

AMENDMENT TO THE

REGIONAL WATER QUALITY MANAGEMENT PLAN

VILLAGE OF MENOMONEE FALLS

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

DECEMBER 2013

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SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Menomonee Falls Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Waukesha, the Village of Menomonee Falls, and the Milwaukee Metropolitan Sewerage District.

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held on the 4th day of December 2013, the Commission did by unanimous vote of all Commissioners present, being 15 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional water quality management plan, which plan was originally adopted by the Commission on the 12th day of July 1979, as part of the master plan for the physical development of the Region. Said amendment to the regional water quality management plan pertains to the revised Menomonee Falls sanitary sewer service area and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Pewaukee, Wisconsin, this 5th day of December 2013.

David L. Stroik, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Kenneth R. Yunker, Deputy Secretary

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RESOLUTION NO. 2013-18

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

WHEREAS, pursuant to Section 66.0309(10) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, *A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000*; and

WHEREAS, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Menomonee Falls sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 208, *Sanitary Sewer Service Areas for the Villages of Lannon and Menomonee Falls, Waukesha County, Wisconsin*, June 1993, as amended; and

WHEREAS by e-mail letter dated November 5, 2013, the Village of Menomonee Falls requested that the Commission amend the Menomonee Falls sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, "Response to Request by the Village of Menomonee Falls to Amend the Menomonee Falls Sanitary Sewer Service Area," attached hereto and made a part hereof; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforementioned staff memorandum, was the subject of a public hearing held jointly by the Village of Menomonee Falls and the Regional Planning Commission on December 2, 2013; and

WHEREAS, Section 66.0309(9) of the *Wisconsin Statutes* authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was subsequently amended to include the refined Menomonee Falls sanitary sewer service area, be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

SECOND: That the Executive Director is authorized to submit findings to the Wisconsin Department of Natural Resources and the Wisconsin Department of Safety and Professional Services that public and private sanitary sewer extensions necessary to serve the anticipated development on the lands concerned are in conformance with, and would serve to implement, the adopted regional water quality management plan as herein amended.

RESOLUTION NO. 2013-18

THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 4th day of December 2013, the vote being: Ayes 15; Nays 0.



David L. Stroik, Chairman

ATTEST:



Kenneth R. Yunker, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE VILLAGE OF MENOMONEE FALLS TO AMEND THE MENOMONEE FALLS SANITARY SEWER SERVICE AREA

INTRODUCTION

By e-mail letter dated November 5, 2013, the Village of Menomonee Falls requested that the Southeastern Wisconsin Regional Planning Commission amend the Village of Menomonee Falls sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District sewerage system, as that area is currently documented in SEWRPC Community Assistance Planning Report No. 208, *Sanitary Sewer Service Areas for the Villages of Lannon and Menomonee Falls, Waukesha County, Wisconsin*, dated June 1993, as amended. The primary purpose of the amendment would be to include within the planned sewer service area the entirety of certain parcels which are partially located within the planned sewer service area.

AREA DESCRIPTION

The area proposed to be added to the Menomonee Falls sewer service area encompasses 21 acres located north of Elder Lane and east of Maple Road, as shown on Map 1. The subject area includes the westerly portions of tax key parcels 15994, 15996 and 34995—the easterly portions of which are already in the planned sewer service area. The subject area also includes three abutting developed homesites along the north side of Elder Lane (tax key parcels 34992, 34993, and 34994) which are currently outside the planned sewer service area.

Under the Village comprehensive plan, the northerly portion of the subject area is recommended to be developed as a park, while the balance of the subject area is recommended for medium-density residential use.¹ It is estimated that upon full development, the proposed residential portion of the subject site would accommodate about 28 housing units (including the three existing homes), with an estimated population of 65 persons.

There are no environmental corridors or isolated natural resource areas in the subject area.

A more detailed delineation of the amended sewer service area is shown on the aerial photograph reproduced as Map 2.

