

**SANITARY SEWER
SERVICE AREA FOR
THE CITY OF MEQUON
AND THE VILLAGE
OF THIENSVILLE**

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Special acknowledgement is due SEWRPC planner Joel E. Dietl for his contribution to this report.

**COMMUNITY ASSISTANCE PLANNING REPORT
NUMBER 188**

**SANITARY SEWER SERVICE AREA FOR THE
CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE,
OZAUKEE COUNTY, WISCONSIN**

Prepared by the

**Southeastern Wisconsin Regional Planning Commission
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January 1992

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January 16, 1992

TO: The Common Council of the City of Mequon; the Village Board of the Village of Thiensville; and the Milwaukee Metropolitan Sewerage District

The adopted regional water quality management plan for southeastern Wisconsin identifies in a preliminary manner recommended sanitary sewer service areas tributary to each of the existing and proposed sewage treatment plants within the Region. The plan recommends that these service areas be refined and detailed through the cooperative efforts of the local units and agencies of government so that the service areas properly reflect local, as well as areawide, development objectives. This refinement and detailing is particularly important in light of provisions in the Wisconsin Administrative Code which require that the Wisconsin Department of Natural Resources with respect to public sanitary sewers, and the Wisconsin Department of Industry, Labor and Human Relations with respect to private sanitary sewers, make a finding that all proposed sanitary sewer extensions be in conformance with the adopted regional water quality management plan and the sanitary service areas identified in the plan.

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 area. If such a review can be based on a refined service area cooperatively identified by the local units of government concerned, then no conflicts concerning sanitary sewer extensions should arise, and the entire sewerage system and related land use development process can proceed in a smooth and efficient manner.

Acting in response to the recommendations made in the adopted regional water quality management plan, the City of Mequon, on March 26, 1980, requested that the Regional Planning Commission assist the City in refining and detailing the recommended sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District sewage treatment facilities. Because of the interrelationship of the City of Mequon and the Village of Thiensville sanitary sewer service areas, a joint sewer service area report was prepared. This report documents the results of that refinement process.

The report contains a map showing not only the recommended refined sanitary sewer service area, but also the location and extent of the environmental corridors within that area. These environmental corridors contain the best and most important elements of the natural resource base within the sewer service area. Their preservation in essentially natural, open uses is important to the maintenance of the overall quality of the environment in the area, while avoiding the creation of serious and costly developmental problems. Accordingly, urban development should not be encouraged to occur within these corridors, a factor which should be taken into consideration in the extension of sanitary sewer service.

A public hearing was held on September 10, 1990, with the City of Mequon and the Village of Thiensville to discuss the preliminary findings and recommendations of the sewer service area refinement process and to receive the comments and suggestions of the local elected officials concerned and of interested citizens. The recommendations contained in this report reflect the pertinent comments and suggestions made at the hearing.

The sanitary sewer service area herein presented is intended to constitute a refinement of the areawide water quality management plan adopted by the Regional Planning Commission in July 1979. Accordingly, upon adoption of this report by the local units and agencies of government concerned and subsequent adoption by the Regional Planning Commission, this report will be certified 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.

The sanitary sewer service area presented in this report provides a sound guide which can assist the responsible public officials in the making of sewer service-related development decisions in the City of Mequon and the Village of Thiensville. Accordingly, careful consideration and adoption of this report by all parties concerned is respectfully urged. The Regional Planning Commission stands ready to assist the City, the Village, and the Milwaukee Metropolitan Sewerage District in implementing the recommendations contained in this report.

Sincerely,



Kurt W. Bauer
Executive Director

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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 from 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 (DNR) must be found to be in accordance with the adopted and endorsed plan. These actions include, among others, DNR approval of waste discharge permits, DNR approval of state and federal grants for the construction of wastewater treatment and conveyance facilities, and DNR 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 reflect detailed local planning considerations.

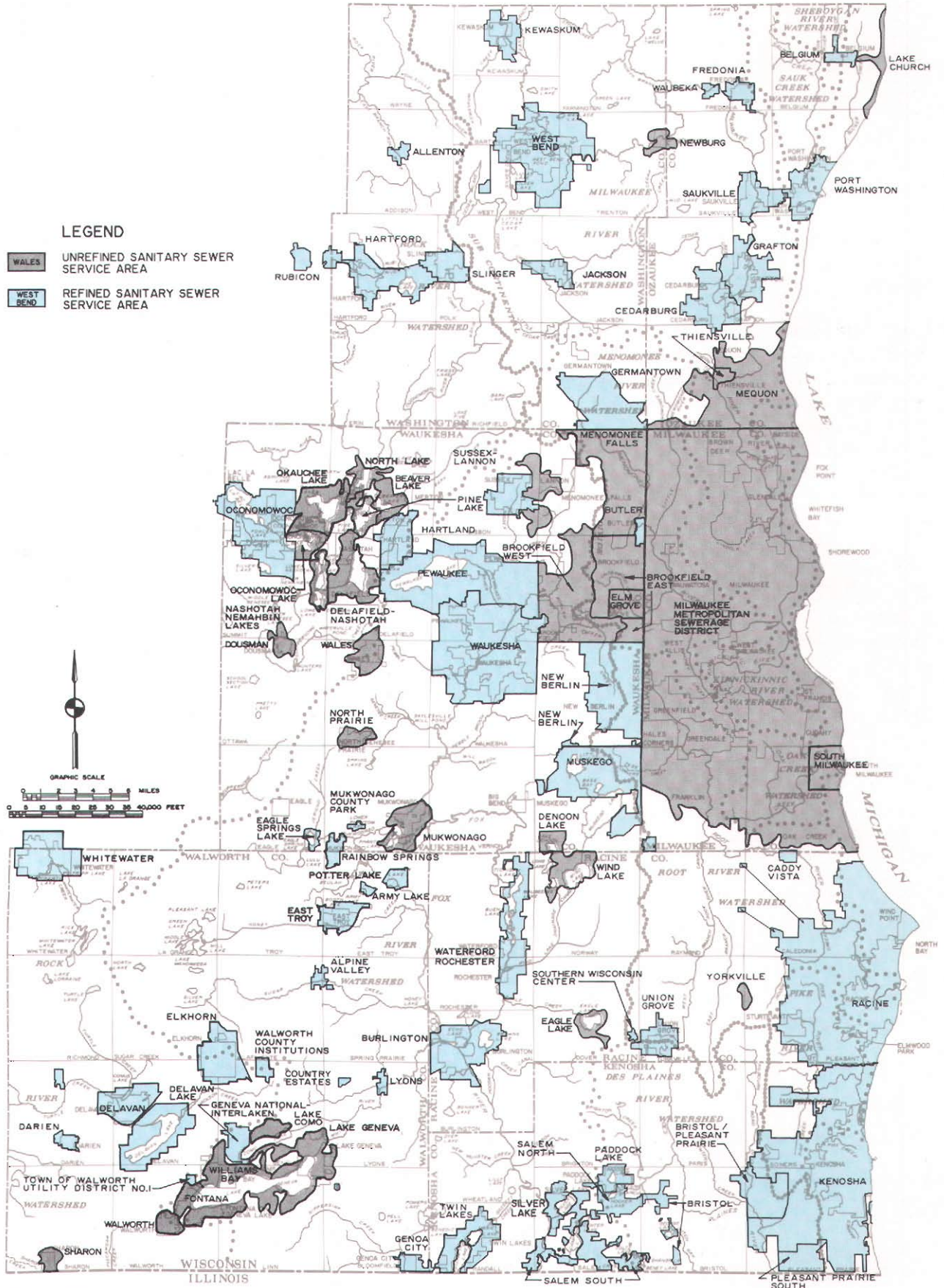
Section NR 110.08(4) and Section ILHR 82.20(4) of the Wisconsin Administrative Code requires that the Wisconsin Department of Natural Resources, with respect to public sanitary sewers, and the Wisconsin Department of Industry, Labor and Human Relations, with respect to private sanitary sewers, make a 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

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

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

Map 1

RECOMMENDED SANITARY SEWER SERVICE AREAS IN THE REGION: 2000



Source: SEWRPC.

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 area-wide, 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 was envisioned to consist of the following seven steps:

1. The 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 the design year 2000 sanitary sewer service area as proposed in the regional water quality management plan and consistent with the objectives set forth in the adopted regional land use plan.
3. The conduct of intergovernmental meetings involving the local or areawide unit or units of government operating the sewage treatment facility or facilities concerned and the other local units of government which are to be provided sanitary sewer service by the sewage treatment facility or facilities 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 the agreements reached at the intergovernmental meetings, meeting 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, or government operating the treatment facility or facilities 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 operating the sewage treatment facility or facilities concerned and by the governing bodies of the local units of government which are to be served by the sewage treatment facility or facilities. 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 MEQUON-THIENSVILLE SANITARY SEWER SERVICE AREA REFINEMENT PROCESS

By letter dated May 14, 1987, the City of Mequon requested that the Regional Planning Commission undertake the refinement and detailing of the proposed year 2000 sanitary sewer service area for the City as defined in the adopted regional water quality management plan. The City suggested, and the Regional Planning Commission concurred, that the City's land use plan, prepared by City staff and adopted by the City Plan Commission in March 1983, would serve as the basis for the development of the refined sanitary sewer service area for the City.

Because of the location of the Village of Thiensville with respect to the City of Mequon and the

fact that sewage from the Village and the City of Mequon is conveyed in part through a common trunk sewer to the Milwaukee Metropolitan Sewerage District sewage treatment facilities, the Regional Planning Commission suggested that a joint sewer service area plan be prepared for the City and Village. The Village of Thiensville accepted that suggestion and agreed to join with the City of Mequon in the planning effort.

A copy of the draft of this report setting forth the preliminary sanitary sewer service areas was

provided to the City of Mequon, the Village of Thiensville, and the Milwaukee Metropolitan Sewerage District for review and comment prior to the public hearing on the plan proposal. A joint public hearing was held on September 10, 1990. The public reaction to the proposed sanitary sewer service area, as documented in the minutes contained in Appendix A, is summarized later in this report. The final, agreed-upon refined sanitary sewer service area for the City of Mequon and the Village of Thiensville is described in Chapter III of this report.

Chapter II

STUDY AREA DESCRIPTION

LOCATION

The study area considered in the refinement of the Mequon-Thiensville sanitary sewer service area is shown on Map 2. The area consists of all the land encompassed within the corporate limits of the City of Mequon and the Village of Thiensville. The total study area is 48.0 square miles in extent, of which about 47.0 square miles, or 98 percent, lie within the City of Mequon and 1.0 square mile, or 2 percent, lie within the Village of Thiensville. These areas are based on 1989 civil division boundaries.

POPULATION

The 1985 resident population of the entire study area was 18,665 persons. Of this total, 15,561 persons, or about 83 percent, resided in the City of Mequon and 3,104 persons, or about 17 percent of the total population of the study area, resided in the Village of Thiensville. Of these population totals, the entire population of the Village of Thiensville was served by sanitary sewer extended from the Village of Thiensville sewage treatment facility and about 12,100 persons in the City of Mequon were served by sanitary sewer extended from the Milwaukee Metropolitan Sewerage District treatment facilities.¹ The remaining 3,461 persons in the City of Mequon were served by onsite soil absorption sewage disposal systems or by onsite sewage holding tanks.

By the year 2000, up to 43,000 persons may be expected to reside in the identified study area. The areawide water quality management plan envisions that of this total, about 40,800 persons, or 95 percent, will be served with centralized sanitary sewer service. Of the total, 36,200 persons, or 89 percent, will reside within the City

of Mequon and 4,600 persons, or 11 percent, will reside within the Village of Thiensville. Both City and Village will be provided with sewer service extending from the Milwaukee Metropolitan Sewerage District sewage treatment facilities.

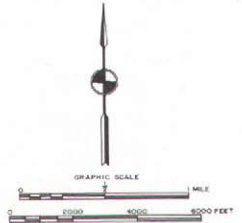
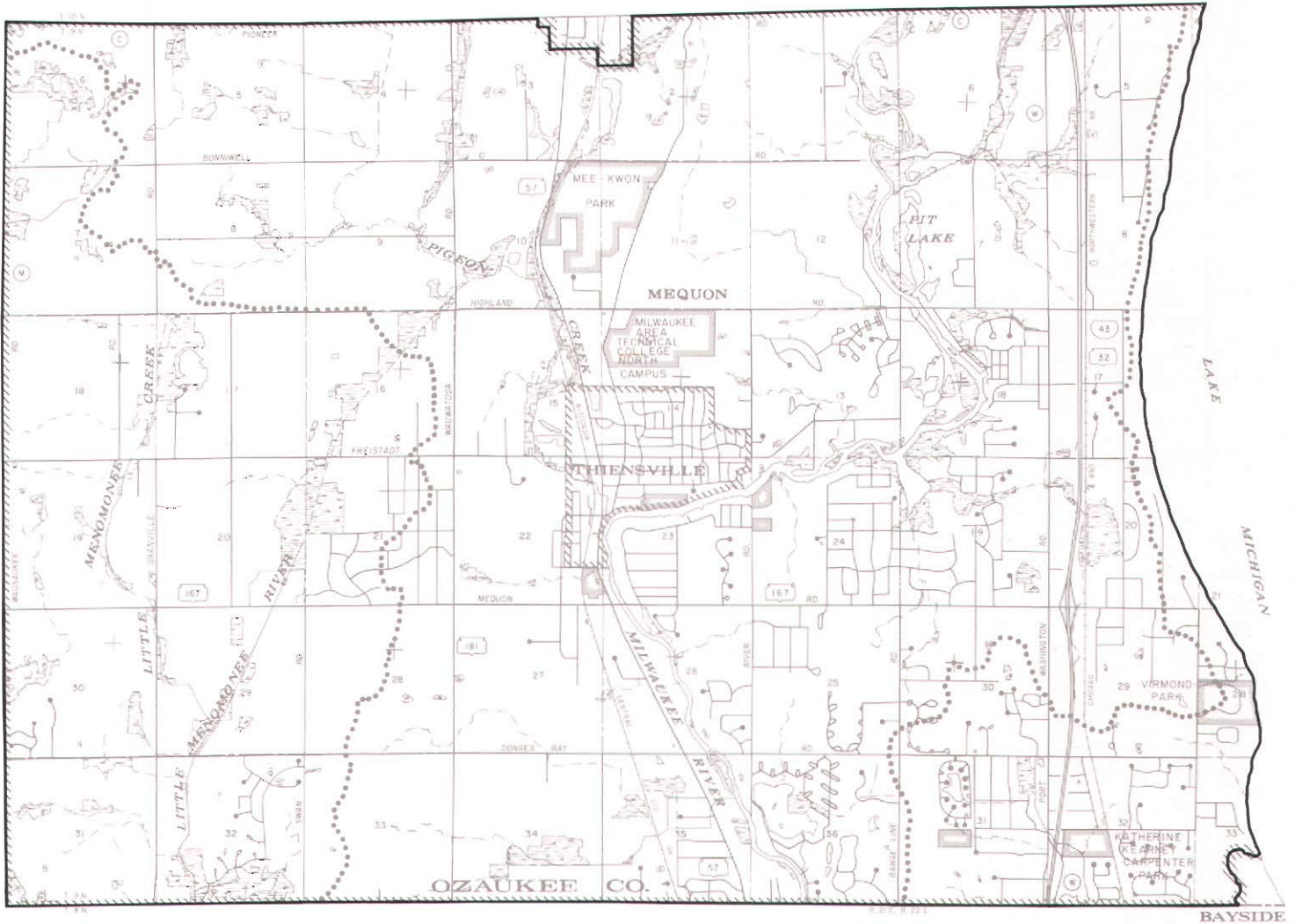
It should be noted that the forecast of probable future population levels for small geographic areas such as the Mequon-Thiensville study area is a difficult task accompanied by uncertainties and subject to periodic revision as new information becomes available. The practice that has been typically followed in forecasting population levels for physical development planning is the preparation of a single population forecast believed to be the most representative of future conditions. This traditional approach works well in periods of social and economic stability, when historic trends can be anticipated to continue relatively unchanged over the plan design period. During periods of major change in social and economic conditions, however, when there is great uncertainty as to whether historic trends will continue, alternatives to this traditional approach may be required. One such alternative approach proposed in recent years, and utilized to a limited extent at the national level for public and quasi-public planning purposes, is termed "alternative futures." Under this approach, the development, test, and evaluation of alternative plans is based not upon a single, most probable forecast of socioeconomic conditions, but upon a number of alternative futures chosen to represent a range of conditions which may be expected to occur over the plan design period.

