

**SANITARY SEWER SERVICE
AREA FOR THE TOWN OF
PEWAUKEE SANITARY DISTRICT
NO. 3, LAKE PEWAUKEE
SANITARY DISTRICT, AND
VILLAGE OF PEWAUKEE**

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WISCONSIN**

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Special acknowledgement is due SEWRPC Planner Dennis K. Lefevre for his contribution to this report.

COMMUNITY ASSISTANCE PLANNING REPORT
NUMBER 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

Prepared by the

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June 11, 1985

TO: The Village Board of the Village of Pewaukee; the Town Board of the Town of Delafield; the Governing Body of Pewaukee City; the Town of Pewaukee Sanitary District No. 3; the Lake Pewaukee Sanitary District; the Common Council of the City of Brookfield; and the Waukesha County Park and Planning Commission

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 concerned 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 make a finding that all proposed sanitary sewer extensions be in conformance with the adopted regional water quality management plan and the sanitary sewer service areas identified in that plan. The Department, in carrying out its responsibilities in this respect, requires 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 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 processes can proceed in a smooth and efficient manner.

Acting in response to the recommendations made in the adopted regional water quality management plan, Pewaukee City, the Lake Pewaukee Sanitary District, and the Village of Pewaukee on June 21, 1984; July 2, 1984; and August 8, 1984, respectively, requested that the Regional Planning Commission assist them in refining and detailing the recommended sanitary sewer service area within their respective jurisdictional limits and tributary to the City of Brookfield sewage treatment facility. This report documents the results of that refinement process.

The report contains a map showing the recommended refined sanitary sewer service area and the location and extent of the primary environmental corridors lying within that service area. These primary 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 development problems. Accordingly, urban development should not be encouraged to occur within these corridors, a factor which should be considered in the future extension of sanitary sewer service.

During the preparation of this report, a number of intergovernmental meetings relating to this refinement and detailing of the Pewaukee sanitary sewer service area were held, culminating in a public hearing held on June 5, 1985, to discuss the findings and recommendations of the work 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 those meetings and 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, the Governor, 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 local public officials in the making of sewer service-related development decisions in the Pewaukee area. 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 in implementing the recommendations contained in this report.

Respectfully submitted,



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.

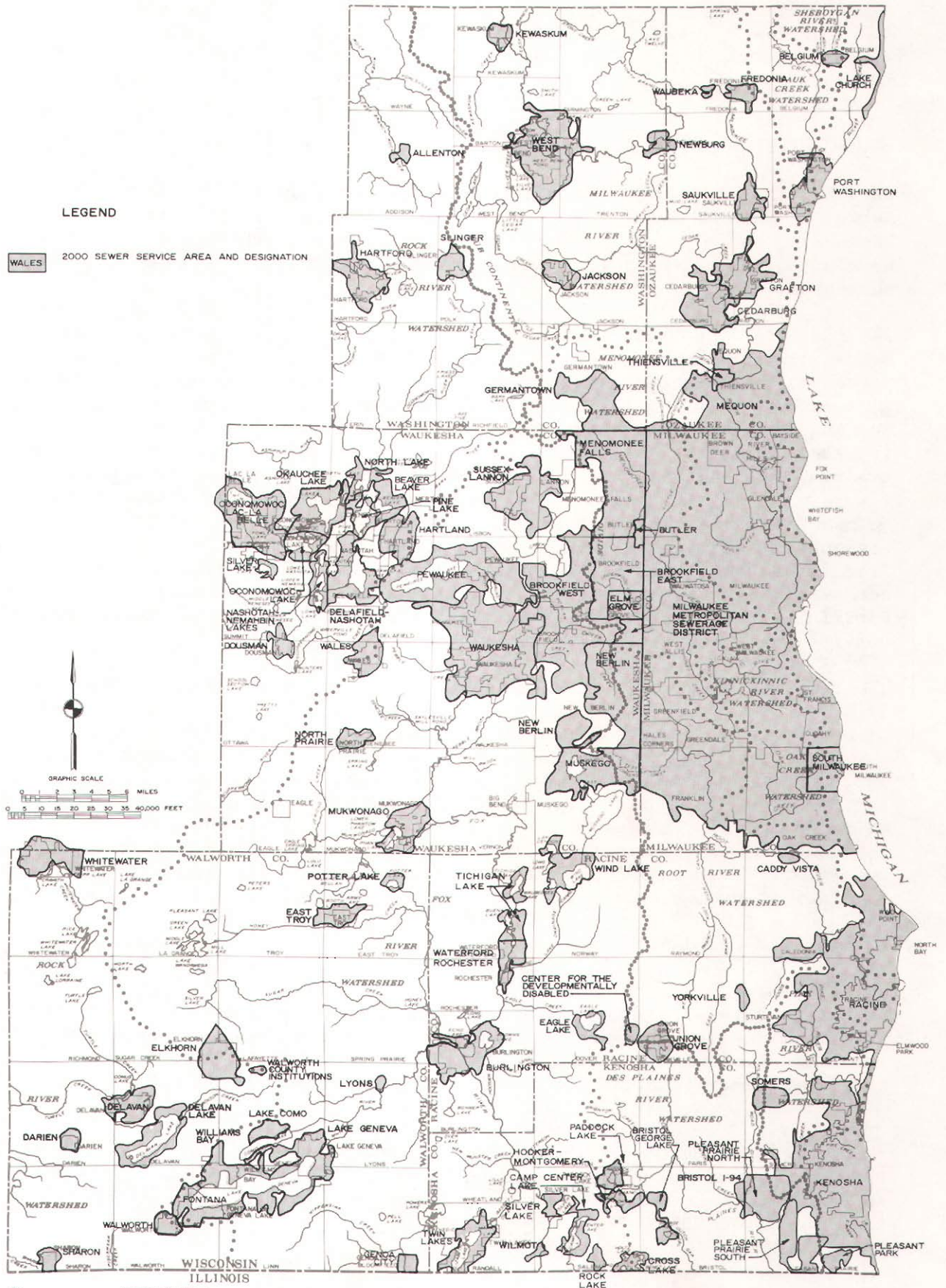
NEED FOR REFINEMENT AND DETAILING OF LOCAL SANITARY SEWER SERVICE AREAS

As noted above, the adopted regional water quality management plan includes recommended sanitary sewer service areas attendant to each recommended sewage treatment facility. There are in the plan a total of 85 such identified sanitary sewer service areas, as shown on Map 1. These recommended sanitary sewer

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.

Map 1

RECOMMENDED SANITARY SEWER SERVICE AREAS IN THE REGION AS IDENTIFIED IN THE ADOPTED REGIONAL WATER QUALITY MANAGEMENT PLAN



Source: SEWRPC.

service areas are 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 is necessarily general, and may not reflect detailed local planning considerations.

Section NR 110.08(4) of the Wisconsin Administrative Code requires that the Wisconsin Department of Natural Resources 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. The Department, in carrying out its responsibilities in this respect, requires 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 areawide, 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 adopted 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 of government operating the treatment facility

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.

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.

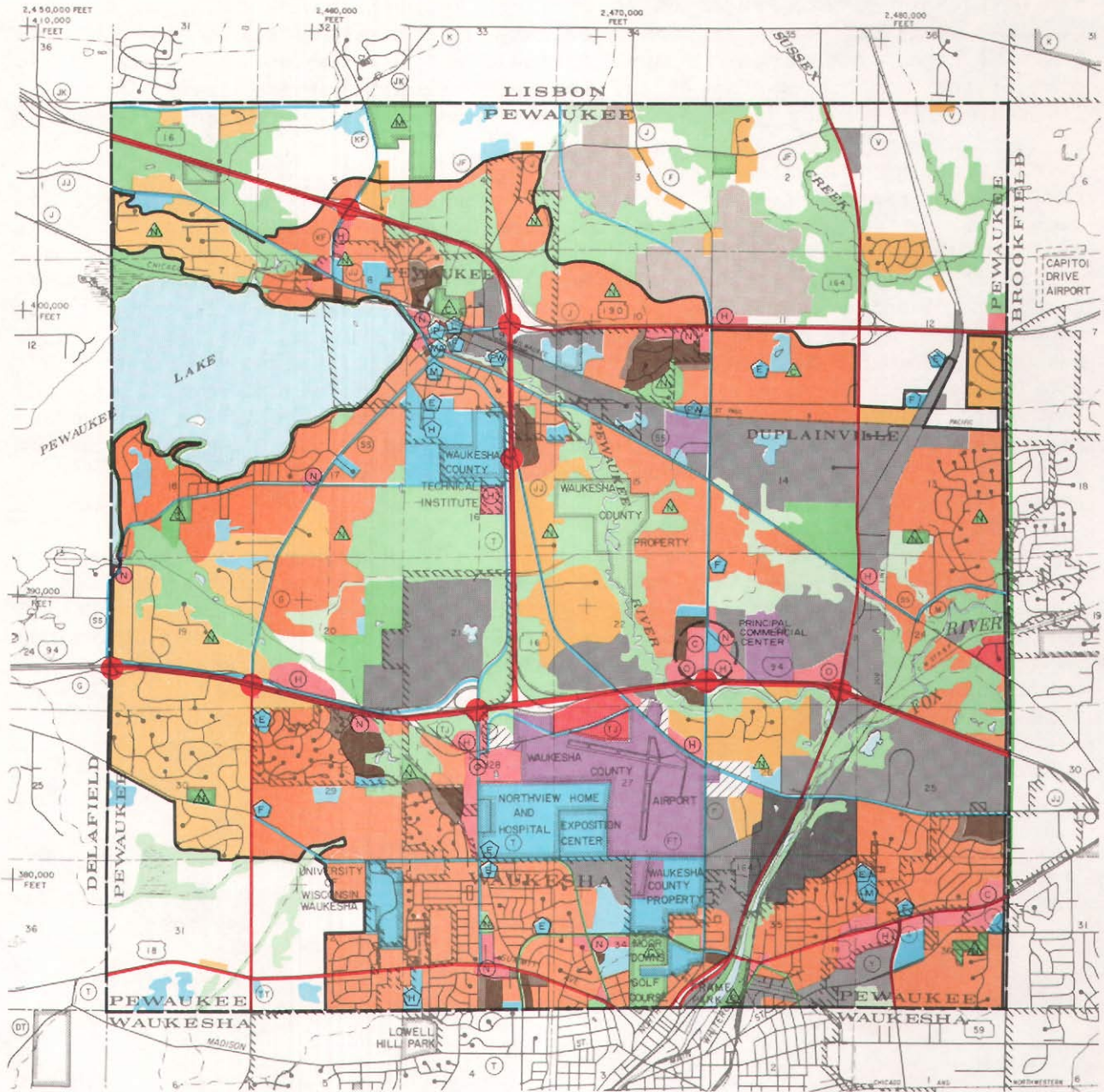
THE PEWAUKEE SANITARY SEWER SERVICE AREA REFINEMENT PROCESS

The process of refining and detailing the sanitary sewer service areas in southeastern Wisconsin was initiated subsequent to the Commission adoption of the regional water quality management plan in July 1979. The Town and Village of Pewaukee, with the assistance of the Regional Planning Commission, initiated a community land use planning effort in October 1979. That plan, as documented in SEWRPC Community Assistance Planning Report No. 76, A Land Use Plan for the Town and Village of Pewaukee: 2000, was adopted by the Town Board in August 1983 and by the Village Board in September 1983. A graphic representation of the adopted Town and Village land use plan is shown on Map 2. This was determined to be an appropriate time to address the sewer service area refinement process since the major elements of the adopted land use plan could serve as a sound basis for the development of a refined sanitary sewer service area. These major elements consist of the delineation of a year 2000 urban service area and the delineation of the boundaries of the primary and secondary environmental corridors and isolated natural areas within the Town and Village.

On June 21, 1984, the City of Pewaukee requested that the Regional Planning Commission undertake the refinement and detailing of the proposed year 2000 sanitary sewer service area tributary to the City of Brookfield wastewater treatment facility. The City of Pewaukee lands which are located in this proposed sewer service area are primarily encompassed within the Town of Pewaukee Sanitary District No. 3, with a smaller portion of the City encompassed within the Lake Pewaukee Sanitary District. Due to the relative proximity of the Town of Pewaukee Sanitary District No. 3, the Lake Pewaukee Sanitary District, and the Village of Pewaukee sanitary sewer service areas and the fact that sewage from these service areas is conveyed in part through common trunk sewers to the City of Brookfield wastewater treatment facility, the Regional Planning Commission reasoned that the aforementioned service areas in reality comprise one large sewer service area tributary to the Brookfield treatment facility and should thus be the subject of one joint sewer service area refinement

Map 2

LAND USE PLAN MAP FOR THE JOINT PEWAUKEE STUDY AREA



LEGEND

- | | | |
|--|--|---|
| LOW DENSITY RESIDENTIAL DEVELOPMENT (0.7 - 2.2 DWELLING UNITS PER NET ACRE) | WHOLESALE, STORAGE, AND RELATED DEVELOPMENT | WATER |
| MEDIUM DENSITY RESIDENTIAL DEVELOPMENT (2.3 - 4.3 DWELLING UNITS PER NET ACRE) | LIGHT MANUFACTURING | LANDS PROPOSED TO BE ACQUIRED FOR AIRPORT SITE IMPROVEMENTS, OR PROTECTED THROUGH EASEMENTS PROHIBITING INCOMPATIBLE LAND USE DEVELOPMENT |
| HIGH-MEDIUM DENSITY RESIDENTIAL DEVELOPMENT (4.4 - 6.9 DWELLING UNITS PER NET ACRE) | HEAVY MANUFACTURING AND EXTRACTIVE | LIMIT OF URBAN SERVICE AREA |
| HIGH DENSITY RESIDENTIAL DEVELOPMENT (7.0 - 17.9 DWELLING UNITS PER NET ACRE) | RECREATIONAL
M MULTICOMMUNITY PARK
C COMMUNITY PARK
N NEIGHBORHOOD PARK | ARTERIAL STREET AND HIGHWAY SYSTEM |
| COMMERCIAL DEVELOPMENT
N NEIGHBORHOOD ORIENTED
C COMMUNITY ORIENTED
O OFFICE ORIENTED
H HIGHWAY ORIENTED | TRANSPORTATION, COMMUNICATION, AND UTILITIES | STATE TRUNK - FREEWAY |
| GOVERNMENTAL AND INSTITUTIONAL DEVELOPMENT
L LIBRARY
MA MUNICIPAL ADMINISTRATIVE OFFICES
F FIRE STATION
P POLICE STATION
PW PUBLIC WORKS
E ELEMENTARY SCHOOL
M MIDDLE SCHOOL
H HIGH SCHOOL | PRIMARY ENVIRONMENTAL CORRIDOR | STATE TRUNK - NONFREEWAY |
| ELEMENTARY SCHOOL TO BE ABANDONED | SECONDARY ENVIRONMENTAL CORRIDOR | COUNTY TRUNK HIGHWAY |
| | ISOLATED NATURAL AREA | LOCAL TRUNK HIGHWAY |
| | PRIME AGRICULTURAL LAND | FREEWAY-STANDARD ARTERIAL INTERCHANGE |
| | OTHER AGRICULTURAL LAND | |
- NOTE:** THE BOUNDARIES OF DELINEATED PRIMARY AND SECONDARY ENVIRONMENTAL CORRIDORS WHICH ABUT AREAS RECOMMENDED FOR URBAN DEVELOPMENT ARE CONSIDERED PRELIMINARY AND SUBJECT TO CHANGE DURING THE PROCESS OF PREPARING DETAILED SANITARY SEWER SERVICE AREA PLANS FOR SUBMITTAL TO THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES.
- NOTE:** URBAN DEVELOPMENT MAY BE PERMITTED IN ISOLATED NATURAL AREAS IF SUCH DEVELOPMENT IS COMPATIBLE WITH THE NATURAL RESOURCE BASE ELEMENTS WITHIN THESE AREAS.

Source: SEWRPC.

effort. By letters dated July 2, 1984, and August 8, 1984, the Lake Pewaukee Sanitary District and the Village of Pewaukee, respectively, concurred with the Commission's recommendation concerning the preparation of a joint sewer service area refinement report.³ Because the Pewaukee sewer service area shares a common boundary with the Brookfield and Waukesha sewer service areas, communities comprising the Brookfield and Waukesha service areas were also invited to participate in the Pewaukee sewer service area refinement process.

Several intergovernmental meetings relating to the refinement and detailing of the Pewaukee sanitary sewer service area were held between January 1985 and June 1985. In attendance at those meetings were representatives of the Towns of Brookfield, Delafield, Genesee, and Waukesha; the Village of Pewaukee; the Cities of Brookfield, Pewaukee, New Berlin, and Waukesha; the Waukesha County Park and Planning Commission; and the Regional Planning Commission. At the conclusion of those meetings a preliminary refined sanitary sewer service area was identified for presentation at a public hearing. A summary of the report setting forth the preliminary sanitary sewer service area was provided to the Towns of Brookfield, Delafield, Genesee, and Waukesha; the Village of Pewaukee; the Cities of Brookfield, Pewaukee, New Berlin, and Waukesha; and the Waukesha County Park and Planning Commission for review and comment prior to a public hearing on the plan proposal.

The public hearing was held on June 5, 1985. The public reaction to the proposed sanitary sewer service area is documented in the minutes contained in Appendix A and is summarized later in this report. The final, agreed-upon refined sanitary sewer service area for Pewaukee and environs is described in Chapter III of this report. The delineation of that area reflects the decisions made in the referenced meetings, and hearing held to consider this matter.

³This sewer service area report addresses the refinement of the year 2000 sewer service area for the Town of Pewaukee Sanitary District No. 3, the Lake Pewaukee Sanitary District, and the Village of Pewaukee. The study area identified in this report, however, includes portions of five other sanitary sewer service areas. These areas include portions of the Village of Chenequa and the Town of Merton which are tributary to the City of Oconomowoc wastewater treatment facility, a portion of the City of Delafield and the Village of Hartland, both of which are tributary to the Delafield-Hartland Water Pollution Control Commission wastewater treatment facility, a portion of the Town of Lisbon proposed to be tributary to the City of Brookfield wastewater treatment facility, and a portion of the City of Waukesha which is tributary to the City of Waukesha wastewater treatment facility.

Chapter II

STUDY AREA DESCRIPTION

The study area considered in the refinement of the Pewaukee sanitary sewer service area is shown on Map 3. The area consists of all of the land encompassed within the corporate limits of the Villages of Pewaukee and Hartland and the City of Pewaukee, as well as certain adjacent portions of the Cities of Delafield and Waukesha, the Village of Chenequa, and the Towns of Delafield, Lisbon, and Merton. The total study area is 70.5 square miles in extent, of which 2.9 square miles, or 4 percent, lie within the Village of Pewaukee; 28.2 square miles, or 40 percent, within the City of Pewaukee; 4.2 square miles, or 6 percent, within the City of Delafield; 5.0 square miles, or 7 percent, within the City of Waukesha; 0.8 square mile, or 1 percent, within the Village of Chenequa; 3.1 square miles, or 4 percent, within the Village of Hartland; 17.8 square miles, or 25 percent, within the Town of Delafield; 6.0 square miles, or 9 percent, within the Town of Lisbon; and 2.5 square miles, or 4 percent, within the Town of Merton. These areas are based on 1982 civil division boundaries.

The 1980 resident population of the entire study area was 41,240 persons.¹ Of this total, 4,637 persons, or 11 percent, reside in the Village of Pewaukee; 8,922 persons, or 22 percent, reside in the City of Pewaukee; 1,050 persons, or 3 percent, reside in the City of Delafield; 15,022 persons, or 36 percent, reside in the City of Waukesha; 60 persons, or 1 percent, reside in the Village of Chenequa; 5,559, or 13 percent, reside in the Village of Hartland; 4,118 persons, or 10 percent, reside in the Town of Delafield; 1,381 persons, or 3 percent, reside in the Town of Lisbon; and 491 persons, or 1 percent, reside in the Town of Merton.

