

**MINUTES**

**SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION**

**PLANNING AND RESEARCH COMMITTEE**

June 2, 2005

1:30 p.m.

SEWRPC Office Building  
Commissioners' Conference Room  
W239 N1812 Rockwood Drive  
Waukesha, Wisconsin

Present:

Excused:

Committee Members:

David L. Stroik, Vice-Chairman  
Robert A. Brooks  
Thomas H. Buestrin  
Kenneth C. Herro  
Leonard R. Johnson  
Michael J. Miklasevich  
Kenneth F. Miller  
James E. Moyer

Daniel S. Schmidt, Chairman  
Anthony F. Balestrieri  
Leon T. Dreger  
Gregory L. Holden  
Lee Holloway  
Anselmo Villarreal  
Paul G. Vrakas

Absent:

Staff:

Philip C. Evenson  
William J. Stauber  
Michael G. Hahn  
Kenneth Schlager  
Loretta Watson

Executive Director  
Chief Land Use Planner  
Chief Environmental Engineer  
Chief Telecommunications Engineer  
Executive Secretary

Guests:

Gayle Schmitt  
Rebecca Rocher

## **ROLL CALL**

Vice-Chairman Stroik called the meeting to order at 1:30 p.m. Roll call was taken and a quorum declared present. Mr. Evenson noted for the record that Commissioners Balestrieri, Dreger, Holden, Holloway, Schmidt, Villarreal, and Vrakas had asked to be excused.

## **APPROVAL OF MINUTES OF MEETING OF FEBRUARY 17, 2005**

On a motion by Mr. Miklasevich, seconded by Mr. Johnson, and carried unanimously, the minutes of the meeting of February 17, 2005, were approved as published.

## **CONSIDERATION OF AMENDMENTS TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN**

Vice-Chairman Stroik noted that there were six amendments to the regional water quality management plan to be considered at today's meeting.

### **Sewer Service Area Plan for the City of Muskego**

Vice-Chairman Stroik asked Mr. William J. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the City of Muskego. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated June 2005 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated February 24, 2005, the City of Muskego requested that the Commission amend the Muskego sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD). That area is currently documented in SEWRPC Community Assistance Planning Report No. 64 (3<sup>rd</sup> Edition), *Sanitary Sewer Service for the City of Muskego, Waukesha County, Wisconsin*, dated December 1997, as amended. The purpose of the amendment would be to include within the planned Muskego sanitary sewer service area certain lands located immediately adjacent to, but outside of, the currently adopted sewer service area.

Mr. Stauber then directed the attention of the Committee to Map 1 of the memorandum document. He noted that the total area proposed to be added to the sewer service area approximates 33 acres. Of that total, about 8 acres consists of secondary environmental corridor, with the remaining 25 acres currently in agricultural use. The added lands would accommodate about 45 additional housing units. With this increase, the potential population of the sewer service area would remain within the Commission's projected year 2020 population range for that area.

Mr. Stauber indicated that the proposed amendment was taken to public hearing on April 26, 2005. There were no objections to the proposal. The amendment was formally approved by the Muskego Common Council following that hearing. Mr. Stauber indicated that the Commission staff recommends approval of this proposed amendment as consistent with the regional land use plan.

A brief discussion followed. In response to a question by Mr. Herro, Ms. Schmitt, the project sponsor, indicated that the project had been originally conceived to be low density in nature and to be served by onsite septic tank sewage disposal systems. Indeed, Ms. Schmitt added, the original proposal was for 21

development sites on the property, most of which would be served by mound-type onsite systems. Discussions with the City of Muskego lead to a determination to provide public sanitary sewer service to the site, which in turn has led to possibly a doubling of the development density. In response to a follow up question by Mr. Evenson, Ms. Schmitt indicated that public water supply is available to the property.

There being no further questions or comments, on a motion by Mr. Brooks, seconded by Mr. Moyer, and carried unanimously, the SEWRPC Staff Memorandum dated June 2005 concerning this matter was approved and recommended to the Commission for adoption.