Recognizing the increasing uncertainty inherent in estimating future population levels under the rapidly changing socioeconomic conditions existing in the United States, the Regional Planning Commission began to incorporate the alternative futures approach into its planning program in the late 1970's, the first known attempt to apply this approach to areawide and local planning in the United States. In the exploration of alternative futures for the South-eastern Wisconsin Region, an attempt was made first to identify all those external factors which may be expected to affect development conditions in the Region directly or indirectly,

¹In June 1988, the Village of Thiensville abandoned its sewage treatment facility and the entire Village is now served by the Milwaukee Metropolitan Sewerage District sewage treatment facility.

Map 2

STUDY AREA IDENTIFIED FOR PURPOSES OF REFINING AND
DETAILING THE MEQUON-THIENSVILLE SANITARY SEWER SERVICE AREA



Source: SEWRPC.

together with the likely range of prospects for these factors. Two alternative scenarios for regional growth and change, involving different assumptions regarding three major external factors, the cost and availability of energy, population lifestyles, and economic conditions, were thus defined. These scenarios represent opposite extremes of the prospects identified for the external factors and, consequently, indicate

relatively large potential differences in future population growth and economic activity. One scenario developed postulates moderate population and economic growth; the other scenario postulates stable or declining population and employment levels in the Region. Two alternative regional land use plans, a centralized plan and a decentralized plan, were then developed for each of the two alternative future scenarios,

thus providing, in effect, four alternative futures as a framework for physical development planning and related demographic and economic studies.

The anticipated year 2000 population level of 43,000 persons in the Mequon-Thiensville study area is based upon the moderate growth, centralized land use scenario, the scenario utilized by the Regional Planning Commission in the development of the areawide water quality management plan and represents the highest population level of the four alternatives. Under the alternative futures approach utilized by the Commission for its work, however, the population level within the study area could be as low as 23,000 persons under the stable or declining growth, centralized land use scenario.

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 ground-water 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 environmental corridors are, in effect, a composite of the 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, however, recognized in the plan that it would be necessary in some cases to construct sanitary sewers across and through primary environmental corridors, and that certain land uses requir-

ing sanitary sewer service could be properly located in the corridors, including park and outdoor recreation facilities and certain institutional uses. In some cases very low density residential development on five-acre lots, 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 Mequon-Thiensville 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 possessing 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, Volume 4, No. 2, in an article entitled, "Refining the Delineation of Environmental Corridors in Southeastern Wisconsin." The primary environmental corridors as delineated in the Mequon-Thiensville study area are shown on Map 3.

In addition, Map 3 identifies secondary environmental corridors. The secondary environmental corridors, while not as significant as the primary environmental corridors in terms of the overall resource values, should be considered for preservation as the process of urban development proceeds, because such corridors often provide economical drainageways, as well as needed "green" space, through developing residential neighborhoods. To qualify for inclusion in a secondary environmental corridor, an area must exhibit a point value of 10 or more, with such a corridor having a minimum area of 100 acres and a minimum length of one mile.

Also identified on Map 3 are isolated natural areas. Isolated natural areas generally consist of those natural resource base elements that have "inherent natural" value such as wetlands, woodlands, wildlife habitat areas, and surface water areas, but that are separated physically from the primary and secondary environmental corridors by intensive urban or agricultural land uses. Since isolated natural 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 area must be at least five acres in size.

Lands encompassed within the primary environmental corridors of the Mequon-Thiensville study area in 1990 totaled about 4.1 square miles, or about 9 percent of the total study area. Lands encompassed within the secondary environmental corridors totaled about 1.6 square miles, or about 3 percent of the study area. Lands encompassed within isolated natural areas totaled about 1.4 square miles, or about 3 percent of the study area. Thus, all environmentally significant lands in the Mequon-Thiensville study area comprise about 7.1 square miles, or 15 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 space uses, it also recognizes that there may be specific 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

Table 1

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

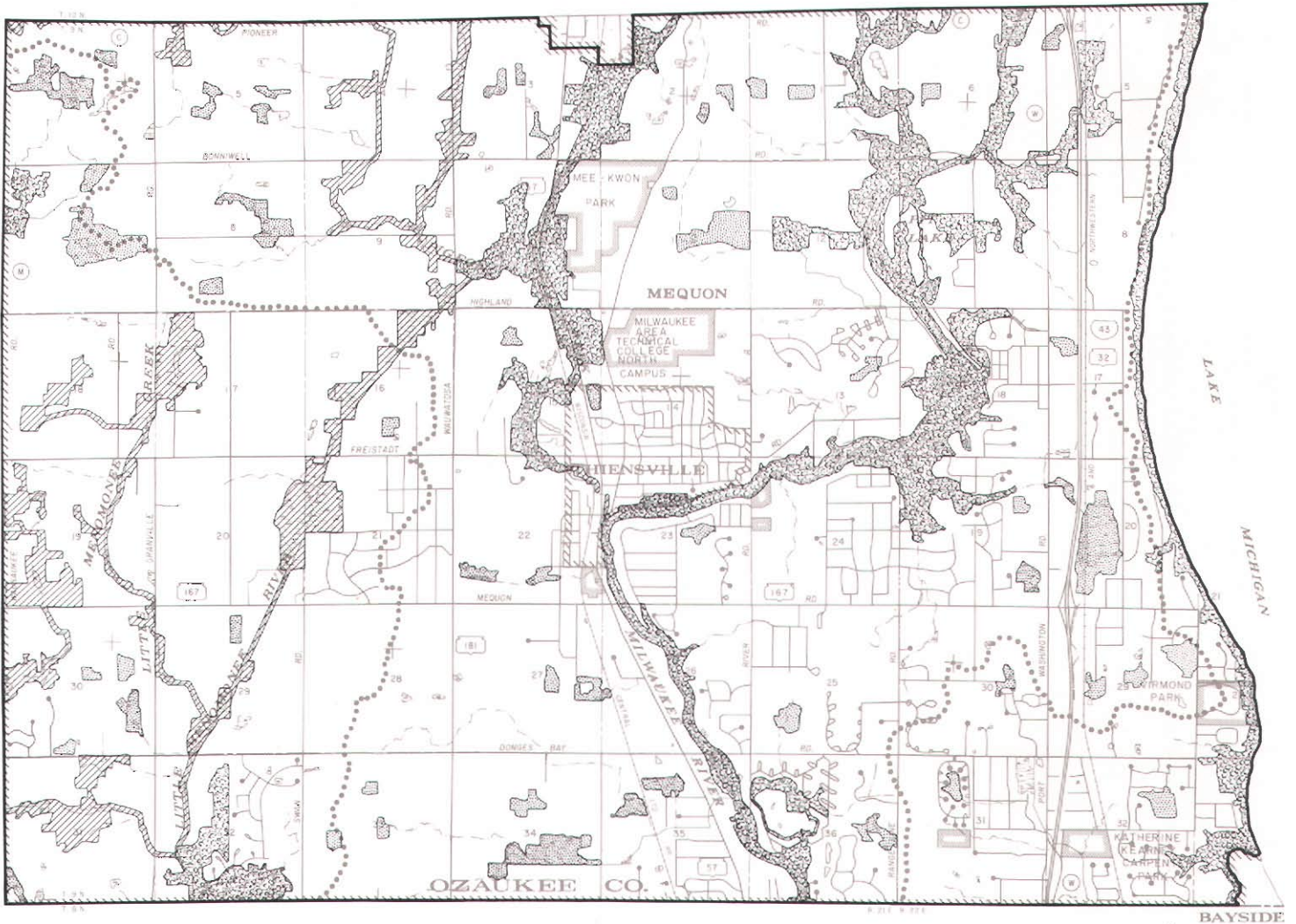
Resource Base or Related Element	Point Value
Natural Resource Base	
Lake	
Major (50 acres or more)	20
Minor (5-49 acres)	20
Rivers or Streams (perennial)	10
Shoreland	
Lake or Perennial River or Stream	10
Intermittent Stream	5
Floodland (100-year recurrence interval)	3
Wetland	10
Wet, Poorly Drained,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

Source: SEWRPC.




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 develop-

Map 3

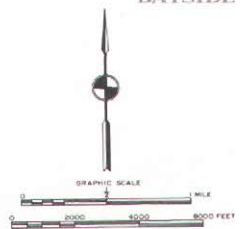
ENVIRONMENTALLY SIGNIFICANT LANDS IN THE MEQUON-THIENSVILLE STUDY AREA



LEGEND

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

Source: SEWRPC.



ment objectives occur, it is important that they be resolved sensitively, and that any damage to the natural environment in the corridors be minimized.

It should also be noted that while almost all the delineated floodlands in the Mequon-Thiensville study area are contained within the environmental corridors, there are small areas of the floodlands utilized for agricultural or other open

space uses located outside such corridors. The Regional Planning Commission recognizes that such floodlands are generally unsuitable for intensive urban development due 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 be preserved in essentially natural, open space uses.

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Chapter III

PROPOSED SANITARY SEWER SERVICE AREA

SIGNIFICANCE OF SANITARY SEWER SERVICE AREA DELINEATION

As noted earlier in this report, recent changes in the Wisconsin Department of Natural Resources (DNR) and Wisconsin Department of Industry, Labor and Human Relations (DILHR) 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 recent rule changes, DNR and DILHR review and approval of locally proposed sanitary sewer extensions was confined primarily to engineering considerations, and was intended to ensure that the sewers were properly sized and constructed. The recent 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.

PROPOSED SANITARY SEWER SERVICE AREA AS SET FORTH IN SEWRPC PLANNING REPORT NO. 30

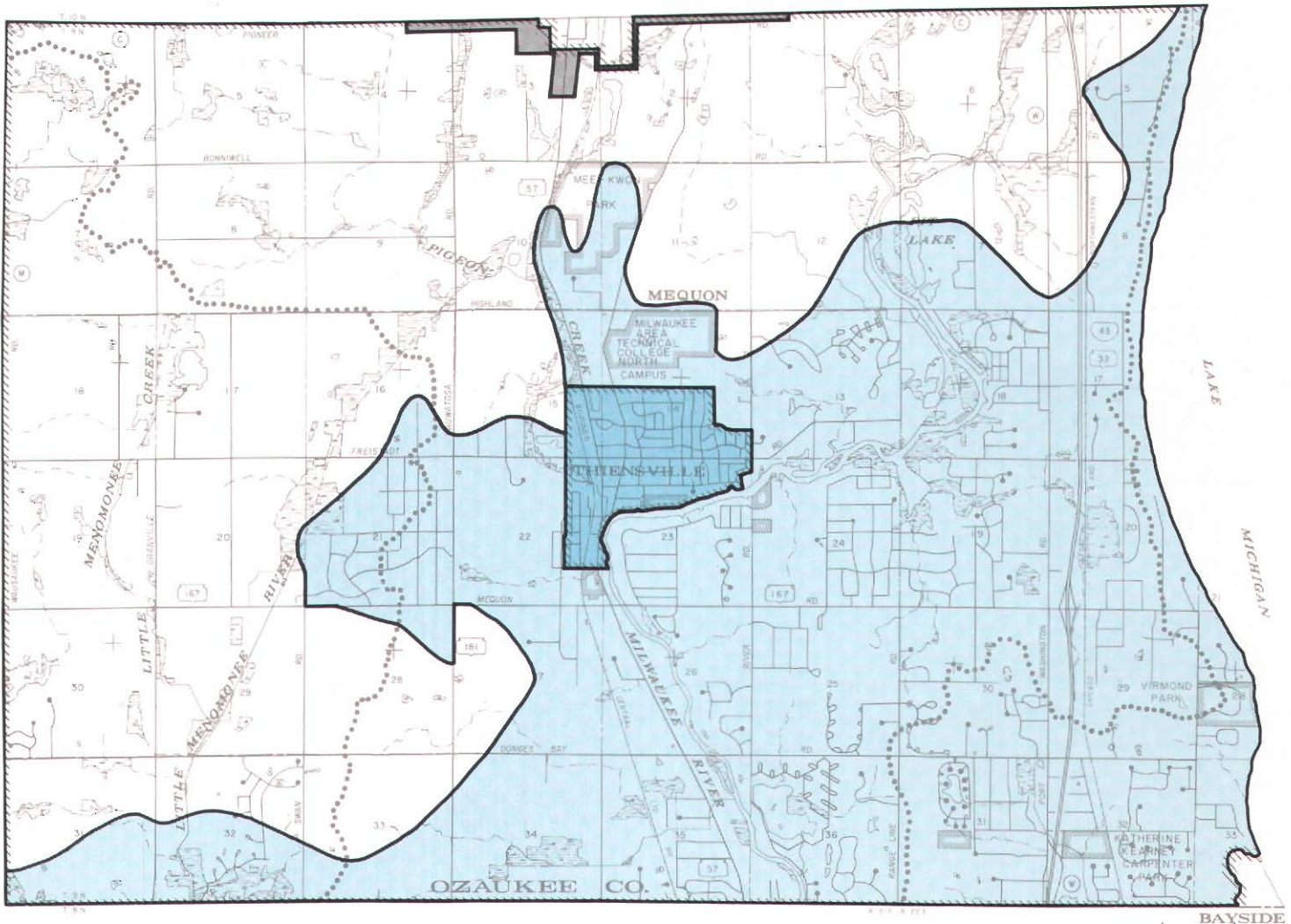
A number of important factors were taken into account in the delineation of the recommended sanitary sewer service area as set forth in SEWRPC Planning Report No. 30. These factors also comprised an important consideration in the development of the adopted regional land use plan. These factors included, among others, the location, type, and extent existing urban land use 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 major sewerage system pumping stations, and to sewage treatment facilities; the location and capacity of existing and planned trunk sewers; 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.




