

**AMENDMENT TO THE**

**REGIONAL WATER QUALITY**

**MANAGEMENT PLAN**

**VILLAGE OF HARTLAND**

**AND LAKE PEWAUKEE**

**SANITARY DISTRICT**

**AS ADOPTED BY THE**

**SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION**

**JUNE 2014**

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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 (Hartland and Pewaukee Sanitary Sewer Service Areas)

**TO:** The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Waukesha, the Town of Delafield, the Village of Hartland, the Delafield-Hartland Water Pollution Control Commission, the Fox River Water Pollution Control Commission, and the Lake Pewaukee Sanitary District.

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held on the 18th day of June 2014, the Commission did by unanimous vote of all Commissioners present, being 13 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 Hartland and Pewaukee sanitary sewer service areas 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 19th day of June 2014.

David L. Stroik, Chairman  
Southeastern Wisconsin  
Regional Planning Commission

ATTEST:

Kenneth R. Yunker, Deputy Secretary

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**RESOLUTION NO. 2014-06**

**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 (HARTLAND AND PEWAUKEE SANITARY SEWER SERVICE AREAS)**

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 Hartland and Pewaukee sanitary sewer service areas as those areas are documented, respectively, in SEWRPC Community Assistance Planning Report No. 93, *Sanitary Sewer Service Area for the Village of Hartland, Waukesha County, Wisconsin*, dated April 1985, as amended; and in SEWRPC Community Assistance Planning Report No. 113, *Sanitary Sewer Service Area for the Town of Pewaukee Sanitary District No. 3, Lake Pewaukee Sanitary District, and Village of Pewaukee, Waukesha County, Wisconsin*, dated June 1985, as amended; and

WHEREAS by letter dated March 27, 2014, the Lake Pewaukee Sanitary District requested that the Commission amend the Hartland and Pewaukee sanitary sewer service areas to remove certain lands from the Hartland sewer service area tributary to the Delafield-Hartland Water Pollution Control Commission (Dela-Hart) wastewater treatment facility and add those lands to the Pewaukee 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 Lake Pewaukee Sanitary District to Amend the Hartland and Pewaukee Sanitary Sewer Service Areas," 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 Town of Delafield and the Regional Planning Commission on April 22, 2014; 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 Hartland and Pewaukee sanitary sewer service areas, be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

**RESOLUTION NO. 2014-06**

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.

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 18th day of June 2014, the vote being: Ayes 13; Nays 0.



David L. Stroik, Chairman

ATTEST:



Kenneth R. Yunker, Deputy Secretary

## SEWRPC STAFF MEMORANDUM

### RESPONSE TO REQUEST BY THE LAKE PEWAUKEE SANITARY DISTRICT TO AMEND THE HARTLAND AND PEWAUKEE SANITARY SEWER SERVICE AREAS

#### INTRODUCTION

By letter dated March 27, 2014, the Lake Pewaukee Sanitary District requested that the Southeastern Wisconsin Regional Planning Commission amend the Hartland and Pewaukee sanitary sewer service areas as those areas are documented, respectively, in SEWRPC Community Assistance Planning Report No. 93, *Sanitary Sewer Service Area for the Village of Hartland, Waukesha County, Wisconsin*, dated April 1985, as amended; and in SEWRPC Community Assistance Planning Report No. 113, *Sanitary Sewer Service Area for the Town of Pewaukee Sanitary District No. 3, Lake Pewaukee Sanitary District, and Village of Pewaukee, Waukesha County, Wisconsin*, dated June 1985, as amended. The basic purpose of the amendment would be to remove certain lands from the Hartland sewer service area tributary to the Delafield-Hartland Water Pollution Control Commission (Dela-Hart) wastewater treatment facility and add those lands to the Pewaukee sewer service area.

#### AREA DESCRIPTION

As shown on Map 1, the area proposed to be removed from the Hartland sanitary sewer service area and added to the Pewaukee sanitary sewer service area encompasses approximately 26 acres, located south of and adjacent to the intersection of N. Shore Drive and S. Imperial Drive in the northwest one-quarter of the southwest one-quarter of U.S. Public Land Survey Section 11, Township 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin. The 26-acre subject area is part of a proposed larger 151-acre Woodridge Estates subdivision development. The majority of the site, 125 acres, or 83 percent, already lies within the Pewaukee planned sanitary sewer service area.

The subject area, which is currently in agricultural use, is proposed to be developed as Suburban 1 Density residential use as identified in the Town of Delafield land use plan.<sup>1</sup> It is estimated that upon full development, the subject area would accommodate 16 housing units, with an estimated population of 44 persons.