#### **Sewer Service Area Plan for the Village of Paddock Lake**

Vice-Chairman Stroik asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the Village of Paddock Lake. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated June 2005 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated January 12, 2005, the Village of Paddock Lake requested that the Commission amend the Paddock Lake sanitary sewer service area. That area is currently documented in SEWRPC Community Assistance Planning Report No. 145, *Sanitary Sewer Service Areas for the Town of Salem Utility District No. 1, Village of Paddock Lake, and Town of Bristol Utility District Nos. 1 and 1B, Kenosha County, Wisconsin*, dated October 1986, as amended. The purpose of the amendment would be to include within the planned sewer service area certain lands located immediately adjacent to, but outside of, the Paddock Lake sewer service area.

Mr. Stauber then directed the attention of the Committee members to Map 1 of the memorandum document, noting that the total area concerned approximates 81 acres. Presently, the site is comprised of about 5 acres of existing urban development, 52 acres of agricultural land, and 23 acres of environmentally significant land. The environmentally significant land consists of about 19 acres of an isolated natural resource area and about 4 acres of small, isolated wetlands. The developable portion of the site will be for residential use, accommodating about 165 housing units. With this increase, the potential population of the sewer service area would remain within the Commission's projected year 2020 population range of 4,100 to 6,600 for that area.

Mr. Stauber noted that the proposed amendment was taken to public hearing on April 20, 2005. There were no objections to the proposal. The Wisconsin Department of Natural Resources did comment that any specific development proposal on the site in question would have to be carefully designed so as not to place any buildings within a 500 foot distance of a nearby sewage treatment plant unit. The amendment was formally approved by the Paddock Lake Village Board following that hearing. Mr. Stauber indicated that the Commission staff recommends approval of this proposed amendment as consistent with the regional land use plan.

A brief discussion followed. In response to a question by Mr. Stroik, Mr. Evenson indicated that the comment by Department of Natural Resources relative to a 500 foot separation distance has been duly noted by the Village and will be taken into account at such time as a subdivision plat for the site is submitted for review. In response to a question by Mr. Johnson, Mr. Evenson indicated that any potential expansion of the Paddock Lake sewage treatment facility would have to be studied in detail by the Village. It may well be, he continued, that the Commission will suggest to the Village that an

abandonment option also be evaluated, with the Village contracting with the neighboring Town of Salem for sewage treatment services. This is a matter that will need to be discussed with Village officials.

There being no further questions or comments, on a motion by Mr. Herro, seconded by Mr. Brooks, and carried unanimously, the SEWRPC Staff Memorandum dated June 2005 concerning this matter was approved and recommended to the Commission for adoption.

### **Sewer Service Area Plan for the City of Hartford**

Vice-Chairman Stroik asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the City of Hartford. A copy of the preliminary draft of a SEWRPC staff memorandum dated June 2005 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated April 11, 2005, the City of Hartford requested that the Commission amend the Hartford sanitary sewer service area tributary to the City of Hartford sewage treatment facility. That area is currently documented in SEWRPC Community Assistance Planning Report No. 92 (3<sup>rd</sup> Edition), *Sanitary Sewer Service Area for the City of Hartford and Environs, Washington County, Wisconsin*, dated September 2001. The purpose of the amendment would be to include within the planned Hartford sewer service area certain lands located immediately adjacent to, but outside of, the currently adopted sewer service area.

Mr. Stauber then directed the attention of the Committee to Map 1 of the memorandum document. He noted that the total area proposed to be added to the sewer service area approximates 224 acres. Of that total, about 34 acres consists of environmentally significant lands, including 23 acres of primary environmental corridor, 7 acres of isolated natural resource area, and 4 acres of farmed floodplain. The farmed floodplain is envisioned to revert to a more natural condition and become part of the adjacent primary environmental corridor. It is proposed that the remainder of about 190 acres be developed for residential use to accommodate about 370 housing units. With this increase, the potential population of the sewer service area would be slightly above the projected population range in the presently adopted 2020 regional land use plan, but well within the range anticipated under the 2035 regional land use plan now under preparation.