The plan year 2000 sanitary sewer service areas for the City of Mequon and the Village of Thiensville, tributary to the Milwaukee Metropolitan Sewerage District sewage treatment facilities as proposed in the adopted areawide water quality management plan, are shown on Map 4. The area totals about 23.0 square miles, or 48 percent of the total study area of 48.0 square miles. In 1985, the resident population of this area totaled about 16,600 persons. The population which may be expected to reside in this sanitary sewer service area by the plan design year 2000 was estimated in SEWRPC Planning Report No. 30 at 40,800 persons, with 36,200 persons, or 89 percent, residing in the Mequon area, and 4,600 persons, or 11 percent, residing in the Thiensville area. This planned population level of 36,200 persons in the Mequon area was reviewed and revised by the City planning staff during the preparation of the City land use plan. That plan recommends a land use pattern which would accommodate a planned population of approximately 26,000 persons in the entire City of Mequon, of which, about 24,400 persons, or 94 percent, would reside within the plan year 2000 sanitary sewer service area. This population level of 24,400 lies within the extremes of the population levels forecast by the Commission under the alternative futures approach. Population levels which, for the City of Mequon, range from a low of 17,900 under the stable or declining-growth, centralized land use scenario to a high of 36,200 under the moderate-growth, centralized land use scenario. The City revised forecast population level of 24,400 persons for the Mequon portion of the Mequon-Thiensville sewer service area, thus, was utilized in the preparation of this report.

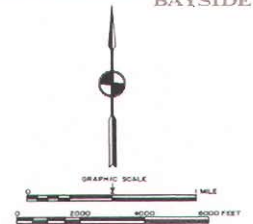
Map 4

THE MEQUON-THIENSVILLE SANITARY SEWER SERVICE AREA AS SET FORTH IN SEWRPC PLANNING REPORT NO. 30



LEGEND

-  MEQUON SEWER SERVICE AREA
-  THIENSVILLE SEWER SERVICE AREA
-  CEDARBURG SEWER SERVICE AREA



Source: SEWRPC.

The planned population level of 4,600 persons in the Village of Thiensville sewer service area was also reviewed and revised by the Village during the preparation of a new village sewerage facilities plan. That plan, prepared by the firm of Donohue & Associates, Inc., entitled, "Thiensville-Mequon Interceptor Sewer—1982," envisioned a plan population of 4,200 persons in

the Village of Thiensville sewer service area. This population level lies within the extremes of the population levels forecast by the Commission under the alternative futures approach. The forecast population levels for the Village of Thiensville range from a low of 3,600 under the stable or declining-growth, centralized land use scenario to a high of 4,600 under the moderate-

growth, centralized land use scenario. The revised forecast population level of 4,200 persons for the Village of Thiensville portion of the Mequon-Thiensville sewer service area thus was utilized in the preparation of this report.

Also shown on Map 4 is a 0.2 square mile portion of the Cedarburg sewer service area within the City of Mequon which is tributary to the City of Cedarburg sewage treatment facility. A sewer service refinement process has been completed for the Cedarburg sewer service area and is documented in SEWRPC Community Assistance Planning Report No. 91, Sanitary Sewer Service Area for the City of Cedarburg and the Village of Grafton, Ozaukee County, Wisconsin.

REFINED SANITARY SEWER SERVICE AREA

The refined year 2000 sanitary sewer service area for the City of Mequon and the Village of Thiensville anticipated to be tributary to the Milwaukee Metropolitan Sewerage District sewage treatment facility, as submitted to public hearing, is shown on Map 5, as are the existing trunk sewers.

The combined gross Mequon-Thiensville sanitary sewer service area totals about 28.2 square miles, or about 59 percent of the total study area of 48.0 square miles. This gross sewer service area includes 3.4 square miles of primary environmental corridors, 0.4 square mile of secondary environmental corridors, and 0.6 square mile of isolated natural areas. Thus, a total of 4.4 square miles, or about 16 percent of the combined sewer service area, would be within environmentally sensitive areas. The gross sanitary sewer service area would accommodate a total planned year 2000 resident population of about 28,600 persons.

City of Mequon Refined Sewer Service Area

The City of Mequon refined sanitary sewer service area totals about 27.2 square miles, or about 96 percent of the combined gross sanitary sewer service area total of 28.2 square miles. This refined service area includes 3.3 square miles, or about 97 percent, of the primary environmental corridors in the combined gross sewer service area; 0.4 square mile, or almost 100 percent, of the secondary environmental corridors in the combined gross sewer service area; and 0.6 square mile, or almost 100 percent, of the

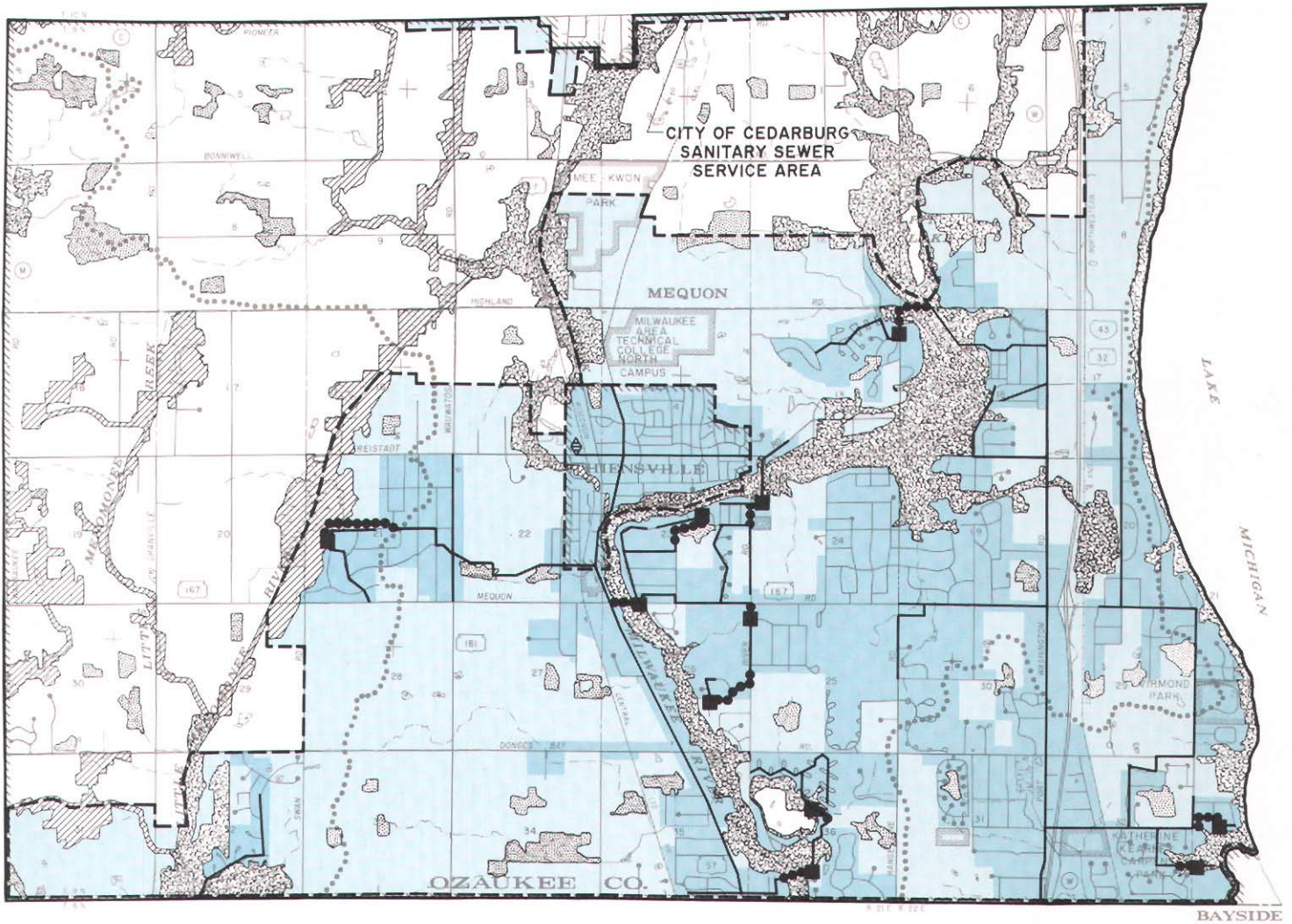
isolated natural areas in the combined gross sewer service area. Thus, a total of 4.3 square miles, or about 16 percent of the City of Mequon refined sewer service area, would be encompassed in environmentally sensitive areas. It should be noted that the environmentally significant lands indicated on Map 5 total approximately 600 acres more than the environmentally significant lands indicated on Map 4. As indicated on Map 6, there are 32 areas encompassing these 580 acres located within the 100-year recurrence interval floodplain adjacent to primary or secondary environmental corridor lands associated with the Milwaukee and Little Menomonee Rivers. It is anticipated that, over time, these lands will be withdrawn from agricultural and other open space uses and revegetated to regain the characteristics of the adjacent primary or secondary environmental corridor. In addition, Map 6 shows three areas lying within the floodplain of the Milwaukee River that are currently developed with residential land uses. It was recommended in the SEWRPC Milwaukee River watershed plan¹ that the approximately 50 residences lying in these three areas eventually be removed from the floodplain. Upon removal of the homes over time, the Milwaukee River watershed plan recommended that the cleared lands be converted to park and open space uses. Hence, these lands would be added to the primary environmental corridor along the Milwaukee River. The City of Mequon has taken steps to implement the Milwaukee River watershed plan recommendation by rendering the existing residences in the three areas concerned nonconforming land uses.

The refined year 2000 sanitary sewer service area for the City of Mequon would accommodate a total planned year 2000 resident population of about 24,400 persons, or about 85 percent of the year 2000 resident population in the combined gross sewer service area, resulting in a density of about 1.4 dwelling units per net residential











¹See SEWRPC Planning Report No. 13, A Comprehensive Plan for the Milwaukee River Watershed, Volume One, Inventory Findings and Forecasts; and Volume Two, Alternative Plans and Recommended Plans.

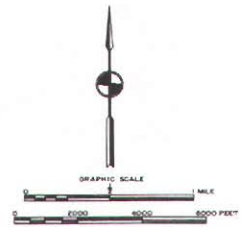
Map 5

MEQUON-THIENSVILLE SANITARY SEWER SERVICE AREA



LEGEND

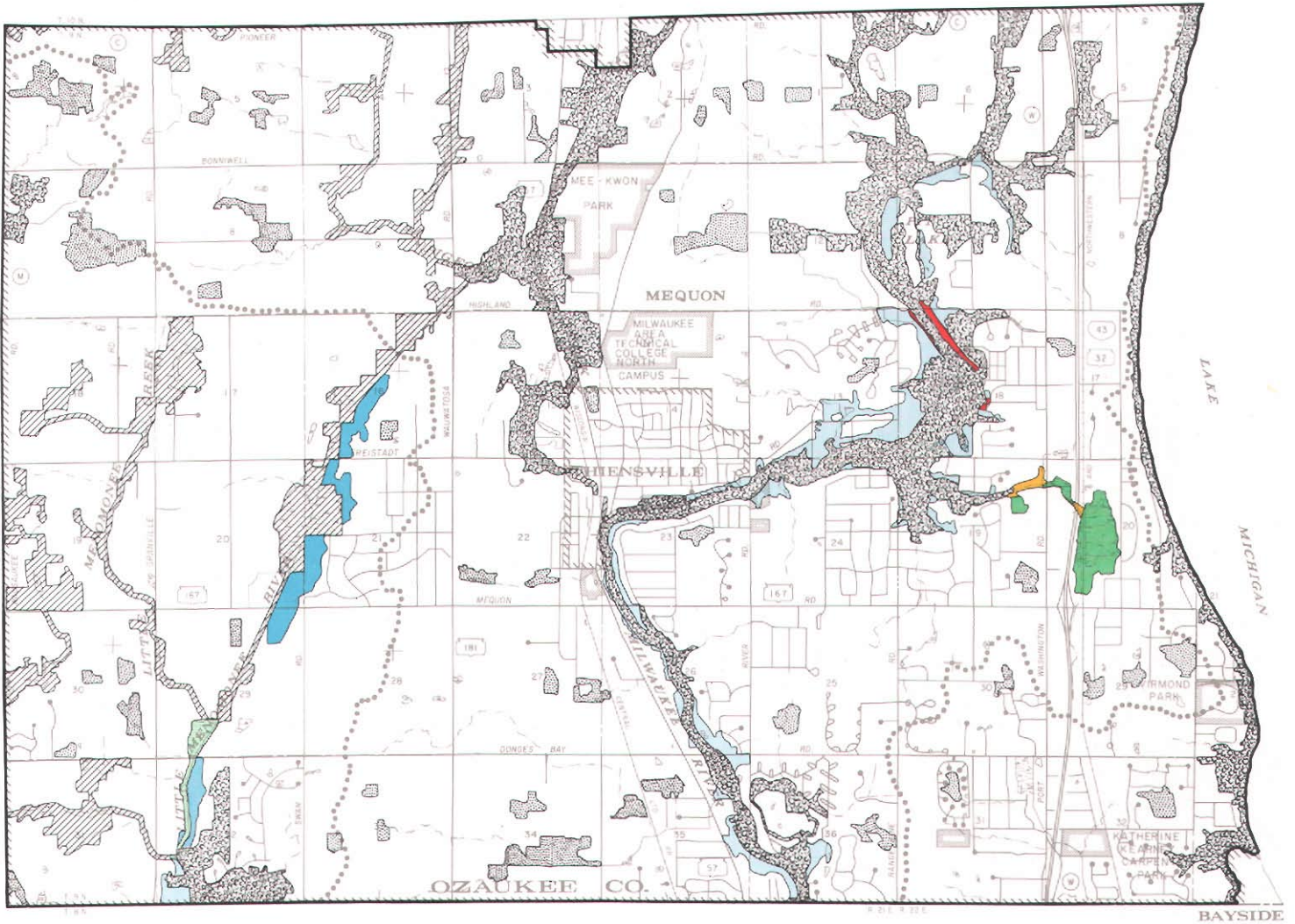
- | | | | |
|--|--|---|---|
|  | PRIMARY ENVIRONMENTAL CORRIDOR |  | EXISTING PUBLIC SEWAGE TREATMENT FACILITY TO BE ABANDONED |
|  | SECONDARY ENVIRONMENTAL CORRIDOR |  | EXISTING FORCE MAIN |
|  | ISOLATED NATURAL AREA |  | EXISTING TRUNK SEWER |
|  | GROSS SANITARY SEWER SERVICE AREA BOUNDARY |  | EXISTING LIFT STATION |
|  | NET SANITARY SEWER SERVICE AREA (EXISTING) | | |
|  | NET SANITARY SEWER SERVICE AREA (2000) | | |













Source: SEWRPC.