RELATIONSHIP OF THE PROPOSED CHANGE TO THE EXISTING SANITARY SEWER SERVICE AREA

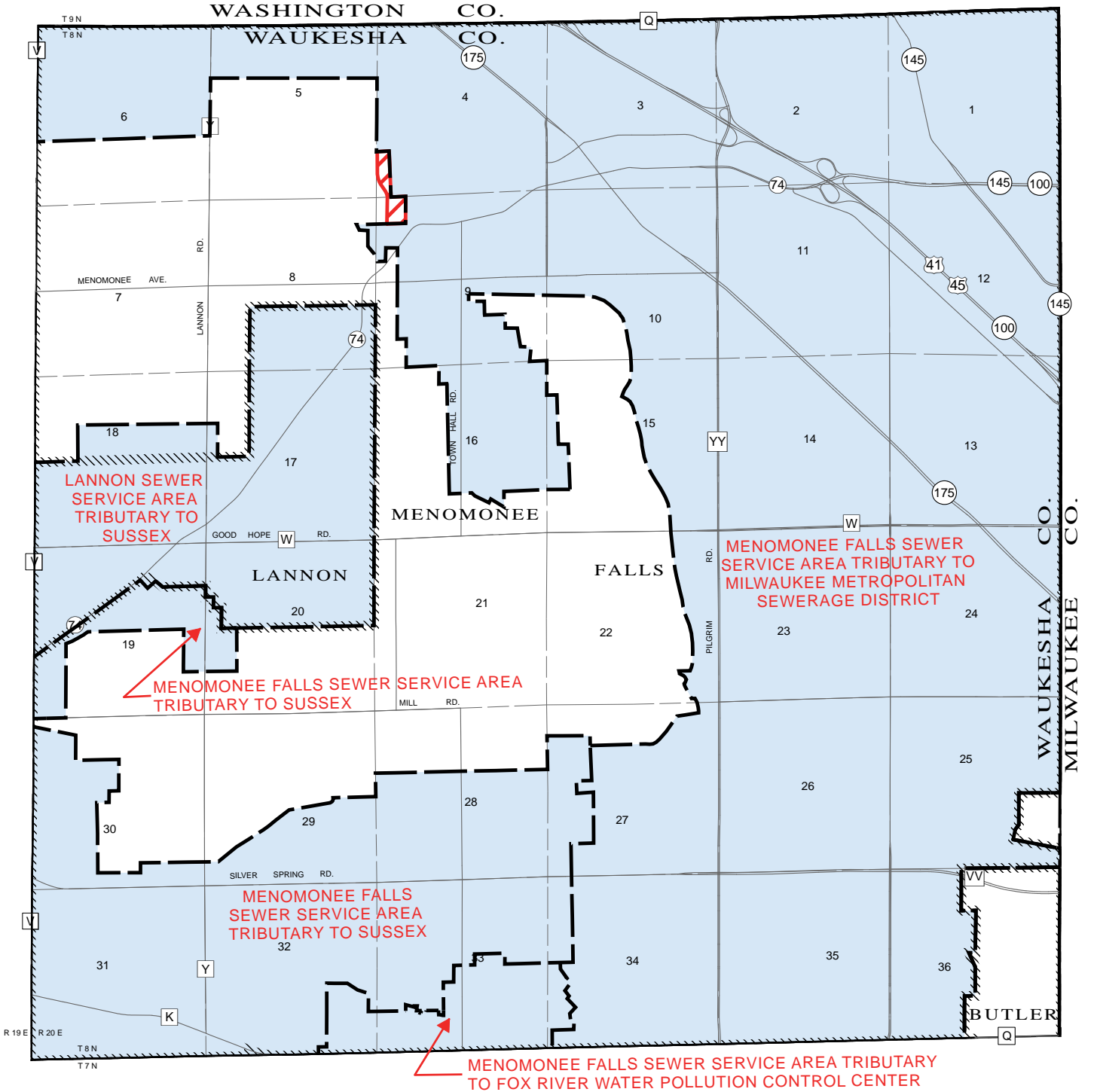
The proposed addition of 21 acres to the Menomonee Falls sanitary sewer service area tributary to the MMSD sewerage system represents an increase in the planned sewer service area of less than 1 percent. The proposed addition would increase the resident population of the sewer service area by less than 1 percent.




