

MINUTES

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

PLANNING AND RESEARCH COMMITTEE MEETING

Tuesday, August 13, 2019

1:30 p.m.

SEWRPC Office Building
Commissioner's Conference Room
W239 N1812 Rockwood Drive
Waukesha, WI 53188

Present:

Excused:

Commissioners:

Daniel S. Schmidt, Chairman
Jose Delgado, Vice-Chairman
Steve Bostrom
Donna Brown-Martin
Charles L. Colman
Michael A. Crowley
Mary Knipper
Theodore Lipscomb, Sr.
Aloysius Nelson
Robert W. Pitts
Nancy Russell

James A. Ladwig
Jennifer K. Rothstein
Jeffrey D. Schleif
Peggy L. Shumway
David L. Stroik

Staff:

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| Kevin J. Muhs | Executive Director |
| Benjamin R. McKay | Deputy Director |

ROLL CALL

Chairman Schmidt called the Planning and Research Committee meeting to order at 1:30 p.m. Roll call was taken and a quorum was declared present. Chairman Schmidt indicated for the record that Commissioners Ladwig, Rothstein, Schleif, Shumway, and Stroik had asked to be excused.

APPROVAL OF MINUTES OF THE MAY 21, 2019, MEETING

Chairman Schmidt asked if there were any changes or additions to the May 21, 2019, meeting minutes. There were none.

On a motion by Mr. Nelson, seconded by Mr. Bostrom, and carried unanimously, the minutes of the May 21, 2019, Planning and Research Committee Meeting were approved.

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**CONSIDERATION AND AMENDMENT OF THE REGIONAL WATER QUALITY
MANAGEMENT PLAN**

City of Mequon Sewer Service Area (Copy attached to Official Minutes)

Chairman Schmidt asked Mr. Muhs to review with the Committee the proposed amendment to the adopted regional water quality management plan pertaining to the City of Mequon sanitary sewer service area. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated September 2019, concerning this matter had been provided to the Committee members for review prior to this meeting.

Mr. Muhs indicated that by letter dated April 12, 2019, the City of Mequon requested that the Commission amend the area of the City of Mequon tributary to the Milwaukee Metropolitan Sewerage District system. The area is currently documented in SEWRPC Community Assistance Planning Report No. 188, *Sanitary Sewer Service Area for the City of Mequon and the Village of Thiensville, Ozaukee County Wisconsin*, dated January 1992, as amended. He stated that the purpose of the amendment is to remove from the planned sewer service area certain lands that are not served by sanitary sewers and are not currently planned to be served by sanitary sewers in the future.

He directed the attention of the Committee members to Map 1, which identifies the proposed 292 acres to be removed from the sanitary sewer service area.

Mr. Muhs stated that the proposed removal of the 292 acres from the City of Mequon sanitary sewer service area represents a decrease in the planned sewer service area of about two percent.

Mr. Muhs noted that as this amendment proposes to remove areas from the planned sewer service area, there is no impact on the Milwaukee Metropolitan Sewerage District sewer treatment facilities.

Mr. Muhs then stated that the sanitary sewer amendment is consistent with the land use component of the VISION 2050 regional land use and transportation plan, with the regional water quality management plan, and with Chapter NR 121 of the *Wisconsin Administrative Code* governing the preparation of areawide water quality management plans.

He then said a public hearing was held on July 9, 2019, no objections to the proposed amendment were expressed at the hearing, and the Mequon Common Council approved the sewer service area amendment on July 9 following the public hearing.

Mr. Muhs stated that it is recommended that the Committee recommend that the Commission formally amend the City of Mequon sanitary sewer service area. Upon approval the amendment will go to the Wisconsin Department of Natural Resources (WDNR) for approval and the WDNR will then provide the amendment to the U.S. Environmental Protection Agency for certification.

In response to an inquiry by Mr. Delgado, Mr. Muhs stated that buildings located on land removed from the planned sewer service area are or would need to be served by private onsite wastewater treatment systems (POWTS). Mr. Muhs then noted that the properties removed from the planned sewer service area will not be redeveloped at higher densities and urban development will not occur in certain environmentally sensitive areas.

In response to an inquiry by Mr. Pitts, Mr. Muhs stated that back property taxes would be the cost to return properties to the planned sewer service area.

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In response to an inquiry by Ms. Brown-Martin, Mr. Muhs stated that additional urban development requiring new POWTS is not planned for these properties.

In response to an inquiry by Mr. Nelson, Mr. Muhs responded that the properties in U.S. Public Land Survey Sections 34 and 35 are generally in agricultural use and also encompass a significant amount of isolated natural resource area.

In response to an inquiry by Mr. Colman, Mr. Muhs stated that a significant amount of developable land will be left in the planned sewer service area.

In response to an inquiry by Ms. Russell, Mr. Muhs stated that the properties likely have private wells.

In response to an inquiry by Mr. Nelson, Mr. Muhs stated that none of the property owners object to removal from the planned sewer service area.