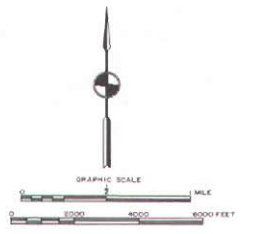
Map 6

ANTICIPATED CHANGE IN THE ENVIRONMENTALLY SIGNIFICANT LANDS IN THE MEQUON-THIENSVILLE SEWER SERVICE AREA: 1990-2000



LEGEND

- | | | | |
|--|---|---|---|
|  | PRIMARY ENVIRONMENTAL CORRIDOR |  | DEVELOPED FLOODLANDS PROPOSED TO BE CLEARED AND ADDED TO THE PRIMARY ENVIRONMENTAL CORRIDOR |
|  | SECONDARY ENVIRONMENTAL CORRIDOR |  | PORTION OF SECONDARY ENVIRONMENTAL CORRIDOR ANTICIPATED TO BE RECLASSIFIED AS A PRIMARY ENVIRONMENTAL CORRIDOR |
|  | ISOLATED NATURAL AREA |  | ISOLATED NATURAL AREA ANTICIPATED TO BE RECLASSIFIED AS A PRIMARY ENVIRONMENTAL CORRIDOR |
|  | FLOODLANDS PROPOSED TO REMAIN UNDEVELOPED AND ADDED TO THE PRIMARY ENVIRONMENTAL CORRIDOR |  | FLOODLANDS PROPOSED TO REMAIN UNDEVELOPED AND ADDED TO AN ISOLATED NATURAL AREA AND THEN TO BE RECLASSIFIED AS PRIMARY ENVIRONMENTAL CORRIDOR |
|  | FLOODLANDS PROPOSED TO REMAIN UNDEVELOPED AND ADDED TO THE SECONDARY ENVIRONMENTAL CORRIDOR AND THEN TO BE RECLASSIFIED AS PRIMARY ENVIRONMENTAL CORRIDOR | | |
|  | FLOODLANDS PROPOSED TO REMAIN UNDEVELOPED AND ADDED TO THE SECONDARY ENVIRONMENTAL CORRIDOR | | |



Source: SEWRPC.

acres.² This density lies within the recommended density range for the City of Mequon as identified in the Commission-adopted regional land use plan for the year 2000.

Village of Thiensville
Refined Sewer Service Area

The Village of Thiensville refined sanitary sewer service area totals about 1.0 square mile, or about 4 percent of the combined gross sanitary sewer service area total of 28.2 square miles. This refined sewer service area includes 0.1 square mile, or about 3 percent of the primary

environmental corridors in the combined gross sewer service area; and less than 1 percent of the secondary environmental corridors and isolated natural areas in the combined gross sewer service area. Thus a total of 0.1 square mile, or about 10 percent of the Village of Thiensville refined sewer service area, would be encompassed in environmentally sensitive areas. It should be noted that the environmentally significant lands indicated on Map 5 total approximately six acres more than the environmentally significant lands indicated on Map 4. As indicated on Map 6, one area encompassing about six acres is located within the 100-year recurrence interval floodplain adjacent to the primary environmental corridor associated with the Milwaukee River. It is anticipated that, over time, these currently undeveloped lands will be revegetated to possess the characteristics of the adjacent primary environmental corridor.

The refined year 2000 sanitary sewer service area for the Village of Thiensville would accommodate a total planned year 2000 resident population of about 4,200 persons, or about 15 percent of the year 2000 resident population in the combined gross sewer service area, resulting in a density of about 3.7 dwelling units per net residential acre.³ This density lies within the recommended density range for the Village of Thiensville as identified in the Commission-adopted regional land use plan for the year 2000.

²Net residential density in the Mequon sewer service area is determined by dividing the total number of dwelling units in the sewer service area in the design year by the net residential land area anticipated in the sewer service area. The total number of dwelling units anticipated in this sewer service area, 9,667, was determined by dividing the anticipated household population, 24,400, by the anticipated average household size of 2.6 persons per dwelling. In addition, a dwelling unit vacancy rate of 3 percent was assumed. The net residential land anticipated in this sewer service area was determined by first identifying all land within the service area anticipated to be used for residential purposes. A total of 4,490 acres of additional new "gross" residential land identified on the 1986 City of Mequon zoning district maps was encompassed within the Mequon sewer service area. In order to provide flexibility to the community in determining the spatial distribution of new residential development and in order to facilitate operation of the urban land market, it was assumed that only 80 percent of the residential land, 3,592 acres, would actually be developed for residential purposes by the design year of the plan. It was further assumed that streets would occupy 23 percent of the area, leaving the remaining 77 percent, or 2,766 acres, for new "net" residential development. This area, added to the 4,138 acres of existing net residential land in the service area, provided a total net residential area of 6,904 acres. The number of dwelling units anticipated in the sewer service area in the design year, 9,667, divided by the anticipated net residential land area, 6,904 acres, resulted in an overall net residential density of 1.4 dwelling units per acre.

³Net residential density in the Thiensville sewer service area is determined by dividing the total number of dwelling units in the sewer service area in the design year by the net residential land area anticipated in the sewer service area. The total number of dwelling units anticipated in this sewer service area, 2,060, was determined by dividing the anticipated household population, 4,200, by the anticipated average household size of 2.1 persons per dwelling. In addition, a dwelling unit vacancy rate of 3 percent was assumed. The net residential land anticipated in this sewer service area was determined by first identifying all land within the service area anticipated to be used for residential purposes. A total of 17 acres of additional new "gross"

(Footnote 3 continued on Page 17)

WATER QUALITY IMPACTS

Under this recommended sanitary sewer service area plan, it is envisioned that all urban lands located within the planned urban service area would receive sanitary sewer service. It is also envisioned that all lands identified as primary environmental corridor 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 corridor, including park and outdoor recreation facilities, certain institutional uses, and in some cases, very low density residential development on five-acre lots. Accordingly, assuming proper site development and construction practices, including appropriate soil erosion control practices⁴ and compatible development within secondary environmental corridors, isolated natural areas, or lands adjacent to such areas, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

(Footnote 3 continued from Page 16)

residential land identified on the 1986 Village of Thiensville zoning district maps was encompassed within the Thiensville sewer service area. Of the 17 acres allocated to "gross" residential uses, it was assumed that streets would occupy 23 percent of the area, leaving the remaining 77 percent, or 13 acres, for new "net" residential development. This area, added to the 546 acres of existing net residential land in the service area, provided a total net residential area of 559 acres. The number of dwelling units anticipated in the sewer service area in the design year, 2,060, divided by the anticipated net residential land area, 559 acres, resulted in an overall net residential density of 3.7 dwelling units per acre.

⁴The Wisconsin Department of Natural Resources, in conjunction with the League of Wisconsin Municipalities, published a model ordinance which local units of government are encouraged to adopt to control construction site erosion as documented in "Model Ordinance," The Municipality, Volume 82, No. 1, January 1987.

COST-EFFECTIVENESS ANALYSIS OF SEWAGE CONVEYANCE AND TREATMENT ALTERNATIVES

The extent of the planned sewer service area for the City of Mequon and the Village of Thiensville as shown on Map 5 is generally the same area which was evaluated in detailed cost-effectiveness analyses prepared under three separate planning efforts since the completion of the regional water quality management plan. Those analyses were documented in reports prepared by the Milwaukee Metropolitan Sewerage District, the City of Mequon and Village of Thiensville, and the Regional Planning Commission.⁵ The facilities needed to provide connection of the City of Mequon/Village of Thiensville proposed sewer service area to the Milwaukee Metropolitan Sewerage District system have all been put in place. A review of the previous cost-effectiveness evaluations and the status of the facilities intended to serve the subject planned service area indicates that the cost-effective alternative is clearly the agreed-upon plan to connect the City of Mequon and Village of Thiensville sewer service areas to the Milwaukee metropolitan sewerage system. Consequently, no further cost-effectiveness analysis was deemed to be required.

SEWAGE TREATMENT PLANT CAPACITY IMPACT ANALYSIS

The size and capacity of the Milwaukee Metropolitan Sewerage District sewerage facilities were developed as part of the District's facility planning program.⁶ That plan was based upon an estimated year 2005 sewer service area population of 37,200 persons in the City of Mequon and 4,200 persons in the Village of Thiensville. The most recent local land use

⁵These reports included the Milwaukee Metropolitan Sewerage District Wastewater System Plan, June 1980; the facility plan entitled, "Thiensville-Mequon Interceptor Sewer Facility Plan," 1982; and a SEWRPC Memorandum, "Response to Request by Village of Thiensville to Amend the Regional Water Quality Management Plan," October 1983.

⁶Milwaukee Metropolitan Sewerage District Wastewater System Plan, June 1980.

planning and the sewer service area planning set forth herein are based upon a land use development pattern which will accommodate a planned population of 24,400 persons in the City of Mequon and 4,200 persons in the Village of Thiensville. Thus, while the area of the City of Mequon service area is slightly larger than the area set forth in the adopted regional water quality management plan and used in the MMSD facility plan, the planned population level is now substantially lower than the year 2005 planned population used in the design of the Milwaukee Metropolitan Sewerage District sewerage facilities. This is to be expected because the City of Mequon land use plan provides for residential development at a lower density than had been envisioned in the earlier plans. Since the planned population levels now envisioned in the City of Mequon and Village of Thiensville sewer service area are less than those used in the Milwaukee Metropolitan Sewerage District facility planning, the sewerage facilities in the Milwaukee Metropolitan Sewerage District system, including the treatment plant, should have adequate capacity to serve the City of Mequon and the Village of Thiensville.

PUBLIC REACTION TO THE PROPOSED SANITARY SEWER SERVICE AREA

A public hearing was held on September 10, 1990, for the purpose of receiving comments on the refined sanitary sewer service areas as shown on Map 5. This hearing was sponsored by the City of Mequon, the Village of Thiensville, and the Regional Planning Commission. Summary minutes of the public hearing are presented in Appendix A.

A brief summary of the sewer service area refinement report for the City of Mequon and the Village of Thiensville was presented prior to receiving public comment. The rationale for refining and detailing the sanitary sewer service area tributary to the sewage treatment facilities operated by the Milwaukee Metropolitan Sewerage District was discussed, as was the importance of the final delineation of the service area. In addition, the significance of environmentally sensitive lands within the City of Mequon and the Village of Thiensville was discussed. Comments on the report and accompanying maps were then solicited.

A review of the hearing record indicates that two concerns were raised. A local resident present at the public hearing questioned the relationship between the preliminary sanitary sewer service area as set forth in the report, and the urban service area identified in the City of Mequon's adopted Comprehensive Plan. The Director of the City of Mequon Department of Community Development indicated that the urban service area configuration set forth in the City's compre-

hensive plan was used as the basis for the delineation of the recommended sewer service area, and that such plans were fully consistent with one another. The same local resident also suggested that the preliminary sanitary sewer service area report not be adopted by the City of Mequon until such time that the sewer service issues under litigation between the Milwaukee Metropolitan Sewerage District (MMSD) and the various suburbs tributary to the MMSD treatment facilities, which suburbs include the City of Mequon and the Village of Thiensville are resolved. Mayor Pukaite of the City of Mequon, presiding over the public hearing, noted that the City of Mequon had held approval of the preliminary sanitary sewer service area plan in abeyance for some time pending resolution of these issues but has now decided to proceed with adoption of this plan since it appeared resolution of such issues did not appear to be imminent.

Detailed delineations of the final Mequon-Thiensville sanitary sewer service area and environmentally significant lands within this area are shown on a series of aerial photographs reproduced as Map 7 beginning on page 21 and continuing through page 33 of this report.

REACTION OF THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT TO THE PROPOSED SANITARY SEWER SERVICE AREA PLAN

Following the public hearing on this matter, the Commission requested that all three of the local government designated management agencies concerned—the City of Mequon, the Village of Thiensville, and the Milwaukee Metropolitan Sewerage District—formally approve the refined and detailed sewer service area plan for Mequon-Thiensville. The plan was formally adopted by the Common Council of the City of Mequon on September 12, 1990. In addition, the Village Board of the Village of Thiensville adopted the plan on October 15, 1990. A period of time then followed during which the MMSD gave consideration to the plan recommendations. On December 16, 1991, the MMSD Commission formally objected to the Mequon portion of the refined and detailed sanitary sewer service area. The resolution adopted by that MMSD Commission stated the following reasons for its position in this matter (copy reproduced in Appendix B):

1. The Proposal (i.e., the new Mequon sewer service area boundary) is contrary to the District's approved facility plan.
2. The District has not provided capacity for the proposed expansion.
3. SEWRPC has no authority to compel compliance by Mequon with the projected population density in The Proposal.

4. The District and Mequon have not contracted for or otherwise made arrangements for the provision of sewer service to the area within The Proposal.

The Regional Planning Commission gave careful consideration to the position of the MMSD on this matter. The Commission reviewed the background of the regional water quality management planning and related efforts with respect to the Mequon-Thiensville area, as well as to materials prepared by the MMSD staff and attached to the MMSD resolution. The Commission's consideration of each of the four points cited by the MMSD in its objection to the revised Mequon sewer service area plan is as follows:

1. The Proposal (i.e., the new Mequon sewer service area boundary) is contrary to the District's approved facility plan. As the basis for this objection, the MMSD staff cites the fact that the proposed refined and detailed Mequon sewer service area boundary would include certain lands that were identified in the MMSD master facility plan as "urban enclaves served by onsite sewage disposal systems." More particularly, these lands lie generally in the northeastern portion of the City along the Lake Michigan shoreline and extending west as much as 1.5 miles, together with certain lands lying in the extreme southwesterly portion of the City adjacent to the Village of Germantown. The former includes the present site of the Concordia College which is served by its own private sewage treatment facility, a facility that was recommended in the regional water quality management plan to be abandoned. The MMSD staff indicates that the Commission did not object to the MMSD's conclusions with respect to the "urban enclaves" at the time those conclusions were made public in 1980.

Review of the correspondence record in this matter between the Regional Planning Commission and the MMSD indicates that in Commission staff letters dated January 11, 1980, and January 12, 1981, which letters provided review comments on MMSD facility planning documents, the Commission explicitly called the attention of the MMSD to the fact that the general sewer service area maps set forth in the MMSD facilities plan documents would be subject to refinement and detailing under cooperative efforts between the local units of government concerned and the Regional Planning Commission in the manner explicitly recommended by the Commission in the adopted regional water quality management plan. Moreover, in the January 12, 1981, letter, the Commission called

attention to the inconsistency between the District's recommendation that the private sewage treatment plant now serving the Concordia College Campus be maintained, and the Commission's regional plan recommendation that the treatment plant be abandoned and the service area connected to the MMSD system, in part because the Mequon sanitary sewer service area was proposed to be expanded to include the Campus site. The January 12, 1981, letter also explicitly indicated that the plan refinement effort for the City of Mequon was already underway at that time.

Thus, while the Commission found the general sewer service areas identified in the MMSD facilities planning documents to be adequate for facilities planning purposes, it was clearly recognized at that time that the sewer service areas would be refined and detailed in subsequent locally focused planning efforts. Moreover, it is important to recognize that general service area maps included in facilities plan documents prepared by management agencies like the MMSD are not recognized as the official sewer service area plans required under Wisconsin law and reflected in the specific requirements of Chapter NR 121 of the Wisconsin Administrative Code. That code requires that such service area plans be prepared not by designated management agencies like the MMSD, but rather by designated planning agencies like the Regional Planning Commission. Moreover, the Code requires that such plans not only identify the perimeter of the area proposed to be sewered, but also the environmentally sensitive lands where sewer service should not be provided, something not identified in detail in MMSD documents. Only those sewer service area plan documents prepared by the Regional Planning Commission and subsequently approved by the Wisconsin Department of Natural Resources Board and the Governor can be used by the Wisconsin Department of Natural Resources in its day-to-day administration of sanitary sewer extension approvals. The current Mequon-Thiensville plan proposal is intended to fulfill the Regional Planning Commission's obligation under Chapter NR 121 of the Code in this respect.