WATER QUALITY IMPACTS

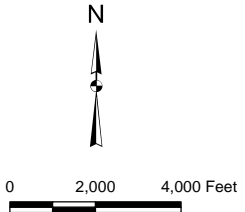
Under the adopted regional water quality management plan and the Menomonee Falls sanitary sewer service area plan, it is envisioned that all new urban development within the planned sewer service area would receive sanitary sewer service. Assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

¹ *The central portion of the subject area is part of an area proposed to be developed as a single-family residential subdivision (Christman Estates), and would include all or portions of five residential lots and one outlot identified in the preliminary plat for that subdivision.*

PROPOSED AMENDMENT TO THE MENOMONEE FALLS SANITARY SEWER SERVICE AREA



-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY
-  PLANNED SANITARY SEWER SERVICE AREA
-  AREA TO BE ADDED TO THE MENOMONEE FALLS SANITARY SEWER SERVICE AREA TRIBUTARY TO THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT



Source: SEWRPC

WASTEWATER TREATMENT PLANT CAPACITY

The size and capacity of the MMSD sewage conveyance and treatment facilities are set forth in the District's facility plan completed in 2007.² The area proposed to be added to the planned sewer service area would be tributary to Sewershed MF3001. The MMSD facility plan is based upon a planned Sewershed MF3001 resident population level of 7,360 and a planned dry weather flow of 0.982 millions of gallons per day (mgd). The year 2000 population of Sewershed MF3001 was about 6,170 persons and the dry weather flow was about 0.778 mgd. The proposed addition to the sewer service area would add a population of about 65 persons, including existing residents, and an incremental dry weather flow of about 0.011 mgd. Thus, there is planned capacity available for the areas proposed to be added to the sewer service area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on December 2, 2013, at the Menomonee Falls Village Hall to receive public comment on, and reaction to, the proposed sewer service area amendment. The hearing was sponsored by the Village of Menomonee Falls and the Regional Planning Commission. A summary of the amendment was presented prior to receiving public comment. No objections to the proposed amendment were expressed at the hearing.

LOCAL ACTION ON THE PLAN AMENDMENT

The Menomonee Falls Village Board approved the sewer service area amendment following the public hearing on December 2, 2013.

CONCLUDING RECOMMENDATION

The Regional Planning Commission's evaluation of proposed sanitary sewer service area amendments includes a consideration of whether the amendment is consistent with the regional land use plan, the regional water quality management plan, and the provisions of the *Wisconsin Administrative Code* governing water quality management plans, and whether established procedures for amending sewer service areas have been followed.

- **Consistency with the Regional Land Use Plan**

The regional land use plan recommends that, in addition to the infilling and redevelopment of existing urban centers, new urban development within the Region be accommodated through the orderly expansion of existing urban centers in locations which can be readily served by basic urban facilities, including sanitary sewer service, with the overall amount of new urban development consistent with projected growth in population and the economic base. The regional land use plan further recommends the preservation of primary environmental corridors and that consideration be given to the preservation of secondary environmental corridors and isolated natural resource areas. The proposed sewer service area amendment is consistent with these recommendations of the regional land use plan.

- **Consistency with the Regional Water Quality Management Plan**

The regional water quality management plan recommends that new urban development within the Region be provided with centralized sanitary sewer service. The plan designates a wastewater treatment plant to serve each of the urban centers within the Region that are identified in the regional land use plan. In the case at hand, the regional plan recommends that the north central portion of the Menomonee Falls urban service area be served through the MMSD sewerage system. The proposed sewer service area amendment is consistent with these recommendations of the regional water quality management plan.

²Milwaukee Metropolitan Sewerage District 2020 Facilities Plan, *June 2007*.