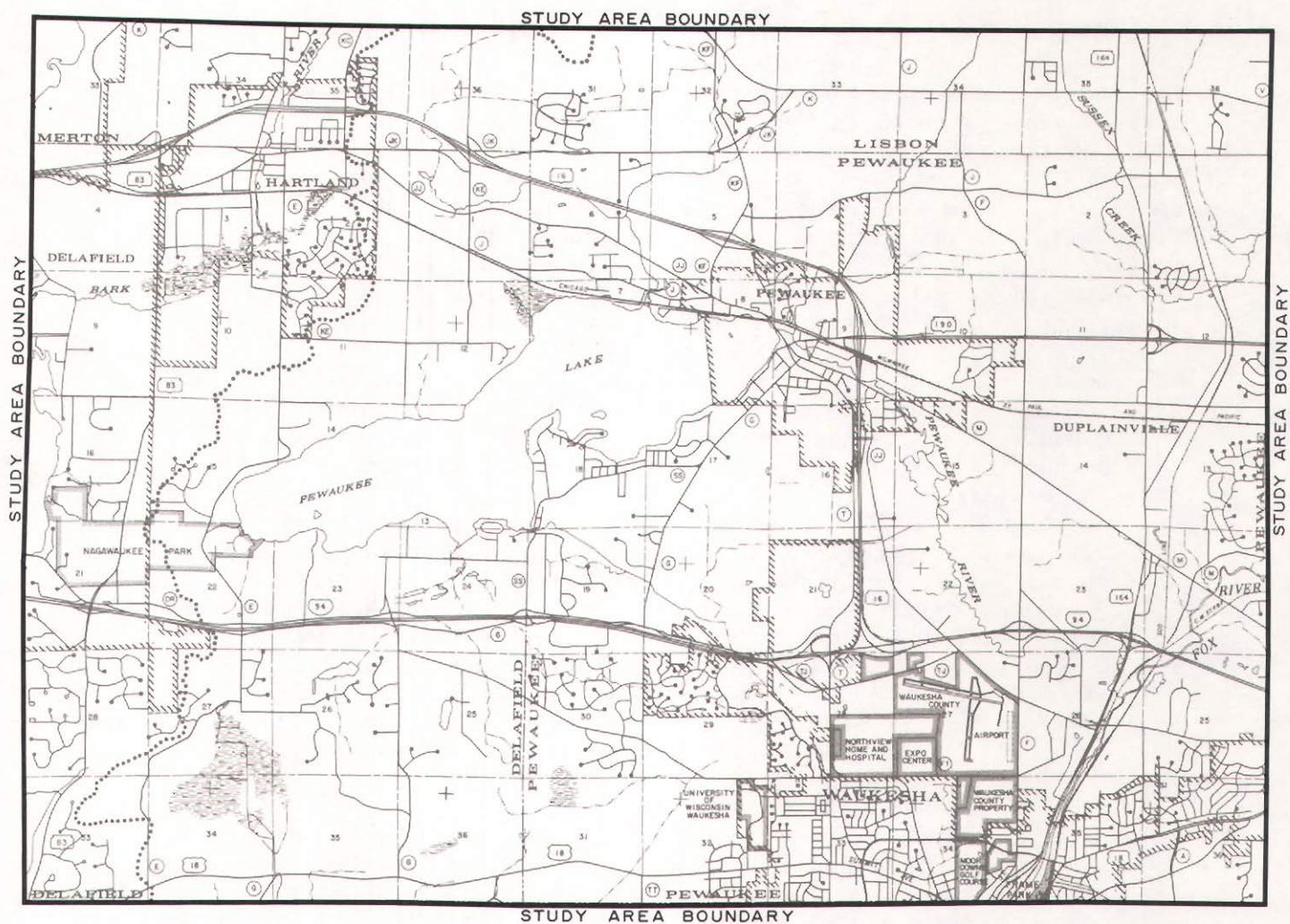
It should be noted that of these population totals, the entire Village of Pewaukee; about 1,600 persons residing in the City of Pewaukee; the entire population of the City of Waukesha and the Village of Hartland; and about 1,300 persons residing in the Town of Delafield are being provided with centralized sanitary sewer service. The remaining 13,122 persons are served by onsite soil absorption sewage disposal systems or by sewage holding tanks. Those residents who reside in the Village and City of Pewaukee and the Town of Delafield are served by sanitary sewers tributary to the Brookfield sewage treatment facility, while those residents who reside in the City of Waukesha are served by sanitary sewers tributary to the Waukesha sewage treatment facility, and those residents who reside in the Village of Hartland are served by sanitary sewers tributary to the Delafield-Hartland sewage treatment facility.

By the year 2000 it is estimated that about 65,200 persons will reside in the identified study area. The areawide water quality management plan envisions

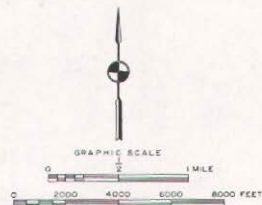
¹This population information is based upon 1980 census data published by the U. S. Bureau of the Census.

Map 3

STUDY AREA IDENTIFIED FOR PURPOSES OF REFINING AND DETAILING THE PEWAUKEE SANITARY SEWER SERVICE AREA



Source: SEWRPC.



that of this total, about 22,700 persons, or 35 percent, will reside in the Pewaukee sewer service area and be provided with centralized sanitary sewer service extended from the City of Brookfield sewage treatment facility. About 37,600 persons, or 57 percent of the population in the study area, may be expected to reside outside of the Pewaukee sewer service area and would be provided with sewer service extended from the Delafield-Hartland, Oconomowoc, or Waukesha sewage treatment facilities; the remaining 4,900, or 8 percent, would continue to rely on onsite sewage disposal systems for sewage disposal. This report, as previously noted, is directed toward the refinement of the Pewaukee sewer service area which is comprised of the Town of Pewaukee Sanitary District No. 3, the Lake Pewaukee Sanitary District, and the Village of Pewaukee. Refinements to other sewer service areas located within the study area will be the subject of future Commission sewer service area refinement studies and reports.

It should be noted that the forecast of probable future population levels for small geographic areas such as the Pewaukee study area is a difficult task, accompanied by uncertainties and subject to periodic revision as new information becomes available. The practice typically followed in forecasting future population levels for physical development planning has been to prepare a single population forecast believed to be 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 future socioeconomic conditions, but upon a number of alternative futures chosen to represent a range of future conditions which may be expected to occur over the plan design period.

Recognizing the increasing uncertainty inherent in estimating future population levels under rapidly changing socioeconomic conditions presently 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 Southeastern Wisconsin Region, an attempt was made first to identify all those external factors which may be expected to directly or indirectly affect future development conditions in the Region, together with the likely future 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 future prospects identified for the external factors and, consequently, indicate relatively large potential differences in future population growth and in 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 and planning in the Region.

The anticipated year 2000 population level of 65,200 persons in the Pewaukee study area is based upon the moderate growth, centralized land use scenario--the scenario utilized by the Commission in the development of the areawide water quality management plan. Under the alternative futures approach, however, the anticipated future population levels within the study area could range from a low of 48,400 under the stable or declining growth centralized land use scenario, to a high of 70,600 under the moderate growth, decentralized land use scenario.

Chapter III

PROPOSED SANITARY SEWER SERVICE AREA

SIGNIFICANCE OF SEWER SERVICE AREA DELINEATION

As noted in Chapter I of this report, recent changes in the Wisconsin Department of Natural Resources (DNR) rules governing the extension of sanitary sewers have made the process of delineating local sanitary sewer service areas an important one for local units of government and private land developers. Prior to the recent rule changes, DNR review 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 to accommodate the anticipated sewage flows. The recent rule changes significantly expanded the scope of the DNR review process to include water quality-oriented land use planning considerations. Before the DNR can approve a locally proposed sanitary sewer extension, it 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 approved by the Wisconsin Natural Resources Board through approval of an 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 DNR must deny approval of the extension. Consequently, it is important that an intergovernmental consensus be reached in the delineation of proposed future sanitary sewer service areas.

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

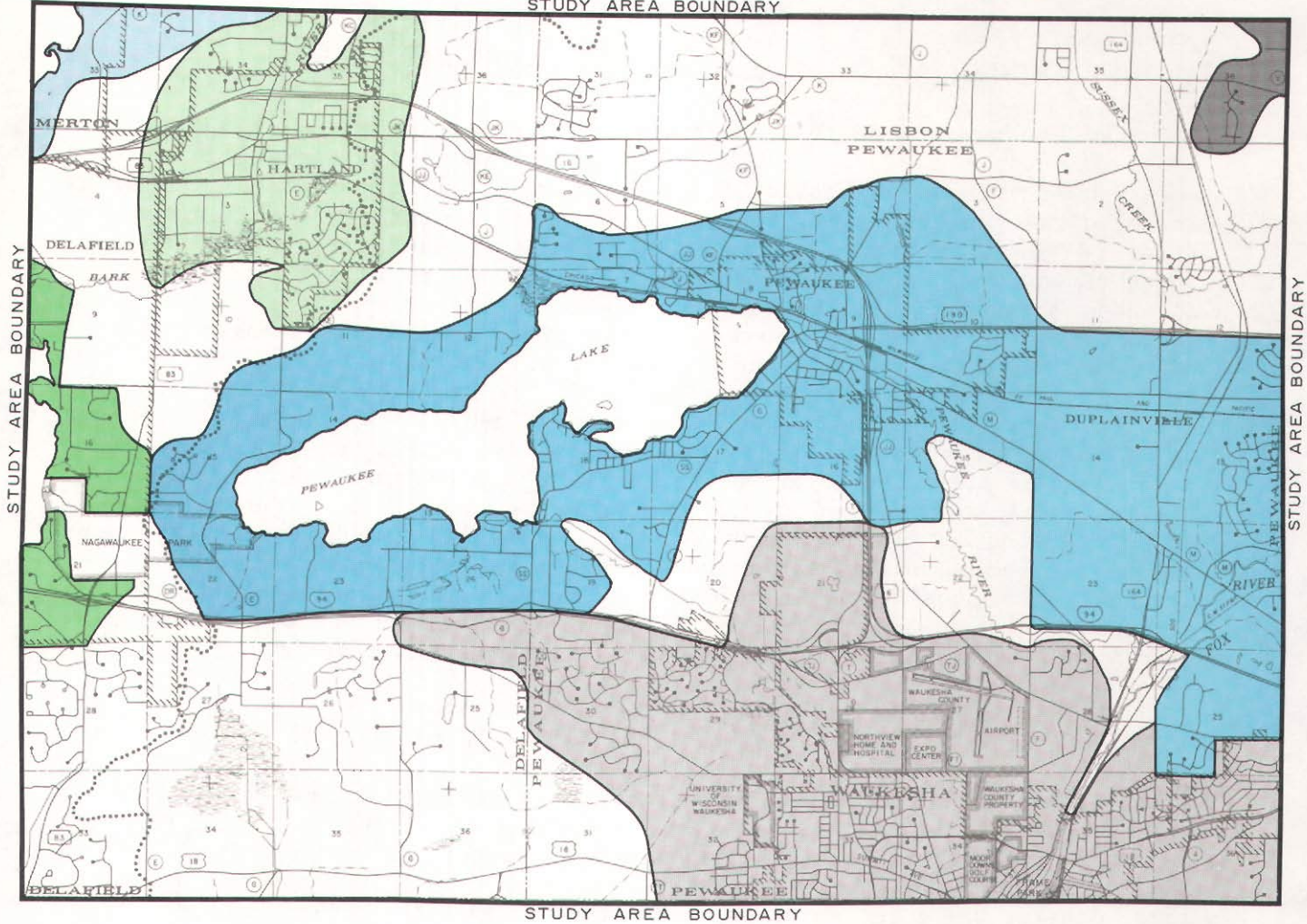
A number of important factors were taken into account in the delineation of the recommended sanitary sewer service area as set forth in SEWRPC Planning Report No. 30. These factors also comprised important consideration in the development of the adopted regional land use plan. These factors included, among others, the location, type, and extent of 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 existing major sewerage system pumping stations or directly to sewage treatment plants; 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 corridor delineations, and the location and extent of prime agricultural lands.

This report is directed toward the refinement of the Pewaukee year 2000 sanitary sewer service area which is served by the Town of Pewaukee Sanitary District No. 3, the Village of Pewaukee, and the Lake Pewaukee Sanitary District. This sewer service area, being tributary to the City of Brookfield sewage treatment facility, as proposed in the adopted areawide water quality management plan, is shown on Map 4. The area totals about 21.1 square miles, or 30 percent of the total study area of 70.5 square miles. The population expected to reside in this area by the plan design year 2000 was estimated in SEWRPC

Map 4

THE PEWAUKEE SANITARY SEWER SERVICE AREA
AS DEFINED IN SEWRPC PLANNING REPORT NO. 30

STUDY AREA BOUNDARY



LEGEND

- PEWAUKEE SEWER SERVICE AREA
- BEAVER LAKE - PINE LAKE SEWER SERVICE AREA
- DELAFIELD - NASHOTAH SEWER SERVICE AREA
- HARTLAND SEWER SERVICE AREA
- LISBON - LANNON SEWER SERVICE AREA
- WAUKESHA SEWER SERVICE AREA

Source: SEWRPC.



Planning Report No. 30 at about 22,700 persons. Also shown on Map 4 are portions of five other sewer service areas within the study area which, as previously noted, are currently undergoing a similar refinement process or will be the subject of future sewer service area refinement reports. These areas include a 0.8 square mile portion of the Beaver Lake-Pine Lake service area within the Village of Chenequa and the Town of Merton which is proposed to be tributary to the City of Oconomowoc wastewater treatment facility; a 1.7 square mile portion of the Delafield-Nashotah service area in the City of Delafield and the 4.2 square mile service area for the Village of Hartland, both of which are proposed to be tributary to the Delafield-Hartland Water Pollution Control Commission wastewater treatment facility; a 0.3 square mile portion of the Lisbon-Lannon service area proposed to be tributary to the City of Brookfield wastewater treatment facility; and an 11.8 square mile portion of the City of Waukesha service area tributary to the City of Waukesha wastewater treatment facility. These areas represent 1.1, 2.4, 6.0, 0.4 and 16.7 percent respectively of the total study area of 70.5 square miles.

As already noted, the population expected to reside in the Pewaukee sanitary sewer service area by the plan design year 2000 is 22,700 persons. This population level is based upon the moderate growth, centralized land use scenario, and represents the highest population level envisioned under any of the four alternative future scenarios considered. The anticipated future population level within the proposed sewer service area, however, could be as low as 14,200 persons under the stable or declining growth, centralized land use scenarios.

DETERMINATION OF ENVIRONMENTALLY SIGNIFICANT LANDS IN THE PEWAUKEE STUDY AREA

Environmental corridors are defined as linear areas in the landscape containing concentrations of natural resource and natural 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 of 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 groundwater 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 requiring 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 Pewaukee sanitary sewer service area was to map in detail the environmentally significant lands in the Pewaukee 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 archeological value, areas possessing scenic vistas or viewpoints, and areas of scientific value.

Each of these natural resource and resource-related elements was mapped on 1 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) and, on the basis of the score of the point values, the primary environmental corridor delineations were established. 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. The primary environmental corridors as delineated in the Pewaukee study area are shown on Map 5.

In addition, Map 5 identifies secondary environmental corridors. The secondary environmental corridors, while not as significant as the primary environmental corridors in terms of the overall resource values concerned, 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 5 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 and 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, these areas 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 total about 14.1 square miles, or about 20 percent, of the total study area. Lands encompassed within the secondary environmental corridors total about 1.7 square miles, or about 2 percent, of the study area. Lands encompassed within isolated natural

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

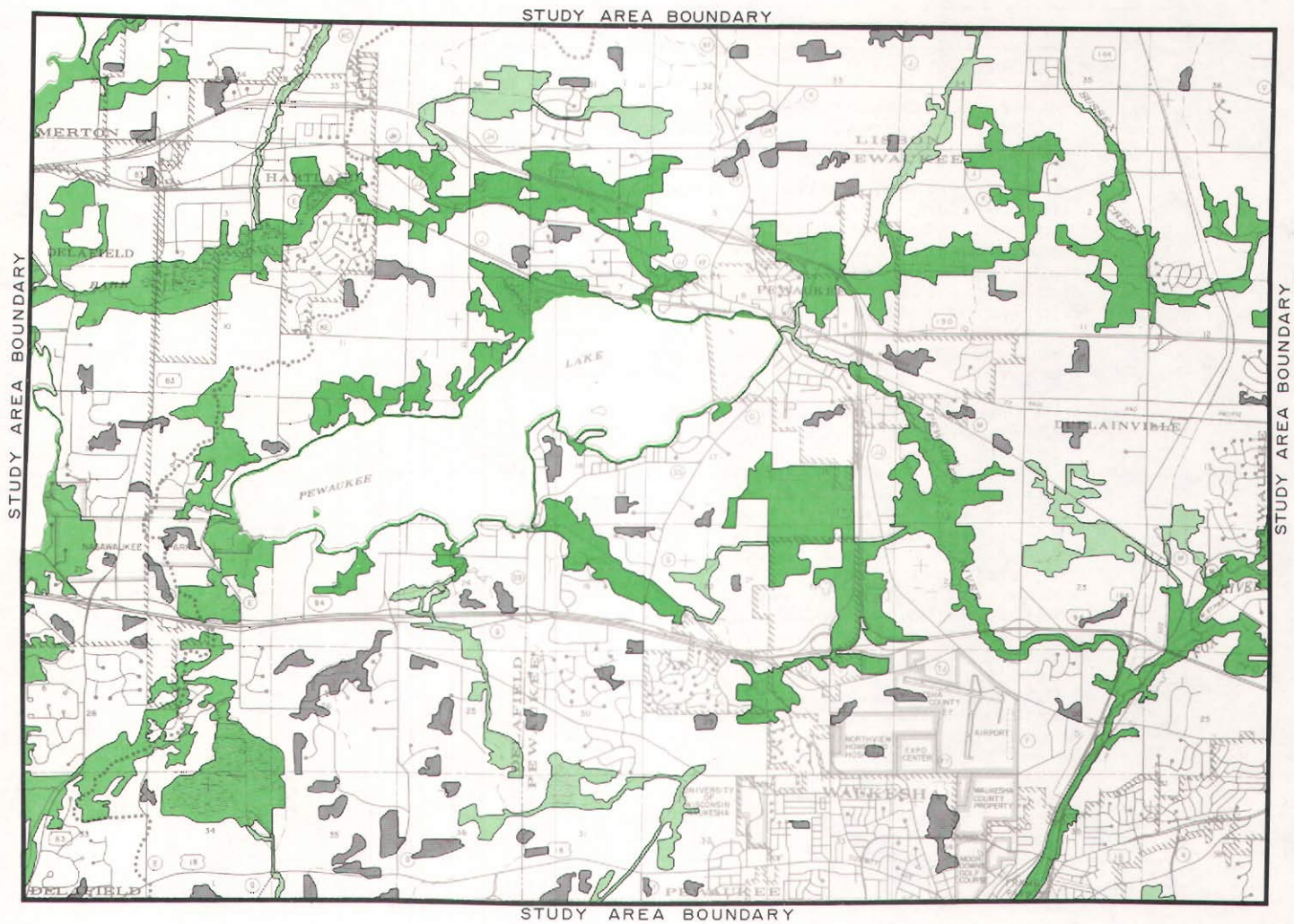
Source: SEWRPC.

areas total about 1.8 square miles, or about 3 percent, of the study area. Thus, all environmentally significant lands in the Pewaukee study area comprise about 17.6 square miles, or 25 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 recognizes that if a community within the Pewaukee sewer service area 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 a greater community benefit than preservation of a small segment of the primary environmental corridor. When such con-

Map 5

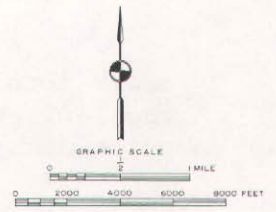
ENVIRONMENTALLY SIGNIFICANT LANDS IN THE PEWAUKEE STUDY AREA



LEGEND

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

Source: SEWRPC.



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

REFINED SANITARY SEWER SERVICE AREA

As previously noted, several intergovernmental meetings concerning the refinement of the Pewaukee/Waukesha/Brookfield sanitary sewer service areas were held between January 1985 and June 1985. The first such meeting was held on January 8, 1985, to review a preliminary draft of the Waukesha sanitary sewer service area report and accompanying maps. There was lengthy discussion at this meeting concerning the common boundary between the Waukesha, Pewaukee, and Brookfield sanitary sewer service areas. Upon conclusion of that meeting, the Commission staff was asked to provide a chronology of planning events attendant to the Waukesha and Brookfield sewage treatment plants as well as further documentation of the costs of alternative means of providing sanitary sewer service to certain areas along the I-94 corridor. The minutes of this intergovernmental meeting, as well as subsequent intergovernmental meetings held to consider this matter, are on file at the Commission offices.