In other Commission-sponsored sewer service area planning efforts within the MMSD service area, the MMSD has recognized this distinction. For example, a similar refined and detailed sewer service area plan was prepared for the City of Muskego in 1986. Like the Mequon plan,

the Muskego plan proposed to include within the sanitary sewer service area certain lands designated in MMSD planning documents as "urban enclaves served by onsite sewage disposal systems." In a letter to the Commission dated February 18, 1986, the MMSD did not object to the proposal of the City of Muskego to provide sanitary sewer service to such areas; indeed, the Muskego plan was adopted and the present contractual agreement between the City of Muskego and the MMSD for sewage conveyance and treatment purposes explicitly provides that the City may extend sanitary sewers to such previously identified "urban enclaves."

From the foregoing, it may be concluded that it is true that the Mequon sewer service area plan departs in terms of its areal extent from the MMSD facility plan recommendations. Such departure, however, was foreseen in the Commission's comments on the District's facility plan materials and merely serves to make the Mequon sewer service area fully consistent with the regional water quality management plan recommendations adopted by the Commission in 1979. Moreover, the Mequon sewer service area plan fully meets the requirements of the State of Wisconsin set forth in Chapter NR 121 of the Wisconsin Administrative Code, taking into account not only areas proposed to be serviced by sanitary sewers, but also identifying environmentally sensitive lands within which sewer service should not be provided. These detailed and refined sewer service area plans have been prepared and adopted without MMSD objection in other portions of the MMSD service area; hence, there should be no reason to withhold approval of the Mequon plan simply because it is different in some relatively minor respects from the District's facilities plan.

2. The District has not provided capacity for the proposed expansion. The MMSD staff materials attendant to the MMSD resolution cite "dramatic increases" in base sewage flows sought by the City of Mequon during the time that the City and the MMSD were negotiating a service contract. Apparently, it is the District's position that the City of Mequon did seek a base flow increase from that originally defined in the District's facility plan, and that the District does not have the capacity to accommodate base sewage flows from the refined and detailed sewer service area set forth in the new Mequon plan.

Base sewage flows from the City of Mequon developed under the MMSD facili-

ties plan, which were consistent with the regional water quality management plan, indicated a capacity for base flow purposes of 3,440 million gallons per day (mgd). During the protracted negotiations between the City of Mequon and the MMSD in the late 1980s to establish a sewer service contract—negotiations to which the Regional Planning Commission was not privy—base sewage flow capacity needs apparently were discussed. In a draft agreement prepared in 1990, for example, the City of Mequon would have been guaranteed a base sewage flow capacity of 3,586 mgd. While this agreement was never executed, and while the City of Mequon maintains a position that it is requesting no sewage flow capacity beyond the 3,440 mgd figure included in the MMSD facilities plan—a position reiterated in the January 14, 1992, letter from the City Administrator to the Regional Planning Commission (copy reproduced in Appendix C)—the additional base flow capacity reflected in the ill-fated agreement represents an increase of only 4 percent. In dealing with large systems, such as the MMSD system, it should be expected that the system level planning estimates of needed capacity will be refined over time as facility construction and contract negotiations proceed. An increase of 4 percent is well within the range of change to be expected in such situations and, even if sought by the City of Mequon, would hardly constitute a "dramatic increase" in base sewage flow. Moreover, there is every reason to believe that the base sewage flow from the City of Mequon could be less than the sewage flow of 3,440 mgd identified in the District's plan and presumably provided for in the District's system that is now nearing completion. Indeed, whereas the District's plan was prepared for a planned year 2005 population level of 37,200 in the City of Mequon, the new refined and detailed sewer service area plan envisions a planned year 2000 population of only about 24,400. Thus, there should be ample capacity in the District's system to accommodate Mequon's base sewage flow needs.

3. SEWRPC has no authority to compel compliance by Mequon with the projected population density in The Proposal. The Commission has never had regulatory authority whereby the Commission would control land use decisions that under state law lie within the purview of local municipalities such as the City of Mequon. All of the planning conducted by the Commission is advisory under the Wisconsin Statutes. The land use density assump-

tions underlying the new Mequon sewer service area plan are fully consistent with the adopted regional land use plan. Moreover, those density assumptions are consistent with the land use zoning reflected on the City of Mequon zoning map. If the MMSD is concerned that the City of Mequon intends to deviate from the plan recommendations and promote higher density residential development than reflected in the regional land use plan, the City's current zoning ordinance, and the refined and detailed sewer service area plan now under consideration, then it is suggested that the MMSD address this issue in its contract negotiations with the City. Moreover, since the MMSD by its own rules must approve all sewer service extensions in the City of Mequon, it is in a position to monitor the development density taking place in the City and to call to the attention of all concerned parties any deviations from density patterns that underlie the sewer service area plan and that might, therefore, be cause to change that plan.

4. The District and Mequon have not contracted for or otherwise made arrangements for the provision of sewer service to the area within The Proposal.

In undertaking all of its planning work as the areawide water quality management planning agency, the Commission has never taken the position that there must be service contract arrangements in place before intergovernmental plans are completed and adopted. Indeed, just the opposite is true; the sewer service area plans and attendant facility recommendations prepared and adopted by the Commission and approved by the Wisconsin Department of Natural Resources frequently provide an important basis for service contract negotiations between local units of government. Consequently, the lack of a service agreement between the MMSD and the City of Mequon should not be a bar to the adoption of a refined and detailed sewer service area plan that has long been in the making and that fulfills the Commission's commitment to produce such a plan set forth in the original regional water quality management plan adopted in 1979.

After carefully considering the foregoing, the Commission determined to endorse the refined and detailed sanitary sewer service area plan for the City of Mequon and Village of Thiensville, and to recommend the plan to the Wisconsin Department of Natural Resources as the regulatory agency concerned. In so doing, the Commission directed that the objections of the MMSD be forwarded to the Wisconsin Department of

Natural Resources so that agency can take such objections into account in its decision making process.

IMPLEMENTING RECOMMENDATIONS

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

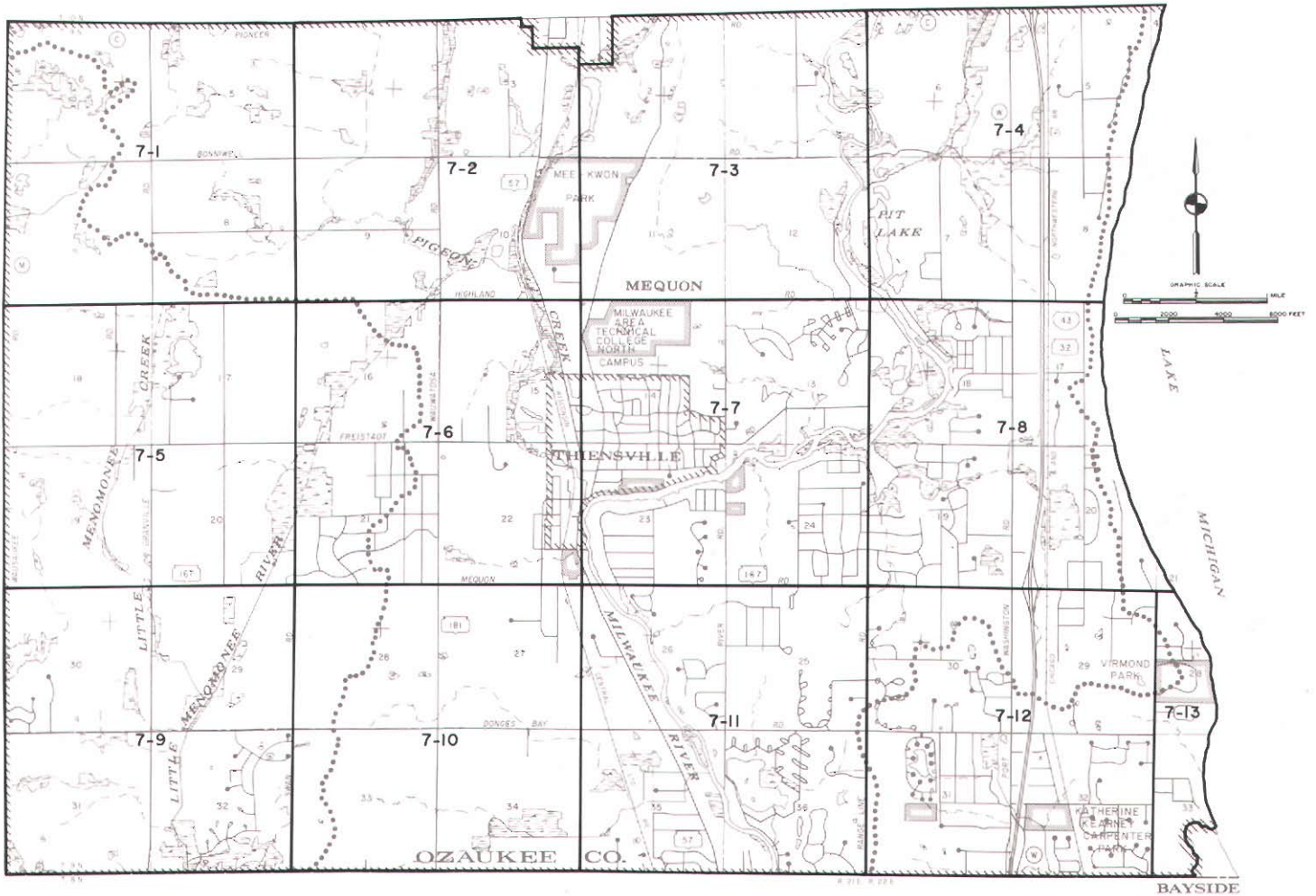
1. Formal adoption or endorsement of SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000, and this SEWRPC Community Assistance Planning Report by the Common Council of the City of Mequon and the Village Board of the Village of Thiensville as the operator of the sanitary sewer collection systems; and by the Milwaukee Metropolitan Sewerage district as the operator of the sewage treatment facilities utilized by the City and Village.
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 Mequon-Thiensville sanitary sewer service area as shown on Maps 5 and 7. 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 City of Mequon and the Village of Thiensville 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 MEQUON-THIENSVILLE SEWER SERVICE AREA

This report presents a refined sewer service area for the City of Mequon and the Village of Thiensville. The refined sewer service area was delineated cooperatively by the units and agen-

Map 7

INDEX OF MAPS SHOWING THE ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE



Source: SEWRPC.

cies of government concerned, and 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 Mequon-Thiensville area to the year 2000. Like other long-range plans, however, this sewer service area plan should be reviewed periodically, every five years, 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 City of Mequon and the Village Thiensville as the operators of the sanitary sewer system involved, that amendments to the sewer service area plan as presented herein are necessary, the City or Village should request 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. While plan amendment may be expedited because study area base maps have been prepared and certain inventories completed as part of the sewer service area planning documented herein, such amendment should be subject to the same analyses and interagency review, and should include a public hearing to obtain the comments and suggestions of those citizens and land owners most affected by the proposed changes to the sewer service area boundary. Upon agreement on a revised sewer service area, the new plan map should be endorsed by the Common Council of the City of Mequon or the Village Board of the Village of Thiensville and by the Southeastern Wisconsin Regional Planning Commission prior to certification to the Wisconsin Department of Natural Resources and the U. S. Environmental Protection Agency.

Map 7-1

ENVIRONMENTALLY SIGNIFICANT LANDS FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 5, 6, 7, and 8
Township 9 North, Range 21 East



LEGEND

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

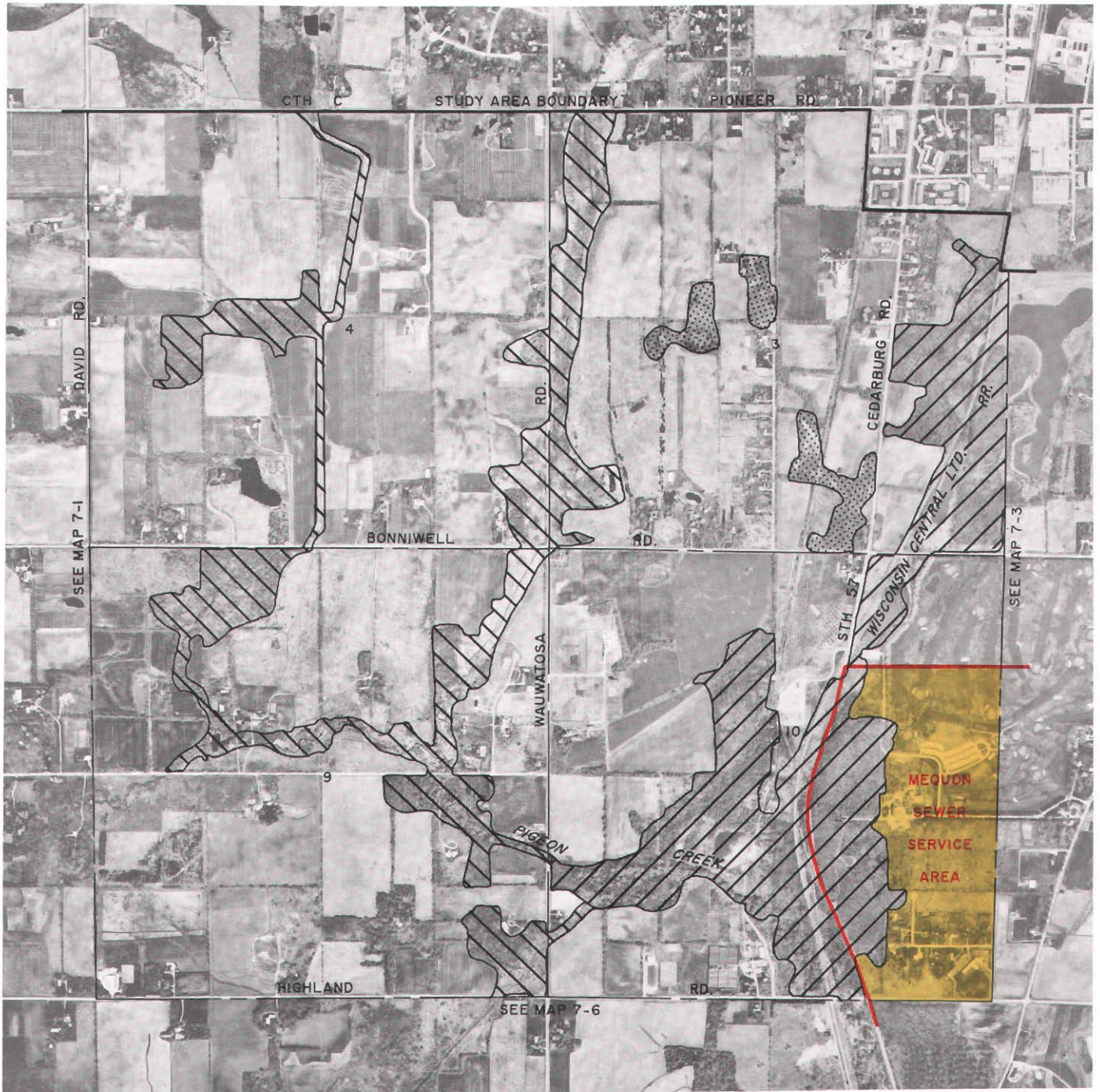


Source: SEWRPC.