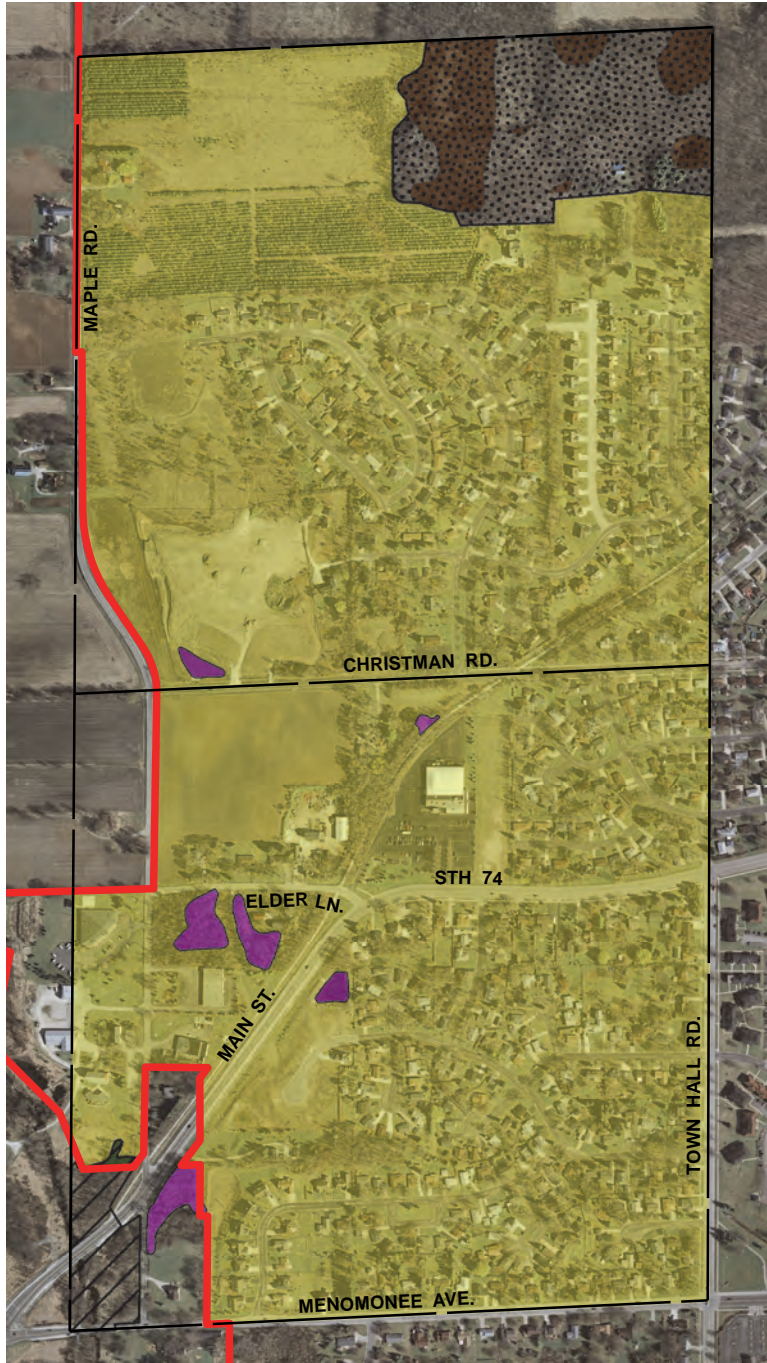
- **Consistency with Chapter NR 121 of the *Wisconsin Administrative Code***
Chapter NR 121 of the *Wisconsin Administrative Code* governs the preparation of areawide water quality management plans, including the component sewer service area plans. The code requires that sewer service areas be determined in a way that promotes cost-effective and environmentally sound wastewater collection and treatment and that is consistent with 20-year population projections. Under the code, sewer service area plans must identify lands that are to be excluded from sewer service because of physical or environmental constraints or potential adverse water quality impacts. The proposed sewer service area amendment is consistent with these provisions of the *Wisconsin Administrative Code*.
- **Consistency with Procedural Requirements**
As carried out by the Regional Planning Commission, the sewer service area amendment process must begin with a request to the Commission from the appropriate local unit of government or government agency to process the amendment. A public hearing must be held on the proposed amendment; the hearing is jointly sponsored by the Regional Planning Commission and the requesting agency or unit of government. Subsequent to the public hearing, the requesting agency or unit of government must act to approve the amendment as presented at the hearing, approve a modified amendment, or deny the amendment. Only after approval by the requesting agency or unit of government will the proposed amendment be considered for adoption by the Regional Planning Commission as an amendment to the areawide water quality management plan. All of the Commission's procedural requirements have been met for this amendment.

Given all of the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the Village of Menomonee Falls sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 208, in the manner shown on Map 1. It is also recommended that Milwaukee Metropolitan Sewerage Commission similarly approve this sewer service area plan amendment and further recommended that the Wisconsin Department of Natural Resources approve this sewer service area plan amendment and transmit the plan amendment to the U.S. Environmental Protection Agency for certification.