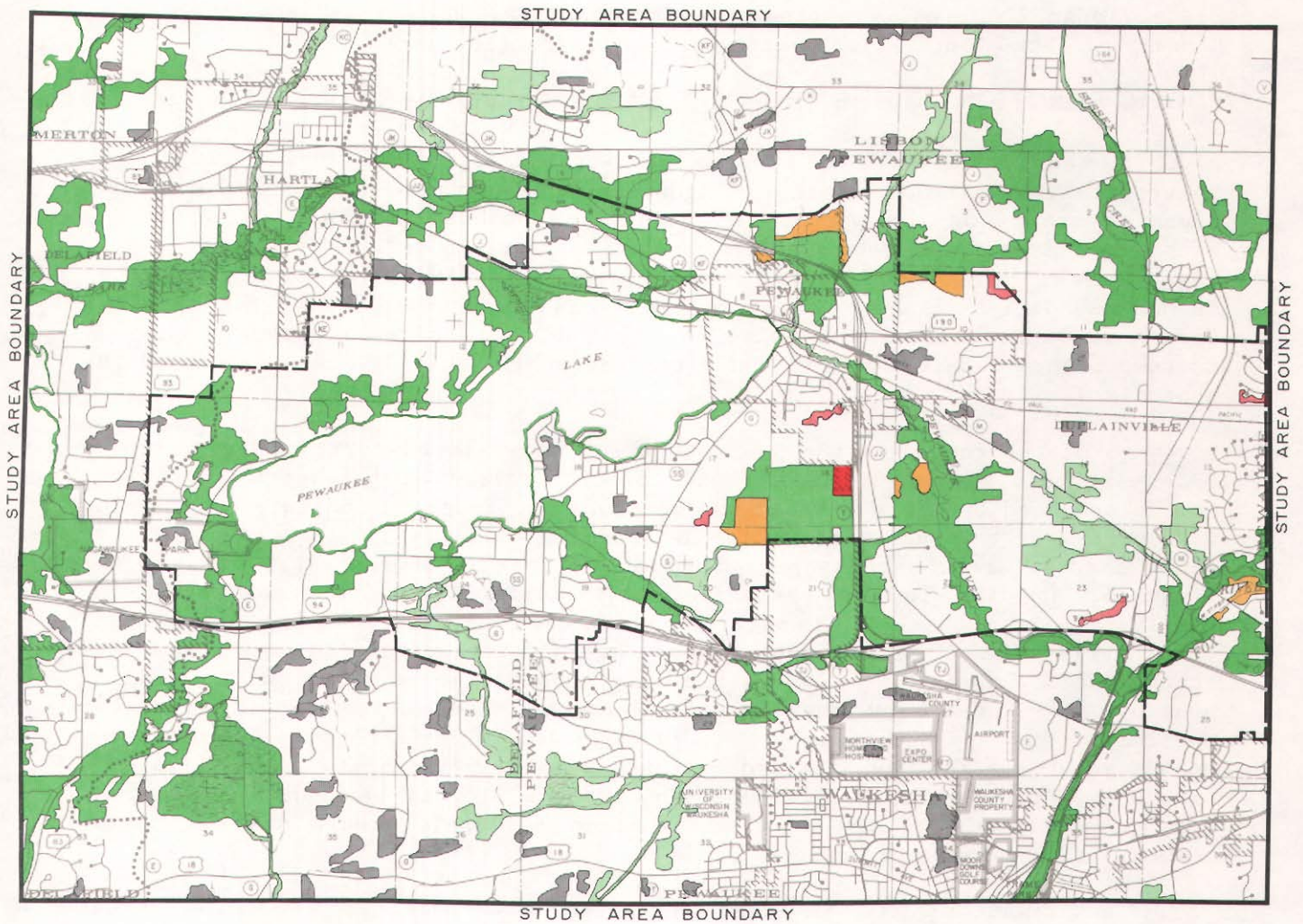
A second intergovernmental meeting was held on April 18, 1985. At this meeting the Commission staff presented memoranda concerning the chronology of planning events attendant to the Waukesha and Brookfield sewage treatment plants and documentation of the costs of alternative means of providing sanitary sewer service to selected areas in the I-94 corridor. These memoranda are on file at the Commission offices and are reproduced in the Waukesha sewer service area report--SEWRPC Community Assistance Planning Report No. 100--as Appendices A and B, respectively. Upon conclusion of the second intergovernmental meeting there was still no consensus reached concerning a final common boundary between the Waukesha, Pewaukee, and Brookfield sewer service areas.

A third intergovernmental meeting was held on May 17, 1985. At this meeting the Commission staff reviewed a staff memorandum and accompanying map indicating the recommended Waukesha, Pewaukee, and Brookfield sewer service areas as well as the rationale for the determination of a common sewer service area boundary line between these areas. This memorandum is also on file at the Commission offices and is reproduced in the Waukesha sewer service area report as Appendix C. Upon conclusion of this meeting there was a consensus to hold a public hearing to receive comments on the sewer service area boundaries for Brookfield, Pewaukee, and Waukesha as presented in Appendix C.

The refined year 2000 Pewaukee sanitary sewer service area tributary to the Brookfield sewage treatment plant, as submitted to public hearing, is shown on Map 6, together with existing trunk sewers. The gross sanitary sewer service area totals about 25.7 square miles, or about 36 percent of the total study area of 70.5 square miles. This refined service area includes 8.2 square miles of primary environmental corridor, 0.6 square mile of secondary environmental corridor, and 0.3 square mile of isolated natural areas. Thus, a total of 9.1 square miles, or about 35 percent of the service area, would be encompassed in environmentally sensitive areas. It should be noted that the environmentally significant lands indicated on Map 6 total approximately 116 acres more than the environmentally significant lands indicated on Map 5. As indicated on Map 7, there were eight areas encompassing about 193 acres located within the 100-year recurrence interval floodplain proposed to remain undeveloped and converted to primary environmental corridor. As further indicated on Map 7,

Map 7

ANTICIPATED CHANGE IN THE ENVIRONMENTALLY SIGNIFICANT LANDS WITHIN THE PEWAUKEE SEWER SERVICE AREA: 1985-2000



LEGEND

ENVIRONMENTALLY SIGNIFICANT LAND--
EXISTING 1985, TO BE RETAINED
THROUGH THE YEAR 2000

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

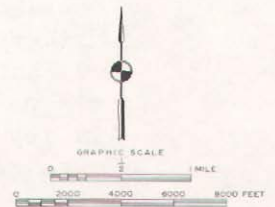
GROSS SANITARY SEWER SERVICE AREA BOUNDARY

FLOODLANDS PROPOSED TO REMAIN UNDEVELOPED AND ADDED TO THE PRIMARY ENVIRONMENTAL CORRIDOR

PORTION OF EXISTING (1985) PRIMARY ENVIRONMENTAL CORRIDOR ANTICIPATED TO BE CONVERTED TO URBAN USES BY THE YEAR 2000

EXISTING (1985) ISOLATED NATURAL AREA ANTICIPATED TO BE CONVERTED TO URBAN USES BY THE YEAR 2000

Source: SEWRPC.



there was one area of primary environmental corridor encompassing about 22 acres and five areas of isolated natural areas encompassing about 55 acres which are anticipated, under the community adopted land use plan, to be converted to urban uses.

The refined year 2000 sanitary sewer service area would accommodate a total planned year 2000 resident population of about 22,700 persons, resulting in a density of about 2.8 dwelling units per net residential acre.⁴

PUBLIC REACTION TO THE PROPOSED SANITARY SEWER SERVICE AREA

A public hearing was held on June 5, 1985, by the Regional Planning Commission in cooperation with the units and agencies of government in the Waukesha and Pewaukee areas for the purpose of receiving comments on both the proposed Waukesha and proposed Pewaukee sanitary sewer service areas. The public hearing was held jointly on the two sanitary sewer service areas because of the common boundaries between these two areas and forthcoming Brookfield and New Berlin areas as well. The minutes of the public hearing, together with all correspondence received before and after the public hearing, are reproduced in Appendix A.

A review of the record of the public hearing and related correspondence indicates that all of the discussion and concerns raised at the hearing centered on the proposed boundary between the Waukesha and Pewaukee sanitary sewer service areas. At the public hearing, the proposed Waukesha and Pewaukee sanitary sewer service areas were supported by the City of Waukesha, the Village of Pewaukee, and the Town of Brookfield. In addition, the Town of Delafield registered its support following the public hearing. The Pewaukee Lake Sanitary District had indicated its support at an intergovernmental meeting prior to the public hearing. Therefore, the only substantive concerns at the public hearing were raised by the City of Pewaukee, and those concerns related entirely to an apprehension by City of Pewaukee officials that the proposed boundary between the Waukesha and Pewaukee sewer service areas would be interpreted as a future corporate limits line for the City of Waukesha. In reviewing the testimony of the City of Pewaukee officials, there are two basic comments that deserve response as follows:

1. The Pewaukee City Engineer suggested that it might be more cost-effective to adjust the proposed boundary between the Waukesha and Pewaukee sewer service areas in the vicinity of the Rolling Ridge and University Heights Subdivisions in Section 30, Township 7 North, Range 19 East. This proposed adjustment in the boundary is identified on the map prepared by the Pewaukee City Engineer and reproduced in Appendix A. In reviewing this suggestion, the Commission staff prepared cost estimates attendant to providing sanitary sewer service to this area, both

⁴Net residential density is determined by dividing the total number of dwelling units anticipated in the sewer service area in the design year by the net residential land area anticipated in the sewer service area in the design year. The net residential land anticipated in this sewer service area is 4,357 acres as identified in adopted local land use plans. The total number of dwelling units anticipated within the sewer service area--12,385--divided by the total net residential land area--4,357 acres--resulted in an overall net residential density of 2.8 dwelling units per net residential acre.

through the Waukesha and Pewaukee systems. This analysis indicated that, while the total length of the local sewer collection system to serve the area would be approximately the same whether that area was served through the Pewaukee or Waukesha systems, the costs associated with constructing that local collection system would be greater under the Pewaukee service alternative than under the Waukesha service alternative. These costs were estimated at \$290,000 and \$200,000, respectively. The additional costs attributed to sewerage in this area through the Pewaukee system are attributable to the greater depths at which the sewers must be laid in order to flow by gravity. Based upon this analysis, then, it was determined that the most cost-effective way to provide local sewer service to the area in Section 30 identified by the Pewaukee City Engineer would be to maintain that area within the larger proposed Waukesha sewer service area.

2. The Chairman of Pewaukee City and the Pewaukee City Engineer both commented that in those cases where the Commission staff analyses attendant to the determination of the proposed sewer service boundary between Waukesha and Pewaukee were inconclusive--i.e., the costs of providing sewer service one way or another were found to be within 10 percent--the Commission should perform supplemental fiscal impact analyses as a basis for making a decision as to which area, or which part of an area, should be served through the Waukesha system and which through the Pewaukee system. There were suggestions made in the testimony that these fiscal impact analyses should go beyond the costs to residents of the areas for obtaining sanitary sewer service--which were noted by the Pewaukee City Engineer to be approximately the same whether the areas would be served through Waukesha or Pewaukee--to include a more comprehensive fiscal impact analysis that would assume that any lands currently in Pewaukee City and included within the proposed Waukesha sewer service area would ultimately be annexed to Waukesha in order to obtain sanitary sewer service. Current differential general purpose property tax rates between the Cities of Waukesha and Pewaukee were cited as a basis for making such a fiscal impact analysis. In considering this matter, the Commission noted that the proposed use of comprehensive fiscal impact analyses as a basis for sewer service area planning was problematic and that there were at least three reasons why the Commission would be reluctant to undertake sewer service area planning on the basis of such analyses.

First, and perhaps most importantly, criteria to be used by the Commission as an areawide water quality management planning agency in delineating sewer service areas are specified in Chapter NR 121 of the Wisconsin Administrative Code. Chapter NR 121.05(1)(g)2 explicitly requires that sewer service areas be determined "...in such a fashion as to promote cost effective and environmentally sound waste collection..." In basing the recommendations for the boundary line between the Waukesha and Pewaukee sewer service areas, the Commission staff relied upon cost-effectiveness analyses and cooperatively prepared and adopted land use plans as bases for boundary determinations. This is consistent with the requirements of Chapter NR 121.

Second, conducting the type of comprehensive fiscal impact analysis envisioned by Pewaukee City officials would require that the Commission presume that all of the land currently in Pewaukee City but lying in the Waukesha sewer service area would have to be annexed to the City of

Waukesha before sewer service could be extended. Under the current law, this is a matter to be determined by the City of Waukesha. In past discussions, City officials have indicated a willingness to negotiate a service contract that would provide for the extension of sewer service to at least certain areas of Pewaukee City without attachment or annexation to Waukesha. The Commission cannot presume that the City of Waukesha will reject such an approach to the provision of sewer service.

Third, the conduct of such comprehensive fiscal impact analyses would require the Commission to make many assumptions concerning the future provision of public services in both the Cities of Waukesha and Pewaukee. It cannot be simply presumed that the current types and levels of services accounting for the present property tax differential in the two cities will be maintained over time. In order to make such assumptions, the Commission would have to prepare a comprehensive boundary plan for municipalities in the Waukesha and Pewaukee areas, as well as a plan for the future provision of municipal services within each jurisdiction affected by the boundary plan. The Commission would have to be requested to prepare such a plan collectively by the units of government in the Waukesha and Pewaukee areas concerned.

The Chairman of the Waukesha County Board of Supervisors filed a letter for the public hearing record expressing concern over the possibility that Waukesha County Airport lands, which are currently provided with municipal water service from the City of Pewaukee, are proposed to be provided with sanitary sewer service through an extension of the Waukesha system. The Chairman noted that traditionally a given geographic area obtains all municipal services from one unit of government. The Chairman concluded by noting that, should the Waukesha County Airport be included in the Waukesha sanitary sewer service area, some form of intermunicipal agreement may be necessary between Pewaukee and Waukesha regarding the provision of water and sewer services. In response, the Commission notes that there are mechanisms to deal with the potential problems raised in conjunction with this matter. One of those mechanisms--an intermunicipal sewer service contract between the Cities of Waukesha and Pewaukee--was noted above. Another possibility is that, should the Waukesha County Airport lands ultimately be annexed to the City of Waukesha in order to obtain sanitary sewer service, Waukesha would contract with Pewaukee to continue to provide water service to the area. Should such contracts not be possible, there are statutory mechanisms for ensuring that the annexing or attaching municipality, in effect, purchases the embedded water utility facilities from the community which made the investment in that utility. Accordingly, the Commission believes there are adequate mechanisms in place to resolve whatever potential problems might arise in conjunction with the provision of utility services to the Waukesha County Airport and its environs.

Subsequent to the public hearing, the governing body of Pewaukee City and the governing body of the Town of Pewaukee Sanitary District No. 3 formally submitted to the Commission a resolution supporting the proposed boundary between the Waukesha and Pewaukee sanitary sewer service areas as presented at the public hearing (see Appendix A). Furthermore, those two bodies noted that it would be in the public interest to proceed with formal adoption in June 1985 of at least the Pewaukee sanitary sewer service area plan in order that the preliminary Pewaukee sanitary sewer service area plan provided by the Commission to the Wisconsin Department of Natural Resources in 1979 can be replaced with a refined sewer service area plan reflecting local, as well as areawide, objectives.

Based upon the foregoing, then, all of the units and agencies of government concerned with the Waukesha and Pewaukee sewer service areas and their attendant boundaries registered support for the sewer service area plans presented at the public hearing. Accordingly, a consensus was achieved that the Pewaukee sanitary sewer service area as reflected on Map 6 should be adopted as the final sewer service area plan.

Detailed delineations of the final Pewaukee sanitary sewer service area and of the environmentally significant lands in the Pewaukee study area are shown on a series of aerial photographs reproduced as Map 8, beginning on page 26 and continuing through page 45 of this report.

IMPLEMENTING RECOMMENDATIONS

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

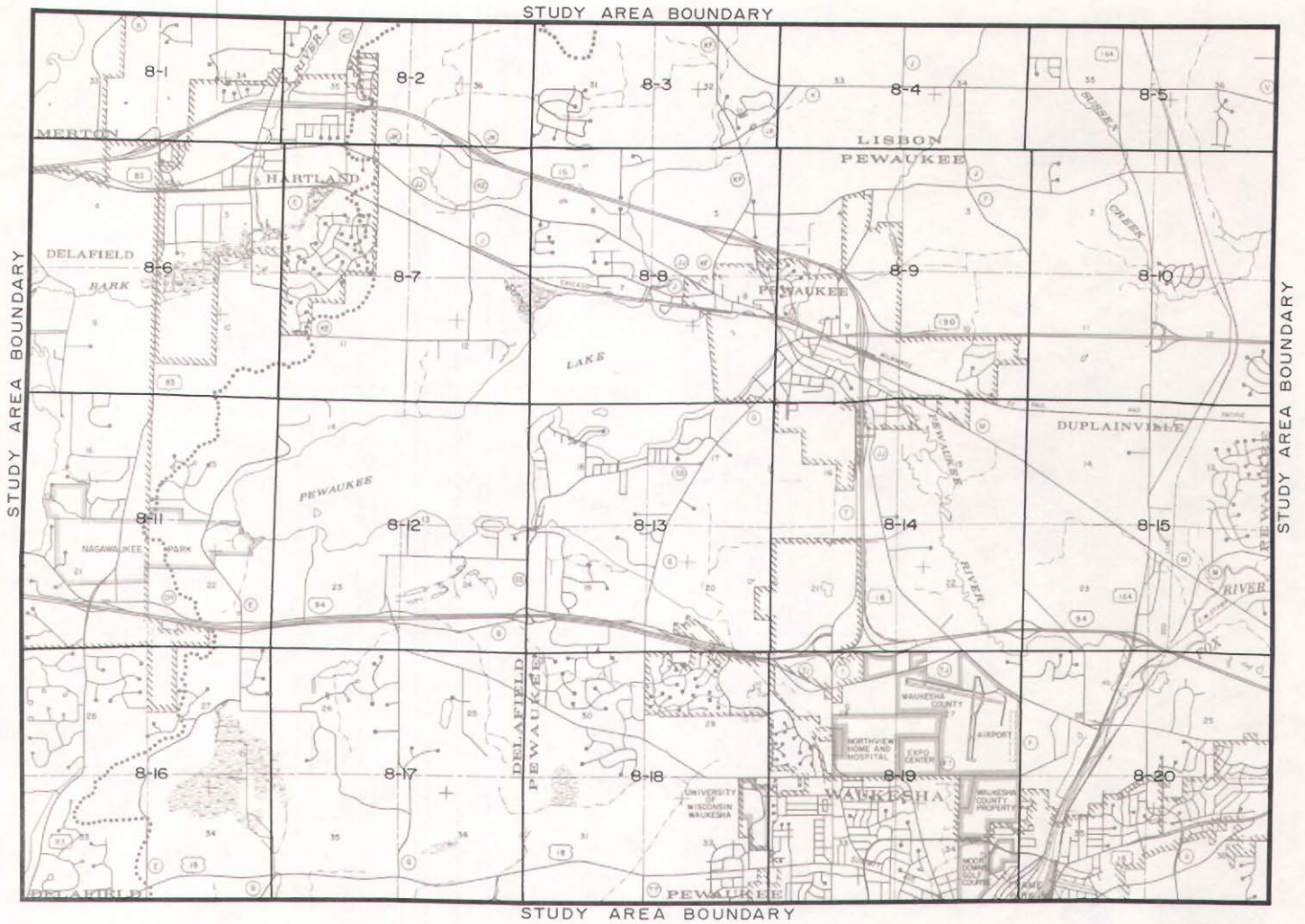
1. Formal adoption or endorsement of SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000, and this SEWRPC Community Assistance Planning Report by the Village Board of the Village of Pewaukee; by the Town Board of the Town of Delafield; by the governing body of the City of Pewaukee; by the Town of Pewaukee Sanitary District No. 3; by the Lake Pewaukee Sanitary District; by the City of Brookfield, as the unit of government responsible for providing wastewater treatment services to the Pewaukee Sanitary Sewer Service Area; and by the Waukesha County Park and Planning Commission as the county planning agency having joint responsibilities with the Towns in planning and zoning and otherwise regulating the development of town lands.
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 Pewaukee sanitary sewer service area as shown on Maps 6 and 8. 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 Town of Pewaukee Sanitary District No. 3, the Village of Pewaukee, and the Lake Pewaukee Sanitary District 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 PEWAUKEE SEWER SERVICE AREA

This report presents a refined sewer service area for the Pewaukee area tributary to the City of Brookfield wastewater treatment facility. The refined sewer service area was delineated cooperatively by the units and agencies of government concerned and was subjected to review at intergovernmental meetings and at a public hearing. It is envisioned that the delineated sewer service area will accommodate all new urban development anticipated in the Pewaukee area to the year 2000. Like other long-range plans, however, this sewer service area plan should be periodically reviewed--every five years--to assure that it continues to properly reflect the urban development objectives of the community 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 Town of Pewaukee Sanitary District No. 3, the Village of Pewaukee, or the Lake Pewaukee Sanitary District that amendments to the sewer service area plan as presented herein are necessary, the sanitary district 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 intergovernmental 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 local unit or agency of government concerned 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 8

INDEX OF MAPS SHOWING ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR PEWAUKEE AND ENVIRONS



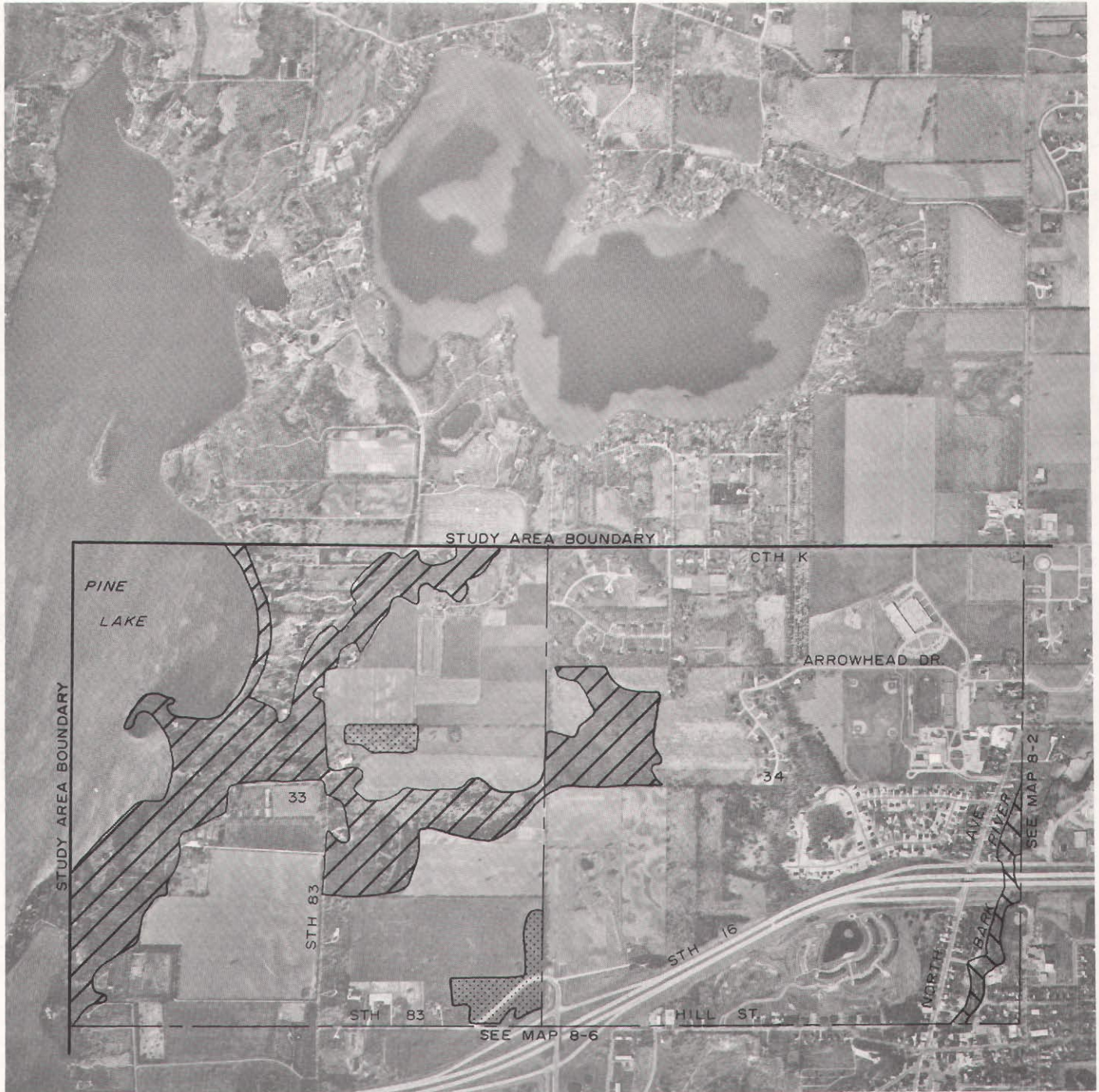
Source: SEWRPC.