In response to an inquiry by Ms. Brown-Martin, Mr. Muhs stated that the job/housing balance information from the regional housing plan presented in Appendix A is informational only. He stated that this information is included in all amendments to the regional water quality management plan based on a recommendation in the regional housing plan. Mr. Muhs also noted that as the designated water quality planning agency for the Region, the State Statutes only allow the Commission to review and consider certain items when making a recommendation to the WDNR on an amendment to the regional water quality management plan.

There being no further questions or comments, on a motion by Mr. Pitts, seconded by Mr. Crowley, and carried unanimously, the Amendment to the City of Mequon sanitary sewer service area was approved.

Village of Grafton Sewer Service Area (Copy attached to Official Minutes)

Chairman Schmidt asked Mr. Muhs to review with the Committee the proposed amendment to the adopted regional water quality management plan pertaining to the Village of Grafton sanitary sewer service area. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated September 2019, concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Muhs indicated that by e-mail letter dated June 21, 2019, the Village of Grafton requested that the Commission amend the Grafton sanitary sewer service area tributary to the Village of Grafton sewage treatment facility. That area is currently documented in SEWRPC Community Assistance Planning Report No. 91, (2nd Edition) *Sanitary Sewer Service Areas for the City of Cedarburg and the Village of Grafton, Ozaukee County, Wisconsin* dated June 1996, as amended. He said that the basic purpose of the amendment would be to include within the planned sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area.

He directed the attention of the Committee members to Map 1, which identifies the proposed 41 acres to be added to the Grafton sewer service area. He noted there are no environmental corridors or isolated natural resource areas in the subject area. The proposed residential development would accommodate about 88 housing units with an existing population of about 202 persons.

Mr. Muhs stated that the proposed addition to the Grafton sewer service area represents an increase in the planned sewer service area of just under 1 percent. The proposed addition would increase the resident population of the Grafton sewer service area by just over 1 percent. He also stated that there should be no significant adverse water quality impacts attributable to the development of the planned sewer service area, assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed.

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Mr. Muhs noted that the Village of Grafton sewage treatment facility has a design capacity of 2.5 million gallons per day (mgd), with the average annual 2019 wastewater flow rate of 1.5 mgd per day. The development of the area to be added to the sewer service area is anticipated to generate an average annual sewage flow of 0.025 mgd.

Mr. Muhs the stated that the expansion is consistent with the land use component of the VISION 2050 regional land use and transportation plan, with the regional water quality management plan, and with Chapter NR 121 of the *Wisconsin Administrative Code* governing the preparation of areawide water quality management plans.

Mr. Muhs stated that it is recommended that the Committee conditionally approve the amendment to the Village of Grafton sewer service area, and that the Commission formally amend the area upon successful public hearing and approval by the Grafton Village Board. Upon formal approval of the Commission, the amendment will go to the Wisconsin Department of Natural Resources (WDNR) for approval and the WDNR will then provide the amendment to the U.S. Environmental Protection Agency for certification.

In response to an inquiry by Mr. Pitts, Mr. Muhs stated that the Commission is acting before the Village Board because the Village was originally unaware that this area was located outside of the planned sewer service area.

In response to an inquiry by Mr. Colman, Mr. Muhs stated that the hatch marks on Map 1 represent civil division boundaries.

In response to an inquiry by Mr. Bostrom, Mr. Muhs stated that the Commission is not aware of any Village resident concerns regarding the proposed lot sizes in the area and the proposal is consistent with the Village comprehensive plan.

In response to an inquiry by Ms. Russell, Mr. Muhs stated that the developer usually pays for the extension of public sewer service infrastructure to a new subdivision.

In response to an inquiry by Mr. Lipscomb, Mr. Muhs stated that the proposal does not require an amendment to the Village comprehensive plan.

There being no additional questions or comments, on a motion by Mr. Delgado, seconded by Mr. Crowley, and carried unanimously, the Amendment to the Village of Grafton sewer service area was approved, contingent upon a successful public hearing and approval by the Village of Grafton Board.

Village of Dousman Sewer Service Area (Copy attached to Official Minutes)

Chairman Schmidt asked Mr. Muhs to review with the Committee the proposed amendment to the adopted regional water quality management plan pertaining to the Village of Dousman sanitary sewer service area. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated September 2019, concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Muhs indicated that by letter dated May 30, 2019, the Village of Dousman requested that the Commission amend the Dousman sanitary sewer service area. That area is currently documented in SEWRPC Community Assistance Planning Report No. 192 (3rd Edition), *Sanitary Sewer Service Areas for the Village of Dousman and Environs, Waukesha County, Wisconsin* dated March 2007. He said that the basic purpose of the amendment would be to modify the shape of the primary environmental corridor located within the currently adopted sewer service area.

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He directed the attention of the Committee members to Map 1, which identifies 5.3 acres of existing primary environmental corridor proposed to be disturbed to accommodate the expansion of the Grand Masonic Lodge of Wisconsin/Three Pillars Senior Living Community. This would be mitigated with the nearby expansion of the existing environmental corridor by 10.2 acres. This sewer service area amendment will ensure the Village of Dousman commits to ensuring that the mitigation plan is implemented.