Map 7-2

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 3, 4, 9, and 10
Township 9 North, Range 21 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

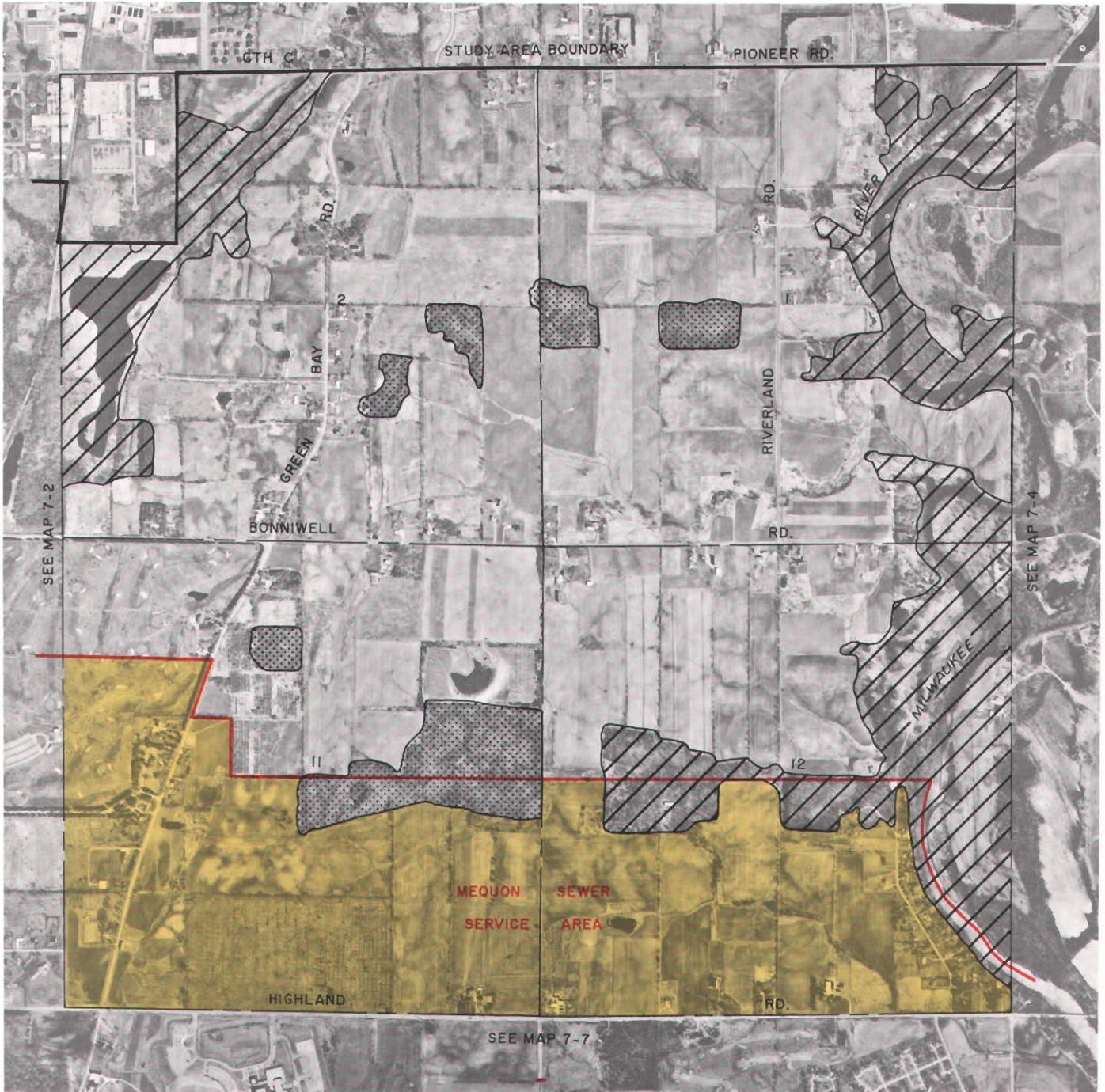
Source: SEWRPC.







Map 7-3

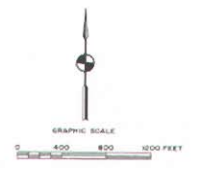
ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 1, 2, 11, and 12
Township 9 North, Range 21 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

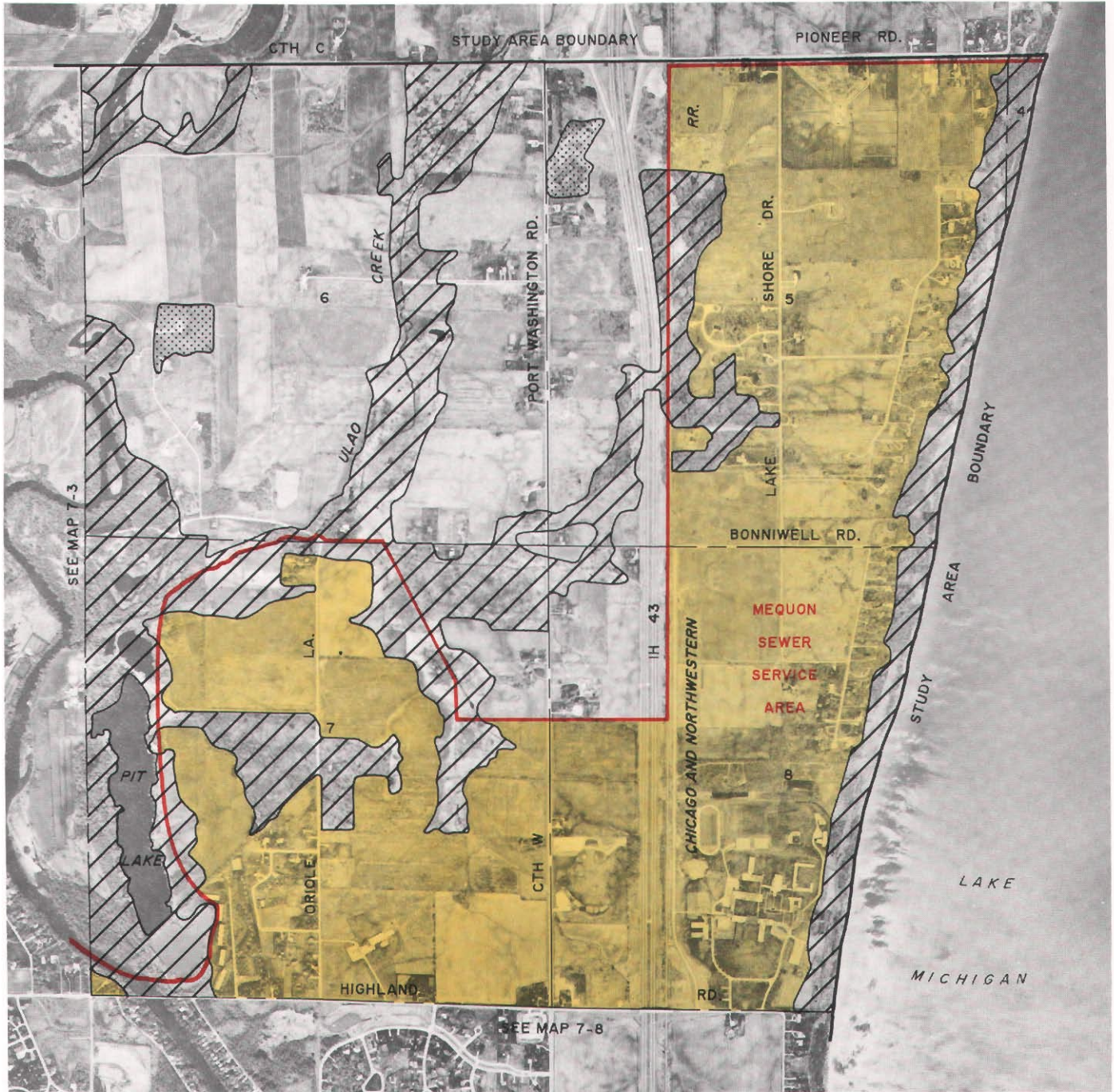


Source: SEWRPC.





Map 7-4

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 4, 5, 6, 7, and 8
Township 9 North, Range 22 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

Source: SEWRPC.



Map 7-5

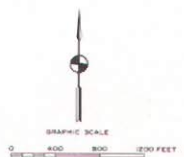
ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 17, 18, 19, and 20
Township 9 North, Range 21 East



LEGEND

-  SECONDARY ENVIRONMENTAL CORRIDOR
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

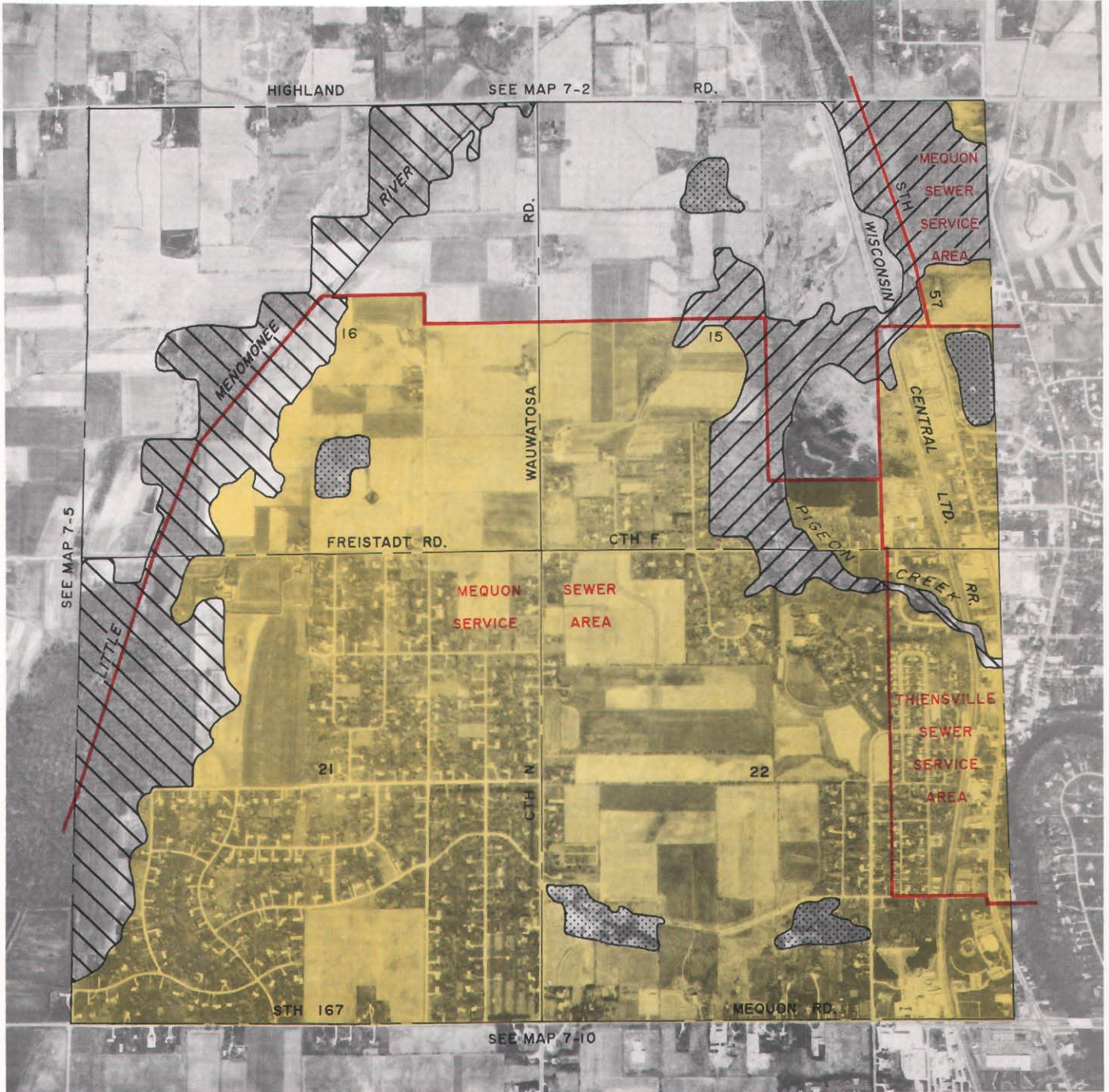


Source: SEWRPC.

Map 7-6

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 15, 16, 21, and 22
Township 9 North, Range 21 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

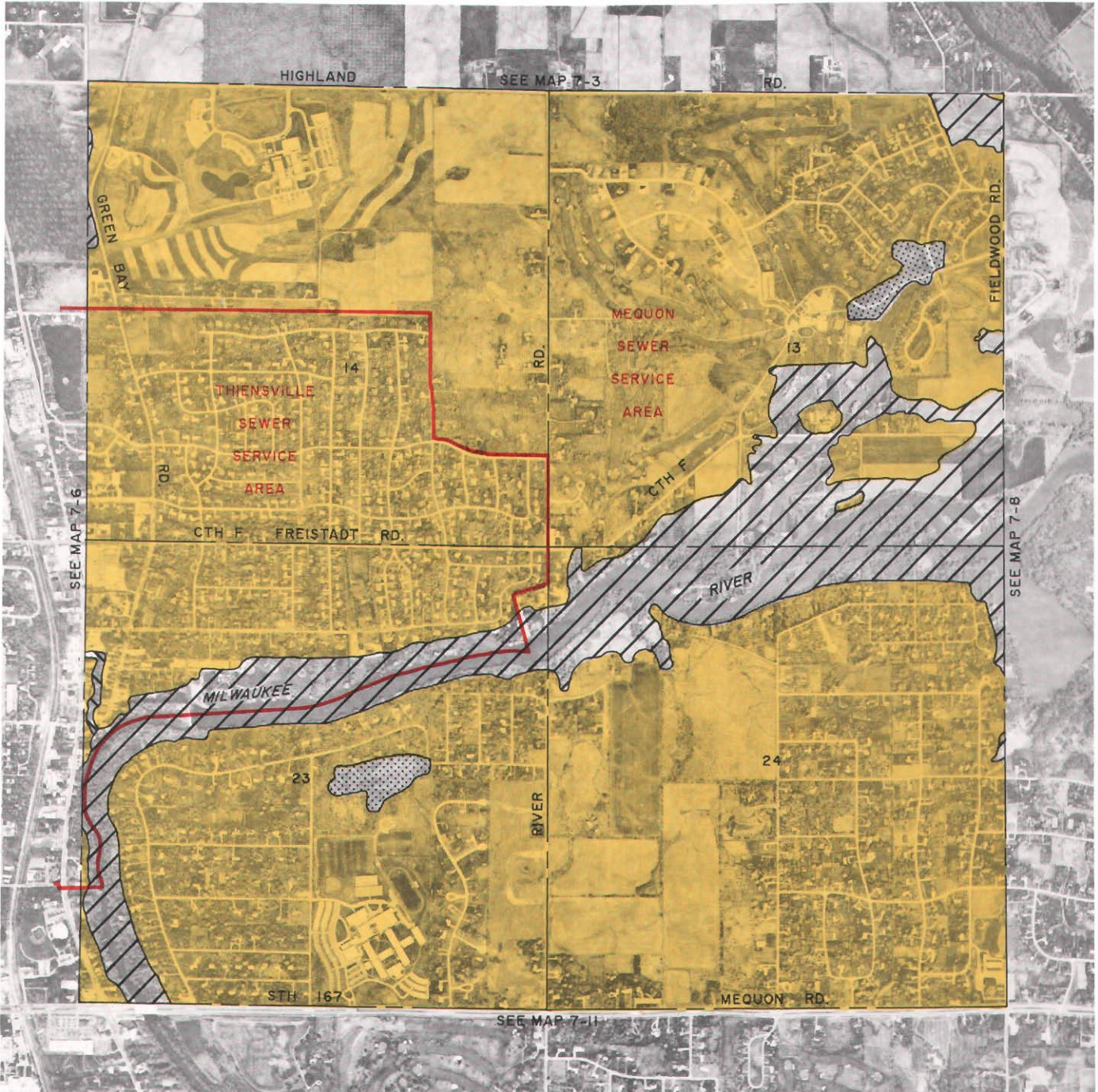


Source: SEWRPC.