Map 8-1

ENVIRONMENTALLY SIGNIFICANT LANDS
FOR PEWAUKEE AND ENVIRONS

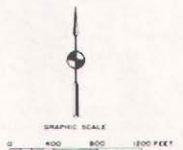
U. S. Public Land Survey Sections 33 and 34
Township 8 North, Range 18 East



LEGEND

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

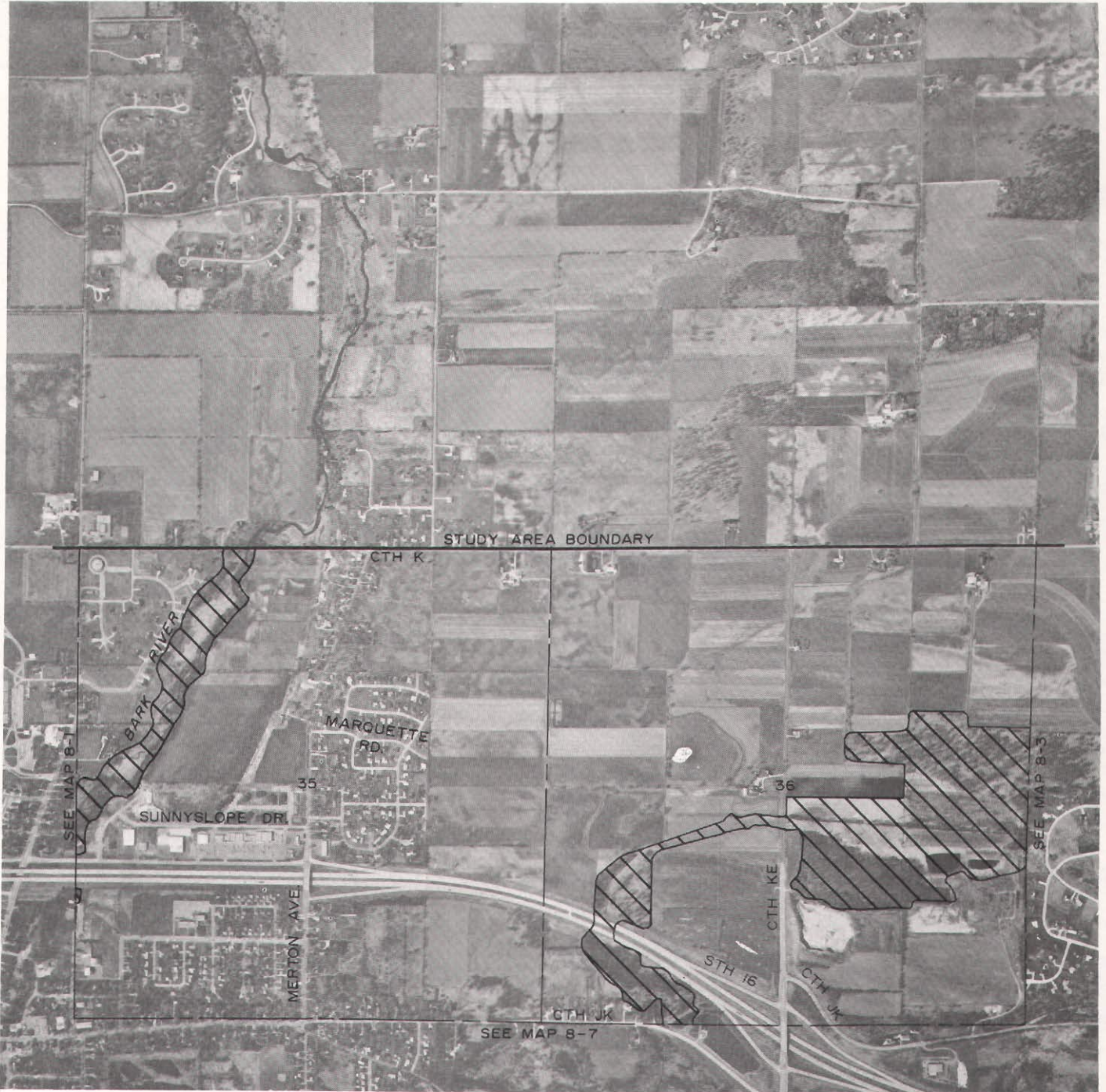
Source: SEWRPC.



Map 8-2

ENVIRONMENTALLY SIGNIFICANT LANDS
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 35 and 36
Township 8 North, Range 18 East



LEGEND

 SECONDARY ENVIRONMENTAL CORRIDOR

Source: SEWRPC.



ENVIRONMENTALLY SIGNIFICANT LANDS FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 31 and 32
Township 8 North, Range 19 East



LEGEND

-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA

Source: SEWRPC.



Map 8-4

ENVIRONMENTALLY SIGNIFICANT LANDS
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 33 and 34
Township 8 North, Range 19 East



LEGEND

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

Source: SEWRPC.





ENVIRONMENTALLY SIGNIFICANT LANDS
FOR PEWAUKEE AND ENVIRONS

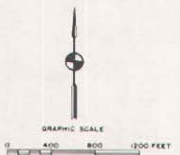
U. S. Public Land Survey Sections 35 and 36
Township 8 North, Range 19 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA

Source: SEWRPC.



Map 8-6

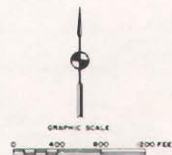
ENVIRONMENTALLY SIGNIFICANT LANDS AND
PLANNED SANITARY SEWER SERVICE AREA
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 3, 4, 9, and 10
Township 7 North, Range 18 East



LEGEND

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

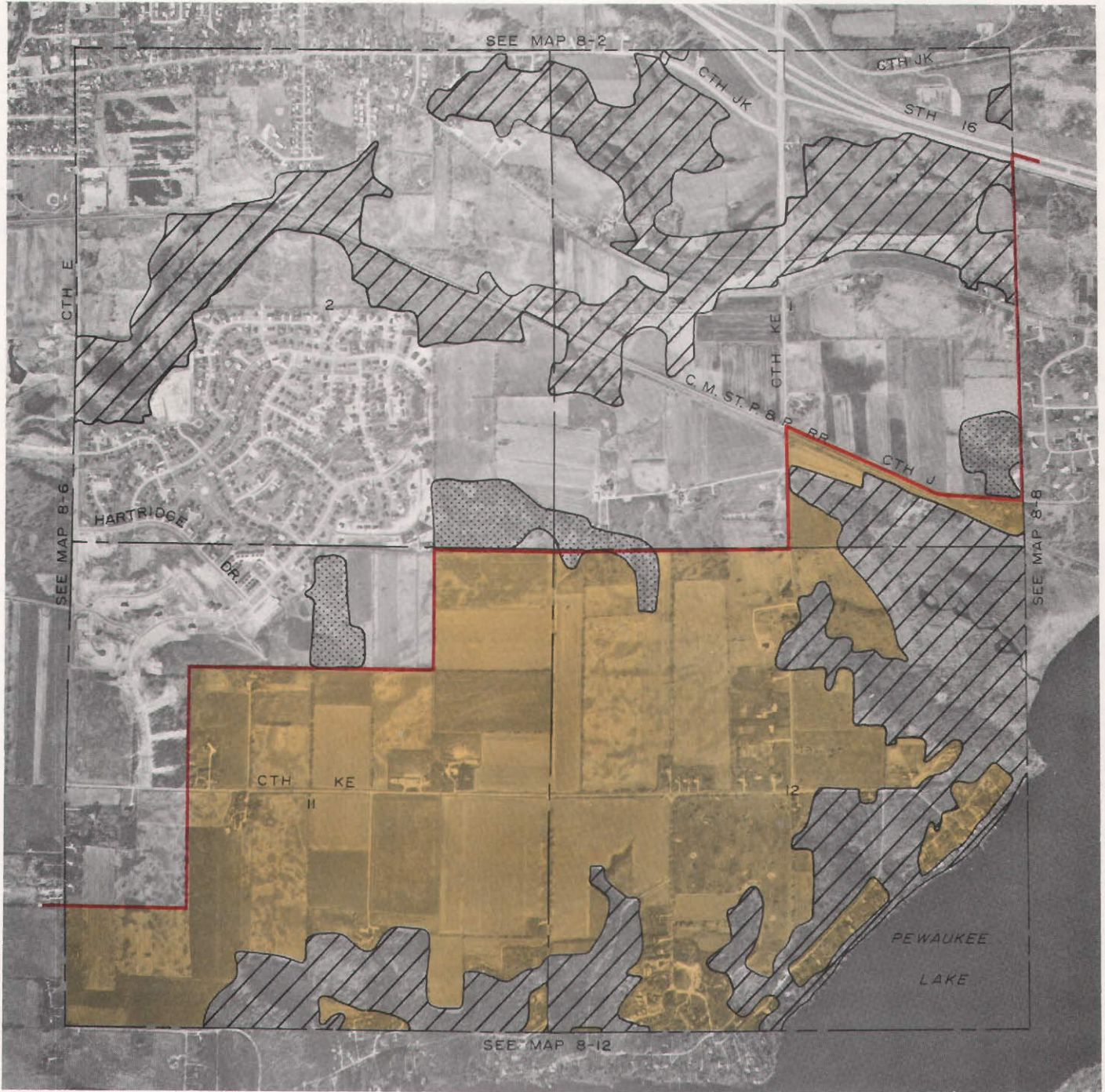


Source: SEWRPC.




Map 8-7

ENVIRONMENTALLY SIGNIFICANT LANDS AND
PLANNED SANITARY SEWER SERVICE AREA
FOR PEWAUKEE AND ENVIRONS

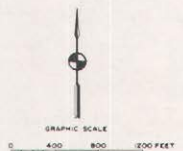
U. S. Public Land Survey Sections 1, 2, 11, and 12
Township 7 North, Range 18 East



LEGEND

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

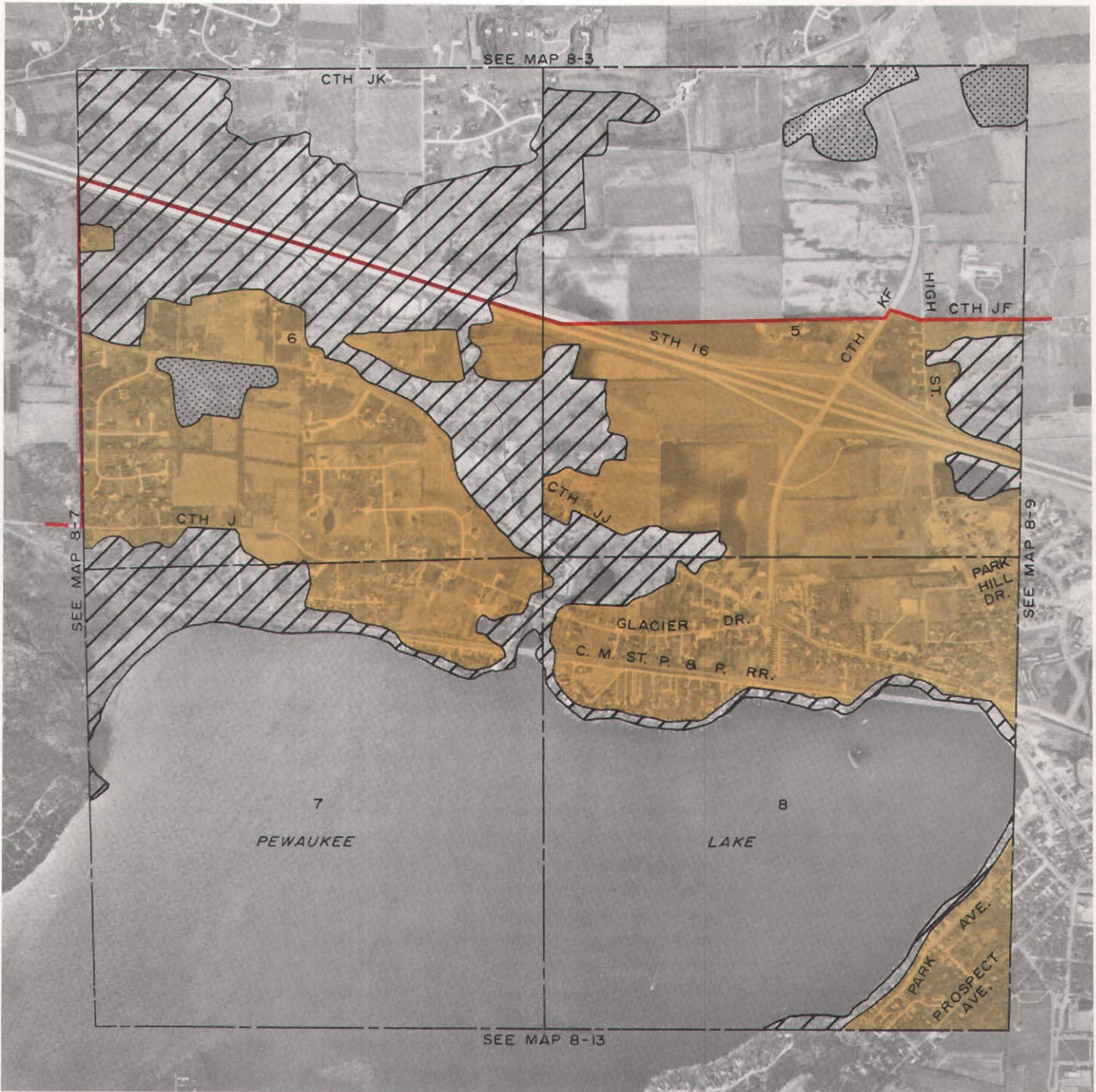
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Map 8-8

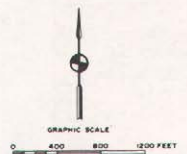
ENVIRONMENTALLY SIGNIFICANT LANDS AND
PLANNED SANITARY SEWER SERVICE AREA
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 5, 6, 7, and 8
Township 7 North, Range 19 East



LEGEND

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



Source: SEWRPC.






Map 8-9

ENVIRONMENTALLY SIGNIFICANT LANDS AND
 PLANNED SANITARY SEWER SERVICE AREA
 FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 3, 4, 9, and 10
 Township 7 North, Range 19 East



LEGEND

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

Source: SEWRPC.







Map 8-10

ENVIRONMENTALLY SIGNIFICANT LANDS AND
PLANNED SANITARY SEWER SERVICE AREA
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 1, 2, 11, and 12
Township 7 North, Range 19 East



LEGEND

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







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ENVIRONMENTALLY SIGNIFICANT LANDS AND
 PLANNED SANITARY SEWER SERVICE AREA
 FOR PEWAUKEE AND ENVIRONS

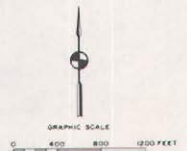
U. S. Public Land Survey Sections 15, 16, 21, and 22
 Township 7 North, Range 18 East



LEGEND

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

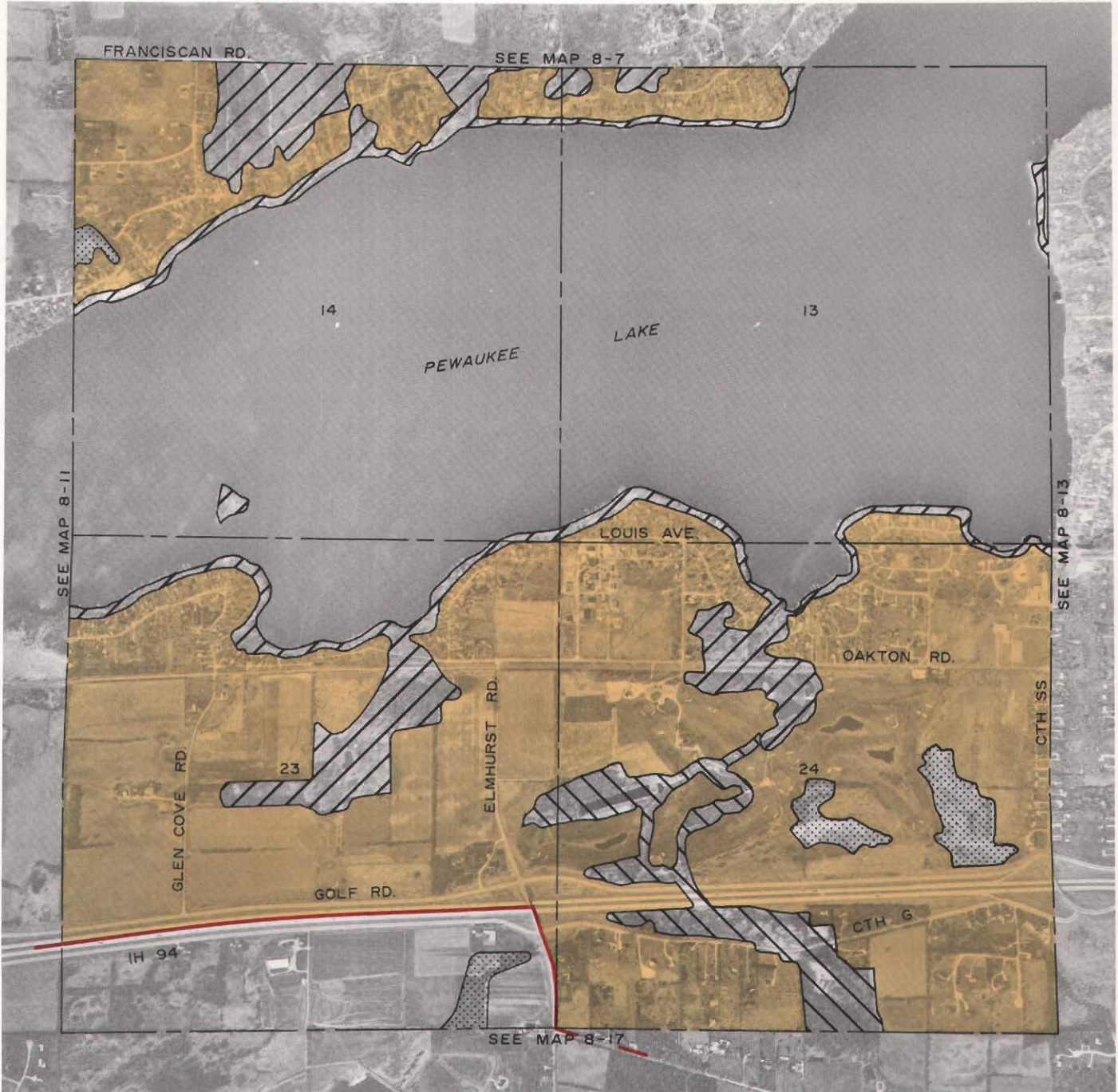
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Map 8-12