Map 2


ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF MENOMONEE FALLS


Southwest Quarter of U.S. Public Land Survey Section 4 and
Northwest Quarter of U.S. Public Land Survey Section 9
Township 8 North, Range 20 East




Photography Date: April 2010

 PRIMARY ENVIRONMENTAL CORRIDOR


 ISOLATED NATURAL RESOURCE AREA


 WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

 PLANNED SANITARY SEWER SERVICE AREA

 GROSS SANITARY SEWER SERVICE AREA BOUNDARY

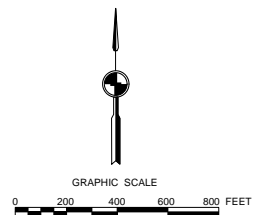
RESTRICTIONS ON SEWERED DEVELOPMENT

 PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.

 PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.

NOTE: This map replaces a portion of Map 2, page 4, of SEWRPC Amendment to the Regional Water Quality Management Plan, Village of Menomonee Falls, June 1998.

Source: SEWRPC.



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APPENDIX

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Appendix A

REGIONAL HOUSING PLAN: JOB/HOUSING BALANCE ANALYSIS

On March 13, 2013, the Regional Planning Commission adopted a regional housing plan for the seven-county Southeastern Wisconsin Region. That plan is documented in SEWRPC Planning Report No. 54, *A Regional Housing Plan for Southeastern Wisconsin*, dated March 2013. The plan addresses a range of housing issues and concerns, including the balance between jobs and housing throughout the Region. The plan includes a generalized analysis of the “job/housing balance” for subareas of the Region. The regional housing plan recommends that the findings of the job-housing analysis be provided to communities seeking to amend their sanitary sewer service areas. Accordingly, the findings of that analysis are summarized in this appendix.

The job/housing analysis conducted under the regional housing study examined the relationship between jobs and housing that would exist in subareas of the Region, with the implementation of adopted long-range county and community comprehensive plans for those areas. The analysis was undertaken for each sub-area of the Region shown on Map A-1, and was confined to the areas planned by local governments to be served by sanitary sewers. For each sub-area, the analysis compared the projected relative shares of lower-cost, moderate-cost, and higher-cost housing¹ with the projected relative shares of lower-wage, moderate-wage, and higher-wage jobs,² respectively—assuming implementation of adopted county and community comprehensive plans. Job/housing imbalances identified under this analysis are indicated on Map A-1. A “lower-cost” job/housing imbalance indicates a sub-area projected to have a higher percentage of lower-wage jobs than lower-cost housing. A “moderate-cost” job/housing imbalance indicates a sub-area projected to have a higher percentage of moderate-wage jobs than moderate-cost housing.

As shown on Map A-1, the Village of Menomonee Falls is located in Sub-area 20, which also includes the Villages of Butler and Lannon, in Waukesha County. Based upon the job/housing balance analysis conducted as part of the regional housing study, Sub-area 20 overall is projected to have a moderate-cost job/housing imbalance, assuming implementation of the currently adopted comprehensive plans for communities in that sub-area. Determination of which of the communities in Sub-area 20 have a projected job/housing imbalance would require further analysis, on a community-by-community basis. The regional housing plan encourages such community-by-community analyses, recognizing that the community-level analysis may consider community-specific wage data and housing price data that were not available on an areawide basis for the regional analysis.