Mr. Muhs stated that the proposed modification to the Dousman sanitary sewer service area does not change the outer boundary of the planned sewer service area.

Mr. Muhs noted that the expansion is consistent with the land use component of the VISION 2050 regional land use and transportation plan, with the regional water quality management plan, and with Chapter NR 121 of the *Wisconsin Administrative Code* governing the preparation of areawide water quality management plans.

He then said a public hearing was held on August 12, 2019, no objections to the proposed amendment were expressed at the hearing, and the Village Board approved the sewer service area amendment on August 12 following the public hearing.

Mr. Muhs stated that it is recommended that the Committee recommend that the Commission formally amend the Village of Dousman sanitary sewer service area. Upon approval the amendment will go to the Wisconsin Department of Natural Resources (WDNR) for approval and the WDNR will then provide the amendment to the U.S. Environmental Protection Agency for certification.

In response to an inquiry by Ms. Russell, Mr. Muhs stated that the area proposed to be added to the primary environmental corridor is currently in agricultural use.

In response to an inquiry by Mr. Colman, Mr. Muhs stated that a maintenance facility would be built on the area proposed to be removed from the primary environmental corridor that is separated from the main building.

In response to an inquiry by Mr. Bostrom, Mr. Muhs stated that he would provide information regarding the current and planned units at the Three Pillars Senior Living Facility.

There being no further questions or comments, on a motion by Mr. Dawson, seconded by Mr. Nelson, and carried unanimously, the Amendment to the Village of Dousman sanitary sewer service area was approved.

PRESENTATION ON THE CONDITION OF ENVIRONMENTAL CORRIDORS IN THE REGION

Chairman Schmidt asked Mr. Muhs to proceed with a presentation on the condition of the environmental corridors in the Region. Mr. Muhs noted that this presentation was prepared at the request of Mr. Colman during a prior meeting.

In response to an inquiry by Mr. Nelson, Mr. Muhs stated that Commission staff delineates the locations of isolated natural resource areas.

In response to an inquiry by Mr. Delgado, Mr. Muhs stated that invasive species are often responsible for impacting the quality of an environmental corridor or isolated natural resource area.

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In response to an inquiry by Mr. Lipscomb, Mr. Muhs stated that the quality of the Region's corridors has not been systematically tracked; however, Commission staff has databased plant species observations made during on-site wetland or environmental corridor delineations since 2014. Mr. Muhs then noted that Milwaukee County Parks staff has expertise in identifying high quality environmental areas when considering proposals such as land swaps.

In response to an inquiry by Ms. Russell, Mr. Muhs stated that the conditions of critical aquatic sites are tracked by the Commission.

In response to an inquiry by Ms. Russell, Mr. Muhs stated that black cherry is not necessarily a strong indicator of an undisturbed natural environment, which is why it is not rated highly as a measure of quality when it is observed in an area.

In response to an inquiry by Ms. Brown-Martin, Mr. Muhs stated that buckthorn originated in Europe and many exotic and/or invasive species have been introduced as a landscaping plant or as a source of food.

In response to an inquiry by Ms. Brown-Martin, Mr. Muhs stated that the impact of an invasive species on a native species can be measured. He then noted it is important to consider what type of animal species will replace a native animal species if the native animal species' habitat is replaced by invasive plant species in the Region's corridors.

In response to an inquiry by Ms. Brown-Martin, Mr. Muhs stated that it may be possible to measure the impact of climate change on the Region's corridors over time.

In response to an inquiry by Ms. Brown-Martin, Mr. Muhs stated that there is long-term value in tracking the condition of the corridors; however, actively managing land to reverse the spread of invasive species is very labor intensive. He noted that land management is a role that can be undertaken by conservancy organizations. He then noted that townships in Michigan employ a staff member to work with landowners to manage invasive species. Mr. Nelson commented that this could be a strategy for Wisconsin counties to pursue, although funding could be a challenge. Mr. Muhs noted that stewardship grants are available to counties and communities that adopt park and open space plans, but that these grants are generally more focused on land acquisition than active management.

In response to a statement by Ms. Russell, Mr. Muhs stated that collaboration with agencies such as the Wisconsin Department of Natural Resources and conservancy organizations is important to understanding the impacts of climate change on environmental corridors.

NEXT MEETING

The next meeting of the Planning and Research Committee will be held on November 12, 2019, at 1:30 p.m.

CORRESPONDENCE/ANNOUNCEMENTS

Mr. Muhs stated there was no correspondence or announcements.

ADJOURNMENT

There being no further business to come before the Committee, on a motion by Mr. Nelson, seconded by Ms. Russell, and carried unanimously, the meeting was adjourned at 3:30 p.m.

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Respectfully submitted,

Kevin J. Muhs
Deputy Secretary

KJM/BRM/EAL
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