There are no environmental corridors, isolated natural resource areas, or wetlands within the 26-acre 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

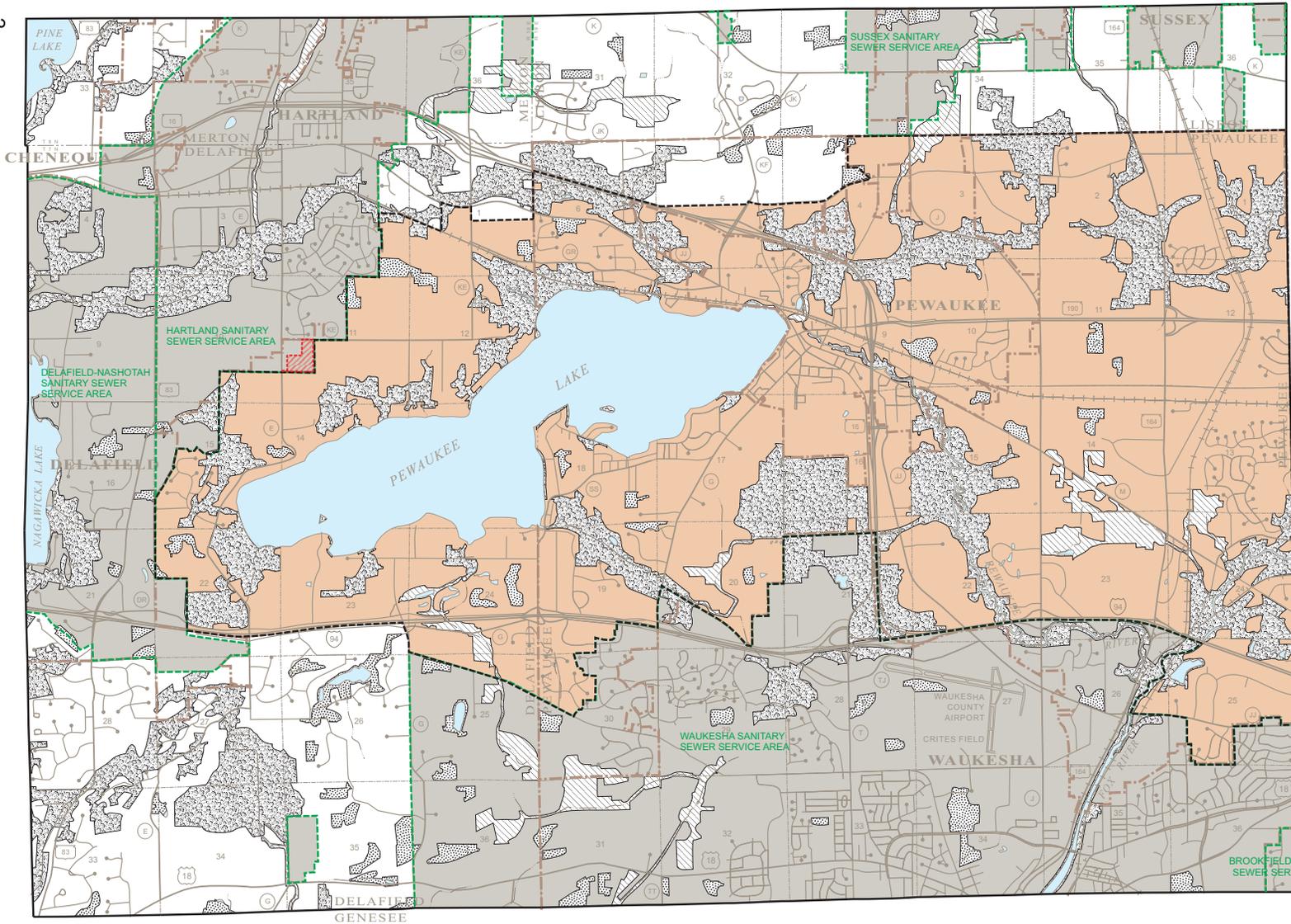
The proposed addition of 26 acres in the Town of Delafield to the Pewaukee sanitary sewer service area, tributary to the Fox River Water Pollution Control Commission (Brookfield West) sewerage system, represents an increase in the planned sewer service area of less than 1 percent. The proposed addition would increase the resident population of the sewer service area by less than 1 percent. Correspondingly, the loss of acreage to the Hartland sanitary sewer service area would result in a decrease in the sewer service area of less than 1 percent.