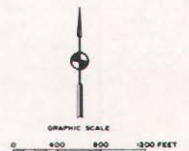
ENVIRONMENTALLY SIGNIFICANT LANDS AND
 PLANNED SANITARY SEWER SERVICE AREA
 FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 13, 14, 23, and 24
 Township 7 North, Range 18 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY 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 PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 17, 18, 19, and 20
Township 7 North, Range 19 East



LEGEND

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

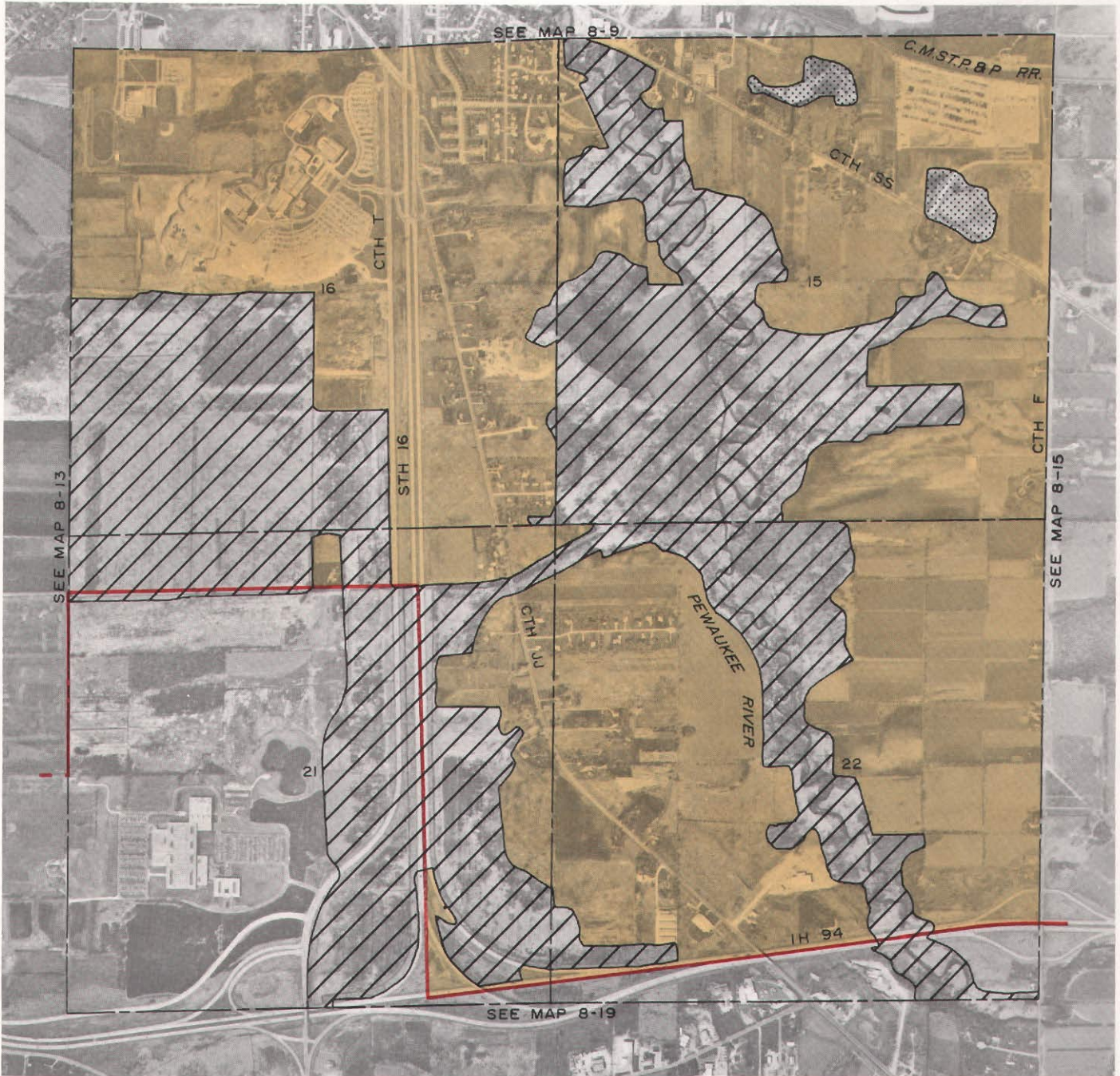
Source: SEWRPC.







Map 8-14

ENVIRONMENTALLY SIGNIFICANT LANDS AND
PLANNED SANITARY SEWER SERVICE AREA
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 15, 16, 21, and 22
Township 7 North, Range 19 East



LEGEND

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



Source: SEWRPC.






Map 8-15

ENVIRONMENTALLY SIGNIFICANT LANDS AND
PLANNED SANITARY SEWER SERVICE AREA
FOR PEWAUKEE AND ENVIRONS

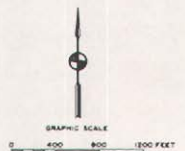
U. S. Public Land Survey Sections 13, 14, 23, and 24
Township 7 North, Range 19 East



LEGEND

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

Source: SEWRPC.






ENVIRONMENTALLY SIGNIFICANT LANDS
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 27, 28, 33, and 34
Township 7 North, Range 18 East



LEGEND

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

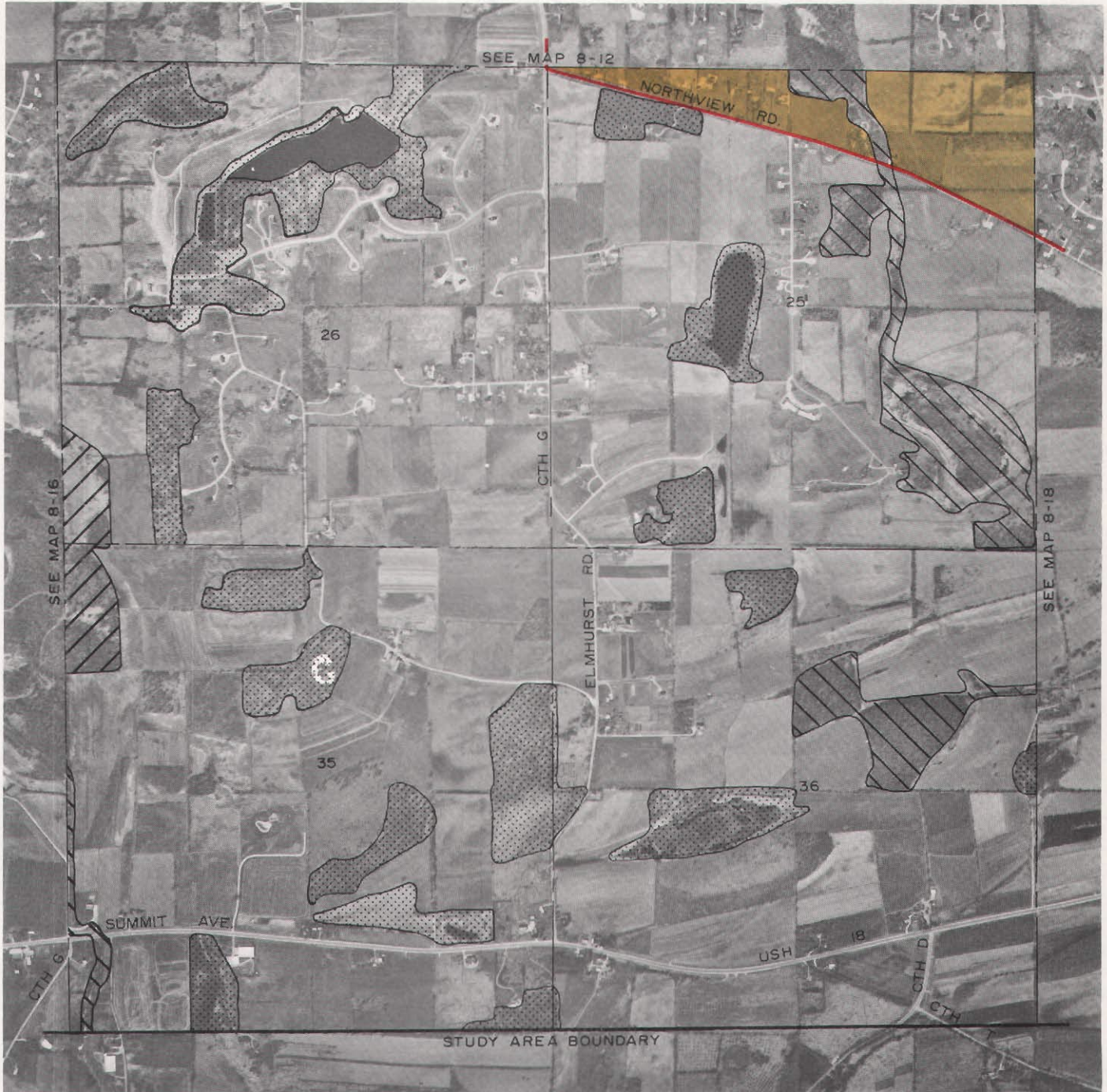
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
Map 8-17

ENVIRONMENTALLY SIGNIFICANT LANDS AND
PLANNED SANITARY SEWER SERVICE AREA
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 25, 26, 35, and 36
Township 7 North, Range 18 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 8-18

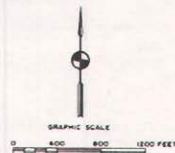
ENVIRONMENTALLY SIGNIFICANT LANDS AND
 PLANNED SANITARY SEWER SERVICE AREA
 FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 29, 30, 31, and 32
 Township 7 North, Range 19 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 8-19

ENVIRONMENTALLY SIGNIFICANT LANDS
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 27, 28, 33, and 34
Township 7 North, Range 19 East



LEGEND

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL AREA








Source: SEWRPC.

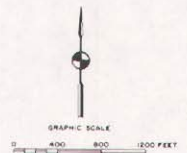
ENVIRONMENTALLY SIGNIFICANT LANDS AND
PLANNED SANITARY SEWER SERVICE AREA
FOR PEWAUKEE AND ENVIRONS

U. S. Public Land Survey Sections 25, 26, 35, and 36
Township 7 North, Range 19 East



LEGEND

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



Source: SEWRPC.

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APPENDIX

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Appendix A

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

MINUTES OF
PUBLIC HEARING¹
ON THE PROPOSED SANITARY SEWER SERVICE AREAS
FOR THE WAUKESHA AND PEWAUKEE AREAS

Waukesha County Technical Institute
Pewaukee, Wisconsin
7:30 p.m.
June 5, 1985

Mr. Paul G. Vrakas, Commissioner, Southeastern Wisconsin Regional Planning Commission, and Chairman of the Commission Planning and Research Committee opened the hearing at 7:36 p.m., CDST.

MR. PAUL G. VRAKAS:

I will call the meeting to order at this time. We thought for a moment we weren't going to have a public address system, but it is now working and will be helpful to what we are to do this evening.

I am Paul Vrakas, Commissioner of the Southeastern Wisconsin Regional Planning Commission; and it is my duty this evening to chair this public hearing. I would, on behalf of the Commission, say welcome to each one of you.

For the sake of the record, I would like to mention that I am holding here a copy of the notice of public hearing for this meeting which appeared in the May 29, 1985, issue of the Waukesha Freeman. This notice will be reproduced as a part of the record of this hearing (see Appendix A-2). The purpose of the public hearing is to solicit public review and comment on the proposed sanitary sewer service areas tributary to the City of Waukesha and City of Brookfield sewage treatment plants. To those of you who wish to make statements, I would invite you to come up here to use the podium so that everyone present can get the benefit of your comments. If you wish to simply ask a question, we invite that as well at this meeting. You could do that from wherever you are sitting.

Because we do have some hearing appearance slips filled out, I will call upon the people who wish to make statements in the order the slips were received. If you later decide to speak for a second time, please give your name the second time for the sake of the recording secretary and the record.

¹ For a list of attendees who signed the attendance roster, see Appendix A-1.

I should recognize, as well, the heads of two municipalities present here this evening--Mr. Brent Redford, Mayor or Town Chairman of Pewaukee, and Mayor Paul Keenan, City of Waukesha. Bill Rogan is here as a Commissioner of the Southeastern Wisconsin Regional Planning Commission. Welcome, Bill. County Judge Buckley is also with us this evening. I know many other town supervisors and officials are here, but in the interest of time I won't try to recognize everyone.

At this time I will call on Mr. Kurt Bauer, Executive Director, Southeastern Wisconsin Regional Planning Commission, to give us a briefing on the plan proposals prior to hearing from each of you who would like to speak.

MR. KURT W. BAUER, EXECUTIVE DIRECTOR, SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION:

Good evening, ladies and gentlemen. My responsibility here tonight is to present to you the Regional Planning Commission's staff recommendations for sanitary sewer service area boundaries in the Waukesha area. In the interest of efficiency, and I hope effectiveness, I would like to make the presentation with the help of the handout materials that each of you should have received as you entered the room tonight (copy attached as Appendix A-3). So please bear with me and refer to, and turn the pages of, the materials as I do. In this way, we can, I believe, get through the presentation as quickly as possible.

On the first page, it is indicated that the Southeastern Wisconsin Regional Planning Commission is charged with the responsibility under federal and state law of preparing and adopting an areawide water quality management plan. That plan, which was initially adopted by the Commission in 1979, sets forth a number of recommendations attendant to the elimination of pollution from various sources, including recommendations with respect to the number and location of sewage treatment plants and the delineation of urban sanitary sewer service areas attendant to those plants. The plan identifies two plants to provide for sewage treatment and disposal for all urban development in the Upper Fox River watershed in Waukesha County--the Waukesha plant and the Brookfield plant. The plan also includes recommendations that the various local units and agencies of government in the Upper Fox River watershed cooperatively implement the plan through a series of intergovernmental agreements providing for the extension of sanitary sewerage systems leading to those two plants. This latter recommendation was made in lieu of a recommendation that would have called for the creation of a metropolitan sewerage district in the Upper Fox River watershed to provide for the construction and operation of the two treatment plants and a system of major trunk sewers. Had that district been created as originally recommended--the recommendation was rejected after a meeting held in this room by the Wisconsin Department of Natural Resources in January 1973, by the communities concerned--we would not now have this problem.

The original plan also includes a map generally identifying the areas in the Upper Fox River watershed recommended to be provided with sanitary

sewer service. These areas are shown on Map 1 of the handout materials. At the time of the adoption of these sanitary sewer service areas in 1979, the Commission recognized that it would be necessary to refine and detail each individual sanitary sewer service area to reflect local, as well as areawide, planning concerns. That refinement process was also to identify in greater detail the environmentally sensitive lands within each sewer service area as required by State law.

Since adoption of the original regional water quality management plan, the Commission has received a number of requests from communities in the Upper Fox River watershed to carry out sanitary sewer service area refinement studies. Pending are requests received from the City of Waukesha, the City of Brookfield, the City of New Berlin, the Town of Brookfield, the Town or City of Pewaukee, the Village of Pewaukee, and the Lake Pewaukee Sanitary District. For administrative and report preparation purposes, the Commission determined to accommodate these requests through the production of four separate--but related--sewer service area reports: one report for the City of Waukesha and its environs, identifying all land to be served by sewers leading to the Waukesha sewage treatment plant irrespective of current municipal boundaries; one report for the City of New Berlin, identifying what areas of the City, if any, would be served by the Waukesha sewage treatment plant, what areas would be served by the Brookfield sewage treatment plant, and what areas would be served through connections to the Milwaukee Metropolitan Sewerage District system; one report jointly for the Village of Pewaukee, the Town or City of Pewaukee, and the Lake Pewaukee Sanitary District, all such areas to be served by the Brookfield sewage treatment facility; and one report for the City and Town of Brookfield, identifying all lands to be served by the Brookfield sewage treatment facility and, in the case of the City of Brookfield, lands to be served through connections to the Milwaukee Metropolitan Sewerage District system. Because of the coalescence--or growing together--of urban development in the Upper Fox River watershed, it was recognized that there would be common boundaries between these four sanitary sewer service areas.

The two sewer service area plan reports that are furthest along--the Waukesha and Pewaukee reports--are the subject of this public hearing. The boundary lines proposed for the Waukesha and Pewaukee sanitary sewer service areas, however, have implications for the New Berlin and Brookfield sewer service areas as well; and any decisions made with respect to these boundaries as a part of completing and adopting the Waukesha and Pewaukee plans will become committed decisions and will have to be carried over into the New Berlin and Brookfield plans.

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, must approve the construction of all sewers proposed by local municipalities or by private developers. State law requires that these two Departments, before they approve proposed sewers, make a finding that such sewers are in conformance with adopted areawide water quality management plans and the sanitary sewer service areas identified in those plans. Consequently, if a proposed sewer

would serve land lying beyond the limits of an approved sanitary sewer service area, or if a proposed sewer would facilitate the intrusion of urban development into environmentally sensitive lands--such as wetlands and floodlands--within the limits of an approved sanitary sewer service area, the Departments of Natural Resources and Industry, Labor and Human Relations cannot approve the construction of the sewer.

Each sanitary sewer service area plan, then, serves the following two important purposes:

1. The determination and delineation of the outer boundary of an area proposed to be served by sanitary sewers tributary to a sewage treatment plant. Under state law, the total land area within a proposed outer sanitary sewer service area boundary which is considered developable for urban purposes must bear a reasonable relationship to anticipated population and economic growth in the area. In other words, the Department of Natural Resources will not approve a sanitary sewer service area that is so large as to be grossly out of proportion to anticipated growth in employment and population within the area, taking into account typical urban land use development densities for the area.
2. The determination and delineation of environmentally sensitive lands within the sewer service area. This is done by identifying in the planning process the primary environmental corridors. These corridors are a composite of the most important individual elements of the natural resource base--consisting of high value wetlands, woodlands, wildlife habitat areas, surface waters, floodlands and shorelands, significant groundwater recharge and discharge areas, and important recreational and scenic areas--and have immeasurable environmental, ecological, and recreational value. Moreover, the development of these corridors--which are generally covered by soils having high water tables and low bearing strengths--for urban use will create serious and costly problems, such as water pollution, flooding, failing foundations, wet basements, excessive sump pump operation, and excessive clear water infiltration into sanitary sewers. Accordingly, the Departments of Natural Resources and Industry, Labor and Human Relations will not approve the construction of sanitary sewers which would permit development of the primary environmental corridors.

It is important for local officials and landowners alike to understand the significance of the sanitary sewer service area plans. These plans will be used by state agencies as the basis for sanitary sewer extension review and approval. If a locally proposed sanitary sewer would be intended to serve land beyond the limits of an approved sanitary sewer service area, or serve primary environmental corridor land within the limits of the approved sewer service area, then the state agencies must deny approval of the sewer.

The sanitary sewer service area refinement process in the Waukesha and Pewaukee areas began with a series of intergovernmental meetings at which

common boundary matters were presented and discussed. In attendance at those meetings--seven of which were held from September 21, 1981, to May 17, 1985--were representatives of the Cities of Brookfield, New Berlin, Pewaukee, and Waukesha; the Village of Pewaukee; the Towns of Brookfield, Delafield, and Waukesha; the Lake Pewaukee Sanitary District; and Waukesha County. During this series of meetings, the historical sewer service area planning conducted by individual municipalities was discussed, it being observed that in a number of instances along the IH 94 corridor more than one community had been planning to serve certain lands. There was general agreement on the desirability of determining a common boundary line. There was also agreement that the tentative common boundary line, drawn by the Commission in the 1979 regional water quality plan and reflected on Map 1, should be refined, and in so doing eliminate any gaps in sewer service area plans within the IH 94 corridor. There was no agreement reached, however, between the communities concerned as to the delineation of a common boundary line even after review of the costs of alternative means of providing sewer service to the areas concerned.

Accordingly, at the suggestion of some of the communities concerned, the Regional Planning Commission staff prepared a recommended common boundary line. This boundary line is identified on Map 2 of the handout materials. Map 2 also identifies the eight geographic areas along the IH 94 corridor for which sewerage system cost effectiveness analyses were completed. Because of time limitations, we will not elaborate on the rationale for the Commission staff's recommendation with respect to the best means of sewerage service for each of the eight analysis areas, except to say that the rationale was based upon the cost effectiveness of alternative sewer connections or, where no such alternative was clearly more cost effective, on land use development considerations. The rationale for the recommendation for each area is provided in the handout materials.

Based upon the analyses related to the eight areas concerned, the Commission staff recommended a common Waukesha and Pewaukee sanitary sewer service area boundary set forth on Maps 11 and 12, respectively, of the handout materials. I am now going to ask Phil Evenson to describe those service area boundaries and related environmental corridors, after which the hearing will be opened for questions and comments.

(Mr. Evenson then described at great length in great detail the proposed sewer service area boundaries for the Waukesha and Pewaukee sewer service areas and the primary environmental corridors within those areas, using large-scale maps posted on the wall, after which Mr. Evenson made the following further presentation.)

MR. PHILIP C. EVENSON, ASSISTANT DIRECTOR, SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION:

The gross Waukesha sanitary sewer service area--that is, the entire land area within the perimeter of the planned urban area to be served by the Waukesha sewage treatment plant--totals about 30.2 square miles. Of this total, 14.6 square miles is presently in the City of Waukesha, 7.3 square miles in the Town of Pewaukee, and 8.3 square miles in the Town of Waukesha.

The proposed Waukesha sewer service area does not extend into the City of New Berlin on the east nor the Towns of Delafield and Genesee on the west.

