northeast one-quarter of Section 5. Map 10 indicates these two areas as agricultural and rural density residential land.

b. Map 5 of the SEWRPC draft “Sanitary Sewer Service Area for the Village of Silver Lake and Environs” located on the northeastern side of the Fox River. The SEWRPC adopted year 2020 regional land use plan 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.

The Town of Salem’s adopted Comprehensive Land Use Plan is not to be followed at minimum Maps 4 and 5 of the SEWRPC draft “Sanitary Sewer Service Areas for the Village of Silver Lake and Environs” should be revised in order to ensure consistency with the adopted year 2020 regional land use plan.

4. 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 4,430 persons.

The bathtub stream of 4,450 persons per the year 2020 is an overestimate of about 30 percent compared to present figures for the Village of Silver Lake. Therefore, the area of “Anticipated Sewer Service Area Additions” along both sides of CTH B as indicated on the SEWRPC draft “Sanitary Sewer Service Area for the Village of Silver Lake and Environs” is unreasonable and not consistent with the development of the Village of Silver Lake or anticipated development over the next several years.

Based upon the foregoing analyses and findings the following concluding comments are made regarding the SEWRPC draft “Sanitary Sewer Service Areas 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—such as the 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 areas for the Village of Silver Lake.

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 areas to ensure consistency with the adopted year 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)

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

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)
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. 9603K

Dear Mr. Everson:

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 half-scale evaluation 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. In addition, a copy of the final letter submitted to SEWRPC was included in Appendix B.

Our response to the letter written by Chris Karmpfer 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 not part of 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 at STH 50 is being relocated, and the design service area did not include any of the existing or proposed Silver Lake sewer service area. The majority of the lands to the east of Silver Lake sewer service area drain west towards the Fox River and Fox River Valley through future extensions of an existing Village sewer. In order for Silver Lake to serve future development along STH 50 and east of CTH B, a major pumping system may be required (pump station or pump lift station). However, this would be far more expensive than Salem installing a large lift station or relocating the existing one, and then transmitting the sewage over twice the distance as Silver Lake for treatment.

Regarding the letter written by Patrick Meckes 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 rapid growth over the past 5 to 10 years. It is the Village's position that similar growth could be expected over the next 20 years.

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. It can be served directly 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 area 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 prepared to grow at any growth of the Village of Silver Lake and is therefore also opposed to 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.
January 23, 1995

Mr. Kurt Bauer
Southeastern Wisconsin Regional Planning Commission
P.O. Box 1497
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 4,100 linear feet of 8-inch and 10-inch diameter sanitary sewer along STH '50', 1,000 linear feet of 8-inch diameter sanitary sewer along 242nd Avenue and 4,300 linear 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 STH '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,

KEMPFER & ASSOCIATES, INC.

Miles A. Winkler, P.E.

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
Ms. Marlene P. Goodson, President
Village of Paddock Lake
Municipal Building
6050 - 236th Avenue
Salem, Wisconsin 53168

Ms. Shirley Boening, Chairman
Town of Salem
Town Hall
9840 Antioch Road, Hwy 83
F. O. Box 447
Salem, Wisconsin 53168

Mr. Michael J. Faber, President
Village of Silver Lake
9260 Silver Lake Blvd.
Silver Lake, Wisconsin 53170

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. Berdan, 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 Mr. 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 agency for southeastern Wisconsin, the Commission has the responsibility to work with local units of government to propose 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 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 governments to the appropriate service boundary for each of the areas, recognizing that common boundaries have become necessary. If the local governments can reach agreement to the such common boundaries, then the Commission will accept such agreements and document them in a common format. 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 the three local governments:

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

Sincerely,

Kurt N. Bauer
Executive Director

EXX/2U/1
Silver Lake Ltd.
cc: Ms. Laura T. Baggen, SWPC Commissioner
Mr. Thomas J. Gerlinski, SWPC Commissioner
Mrs. Sheila M. Siegler, SWPC Commissioner
Mr. George E. Nelson, 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. McGrath, Director, Southeast District, Wisconsin Department of Natural Resources
boc: R. F. Ruben
R. F. Riebel