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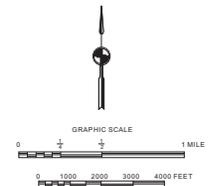
<sup>1</sup>The subject area is proposed to be developed as part of an 80-lot, Residential Planned Unit Development with common open space (R-1 PUD zoning) based on a density of 1.9 acres per dwelling unit.

Map 1

**PROPOSED AMENDMENT  
TO THE PEWAUKEE SANITARY  
SEWER SERVICE AREA**



- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- SURFACE WATER
- PLANNED SANITARY SEWER SERVICE AREA: 2013
- PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
- OTHER SANITARY SEWER SERVICE AREAS
- LANDS PROPOSED TO BE REMOVED FROM THE HARTLAND SANITARY SEWER SERVICE AREA AND ADDED TO THE PEWAUKEE SANITARY SEWER SERVICE AREA
- CITY AND VILLAGE BOUNDARIES: 2013



Source: SEWRPC.  
JUNE 2014

## **WATER QUALITY IMPACTS**

Under the adopted regional water quality management plan and the Pewaukee 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.

## **WASTEWATER TREATMENT PLANT CAPACITY**

Wastewater from the Town of Delafield conveyed through the Lake Pewaukee Sanitary District (LPSD) sewerage system is treated at the Fox River Water Pollution Control Commission (Brookfield West) sewage treatment plant, which has a design capacity of 12.5 million gallons per day (mgd) on an average annual basis. The average annual flow rate to that plant is about 8.3 mgd on an average annual basis. The 2013 wastewater flow from the LPSD was 0.396 mgd, and the flow allocated to the LPSD is 0.687. The anticipated wastewater flow to be generated in the area proposed to be added to the Pewaukee sewer service area may be expected to be about 0.006 mgd on an average annual basis. Thus, there is adequate wastewater treatment plant capacity to serve the subject area.

## **PUBLIC REACTION TO THE PLAN AMENDMENT**

A public hearing was held on April 22, 2014, at the Delafield Town Hall to receive public comment on, and reaction to, the proposed sewer service area amendment. The hearing was sponsored by the Town of Delafield 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 Delafield Town Board approved the sewer service area amendment following the public hearing on April 22, 2014. Prior to the public hearing, the amendment was approved by the Lake Pewaukee Sanitary District Board of Commissioners, the Village of Hartland, and the Delafield-Hartland Water Pollution Control Commission.

## **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, and the plan designates a wastewater treatment plant to serve each of the urban centers that are identified in the regional land use plan. Under Chapter NR 110, “Sewerage Systems,” of the *Wisconsin Administrative Code*, and consistent with the criteria applied under the ongoing regional water quality management planning program, the determination of which wastewater treatment facility would serve a given area is based on facilities planning which determines the most cost effective way to provide sewerage and wastewater treatment service. In the case at hand, the subject area has historically been identified as an area to be served by a public sanitary sewerage system tributary to the Dela-Hart wastewater treatment facility. However, an analysis of the site has determined that it would be more cost effective for the area to be served by the Lake Pewaukee Sanitary District sewerage system. Because it has been demonstrated that the area in question could be more cost effectively served by Lake Pewaukee Sanitary District system, the proposed sewer service area amendment is considered to be consistent with the regional water quality management plan.

- **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 Hartland and Pewaukee sanitary sewer service areas as documented in SEWRPC Community Assistance Planning Reports No. 93 and No. 113, as amended, in the manner shown on Map 1. It is also 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 HARTLAND AND PEWAUKEE PLANNED SANITARY SEWER SERVICE AREAS

Southwest Quarter of U.S. Public Land Survey Section 11  
Township 7 North, Range 18 East



Photography Date: April 2010

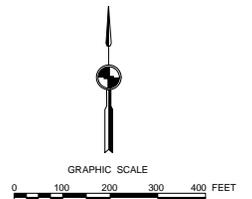
-  PRIMARY ENVIRONMENTAL CORRIDOR
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

**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.

NOTE: This map replaces a portion of Map 2, page 5, of SEWRPC Amendment to the Regional Water Quality Management Plan, Lake Pewaukee Sanitary District, September 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 housing<sup>1</sup> with the projected relative shares of lower-wage, moderate-wage, and higher-wage jobs,<sup>2</sup> 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 Town of Delafield is located in Sub-area 25. Based upon the job/housing balance analysis conducted as part of the regional housing study, Sub-area 25 overall is projected to have lower-cost and moderate-cost job/housing imbalances, assuming implementation of the currently adopted comprehensive plans for communities in that sub-area. Determination of which of the communities in Sub-area 25 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

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<sup>1</sup> 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.

<sup>2</sup> 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](http://www.sewrpc.org/sewrpc/housing.htm)) or by contacting the SEWRPC staff.