The existing Waukesha sanitary sewer service area is shown in dark blue on Map 11 of the handout materials. This area totals about 11.9 square miles, or about 40 percent of the total proposed sewer service area. The proposed additional sewer service area, including all remaining lands available for urban development and certain existing lands already developed but served by onsite sewage disposal systems, is shown in light blue on Map 11. This area totals about 13.9 square miles, or 46 percent of the total proposed service area.

The proposed Waukesha sewer service area includes about 3.6 square miles of primary environmental corridor lands, or about 12 percent of the total proposed sewer service area--shown in dark green on Map 11 of the handout materials. These lands are not considered suitable for intensive sewer urban development.

At present there reside within the proposed Waukesha sewer service area about 53,000 persons. Of this total, about 50,300 persons currently are provided with centralized sanitary sewer service, with the remaining 2,800 persons relying on onsite sewage disposal systems and holding tanks. This population and its attendant residential, commercial, industrial, and institutional land uses occupy a total area of about 18.6 square miles. Thus, the gross population density in the area approximates 2,900 persons per square mile. There would be within the proposed Waukesha sewer service area about 7.2 square miles of land suitable for intensive sewer urban development. Given the average density noted above, this reservoir of developable land is adequate to meet the planned future population in the City of Waukesha and environs of almost 75,000 persons and, therefore, a population increase of about 22,000 persons.

The gross Pewaukee sanitary sewer service area totals about 25.7 square miles. Of this total, 2.9 square miles is presently in the Village of Pewaukee, 15.4 square miles in the Town of Pewaukee, and 7.4 square miles in the Town of Delafield.

The existing Pewaukee sanitary sewer service area is shown in dark blue on Map 12 of the handout materials. This area totals about 3.4 square miles, or about 13 percent of the total proposed sewer service area. The proposed additional sewer service area, including all remaining lands available for urban development and certain existing lands already developed but served by onsite sewage disposal systems, is shown in light blue on Map 12. This area totals about 13.2 square miles, or about 52 percent of the total proposed service area.

The proposed Pewaukee sewer service area includes about 8.2 square miles of primary environmental corridor lands, or about 32 percent of the total proposed sewer service area--shown in dark green on Map 12 of the handout materials. These lands are not considered suitable for intensive sewer urban development.

At present there reside within the proposed Pewaukee sewer service area about 11,800 persons. Of this total, about 7,500 persons currently are provided with centralized sanitary sewer service, with the remaining 4,300 persons relying on onsite sewage disposal systems and holding tanks. This population and its attendant residential, commercial, industrial, and institutional land uses occupy a total area of about 7.0 square miles. Thus, the gross population density in the area approximates 1,700 persons per square mile. There remain within the proposed Pewaukee sewer service area about 8.4 square miles of land suitable for sewered urban development. Given the average density noted above, this reservoir of developable land is more than adequate to meet the planned future Pewaukee area population of about 22,700.

Thank you, Mr. Chairman. That concludes the staff presentations.

MR. VRAKAS:

All right. At this time I have several sign up slips. Should any of you wish to speak after I have called upon these five, please feel free to do so. The first person I would call is Mr. Brent Redford, Mayor or Town Chairman of Pewaukee.

Q. MR. BRENT J. REDFORD, CHAIRMAN, TOWN OF PEWAUKEE:

First of all, I would like to thank the Southeastern Wisconsin Regional Planning Commission for calling this public hearing. I think it is important that we do delineate sanitary sewer service boundaries in the area. As Mr. Bauer stated before, we have been working on this issue for four years or more. The negotiations that did take place between the City of Waukesha and ourselves--and which had arrived at a sewer service area delineation and related annexation policy--were for some reason broken off. I am not sure why. Our Sanitary District had approved the tentative agreement; our Town Board had approved it. Then Waukesha fell off the sled. But that is past history.

We have a basic problem with what the Southeastern Wisconsin Regional Planning Commission is attempting to do from the standpoint that the Commission is trying to define a sewer service area for a non-regional plant. The Waukesha plant was designed as a regional facility, but now it is being administered as a city facility only. Based on that, we have certain problems with the proposed plan. The Town of Pewaukee at the time agreed to support the two-plant concept--one in Brookfield and one in the City of Waukesha, but we would never have agreed to do so if the proposal would have included a policy of annexation to the cities to receive sewer service. No township would have gone along with such a plan.

Some of the problems that exist with having a non-regional plant, through detachment, is the loss of assessed value to the community that is losing the land. For instance, you have discussed the land presently in Pewaukee City that is to be sewered by the City of Waukesha. In some cases--in Areas 3 and 6, for example--the analyses show it is most cost effective to serve the area through the Waukesha sewage treatment plant. From a dollar

and cents standpoint as far as laying pipes is concerned, our engineers concur with that also. But what happens when you have a detachment to get the sewer service? Again, it goes back to assessed value. We decrease Pewaukee's assessed value, break up a community of interest, and cause higher taxes in the area remaining. The total land value that is being proposed at this time to be serviced into Waukesha would strip our City of approximately \$69 million in assessed value. Our total assessed value is \$332 million. Pewaukee City is the only loser in this whole deal.

The areas that we have some real concern about are: Area 1, which includes the Woodland Village Subdivision but does not include the Rolling Ridge and University Heights Subdivisions which our engineers believe can be most cost effectively sewered into the Brookfield treatment facility; Area 2, which includes an area east of Highway G to the GE plant north of the Interstate Highway 94 and south of the Electric Company right-of-way, an area which we have concerns as to whether it can be sewered effectively into Waukesha; and Areas 3 and 6, which the SEWRPC staff, as well as our engineers and the City of Waukesha's staff, agree could be served more efficiently as one area, including the Airport and County grounds and the Sherwood Forest Subdivision. If my memory serves me rightly, there is about a \$300,000 to \$400,000 difference in the cost of sewerage the combined area in Waukesha's favor. If that is the only criteria that is used, the figures may be accurate. Area 7, Takoma Hills was always planned on being sewered into the Brookfield treatment facility. It is as shown in the existing 208 plan. It flows normally to the north; not to the south. That again is a real concern on our part.

The decision concerning these areas of which I have spoken comes down to what is considered if the cost differential is within 10 percent. If the differential is over 10 percent, the Southeastern Wisconsin Regional Planning Commission considers that to be conclusive, and the area should go one way or the other. Other items, I believe, should be considered when you have a difference of less than 10 percent.

There has been a definite history of annexation and detachment from the town for sewer service or water service for that matter. I received a letter Monday from Wimmer, Evans, & Vollmar, dated May 31, 1985, which I will read:

The City of Pewaukee
City Hall
W240 N3065 Pewaukee Rd.
Pewaukee, Wisconsin 53072

Re: Mr. Ed Pauer
2404 Grandview Blvd.

Attn: City Board

Dear Board,

Mr. Ed Pauer has a contaminated well due to salt in his water believed to be caused by the storage of salt at the County salt storage sheds across

from his property at 2404 Grandview Blvd. He must resolve this situation and finds himself caught with City of Waukesha water lines passing in front of his home but he is located in the City of Pewaukee and, therefore, unable to attach to them.

Mr. Pauer has always been a Pewaukee resident but needs water service. If Pewaukee could provide the water utility service Mr. Pauer needs, he would not be making this request. However, he understands Pewaukee is unable to provide water and, therefore, Mr. Pauer respectfully requests that you allow him to detach from your City for the simple purpose of permitting him to attach to the Waukesha water lines in Grandview Boulevard.

If a formal request is essential, please provide the necessary forms. If the matter can be placed on the agenda of one of your meetings, please advise; and I will be present to explain the circumstances which cause this request to be necessary.

Very truly yours,

/s/ James O. Vollmar
James O. Vollmar

cc: Mr. Ed Pauer

The letter is very typical of what we have been running across in the last few years. I guess there is quite a history of this also.

An item that I believe should be considered where the cost differential is less than 10 percent is the impact on the community. What is it going to do to their borrowing power? Areas 3 and 6 have water mains laid down Highway F. According to state law, the annexing community must come up with monies to buy this pipe out, estimated at \$441,000. There will be an increase in taxes due to the sewer decision. As an example: Waukesha's tax rate is \$7.53 per \$1,000 of assessed value. Pewaukee City's rate is \$1.89. This equates to \$5.64 difference. To keep things fair, I have included the rate for Sanitary District No. 3, which is 12 cents. Taking as an example a piece of property assessed at \$100,000, that would mean the City tax alone in Pewaukee City would be \$189. The City of Waukesha tax would be \$753. If everything else is equal--which it is--we are talking about a parcel in the same county, same state, same school district--all the rest of the taxes are the same. The difference is in the City tax. Assuming that a sewer has a life of 20 years and using the current tax rates, a property owner would be penalized by being forced to go into the City of Waukesha to get sewer service--\$11,280 over that 20-year period--just for the privilege of having sewer. To me, that does not seem fair.

I would like to leave the Committee with a final thought. After all the factors are considered, what should be thought about is what is the least expensive way for these people to obtain sewer. The main reason that you have government is to look out for people, not to look out for government.

If it is more economical to sewer one way or the other, I think that is the best way to go. Thank you very much.

(Applause from the audience)

A. MR. VRAKAS:

Thanks, Mr. Redford. The second person I will call upon is Mr. Ralph Delfeld, who lives on Poplar Creek Drive in Waukesha.

Q. MR. RALPH DELFELD, HUSCO-AMCA INTERNATIONAL:

I have a very short comment to make. I am representing the interests of the Husco-AMCA Corporation located on Pewaukee Road in the City of Pewaukee. We are preparing our long-range capital plans right now, and we are trying to identify what certain costs are going to be. It is a very frustrating task for us. I would like to encourage the units of government that are here and the Commission to resolve this issue so that our company and companies like ours are able to proceed with plans. It is very important to the private industrial sector to get an understanding of what is going to happen in any area. We currently have our sewage trucked out of our plant at a relative high cost of close to \$20,000 a year; and, of course, we would like to end that. Again, a word of encouragement to move along.

A. MR. VRAKAS:

Thank you, Ralph. The third person I will call is Mr. William J. Mielke of the consulting engineering firm of Ruckert & Mielke.

Q. MR. WILLIAM J. MIELKE, RUEKERT & MIELKE, INC., CITY ENGINEER, CITY OF PEWAUKEE:

Mr. Mielke then submitted and read the following statement for inclusion in the record of the hearing, including the referenced maps. On April 18, 1985, an intergovernmental meeting was conducted by the Southeastern Wisconsin Regional Planning Commission with the Cities of Waukesha and Pewaukee and the Towns of Waukesha, Delafield, and Brookfield to review a preliminary draft of SEWRPC Report No. 100. On May 17, 1985, another meeting was held relative to the final determination of the City of Waukesha's sewer service area. At that meeting it was also decided to hold a public hearing relative to the SEWRPC report.

This report is intended to respond to the proposed final report issued by SEWRPC on May 17, 1985, and to be entered in the record of the public hearing.

Area 1 - Delafield - Pewaukee

The initial cost analysis indicated that it was clearly more cost effective to serve Area 1 through the Pewaukee system than through Waukesha.

The cost analysis established the cost at \$415,000 for service from Pewaukee and \$760,000 for service through Waukesha. SEWRPC then drew a dividing line through the center of the subdivision in Area 1 to split it into two service areas. Further analysis indicates that if the interceptor serving Area 1 from Pewaukee were deepened at an additional cost of \$30,000, 90 percent of the subdivision could be served by Pewaukee. The economic analysis would still remain conclusive in favor of Pewaukee. Therefore, a revision in the SEWRPC map is requested to accommodate this additional area in the Pewaukee service area. This would result in further preservation of the local neighborhood by not dividing an existing subdivision in half. Also, the proposed division is along areas currently undeveloped; and it produces a more logical boundary.

The remaining development located in Section 30 is also located within Pewaukee City; and although it is not the subject of the present SEWRPC analysis, it deserves some discussion. This area was anticipated to receive sewer and water service from the City of Waukesha on a contractual basis. Past discussions held between SEWRPC, Pewaukee City, and Waukesha confirmed this original intent. Recently, the question of services from Waukesha without annexation has become more of an issue than in the past. It is hoped that this issue will be resolved between the two parties in the near future. If a reasonable agreement can be reached between the two cities, the question of sewer service becomes one of pure economics. If a solution cannot be reached for areas which are economically inconclusive, we believe SEWRPC has to re-review the secondary impacts of service to either area. Because of the similarity in sewer and water charges and disparity in municipal tax rates, the fiscal impact to a residential user would favor utilizing the Pewaukee system in order to stay in Pewaukee City. If sewer and water service are offered from Waukesha without the demand for annexation, then the fiscal impacts are no longer important to the decision on sewer service area. But if the future negotiations with Waukesha determine that no services will be offered to any area without annexation, the fiscal analysis becomes important and deserves further review by SEWRPC.

Area 2 - Country Inn - General Electric Co. West

We agree that the costs are economically inconclusive for this area. We do, however, have the same concerns as mentioned in Area 1 regarding service without annexation for the area from Country Inn west to CTH "G." We believe both cities could be benefitted by having Waukesha service the area by contract. If no such agreement can be reached, the fiscal analysis would indicate that the area should be served by Pewaukee.

Area 3 and Area 6 - Waukesha Airport and Sherwood Forest

The SEWRPC cost analysis indicated that it would be clearly more cost effective for these areas to be serviced by Waukesha if they are considered separately. Pewaukee City has pointed out and SEWRPC has agreed that there are economic benefits to sewerage these two areas with one project. If this is considered, the costs become inconclusive as to which entity should

provide service. Pewaukee City does not object to this area being served by Waukesha as long as the mandatory annexation question can be further discussed.

Areas 4 and 5

We agree with the SEWRPC analysis that the most cost effective service could be provided by Pewaukee.

Area 7

The SEWRPC report of April 16, 1985, states that the cost comparison was inconclusive for this area. The definition of inconclusive was a cost comparison that was less than 10 percent difference when analyzing service areas. While the cost comparison was less than 10 percent, the comparison still indicated that it was more cost effective to serve the entire Area 7, including Takoma Hills Subdivision, by the Pewaukee system. The fiscal impacts on a household in Takoma Hills indicate that the area should remain within Pewaukee City irregardless of which entity provides sewer service. Therefore, if Waukesha demands that this area be annexed before it will extend services, SEWRPC should reconsider their findings and redefine the sewer service area to be tributary to the Pewaukee system.

It should be pointed out that the interceptor sewer necessary to service the entire area has been designed and bids will be opened on June 20, 1985. Therefore, sewer service to this area could be accomplished in the very near future if requested by the residents.

SUMMARY

SEWRPC had done an admirable job trying to define the sewer service areas for Waukesha and Pewaukee City. Since the City of Brookfield provides sewer service to the surrounding communities without requiring annexation, Pewaukee City does not suffer the threat of loss of tax base just because a property needs sewer or water service. Hopefully, the City of Waukesha will re-evaluate its policy for providing sewer and water service so that SEWRPC's efforts will not be wasted. When dealing with regional wastewater treatment systems, the sewer service maps are not meant to define future municipal boundaries. Thank you.

(Secretary's Note: The maps submitted by Mr. Mielke depicting Areas 1 through 7 are set forth in Appendix A-4.)

A. MR. VRAKAS:

Thank you, Bill. The fourth person to speak is Mr. Jerome S. Chudzik, Village Engineer for the Village of Pewaukee.

Q. MR. JEROME S. CHUDZIK, GRAEF, ANHALT, SCHLOEMER & ASSOCIATES, VILLAGE ENGINEER, VILLAGE OF PEWAUKEE:

My name is Jerry Chudzik. I am with the firm of Graef, Anhalt, Schloemer & Associates, Village Engineers for the Village of Pewaukee. I don't have a prepared statement.

On behalf of the Village of Pewaukee, I would like to appear in favor of the proposed sanitary sewer service area plan developed by the Southeastern Wisconsin Regional Planning Commission. That is the proposed service area described in the handout materials tonight.

The Village of Pewaukee is in favor of amending the 208 plan as proposed today. We believe that the areas shown as being in the Brookfield regional wastewater treatment facility service area reflect and include areas within planned future sanitary sewer service areas of the Village for which the Village has made capital expenditures in order to provide capacity in previously constructed interceptor sewers and wastewater treatment facilities. The Village believes that the proposed amendment best protects the state, federal, and village capital investments already made for service to the area and implements long-standing, agreed upon, and approved sewer utility plans for the area.

For the record we would like to single out four specific areas addressed in the proposed 208 plan amendment which specifically and directly impact on the Village of Pewaukee. These areas are Area Nos. 1, 2, 4, and 5 as shown on Map 2 in the handout.

Area 1

The Village of Pewaukee agrees that Area 1 should be served by sanitary sewer service extended from the Lake Pewaukee Sanitary District and transmitted via the Village interceptor sewer system to the Upper Fox River watershed regional wastewater treatment facility. Adequate capacity exists in the Village's interceptor sewerage system to accommodate the flows from Area 1.

Area 2

The Village of Pewaukee agrees with the division of this area as shown indicating that all of this service area except that part lying south of the Electric Power Company right-of-way and the parts of the General Electric property, as shown on SEWRPC's map, would be designated as being in the Village's sanitary sewer service area. In previous correspondence with SEWRPC, the Village indicated that major commitments have been made to serve this entire service area. These commitments have included a contractual agreement for the purchase of capacity in the Lake Pewaukee Sanitary District interceptor sewer and capital expenditure for the construction of the southwest interceptor sewer, the Village's Pewaukee-Brookfield interceptor sewerage system, and the Brookfield wastewater treatment facility. All of these sewerage system components have been constructed with capacity to serve all of Area 2. The Village of Pewaukee, however, recognizes that a commitment has already been made to serve the part of the area south of the Electric Power Company right-of-way and the General Electric property

by the City of Waukesha and that the City of Waukesha, in fact, presently provides sewer service to the Country Inn and to the General Electric Complex. The Village, therefore, does not object to the areas south of the Electric Power Company right-of-way and the two parts of the General Electric property being included in the City of Waukesha service area. The Village further strongly supports including the remainder of Area 2 in the Village of Pewaukee sanitary sewer service area in keeping with the past plans and capital expenditures made to provide sewer service to these areas.

Area 4

The Village of Pewaukee agrees that Area 4 should be included in the Village of Pewaukee sanitary sewer service area. The Village has invested capital in the construction of the southwest interceptor sewer, the Village's Pewaukee-Brookfield interceptor sewer system, and the Brookfield wastewater treatment facility. The construction of these facilities has included capacity to provide sewer service to all of Area 4. The Village, therefore, strongly supports including Area 4 within the Village of Pewaukee sanitary sewer service area.

Area 5

The Village of Pewaukee agrees that Area 5 should be included in the Village of Pewaukee sanitary sewer service area. The Village has invested capital in the construction of the Village's Pewaukee-Brookfield interceptor sewerage system and the Brookfield wastewater treatment facility. The construction of these facilities have included capacity to provide sewer service to all of Area 5. The Village, therefore, strongly supports including Area 5 within the Village of Pewaukee sanitary sewer service area. Thank you.

A. MR. VRAKAS:

Thank you, Mr. Chudzik. The fifth person I will call on to speak is Mayor Paul Keenan of the City of Waukesha.

Q. MAYOR PAUL J. KEENAN, CITY OF WAUKESHA:

Thank you, Paul. I don't want to take a lot of time tonight. The City's concerns relating to the subject have been well covered in the past. I do wish to point out that the image of the City of Waukesha as an organization that is out trying to annex most of the County is one projected by the Town of Pewaukee and is a much undeserved image as far as we are concerned. I think we have annexed--Frank, how many acres of land in the last several years out of Pewaukee--at the request of the property owners concerned?

Q. MR. FRANK M. HEDGCOCK, COMMUNITY DEVELOPMENT DIRECTOR, CITY OF WAUKESHA:

A couple hundred over the last 10 to 12 years.

Q. MAYOR KEENAN:

In making these requested annexations, the City has, I believe served the entire area. General Electric, for example, would not have come into the Waukesha area unless we had provided them the water and sewer services required. That was a benefit to the area, not just to Waukesha. There have been few annexations--probably none--that were made where the people did not want to be part of the City and obtain the services we have to offer. One such annexation was discussed tonight, the Pauer annexation. Mr. Pauer lives on Grandview and has a problem. He wrote to us through his attorney and asked us to enter into an agreement with him to give him water service now provided he would annex his property to the City of Waukesha when the City of Pewaukee became a town again. Instead we encouraged him, because he has a health problem, to go to Pewaukee and ask to be detached. The City is willing to act on a health problem on the basis of a promise to come. Mr. Pauer has now done that. Again, we don't solicit people to come here. We are not out beating on doors to annex to Waukesha. The question of where it is cheapest to live is not the reason why an area should be in a certain sewer service area or not. There are many, many services the City of Waukesha offers that Pewaukee does not. But that is not part of the subject matter before us tonight.

Basically, with respect to the subject matter at hand--Areas 1 through 8--we agreed early on in the game that Area 1 was probably best in the Pewaukee service area. We agreed further that probably Areas 4 and 5 also were best in the Pewaukee service area. This is where the Bell Telephone Company would like to build a plant if they can get sewer. With respect to Area 7, we had hopes that it would be put in our service area. Many people owning property there want to annex to the City of Waukesha, and the area was posted for annexation a few months ago when Judge Zick declared Pewaukee to be a town. Action there is forestalled until the issue as to whether Pewaukee is a city or town is settled by the State Supreme Court.