Mr. Stauber noted that this matter was the subject of a public hearing held on May 24, 2005, and no objections were raised. The subject amendment was subsequently approved by the Hartford Common Council. The Commission staff recommends approval of the proposed plan amendment as consistent with the regional land use plan.

A brief discussion then ensued. In response to a question by Mr. Brooks, Mr. Evenson outlined the regulatory process overseen by the Wisconsin Department of Natural Resources attendant to re-issuance of waste discharge permits for wastewater treatment facilities. Basically, that process involves an annual compliance review attendant to each treatment facility, with a view toward identifying early on operational and capacity problems. The results of that annual review are reflected in the next update of the waste discharge permit. Basically, the State's regulatory process works to order communities to expand treatment facilities in advance of actual need, thus helping to ensure that development moratoria are not needed to be imposed. The discussion also involved the supremacy of local governments in Wisconsin when it comes to land use development decision-making, with Mr. Moyer pointing out that every Wisconsin municipality already has all of the authority it needs to control the placement and timing of

urban development. Mr. Herro agreed with Mr. Moyer's observation, commenting that sometimes local development decisions may not be in the best interest of the regional community.

There being no further questions or comments, on a motion by Mr. Miklasevich, seconded by Mr. Herro, and carried unanimously, the SEWRPC Staff Memorandum dated June 2005 concerning this matter was approved and recommended to the Commission for adoption.

#### **Sewer Service Area Plan for the Caddy Vista Sanitary District**

Vice-Chairman Stroik asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the Caddy Vista Sanitary District. A copy of the preliminary draft of a SEWRPC staff memorandum dated June 2005 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated April 28, 2005, the Caddy Vista Sanitary District requested that the Commission amend the Caddy Vista sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD) sewerage system. That area is currently documented in SEWRPC Community Assistance Planning Report No. 147 (2<sup>nd</sup> Edition), *Sanitary Sewer Service Area for the City of Racine and Environs, Racine County, Wisconsin*, dated June 2003. The purpose of the amendment would be to include within the Caddy Vista sewer service area certain lands located immediately adjacent to, but outside of, the currently adopted sewer service area, and also to remove certain lands from that sewer service area.

Mr. Stauber then directed the attention of the Committee to Map 1 of the memorandum document, noting that the total area proposed to be added to the sewer service area approximates 180 acres. Of that total, about 9 acres consists of environmentally significant lands, all located within one isolated natural resource area. The remainder of 171 acres includes about 31 acres in recreational use, 14 acres in residential use, accommodating 17 existing housing units, 5 acres of roads, and 121 acres in agricultural use. It is proposed the agricultural land be developed for residential use to accommodate about 100 housing units. Based upon land use planning conducted by the Town of Caledonia, the adjustment to the sewer service area would represent the ultimate areal extent of the Caddy Vista sewer service area.

Mr. Stauber indicated that the proposed amendment was taken to public hearing on May 25, 2005. There were no objections raised, and the subject amendment was formally approved by the Caddy Vista Sanitary District. The proposed plan amendment has also been endorsed by the Town Board of the Town of Caledonia and the Milwaukee Metropolitan Sewerage District. The Commission staff recommends approval of the proposed plan amendment as consistent with the regional land use plan.

Following a brief discussion relative to the relationship between the Caddy Vista Sanitary District and the Milwaukee Metropolitan Sewerage District, on a motion by Mr. Moyer, seconded by Mr. Miklasevich, and carried unanimously, the SEWRPC Staff Memorandum dated June 2005 concerning this matter was approved and recommended to the Commission for adoption.