Map 7-7

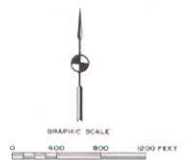
ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 13, 14, 23, and 24
Township 9 North, Range 21 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

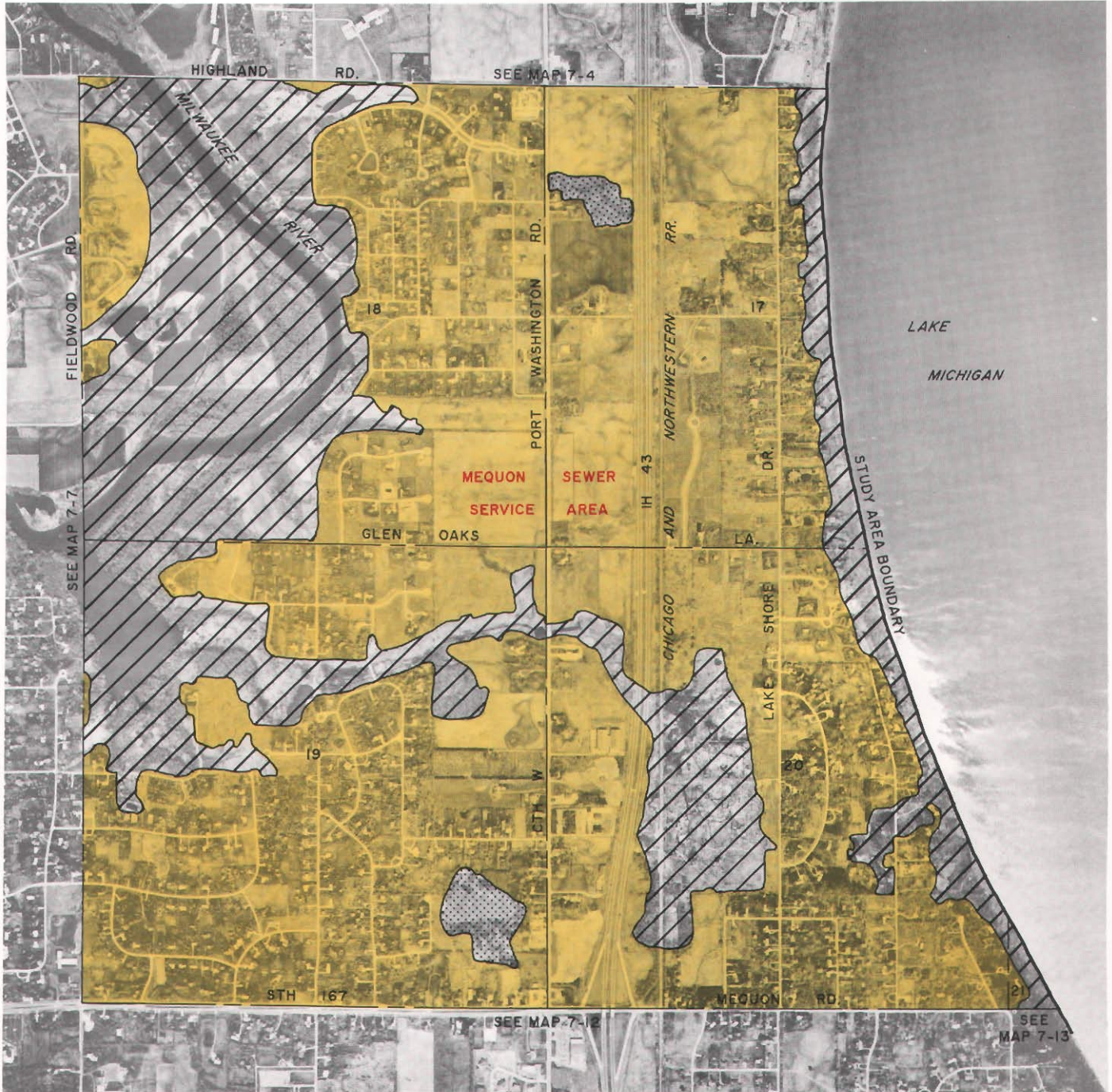


Source: SEWRPC.

Map 7-8

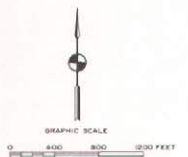
ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 17, 18, 19, 20, and 21
Township 9 North, Range 22 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA

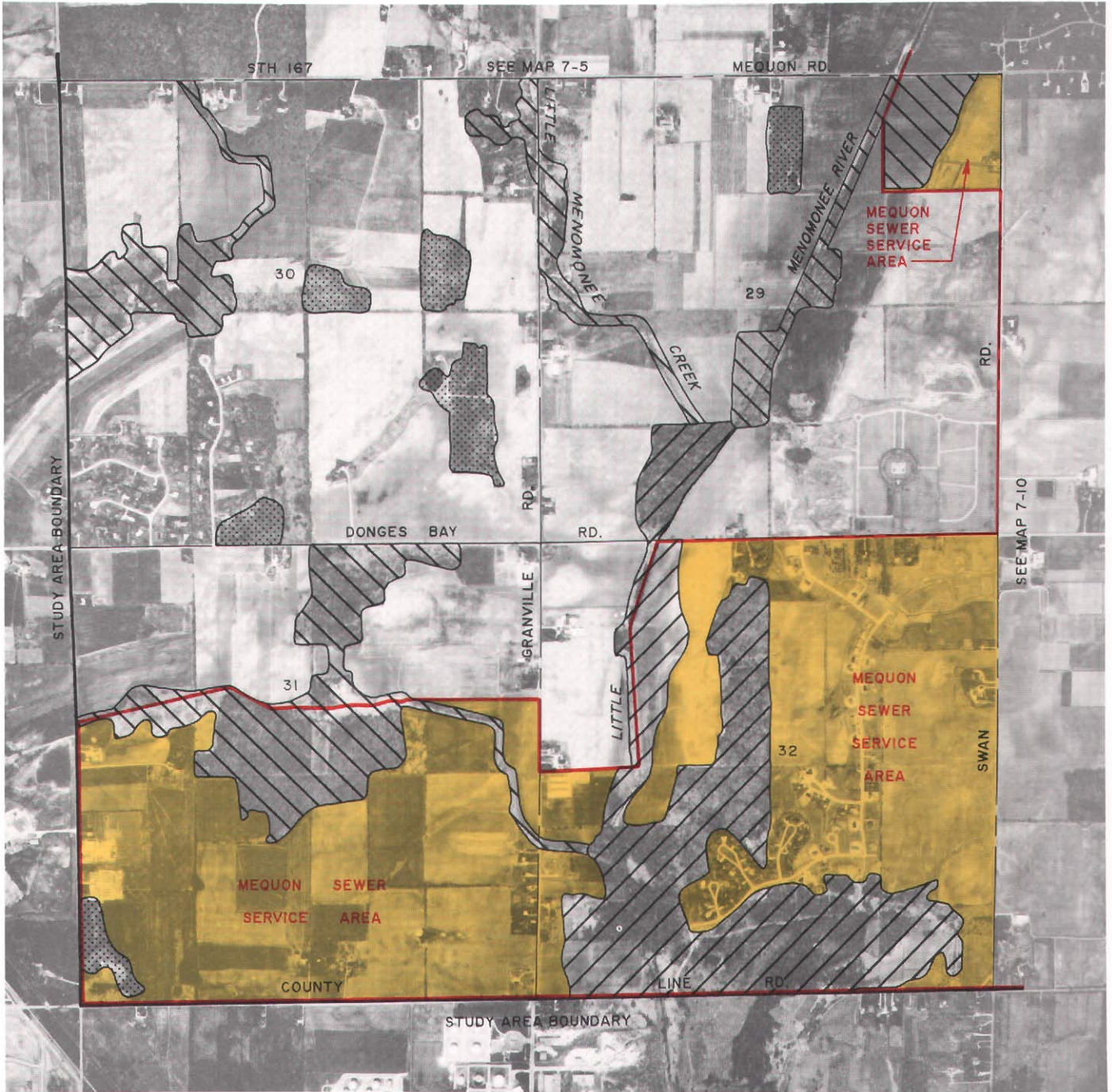


Source: SEWRPC.






Map 7-9

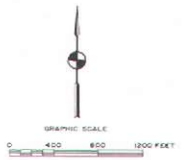
ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 29, 30, 31, and 32
Township 9 North, Range 21 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

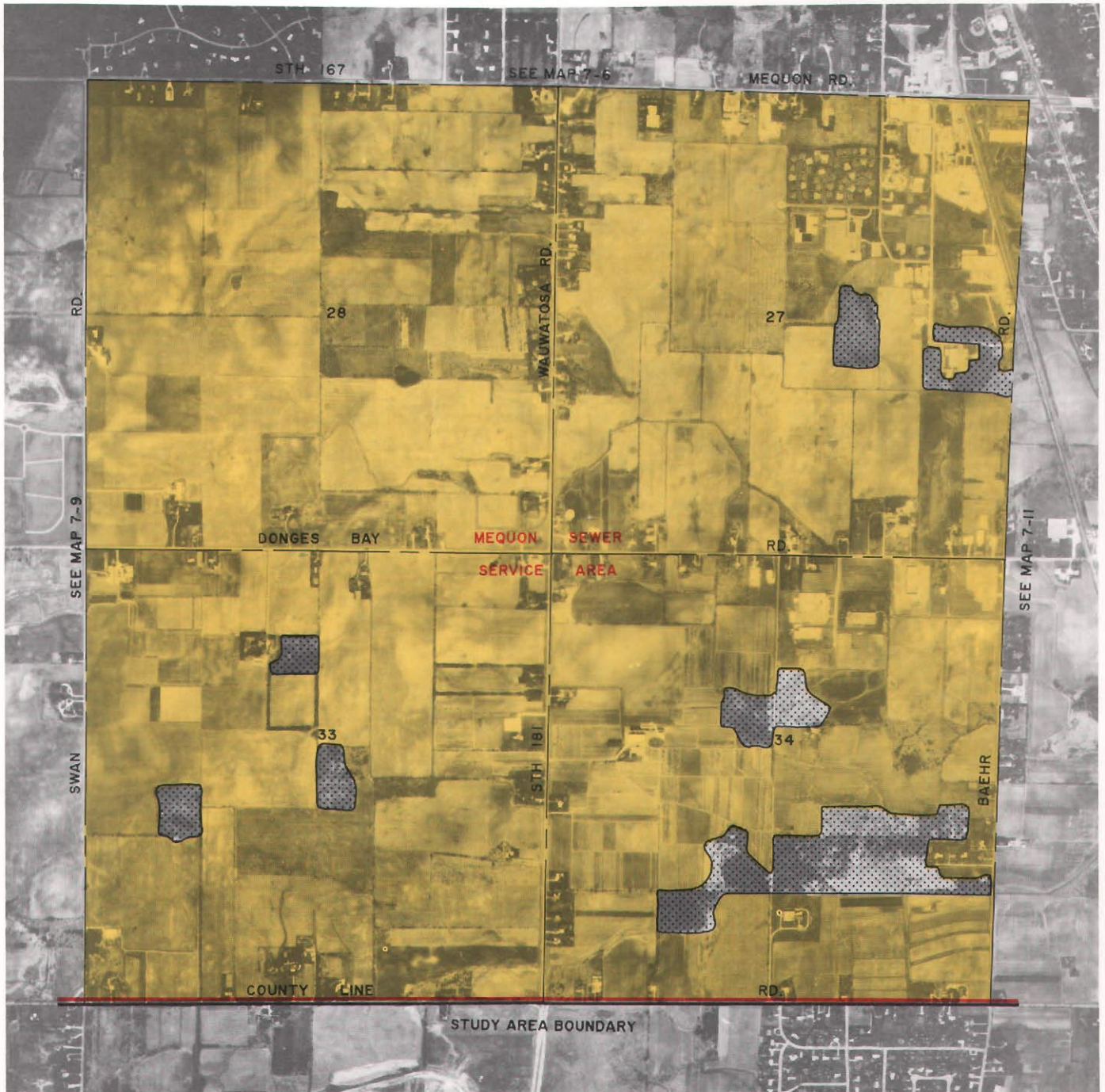


Source: SEWRPC.

Map 7-10

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 27, 28, 33, and 34
Township 9 North, Range 21 East



LEGEND

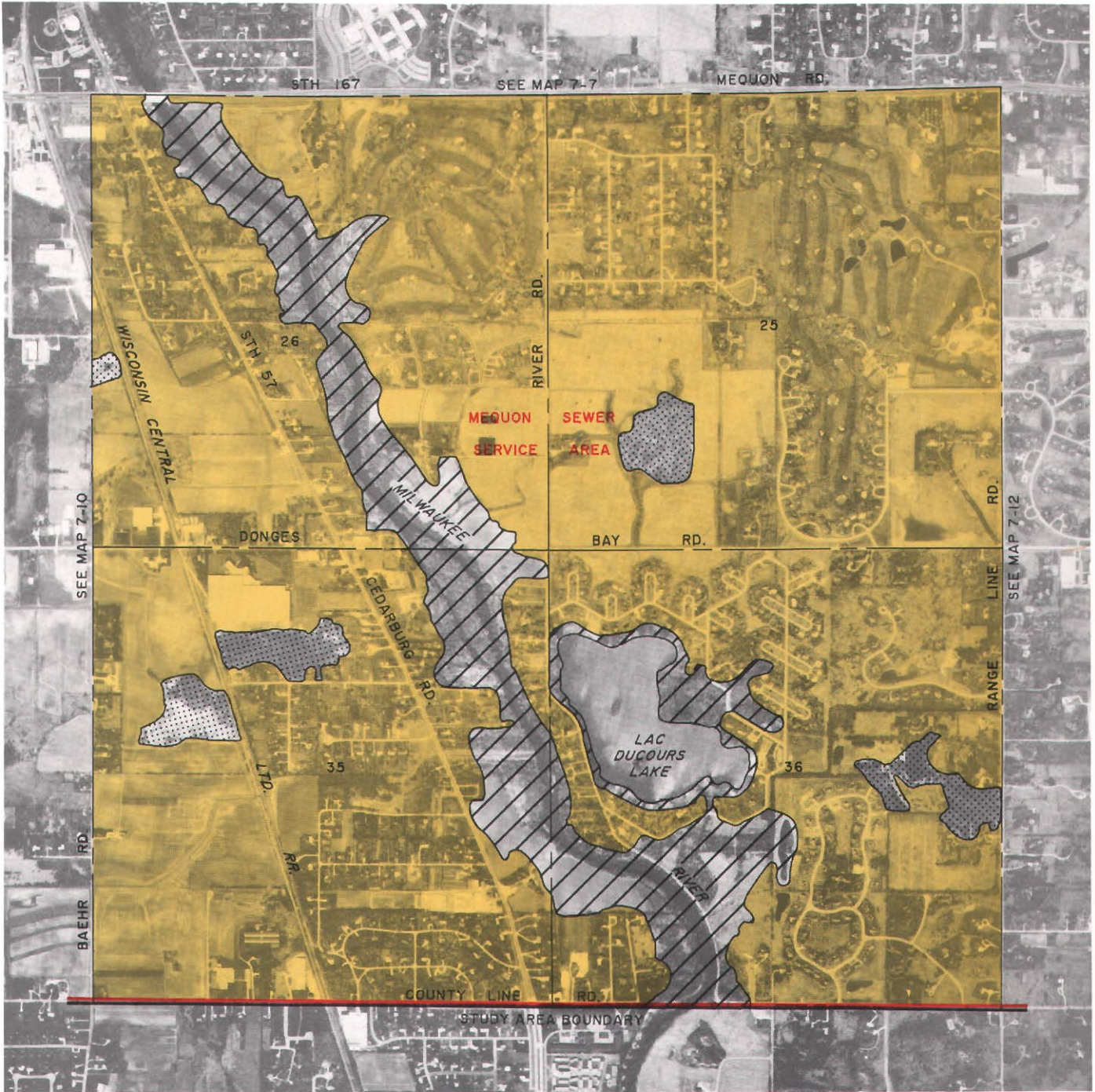
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY



Source: SEWRPC.