The proposal by the Southeastern Wisconsin Regional Planning Commission actually takes a small piece of land away from Waukesha, the area east of Springdale Road where the Milwaukee Cheese Company presently is. On the basis of what has been told to us there may be logic placing that area in the Brookfield service area.

We are not going to quibble about those things. We are not going to quibble about whether or not it is a couple thousand dollars cheaper to have an area served by one entity or the other. We haven't chosen to go into great engineering detail. The Regional Planning Commission is there to try to make a reasonable and impartial decision in matters such as these. We are willing at this time--and we have done some yielding on Areas 1, 4, and 5, and lost a piece of Area 7--we are willing to go along with that provided it stops there. I am not interested in further negotiations. As far as the City of Waukesha is concerned, we are not going to give away pieces of this negotiated territory and continue to negotiate over the rest. If it is going to be a hard line situation, we can do it just as well as anyone else.

I would encourage SEWRPC to go ahead and act on this program plan as proposed. It doesn't look too bad to us.

A. MR. VRAKAS:

Thank you, Mayor Keenan. Are there any other here tonight who would like to be heard? Even if it is only a matter of a question, I would encourage everyone to leave satisfied as having been heard.

Q. MR. CHARLES A. KOHLS, WAUKESHA, WISCONSIN:

My name is Charles Kohls, and I live on Northview Road. I had prepared some comments, but most of what I was going to say has been covered. I would like to pose a question, and perhaps I am asking this from ignorance--what would happen to this whole discussion this evening if by chance, contrary to some assumptions that the incorporation of the City of Pewaukee will not be upheld--what would happen to all this planning if it were upheld? I think the subject of annexation has come up time and time again tonight. Would this be an issue if Pewaukee City stayed a city?

A. MR. BAUER:

Presumably, the sewer service area boundary line the staff has attempted to draw as presented here tonight--and I might add editorially, only because the communities involved failed to reach agreement between themselves and requested us to do it--that line marks the boundary between the service areas of the two treatment plants that will provide the most economical, least costly, way of sewerage for the area. If the incorporation of the Town as a city stands, that sewer service area boundary line is still valid; and only the areas involved would have to be served then under negotiated contracts between the two municipalities. That is common practice within the Region, something that is often done between incorporated municipalities. Indeed, I would suspect, Mr. Kohls, that if the incorporation of Pewaukee is upheld, the dispute over where the sewer service area boundary line was would disappear because from an engineering standpoint there is--with the exception of only one issue that Mr. Mielke has raised--agreement between all of the engineers concerned as to what is the best way to sewer the area. I would assume that the sewer service area boundary line would stand, and there would be a negotiated service contract between the communities. Does that answer the question?

Q. MR. KOHLS:

Yes, sir, it does. It is a shame that the real issue of service to people--the real intent of municipal sewer service--is overshadowed by the annexation issue. I hope there can be some agreement on a general basis rather than on a contract basis.

A. MR. VRAKAS:

Is there anyone else who would like to speak?

Q. MR. LAWRENCE E. FARRELL, PRESIDENT, VILLAGE OF PEWAUKEE:

I would like to ask Mayor Keenan what his feeling presently is on service to Area 2 and the division line as drawn by SEWRPC through that area.

A. MR. VRAKAS:

Mayor Keenan.

A. MAYOR KEENAN:

I guess if we wanted to be selfish, we would ask that the line be drawn further north. That is the question you asked?

Q. MR. FARRELL:

In your statement, you alluded to Areas 1, 4, 5, and 7. I wondered if you were in agreement for Area 2.

A. MAYOR KEENAN:

I am not enthusiastic. I would like to see the line go a little further north but I would not make an issue of the matter.

A. MR. VRAKAS:

When the Mayor summarized his position in his statement, he encouraged the Commission to adopt the plan as presented tonight. That should answer your question unless I misunderstood it.

A. MAYOR KEENAN:

I don't like to negotiate downwards anymore.

A. MR. VRAKAS:

Are there any further comments or questions? Anyone else?

Q. MR. SCOTT KLEIN, SUPERVISOR, PEWAUKEE CITY:

Based on the statement by the Mayor, apparently the City policy on annexation would still be in effect regardless of whether the Town or City of Pewaukee asked SEWRPC to look at fiscal impact as outlined by Mr. Mielke. That gives us a problem. We think the fiscal impacts have a bearing on the issue and should be examined.

A. MR. VRAKAS:

Thank you. Is there anyone else who wishes to speak?

Q. MR. JERALD J. HAERLE, WAUKESHA, WISCONSIN:

I would like to ask Mayor Keenan, if you are not knocking on doors to seek annexations, why do you want to see the service boundaries through Area 2 moved further north.

A. MR. VRAKAS:

I must interrupt at this time to remind all present that the public hearing is for the benefit of the Regional Planning Commission in addressing the issue concerned; and I would, therefore, ask you to direct your questions to the Chair, if you please, rather than to members of the audience. The Mayor has had a chance to speak. You have heard and we have heard what he and everyone else who has spoken has said. It would not be helpful to have people conversing between each other. Please keep your questions and comments directed to the Chair, we would appreciate that.

Q. MR. HAERLE:

It still sounds--the way the areas are being talked about--it still sounds like they are a prize.

Q. MR. REDFORD:

I would like to recommend that the staff of SEWRPC take their plan to the Commission meeting on June 17 and that the Commission take into consideration the information you have been presented with tonight, especially comments from individuals, and the comment from Mayor Keenan saying that regardless of the outcome certain areas will be forced into paying higher taxes just to obtain sewer service--he didn't use those words--by being forced into the City of Waukesha, along with Mr. Klein's statement supporting analysis of the fiscal impacts. Should you need any information in that regard, I offer our engineers, legal staff, or any other people you wish to call upon.

A. MR. VRAKAS:

Thank you.

Q. MR. CLAYTON A. CRAMER, ATTORNEY, TOWN OF BROOKFIELD:

The Town of Brookfield supports the staff's recommendations with reference to parcels 7 and 8, the only ones we are involved in. We are very pleased to note that the City of Waukesha apparently is prepared to accept the recommendations of the staff with reference to those parcels.

A. MR. VRAKAS:

Thank you, Mr. Cramer.

Q. MAYOR KEENAN:

I would like to have the record show I did not make the statement Mr. Redford attributed to me about financial sacrifice. That is a figment of his imagination. It is not proper for SEWRPC or any other organization to judge the merits of a sewer service area by the amount of tax effort made by a local community to supply services to people who live in that community.

A. MR. VRAKAS:

Your comment will be noted. Are there any other questions or comments?

Q. MR. THOMAS KWIATKOWSKI, WAUKESHA, WISCONSIN:

I live in Tacoma Hills Subdivision. I would like to say I disagree with Mayor Keenan tonight. I hope that the Planning Commission looks at the problem from the standpoint of the residents of Tacoma Hills and what is best or beneficial for them from an economic standpoint. Thank you.

A. MR. VRAKAS:

Thank you, Tom. You said you lived in Tacoma Hills?

Q. MR. KWIATKOWSKI:

That is correct.

Q. MR. EDWARD GAFFNEY, PEWAUKEE CITY:

I own property on the northwest corner of Springdale and Bluemound Roads. It seems to me the most expeditious way to get on with this problem--and it has been several years that I have been waiting for sewer service--is to follow your planed contract for the service rather than trying to divide the territory among the various governmental bodies. Is there any way that can be expedited? It would save years of time and a lot of effort.

A. MR. VRAKAS:

What we have brought forth here tonight is based upon the economics involved in serving the land with sewer. That is essentially the way the Commission and its staff must go about it.

Q. MR. GAFFNEY:

My point is you have divided the area according to the most logical way to provide sewer service, and the communities are arguing about who is going to have the rights to tax those areas. Let's contract between the communities and not argue over the ownership.

A. MR. VRAKAS:

I understand. Thank you for that comment. Mr. Bauer wants to comment.

A. MR. BAUER:

I would only note that there is presently no way of which we are aware that any agency--not the DNR, certainly not the Commission, nor the county--can require that local communities enter into contracts for these kinds of services. The word contract implies there has to be two willing parties that mutually agree to enter into the contract. Under the existing legal framework, the municipal bodies that own sewage treatment plants can, if they so choose, withhold serving areas outside their corporate limits. We have tried over a period of five years to get the parties concerned to the table, if you will, to negotiate an agreement on a sewer service area boundary line and in relation to that boundary line what areas might be served through contract and what areas through annexation. We haven't been able to get the parties concerned to agree. It is not that we haven't tried and not to imply that, to the extent we can, we will not keep on trying. But there is no way of forcing the horses--if you will in this case--to drink. We can get them to the water, but we can't make them drink.

Q. MR. REDFORD:

What part of the horse did you call us?

A. MR. VRAKAS:

Is there anyone else who would like to be heard this evening? Anyone else who would like to be heard this evening?

Q. MR. G. E. GRAF, WAUKESHA, WISCONSIN:

I am concerned about Area 6. If, as you say, this should go into the Waukesha sewer service area, would this land have to be annexed to the City of Waukesha?

A. MR. BAUER:

How do I answer that? I think what you have heard here tonight is that it has been historically--and I don't want to put words in the mouths of the officials of the City present--historically it has been the policy of the City to not extend its municipal services without annexation; so, to the extent that that City policy remains in effect, I guess the answer to your question is yes. If that area is to receive sewer service, it would have to be annexed to Waukesha. Having said that, I also, for the record, would say there is nothing that precludes a municipal corporation from extending services beyond its corporate boundaries if the Chief Executive and governing body decide it is in the public interest of their community to do so. The present policy on the part of the City, however, is to extend those services only upon annexation.

Q. MR. GRAF:

According to the way I understand it, in order to be annexed, you have to be adjacent to the City. For my property to be annexed to Waukesha I have to be adjacent to some of Waukesha's territory. You have left out from the sewer service area the Waukesha Lime and Stone Company and the Payne and Dolan properties, which are south of, and between, me and the City. If those don't want to be annexed, I am going to be sitting on an island without sewer for 500 years.

A. MR. VRAKAS:

Your assumption could very well be correct. I don't know whether you have talked this over with the officials involved. You will have to initiate discussions with them on this matter.

Q. MR. GRAF:

What can they do about it?

A. MR. VRAKAS:

As we talked about Area 6 in the many meetings we have attended, most of the municipalities involved indicated that they felt it would be a long time before some of the lands you are talking about would be sewered.

Q. MR. GRAF:

That seems peculiar. The Wisconsin Electric Power Company on the north side of the Interstate can talk about developing an industrial corridor and not give a damn about the land on the south side of the Interstate in that same location.

A. MR. VRAKAS:

Have you talked with the municipality about services to your land?

Q. MR. GRAF:

No, I haven't.

A. MR. VRAKAS:

You probably should.

Q. MR. GRAF:

I wondered what happens to the Waukesha Lime and Stone and Payne and Dolan properties, which are adjacent to the City.

A. MR. BAUER:

The service area line that we have drawn--as we have said--is based upon the most economical way of sewerage the areas concerned. When you complicate what is a complex enough engineering problem by bringing into it the public policies with respect to service only through annexation as opposed to service by contract, which as somebody earlier said is essentially a political issue--we simply cannot address the latter. The Commission has no power to compel any agency to do anything. All it can do is offer advice. In your case, what are the possibilities? If you needed the sewer service and the City was willing to provide it without annexation because of the intervening location of Payne and Dolan and Waukesha Lime and Stone, that would be one possibility. Another would be that the City might be willing to extend sewer service to your land on the condition that, when your lands become contiguous to the City, you would annex. Another possibility is that your land may become contiguous to the City as the boundaries of the City expand. None of these possibilities are apt to be particularly comforting to you tonight, but that is the situation as it is today. That is why the Commission originally recommended the creation of a metropolitan sewerage district--which none of the communities wanted--but which would have avoided the problems being discussed. The communities felt they could cooperate among themselves to solve these problems, and that is what is going to have to be done. It will take some working out to get there. In the meantime, there is going to be frustration on the part of some of the landowners. We can talk further after the hearing if you want, but your situation will be constrained by the existing legal structure and the policies that the governing bodies of the agencies that own the sewage treatment plants have put in place.

A. MR. VRAKAS:

Anyone else?

Q. MR. DANIEL H. GRUENDEMANN, CITY OF PEWAUKEE:

Area 2. There is a law that something will go wrong if it can. What would happen--is there an alternative to Waukesha or Brookfield sewage treatment plant--if something went wrong? What would happen if sewage couldn't come into these plants, something happened, which it naturally will because no one thought of it. Is there an alternative to get rid of sewage that would be supposedly going into these plants?

A. MR. VRAKAS:

You mean could you deal with one or the other of the plants?

Q. MR. GRUENDEMANN:

Is there a possibility that two plants or three plants couldn't work together to help one another out?

A. MR. VRAKAS:

You are talking about a technical issue--you know the Waukesha plant has been in operation since the late 1920's or early 1930's and has never been shut down.

Q. MR. GRUENDEMANN:

But say just once something happened.

A. MR. VRAKAS:

I am sure they have standby units and capacity and can function and operate even under emergency situations.

Q. MR. GRUENDEMANN:

Governments are being invaded. You mean a sewage plant can't be invaded?

A. MR. VRAKAS:

I am not sure we can address that here.

Q. MR. GRUENDEMANN:

We spend much more money to get the sewage down there but in an emergency it may not work.

A. MR. BAUER:

When we made the areawide water quality management plan, the technical staffs and advisory committee did look at alternative treatment plant configurations. I think I understand what you are saying. We looked at an alternative of having a single large plant located actually below the present Waukesha treatment plant site serving the entire upper Fox River valley drainage area. We looked at a two-plant scheme--the one ultimately adopted--and we looked at a multiple treatment plant alternative. That work was done many years ago, and I don't recall with certainty what the maximum number of plants was that we looked at, but I believe we looked at at least six sewage treatment plants to serve the area. That would have provided the maximum protection of the kind you are concerned about. The engineering and economic studies concluded that the cheapest alternative was really the one that is there now--that is actually in place--the Waukesha and Brookfield plants. The Village of Pewaukee plant has been abandoned and the service area connected to the Brookfield plant. The Sussex plant eventually will be abandoned and also connected to that plant. We did consider multiple treatment plants, but we had to weigh the advantages and disadvantages, including the capital and operating costs of various alternatives, to arrive at a final recommendation. The only other alternatives, if you get into trouble with a sewage disposal septic tank system and cannot connect to, for whatever reason, a sewage treatment

plant, is the possible construction of a mound system if that is possible on your site or the installation of a holding tank. Those are alternatives that, while they are certainly possible from an engineering standpoint, landowners usually don't like.

Q. MR. GRUENDEMANN:

You are missing the boat.

A. MR. BAUER:

You mean I am not answering your question, or you think the plan is wrong?

Q. MR. GRUENDEMANN:

How much does it take--cost--to take sewage from this point to that point? How much does it cost the taxpayer?

A. MR. BAUER:

That cost was considered and analyzed in evaluating the alternatives. We looked at the costs for building, maintaining, and operating the sewage treatment plants, the trunk sewers, the pumping stations, and the force mains entailed. We make the very comparison you are talking about. There isn't a figure for how much it costs to transport a cubic foot or gallon of sewage a unit distance. The costs depend on very site specific conditions. Why don't you come up and see me after the meeting to debate this further?

Q. MR. GRUENDEMANN:

I don't want a debate. I want an answer.

Q. MR. KARL L. SIEGER, HUSCO-AMCA INTERNATIONAL, WAUKESHA:

I work for Husco. I am Manager of Waste Management and Environmental Problems. I presently live in Hyde Creek. I am moving to Waukesha next week. I have sat and listened to the discussion. We have an argument between forced annexation and annexation by choice. I have heard, seen the cost analysis, engineering cost analysis. Somebody said a financial cost analysis was needed. Have you done a survey of the people in the area? Do they want to be annexed for services?

A. MR. VRAKAS:

The Commission is doing sewer service area plans for communities throughout the southeastern Region of the State, and they are based upon the best possible way to sewer the lands concerned. That takes into consideration the financial aspects of sewerage.

A. MR. BAUER:

The only other answer I can give you is that, if you asked the residents of an area that is located outside the corporate limits of a city, such as Waukesha, and that require sewer service for whatever reason--failing septic tanks, proposed residential, commercial, or industrial development--those people might very well--although not in every case as the Mayor pointed out--respond to a questionnaire survey by saying, "We want city sewer service; but we don't want to be annexed to the City." So what? It is the City of Waukesha in this case--or the City of Brookfield--that legally will make the decision as to whether or not the sewer service will be extended with or without annexation. If you made that same survey to residents of the City, they might very well say, "No; we pay high taxes to provide a full range of services; we don't want to extend those services without annexation." The argument will go on endlessly. Some legislators at one time tried to settle the issue by giving the Wisconsin Department of Natural Resources the legal authority to order cities and villages to extend sewer service beyond their corporate limits. That proposal failed in the Legislature. The law now specifically provides that the owners of the sewage treatment plants will decide whether or not sewer service will be extended. I am not trying to avoid your questions. I am saying that the issue of the other costs involved is very complex and--as Mayor Keenan has indicated--problematic as a basis for determining cost effective sanitary sewer service areas. As this area continues to urbanize, no one should think that the tax rate and attendant dollar amounts in Pewaukee are going to remain as low as they are now. You are going to have to develop an urban infrastructure and urban services, and that will tend to bring local taxes up to a level comparable to that in the City of Waukesha. Comparing tax rates is difficult for the comparison must consider the kinds of services provided, the levels of the services provided, and additional services that will be needed as the area develops into one single large urban area. And the scope of services is going to change. As you convert a rural township to an urban area, the demands which people make for facilities and services are going to change. That is a very complex issue. Nobody wants to ignore the desires of the public--indeed in our society you can't--we heard the plea tonight of a citizen saying will you please consider the wishes and interests of the residents of a certain subdivision. We would like to do that, but there is still no way that sewer service will be extended unless the community owning the treatment plant wishes to do so. Those are the hard facts of what the law is in Wisconsin today.

A. MR. VRAKAS:

Thank you everyone for coming.

Q. MR. MARTIN ENGSTROM, CITY OF PEWAUKEE:

I live on Tacoma Drive. Question: SEWRPC, who paid for the sewage plant? State tax dollars, federal tax dollars, or City of Waukesha tax dollars? That is all I want to know.

A. MR. VRAKAS:

All three.

Q. MR. ENGSTROM:

And what percentage?

A. MR. VRAKAS:

Different in all cases, depending on many factors.

Q. MR. ENGSTROM:

Was there a big difference?

A. MR. BAUER:

You would have to track through a lot of accounting records to determine how much total money has been invested in that treatment plant, since it was built maybe in 1930, and track through what proportion of that total has been paid for over the years by local taxes and by state and federal grants. What you are asking is not simple to determine. One could answer your question simplistically with the percentage grants that federal and state programs provide for any given sewage treatment plant construction project, but that doesn't tell you the pertinent facts about total investment. Clearly, however, there have been local, state, and federal tax monies invested in the plant.

A. MR. VRAKAS:

Thank you. We will stand adjourned at this time. Anyone who wants to come forward for more explanation, please feel free to do so.

Mr. Vrakas adjourned the meeting at 9:25 p.m. CDST.