#### **Sewer Service Area Plan for the Western Racine County Sewerage District**

Vice-Chairman Stroik asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the Western Racine County Sewerage District. A copy of the preliminary draft of a SEWRPC staff

memorandum dated June 2005 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated May 2, 2005, the Western Racine County Sewerage District requested that the Commission amend the Waterford/Rochester sanitary sewer service area tributary to the Western Racine County Sewerage District (WRCSD) sewage treatment facility. That area is currently documented in SEWRPC Community Assistance Planning Report No. 141 (2<sup>nd</sup> Edition), *Sanitary Sewer Service Area for the Waterford/Rochester Area, Racine County, Wisconsin*, dated April 1996, as amended. The purpose of the amendment would be to include within the planned sewer service area certain lands located immediately adjacent to, but outside of, the currently adopted sewer service area.

Mr. Stauber then directed the attention of the Committee to Map 1 of the memorandum document. He noted that one area proposed to be added to the sewer service area approximates 92 acres. Of that total, about 35 acres consists of primary environmental corridor, with 57 acres in agricultural use. The proposed 57 acre developable portion is being planned for residential use to accommodate about 30 housing units. A second area encompasses about 10 acres, including 5 acres of isolated natural resource area. That area, together with adjacent lands already in the planned service area, will accommodate about 6 housing units. With this increase, the potential population of the sewer service area would remain within the Commission's projected year 2020 population range for that area.

Mr. Stauber noted that this matter was the subject of a public hearing held on May 25, 2005, and no objections were raised. The subject amendment was subsequently approved by the Western Racine County Sewerage District. The Commission staff recommends approval of the proposed plan amendment as consistent with the regional land use plan.

A brief discussion then ensued. In response to a question by Mr. Moyer, Mr. Stauber noted that the Town of Waterford had indicated its support for the current proposal. Mr. Moyer commented that the Town Board typically was not in favor of higher density developments.

There being no further questions or comments, on a motion by Mr. Moyer, seconded by Mr. Miklasevich, and carried unanimously, the SEWRPC Staff Memorandum dated June 2005 concerning this matter was approved and recommended to the Commission for adoption.

#### **Sewer Service Area Plan for the City of New Berlin**

Vice-Chairman Stroik asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the City of New Berlin. A copy of the preliminary draft of a SEWRPC staff memorandum dated June 2005 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated March 24, 2005, the City of New Berlin requested that the Commission amend the New Berlin sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD) sewerage system. That area is currently documented in SEWRPC Community Assistance Planning Report No. 157, *Sanitary Sewer Service Area for the City of New Berlin, Waukesha County, Wisconsin*, dated November 1987, as amended. The purpose of the amendment would be to include within the New Berlin sewer service area certain lands located immediately adjacent to, but outside of, the currently adopted sewer service area to accommodate a public elementary school.

Mr. Stauber then directed the attention of the Committee to Maps 1 and 2 of the memorandum document. He noted that the total area proposed to be added to the sewer service area approximates 24 acres, is currently in agricultural use, and does not contain any environmentally significant lands. A new elementary school is proposed to be built on the site to replace two existing elementary schools. One of the existing schools is located adjacent to the subject area and is within the currently approved sanitary sewer service area, while the other existing school is located outside the sewer service area. Mr. Stauber further indicated that the red-shaded areas on Map 3 show revisions to the environmental corridors and involve the expansion of the area identified as secondary environmental corridor. He noted that the proposed addition represents an increase in planned sewer service area of less than 1 percent and the areal extent and planned population of the sewer service area would not change significantly.

Mr. Stauber noted that this matter was the subject of a public hearing to be held on June 16, 2005. The Commission staff recommends approval of the proposed plan amendment as consistent with the regional land use plan.

After a brief discussion, on a motion by Mr. Herro, seconded by Mr. Moyer, and carried unanimously, the SEWRPC Staff Memorandum dated June 2005 concerning this matter was approved and recommended to the Commission for adoption, subject to New Berlin Common Council approval prior to the June 15<sup>th</sup> Annual meeting.