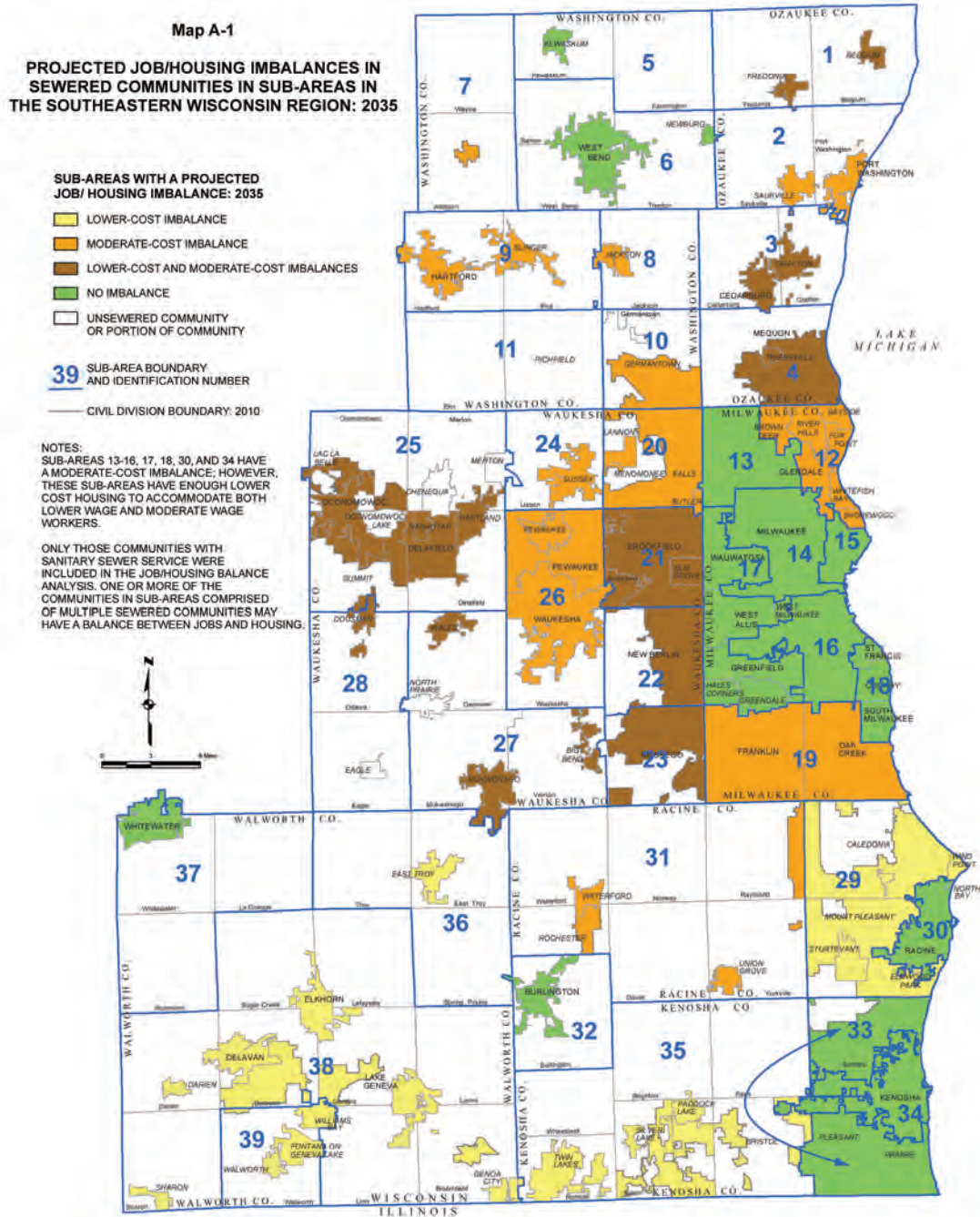
The regional housing plan recommends that communities which are demonstrated to have a job/housing imbalance consider making changes to their comprehensive plan and zoning ordinance, as appropriate, in order to enable the provision of housing suitable for the people holding jobs in their community. Actions to address a moderate-cost job/housing imbalance could include modifying the comprehensive plan to permit some single-family residences on smaller lots (1/4 acre or less) and of modest square footage

¹ For purposes of the analysis, lower-cost housing generally includes multi-family dwellings and single- and two-family dwellings at densities of 6,000 square feet or less per dwelling unit; moderate-cost housing includes single- and two-family dwellings at densities of one dwelling per 6,000 to 20,000 square feet for homes constructed prior to 2000 and at densities of one dwelling per 6,000 to 10,000 square feet for housing constructed after 2000; and higher-cost housing includes the balance of the housing stock.

² For purposes of the analysis, lower-wage jobs include those with an average annual wage that is 80 percent or less than the average annual wage for all jobs in the county; moderate-wage jobs include those with an average annual wage between 80 percent and 135 percent of average annual wage for all jobs in the county; and higher-wage jobs include those with an average annual wage that is 135 percent or more of the annual average wage for all jobs in the county.

(1,200 square feet). Actions to address a lower-cost job/housing imbalance could include modifying the comprehensive plan to permit some modest multi-family housing (density of about 10 housing units per acre and 800 square feet per two bedroom apartment).

Additional information about the housing plan and the job/housing balance analysis is available on the SEWRPC website (www.sewrpc.org/sewrpc/housing.htm) or by contacting the SEWRPC staff.



Source: Local Government Comprehensive Plans and SEWRPC.