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 25, 26, 35, and 36
Township 9 North, Range 21 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

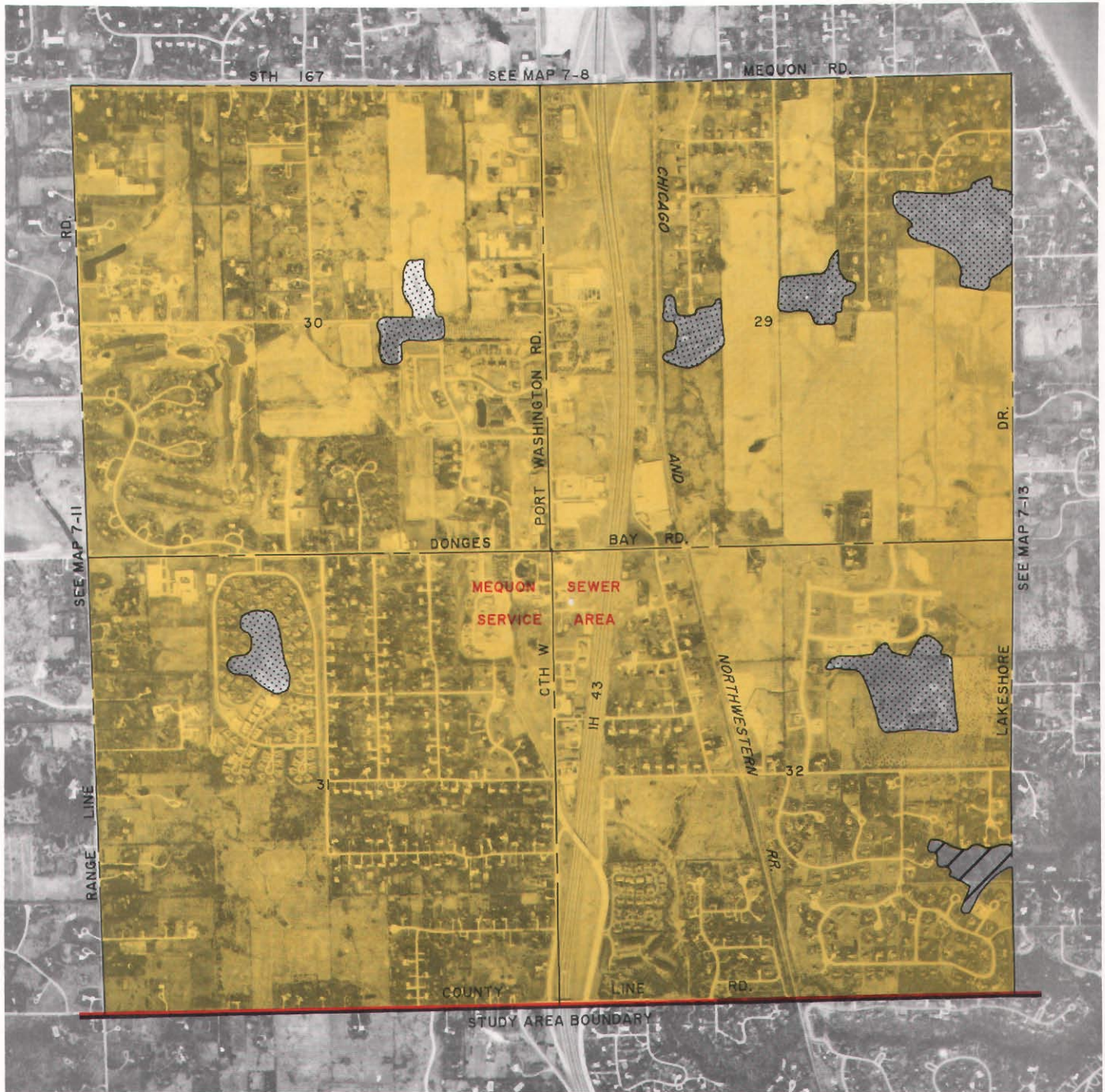


Source: SEWRPC.





Map 7-12

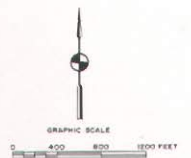
ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 29, 30, 31, and 32
Township 9 North, Range 22 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY




Source: SEWRPC.

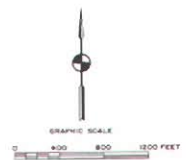
ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 28 and 33
Township 9 North, Range 22 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY



Source: SEWRPC.

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APPENDICES

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APPENDIX A

MINUTES OF PUBLIC HEARING

Sanitary Sewer Service Area for the City of Mequon and the Village of Thiensville

September 10, 1990

Commissioners Present: Mayor Constance A. Pukaite, Jonathan C. Dill, City Engineer Donald A. Roensch, Alderman Dan Abendroth, Robert Rakers, Gerald J. Richter, John Ridley, Harold Schoessow

Also Present: Alderpersons William W. Conley, Mary Joanis, Stanley F. Teplin for the City of Mequon. Village of Thiensville Administrator Kristine M. Hinrichs, various Village of Thiensville Board and Commission members

Director Brad Lee Steinke and Assistant Director Jonathan Censky, Interested Public and Press

Minutes of meeting held on Monday, September 10, 1990, at 7:30 p.m. in the City Hall, 11333 N. Cedarburg Road.

ROLL CALL

PUBLIC HEARING

City of Mequon/Village of Thiensville Sewer Service Area Plan

Request:

Public Hearing and Recommendation

Explanation:

The Mequon Planning Commission was host for a public hearing regarding the proposed city of Mequon and Village of Thiensville Sewer Service Area Plan prepared by the Southeastern Wisconsin Regional Planning Commission.

Discussion:

Southeastern Wisconsin Regional Planning Commission (SEWRPC) Chief Planner Bruce Rubin explained the background of the sewer service area planning process. He indicated that the sewer service area plan is a refinement of the established 1979 regional water quality plan's sewer service boundary. The refinement process, which is encouraged by SEWRPC and the Wisconsin Department of Natural Resources, provides local input into the delineation of the sewer service area boundary. Once established, the sewer service area boundary serves as the basis for the State's approval of sewer extensions. Mr. Rubin also indicated that the sewer service area plan which must be approved by the local governments, by the Southeastern Wisconsin Regional Planning Commission, and ultimately by the the Wisconsin Department of Natural Resources, is a dynamic document which should be reviewed every five years for changes in the character and demographics of the local communities.

The Planning Commission opened the public hearing for comment.

Frank Hosale, 11022 N. Cedarburg Road, questioned the connection between this proposed plan and the City's comprehensive plan. He also suggested that this plan not be approved pending resolution for the FLOW issue (Fair Liquidation of Waste).

Mr. Rubin and Director of Community Development Brad Steinke reviewed the relationship between the City's land use plan map and the proposed sewer service area boundary. Steinke noted that the proposed sewer service area boundary reflects the recently amended land use plan urban service area boundary, which was based on engineering analysis of the sewer system design and projected development growth.

Mayor Pukaite also commented that the City had held this plan in abeyance pending resolution of the FLOW matter, however, since resolution of the FLOW issue does not appear imminent, it appears wise to move ahead on adopting this plan in consideration of sound planning principles.

There being no one else wishing to be heard, the public hearing was closed.

Appendix B

RESOLUTION OF THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT
DECEMBER 16, 1991

Item 2

COMMISSION FILE NO. 91-084-12

INTRODUCED BY: Wallace White, Executive Director

DATE INTRODUCED: December 2, 1991



Milwaukee
Metropolitan
Sewerage
District

REFERRED BY COMMISSION CHAIRPERSON TO: Policy & Audit Committee

RELATING TO:

RESOLUTION OPPOSING PROPOSED ENLARGEMENT OF MEQUON'S SEWER SERVICE
AREA TRIBUTARY TO THE DISTRICT

SUMMARY:

Mequon has requested SEWRPC to redraw the sewer service area tributary to the District within that municipality. The service area was originally established by SEWRPC as part of the 208 Plan. The District refined the service area as part of the Master Facilities Plan and did not show these areas as receiving service from the District prior to 2005.

Mequon's request is based upon projected lower density development per acre. At the same time, but in a different forum (e.g. negotiations with the District), Mequon has requested dramatic increases in base flow. This contradiction cannot be reconciled. Staff recommends the District should oppose the service area expansion.

ATTACHMENTS: KEY ISSUES RESOLUTION FISCAL NOTE BACKGROUND

MJM/lam/LS1036 _____
11/5/91
COMMITTEE ACTION _____ DATE _____

COMMISSION ACTION _____ DATE _____

RESOLUTION OPPOSING PROPOSED ENLARGEMENT OF MEQUON'S SEWER SERVICE AREA TRIBUTARY TO THE DISTRICT

BACKGROUND

At the behest of Mequon and Thiensville, SEWRPC has proposed revisions to the Mequon-Thiensville planned sanitary sewer service area. The "planned sanitary sewer service area" was originally established by SEWRPC in its regional water quality management plan, known as a 208 Plan, in 1979.

Afterwards, the District conducted its Master Facilities Plan, known as a 201 Plan, which studied the Mequon-Thiensville planned sanitary sewer service area. The District's conclusions differed from SEWRPC's in that the District identified more area as remaining on septic and other on-site disposal options through the year 2005. SEWRPC did not object to the District's conclusions.

SEWRPC proposes to enlarge the planned sanitary sewer service area and to change those areas identified by the District as served by on-site disposal to service through sanitary sewers. SEWRPC claims this is justified primarily because Mequon has stated its development will have fewer residents per acre than originally assumed in the 208 Plan. SEWRPC eschews any authority to prevent regression to higher density development in the future, however.

While SEWRPC was considering the revisions, Mequon was demanding dramatic increases in its base flows from the District during negotiations for a service contract. This was brought to SEWRPC staff's attention in September, 1991. After a month, and without critical analysis (in District staff's view), SEWRPC staff has requested the service area revision be placed before the SEWRPC Board with SEWRPC staff's recommendations to approve the revision.

The inconsistencies of Mequon's positions on density in development and the need for large increases in base flow, coupled with the lack of regional authority to curb higher density development tributary to the District's system, makes supporting the Mequon revision unacceptable. An enlarged service area is viewed as a threat in the long run to good operation and maintenance of the District's system.

Accordingly, staff recommends the Commission pass the proposed resolution opposing enlargement of the Mequon sewer service area tributary to the District.

December 16, 1991

91-084-12(02)

Item 2

On motion made by Commissioner Krug and seconded by Commissioner Baldwin, the following resolution was presented:

REVISED

RESOLUTION OPPOSING PROPOSED ENLARGEMENT
OF MEQUON'S SEWER SERVICE AREA TRIBUTARY TO THE DISTRICT

RESOLVED, the Metropolitan Sewerage Commission, for and on behalf of the Milwaukee Metropolitan Sewerage District, is opposed to SEWRPC amending the Mequon-Thiensville Planned Sanitary Sewer Service Area tributary to the District's conveyance, storage and treatment systems pursuant to the pending Mequon proposal (The Proposal) for the following reasons:

1. The Proposal is contrary to the District's approved facility plan;
2. The District has not provided capacity for the proposed expansion;
3. SEWRPC has no authority to compel compliance by Mequon with the projected population density in The Proposal;
4. The District and Mequon have not contracted for or otherwise made arrangements for the provision of sewer service to the area within The Proposal.

District staff is authorized to convey this resolution to SEWRPC and DNR, if SEWRPC adopts The Proposal.

LS1036

The above resolution was adopted by the following vote:

YES: Commissioners Baldwin, Burke, Brundahl, Coleman, Elliott, Hardt, Krug, Payton, Pratt, Schwerm and Grzezinski.

NO: None

I, Fran Ashley-Jordan Secretary of the Milwaukee Metropolitan Sewerage District do hereby certify that the above is a true and correct copy of a resolution adopted by the Milwaukee Metropolitan Sewerage District at a meeting held

December 16 19 91

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Appendix C

LETTER FROM THE CITY OF MEQUON
JANUARY 14, 1992

city of
m-e-q-u-o-n

January 14, 1992

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

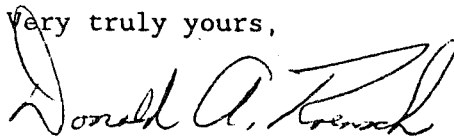
Ladies and Gentlemen:

This letter is submitted to urge your approval of the refined sanitary sewer service area plan for the City of Mequon and the Village of Thiensville. The City submitted its resolution adopting the revised sewer service area plan to SEWRPC for review and approval in September of 1990. We believe that the refinement of this plan complies with the intent and spirit of the 1979 Area Wide Water Quality Management Plan for southeastern Wisconsin. We are not requesting additional base flow from MMSD. The opposition of MMSD to the revisions to the sanitary sewer service area is, we believe, intended to bring leverage to bear in conjunction with the ongoing lack of agreement between MMSD and the FLOW communities on what constitutes an equitable basis of sharing the capital costs of the water pollution abatement program. It is difficult for us to understand the MMSD's opposition when our amended sewer service area plan projects a sewered population of twenty-five to twenty-eight thousand in an area which the adopted 208 plan projected as having a population of more than forty-thousand.

The lack of approval of the revised Mequon-Thiensville sewer service area plan threatens to upset the orderly development pattern under which the City of Mequon has operated, using the availability of sanitary sewer as a primary determinant of development. While the City has done an excellent job in this regard to date, landowners and developers are beginning to look at alternative methods of sewerage their projects because of the tactics being used by MMSD to curtail sewer extension approvals and to oppose and delay approval of the revisions to the sewer service area plan. Approval of our request is necessary also for the extension of sanitary sewer to serve the planned St. Mary's Hospital facility, a project of regional impact.

We urge you to approve our request for revisions to the sewer service area plan.

Very truly yours,



Donald A. Roensch
City Administrator

dar/mc