**CONSIDERATION OF SEWRPC PLANNING REPORT NO. 50, A REGIONAL WATER QUALITY MANAGEMENT PLAN UPDATE FOR THE GREATER MILWAUKEE WATERSHEDS, CHAPTER 2**

Vice-Chairman Stroik noted that the Commission was engaged in an effort to update its regional water quality plan for an area called the "Milwaukee Area Watersheds." He then called upon Mr. Michael G. Hahn to review with the members of the Committee material included in Chapter 2 "Description of the Study Area," of this forthcoming report. Mr. Hahn then delivered a presentation attendant to that chapter. A copy of Mr. Hahn's presentation slides is attached to the Official minutes as Exhibit A.

There being no questions or comments, on a motion by Mr. Miller, seconded by Mr. Moyer, and carried unanimously, Chapter 2, "Description of the Study Area," of SEWRPC Planning Report No. 50 was approved for publication.

**CONSIDERATION OF SEWRPC PLANNING REPORT NO. 51, A WIRELESS SITING AND RELATED INFRASTRUCTURE PLAN FOR SOUTHEASTERN WISCONSIN, CHAPTERS I-IV**

Vice-Chairman Stroik noted that the Commission was also engaged in an effort to prepare a regional telecommunications plan. He then called upon Mr. Kenneth Schlager to review with the members of the Committee material included in Chapter 1, "Introduction," Chapter 2, "Basic Principles and Concepts," Chapter 3, "Objectives and Standards," and Chapter 4, "Inventory Findings-Background Conditions," of this forthcoming report. Mr. Schlager then delivered a presentation attendant to those chapters. A copy of Mr. Schlager's presentation slides is attached to the Official Minutes as Exhibit B.

During Mr. Schlager's presentation, the following questions and comments were made and addressed:

1. In response to an inquiry by Mr. Herro, Mr. Schlager indicated that in the plan to be developed

for the deployment of the 4G wireless technology, the plan design would be intended to assure the same level of service over the entire Region.

2. In response to an inquiry by Mr. Brooks, Mr. Schlager indicated that the 4G wireless technology will be non-proprietary in nature, and as a result, competition in the provision of technological components will lower costs in the wireless industry.
3. In response to an inquiry by Mr. Stroik, Mr. Evenson indicated that, in general, the private sector providers of telecommunications services are wary about the Commission's entry into the telecommunications field given the competitive nature of that industry. Mr. Schlager added that market forces will effectively require telecommunications service providers to adapt their systems to the coming 4G technology.
4. In response to an inquiry by Mr. Johnson, Mr. Evenson indicated that the Commission is working with the Kenosha County Executive to jointly sponsor a half day seminar on telecommunications topics later this summer. That seminar likely will be held in Kenosha County and would be directed at both county elected officials and key staff individuals.

At the end of the discussion, on a motion by Mr. Johnson, seconded by Mr. Herro, and carried unanimously, Chapter 1, "Introduction," Chapter 2, "Basic Principles and Concepts," Chapter 3, "Objectives and Standards," and Chapter 4, "Inventory Findings-Background Conditions," of SEWRPC Planning Report No. 51 were approved for publication.

### **CORRESPONDENCE**

Mr. Evenson reported that there was no correspondence or announcements to be brought to the attention of the Committee.

### **CONFIRMATION OF NEXT MEETING DATE**

The next regularly scheduled meeting of the Planning and Research Committee will be September 1, 2005, at 1:30 p.m. in the Commission offices. Mr. Evenson noted that it may be necessary to schedule a supplemental meeting before that time and that the staff would give the Committee members ample notice of such a meeting.

### **ADJOURNMENT**

There being no further business to come before the Committee, on a motion by Mr. Herro, seconded by Mr. Johnson, and carried unanimously, the meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Philip C. Evenson  
Deputy Secretary

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