Respectfully submitted,

Margaret M. Shanley
Recorder

Attachments

Appendix A-1

ATTENDANCE RECORD FOR WAUKESHA AND PEWAUKEE
SANITARY SEWER SERVICE AREA PUBLIC HEARING

June 5, 1985

SEWRPC Commissioners

William D. Rogan
Paul G. Vrakas

Waukesha County
Waukesha County

SEWRPC Staff

Kurt W. Bauer
Philip C. Evenson
Margaret M. Shanley
Robert P. Biebel
Bruce P. Rubin
Dennis K. Lefevre

Executive Director
Assistant Director
Executive Secretary
Chief Environmental Planner
Chief Land Use Planner
Planner

Press

Michael Anderson
John Hostvedt
LuAnn Lanke
James Stevens
Robert Vermiglia
Laurel Walker

WISN-TV
The Milwaukee Journal
The Milwaukee Sentinel
Lake Country Reporter
WISN-TV
Waukesha Freeman

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Jerome S. Chudzik

City of Waukesha
Village Engineer, Village of Pewaukee,
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Clayton Cramer
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James C. Engman

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W231 N1013 Highway 164, Waukesha

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Mr. and Mrs. F. M. Gygnax
Jerald J. Haerle
Michael J. Hasslinger
Frank M. Hedgcock

George Hunt
Marion Hunt
Eunice Indermuekle

Mary Johnson
George Johrendt

Paul J. Keenan
Scott Klein
Charles A. Kohls
Thomas Kwiatkowski
William J. Mielke

Carol Opel
Frank Paulus
Clarence H. Prager
Rhoda Prager
Douglas A. Ramstack

Kathleen M. Ramstack
Brent J. Redford
Penelope Redford
Harold A. Roesselet
Karl L. Sieger

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Kenneth R. Ward
Raymond L. Volz
Thomas S. Wolf

W269 N1510 Meadowbrook Road, City of
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W267 S4098 Saylesville Road, Waukesha
N9 W23962 Sherwood Drive, Waukesha
Supervisor, Pewaukee City
Community Development Director, City
of Waukesha

Supervisor, Town of Brookfield
Town of Brookfield
W226 N216 Mt. Vernon Drive,
City of Waukesha
W235 N967 Busse Road, Waukesha
N9 W23936 Sherwood Drive, Waukesha

Mayor, City of Waukesha
Supervisor, City of Pewaukee
N2 W27297 Lyle Drive, Waukesha
N1 W22662 Takoma Drive, Waukesha
Engineer, City of Pewaukee, Ruekert &
Mielke, Inc./City of Pewaukee

Alderman, City of Waukesha
Administrator, Village of Pewaukee
Pewaukee
Pewaukee
City of Pewaukee

City of Pewaukee
Chairman, City of Pewaukee
City of Pewaukee
N40 W27880 Glacier Road, City of Pewaukee
Husco-Amca International, Waukesha

Director of Public works, City of
Waukesha
Ruekert & Mielke, Inc./City of Pewaukee
N9 W23991 Sherwood Drive, Waukesha
Graef, Anhalt, Schloemer, Inc.,
Village of Pewaukee

FORMAL NOTICE OF PUBLIC HEARING

**PUBLIC HEARING NOTICE
PEWAUKEE AND WAUKESHA
SANITARY SEWER SERVICE AREAS**

A public hearing will be held on June 5, 1985, at 7:30 p.m. in Room B-201 of the Business Occupations Building at the Waukesha County Technical Institute in Pewaukee. The purpose of the hearing will be to receive public comment on, and reaction to, proposed year 2000 sanitary sewer service areas for the Waukesha and Pewaukee areas. The Waukesha area would be served by the City of Waukesha sewage treatment plant; the Pewaukee area would be served by the City of Brookfield sewage treatment plant.

The public hearing is being sponsored by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) in cooperation with the Cities of Brookfield, Pewaukee, New Berlin, and Waukesha; the Village of Pewaukee; the Towns of Brookfield, Delafield, Genesee, and Waukesha; and the Lake Pewaukee Sanitary District. Maps of the proposed Pewaukee and Waukesha sanitary sewer service areas, which areas share a common boundary along the IH 94 corridor, are on file at the offices of the clerks for the above-named communities and at the SEWRPC offices in Waukesha. The sanitary sewer service area proposals will be explained at the beginning of the public hearing.

Following the public hearing, a determination will be made whether or not any changes should be made in the proposed sanitary sewer service areas. It is intended that the service areas be adopted formally by the SEWRPC as part of the regional water quality management plan for southeastern Wisconsin, a plan required by state and federal regulations. Once approved by the Wisconsin Department of Natural Resources, the sewer service areas will be used by that Department in the review and approval of sanitary sewer design and construction.

Interested citizens and landowners are encouraged to attend the public hearing. Further information may be obtained by contacting Mr. Kurt W. Bauer, Executive Director of the SEWRPC, 916 N. East Avenue, Waukesha, Wisconsin 53187, Telephone 547-6721

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MATERIALS HANDED OUT AT PUBLIC HEARING

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SUMMARY OF PROPOSED WAUKESHA AND PEWAUKEE
SANITARY SEWER SERVICE AREA PLANS

INTRODUCTION AND BACKGROUND

The Southeastern Wisconsin Regional Planning Commission (SEWRPC) is charged with the responsibility under federal and state law of preparing and adopting an areawide water quality management plan. That plan, which was initially adopted by the SEWRPC in 1979, sets forth a number of recommendations attendant to the elimination of pollution from various sources, including recommendations with respect to the number and location of sewage treatment plants, and the delineation of urban sanitary sewer service areas attendant to those plants. The plan identifies two plants to provide for sewage treatment and disposal for all urban development in the Upper Fox River watershed in Waukesha County--the Waukesha plant and the Brookfield plant. The plan also includes recommendations that the various local units and agencies of government in the Upper Fox River watershed cooperatively implement the plan through a series of intergovernmental agreements providing for the extension of sanitary sewerage systems leading to those two plants. This latter recommendation was made in lieu of a recommendation that would have called for the creation of a metropolitan sewerage district in the Upper Fox River watershed to provide for the construction and operation of the two treatment plants and a system of major trunk sewers.

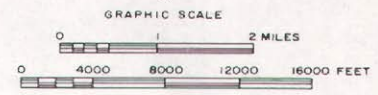
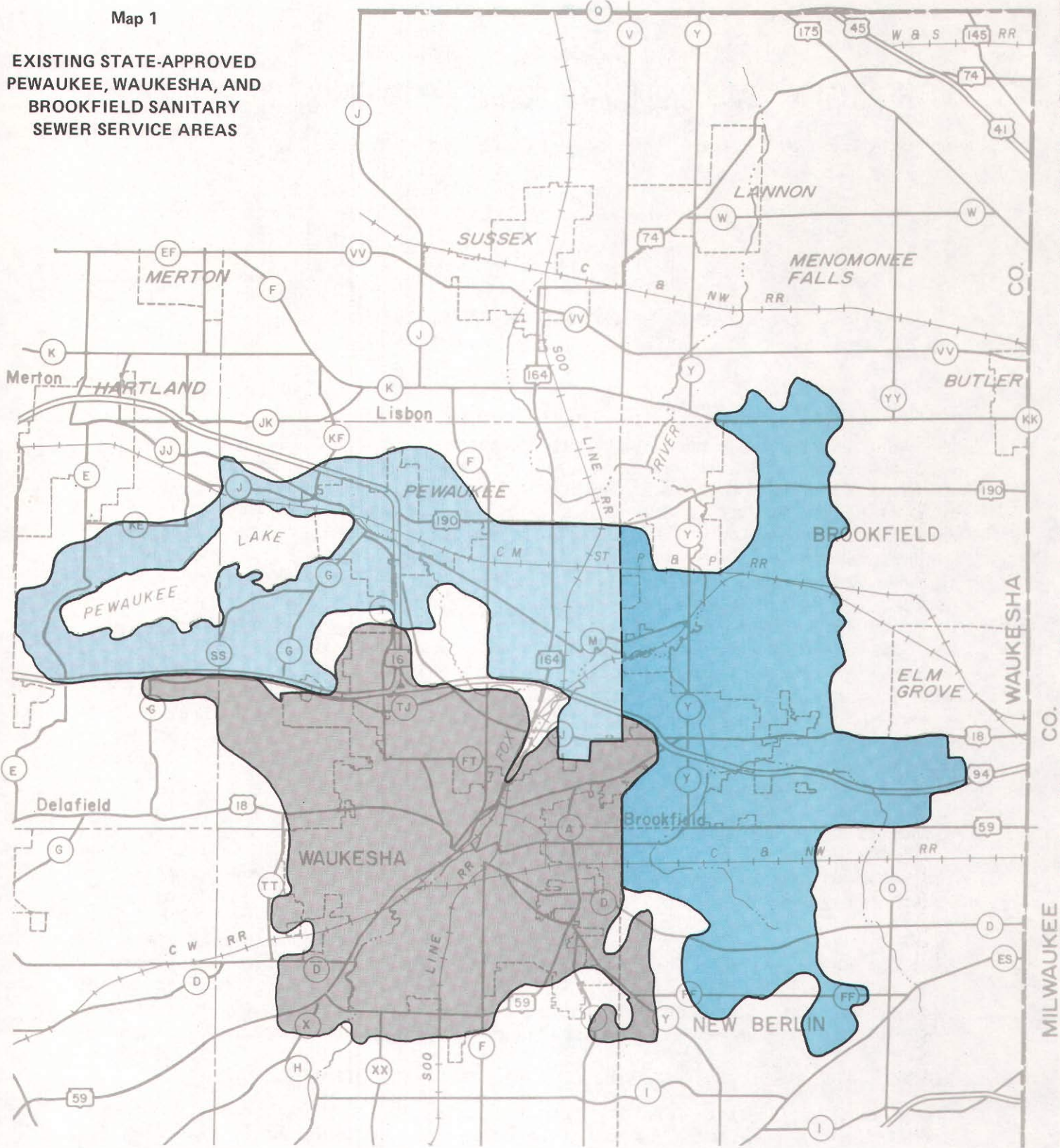
The original plan also includes a map generally identifying the areas in the Upper Fox River watershed recommended to be provided with sanitary sewer service. These areas are shown on Map 1. At the time of the adoption of these sanitary sewer service areas in 1979, the Commission recognized that it would be necessary to refine and detail each individual sanitary sewer service area to reflect local, as well as areawide, planning concerns. That refinement process was also to identify in greater detail the environmentally sensitive lands within each sewer service area as required by State law.

REQUESTS FOR SANITARY SEWER SERVICE AREA REFINEMENT STUDIES

Since adoption of the original regional water quality management plan, the Commission has received a number of requests from communities in the Upper Fox River watershed to carry out sanitary sewer service area refinement studies. Pending are requests received from the City of Waukesha, the City of Brookfield, the City of New Berlin, the Town of Brookfield, the Town (City) of Pewaukee, the Village of Pewaukee, and the Lake Pewaukee Sanitary District. For administrative and report preparation purposes, the Commission determined to accommodate these requests through the production of four separate--but related--sewer service area reports: one report for the City of Waukesha and

Map 1

EXISTING STATE-APPROVED
PEWAUKEE, WAUKESHA, AND
BROOKFIELD SANITARY
SEWER SERVICE AREAS



its environs, identifying all land to be served through sewer extensions leading to the Waukesha sewage treatment plant irrespective of current municipal boundaries; one report for the City of New Berlin, identifying what portion of the City, if any, would be served by the Waukesha sewage treatment plant, what portion would be served by the Brookfield sewage treatment plant, and what portion would be served through connections to the Milwaukee Metropolitan Sewerage District system; one report jointly for the Village of Pewaukee, the Town (City) of Pewaukee, and the Lake Pewaukee Sanitary District, all such areas to be served by the Brookfield sewage treatment facility; and one report for the City and Town of Brookfield, identifying all lands to be served by the Brookfield sewage treatment facility and, in the case of the City of Brookfield, lands to be served through connections to the Milwaukee Metropolitan Sewerage District system.

Because of the coalescence of urban development in the Upper Fox River watershed, it was recognized that there would be common boundaries between these four sanitary sewer service areas. For convenient referencing, the four areas have been termed the Waukesha, New Berlin, Pewaukee, and Brookfield sanitary sewer service areas.

The two sewer service area reports that are furthest along--the Waukesha and Pewaukee reports--are the subject of this public hearing. The boundary lines proposed for the Waukesha and Pewaukee sanitary sewer service areas, however, have implications for the New Berlin and Brookfield sewer service area reports as well, and any decisions made with respect to such boundaries as a part of completing and adopting the Waukesha and Pewaukee plans will become committed decisions and carried over into the New Berlin and Brookfield plans.

IMPORTANCE OF THE DETAILED SANITARY SEWER SERVICE AREAS

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, must approve the construction of all sewers as proposed by local municipalities or by private developers. State law requires that these two Departments before they approve proposed sewers, make a finding that such sewers are in conformance with adopted areawide water quality management plans and the sanitary sewer service areas identified in those plans. Consequently, if a proposed sewer would serve land lying beyond the limits of an approved sanitary sewer service area, or if a proposed sewer would facilitate the intrusion of urban development into environmentally sensitive lands--such as wetlands and floodlands--within the limits of an approved sanitary sewer service area, the Departments of Natural Resources and Industry, Labor and Human Relations cannot approve the construction of the sewer.

Each sanitary sewer service area plan, then, has the following two important components:

1. The determination of the outer boundary of an area proposed to be served by sanitary sewers tributary to a sewage treatment plant. Under state law, the total land area within a proposed outer boundary which is considered developable for urban purposes must bear a

reasonable relationship to anticipated population and economic growth the area. In other words, the Department of Natural Resources will not approve a sanitary sewer service area that is so large as to be grossly out of proportion to anticipated growth in employment and population within the area, taking into account typical development densities for the area.

2. The determination of environmentally sensitive lands within the sewer service area. This is done by identifying in the planning process the primary environmental corridors. These corridors are a composite of the most important individual elements of the natural resource base--consisting of high value wetlands, woodlands, wildlife habitat areas, surface waters, floodlands and shorelands, significant groundwater recharge and discharge areas, and important recreational and scenic areas--and have immeasurable environmental, ecological, and recreational value. Moreover, the development of these corridors--which are generally covered by soils having high water tables and low bearing strengths--for urban use will create serious and costly problems, such as water pollution, flooding, failing foundations, wet basements, excessive sump pump operation, and excessive clear water infiltration into sanitary sewers. Accordingly, the Departments of Natural Resources and Industry, Labor and Human Relations will not approve the construction of sanitary sewers into or through primary environmental corridors. In sewer service area planning, the Commission also identifies secondary environmental corridors and isolated natural resource features; these lands, however, generally are less important and usually can be modified and adapted to the urban land use pattern as urban development proceeds.

It is important, then, for local officials and landowners alike to understand the significance of the sanitary sewer service area plans. These plans are used by state agencies as the basis for sanitary sewer extension review and approval. If a locally proposed sanitary sewer would be intended to serve land beyond the limits of an approved sanitary sewer service area, or serve primary environmental corridor land within the limits of the approved sewer service area, then the state agencies must deny approval of the sewer.

DETERMINATION OF COMMON BOUNDARY LINE BETWEEN WAUKESHA, PEWAUKEE, NEW BERLIN, AND BROOKFIELD SANITARY SEWER SERVICE AREAS

The sanitary sewer service area refinement process in the Waukesha and Pewaukee areas began with a series of intergovernmental meetings at which common boundary matters were presented and discussed. In attendance at those meetings--seven of which were held from September 21, 1981, to May 17, 1985--were representatives of the Cities of Brookfield, New Berlin, Pewaukee, and Waukesha; the Village of Pewaukee; the Towns of Brookfield, Delafield, and Waukesha; the Lake Pewaukee Sanitary District; and Waukesha County. Together, during this series of meetings, the historical sewer service area planning conducted by individual municipalities was discussed, it being observed that in a number of instances along the IH 94 corridor more than one community had

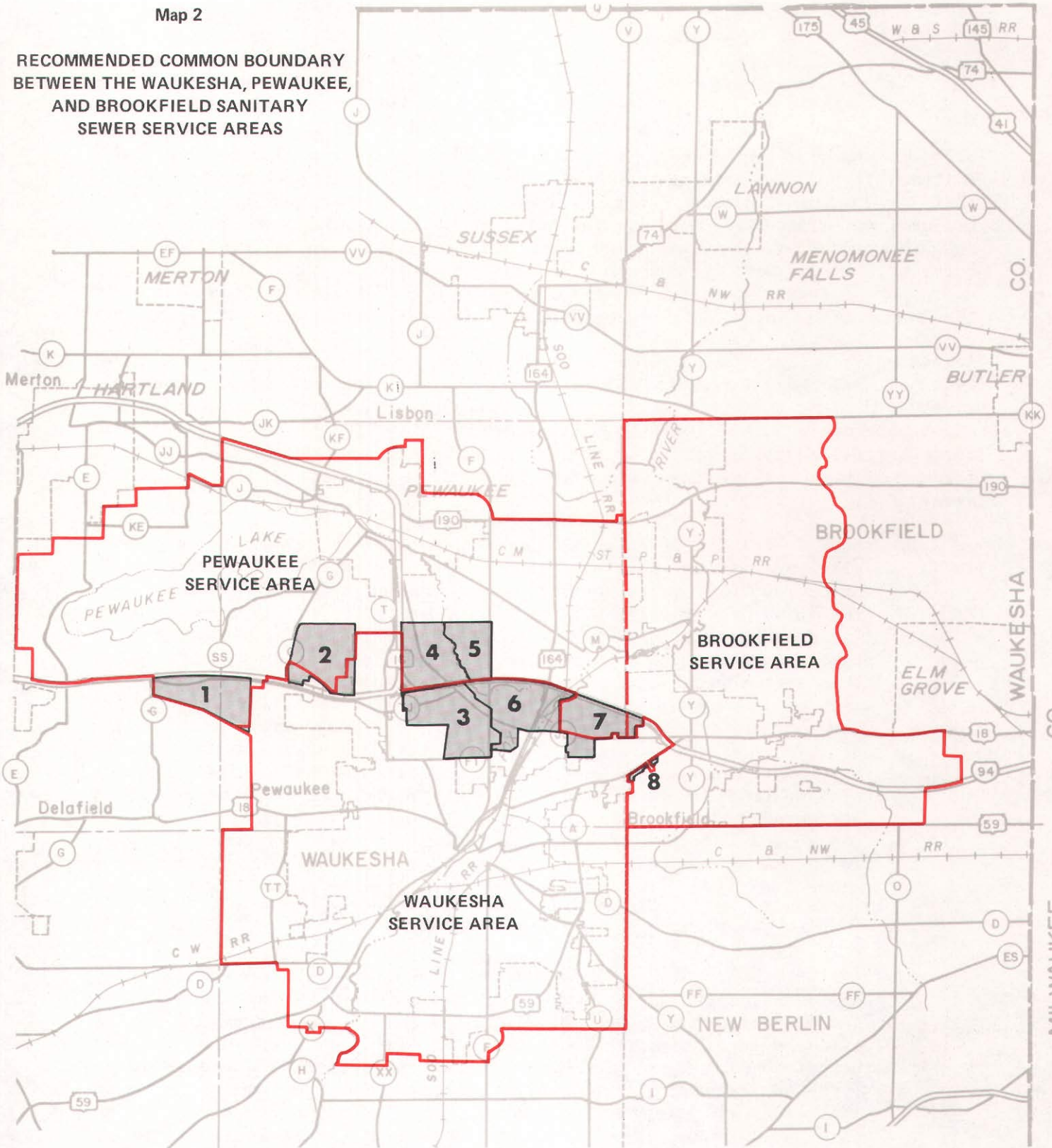
been planning to serve certain lands. There was general agreement on the desirability of determining a common boundary line. There was also agreement that the tentative common boundary line, drawn by the Commission in the 1979 regional water quality plan and reflected on Map 1, should be refined, and in so doing eliminate any gaps in sewer service area plans within the IH 94 corridor. There was no agreement reached, however, between the communities concerned as to the delineation of a common boundary line even after review of the costs of alternative means of providing sewer service to these areas.

Accordingly, at the suggestion of some of the communities concerned, the Regional Planning Commission staff prepared a recommended common boundary line. This boundary line is identified on Map 2. Map 2 also identifies the eight geographic areas along the IH 94 corridor for which sewerage system cost effectiveness analyses were completed. The following summarizes the rationale for the Commission staff's recommendation with respect to each of the eight areas:


1. Area 1--Delafield-Pewaukee. Area 1 consists of those lands generally bounded by IH 94 on the north, Elmhurst Road on the west, Northview Road on the south, and the current Waukesha City limits on the east (see Map 3). The area lies partially in the Town of Delafield and partially in the Town of Pewaukee. The analyses indicated that it would be substantially less costly to provide service to this area through a connection to the Pewaukee sewerage system. The capital cost to provide trunk sewer service to Area 1 through the Pewaukee system is estimated at \$415,000. The average annual cost of the Pewaukee connection alternative, including operation and maintenance costs, is estimated at \$29,300. The capital cost to provide trunk sewer service to Area 1 through the Waukesha system is estimated at \$760,000. The average annual cost of the Waukesha connection alternative, including operation and maintenance costs, is estimated at \$65,300. Accordingly, the Commission staff recommends that Area 1 be included in the planned Pewaukee sewer service area. The precise dividing line along the eastern boundary of Area 1 is shown on Map 3.
2. Area 2--Country Inn-General Electric Company West. Area 2 consists of lands generally bounded by CTH G on the west, IH 94 on the south, the Waukesha City limits on the east, and the Waukesha City limits extended on the north (see Map 4). This area includes the Red Carpet Country Inn, the Slocum Golf Course, and undeveloped lands lying to the west of the General Electric Company property. The cost analyses were inconclusive for this area. The capital cost to provide trunk sewer service to Area 2 through the Pewaukee system is estimated at \$930,000. The average annual cost of the Pewaukee connection alternative, including operation and maintenance costs, is estimated at \$75,800. The capital cost to provide trunk sewer service to Area 2 through the Waukesha system is estimated at \$960,000. The estimated average annual cost of the Waukesha connection alternative, including operation and maintenance costs, is estimated at \$78,800.

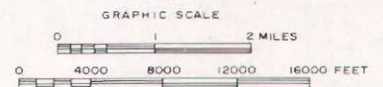
Map 2

RECOMMENDED COMMON BOUNDARY
BETWEEN THE WAUKESHA, PEWAUKEE,
AND BROOKFIELD SANITARY
SEWER SERVICE AREAS



LEGEND

 AREA IN THE I-94 CORRIDOR FOR WHICH SEWERAGE SYSTEM COST ANALYSES WERE CONDUCTED

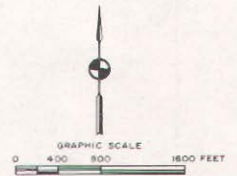


Map 3

SEWERAGE SYSTEM COST ANALYSIS AREA 1

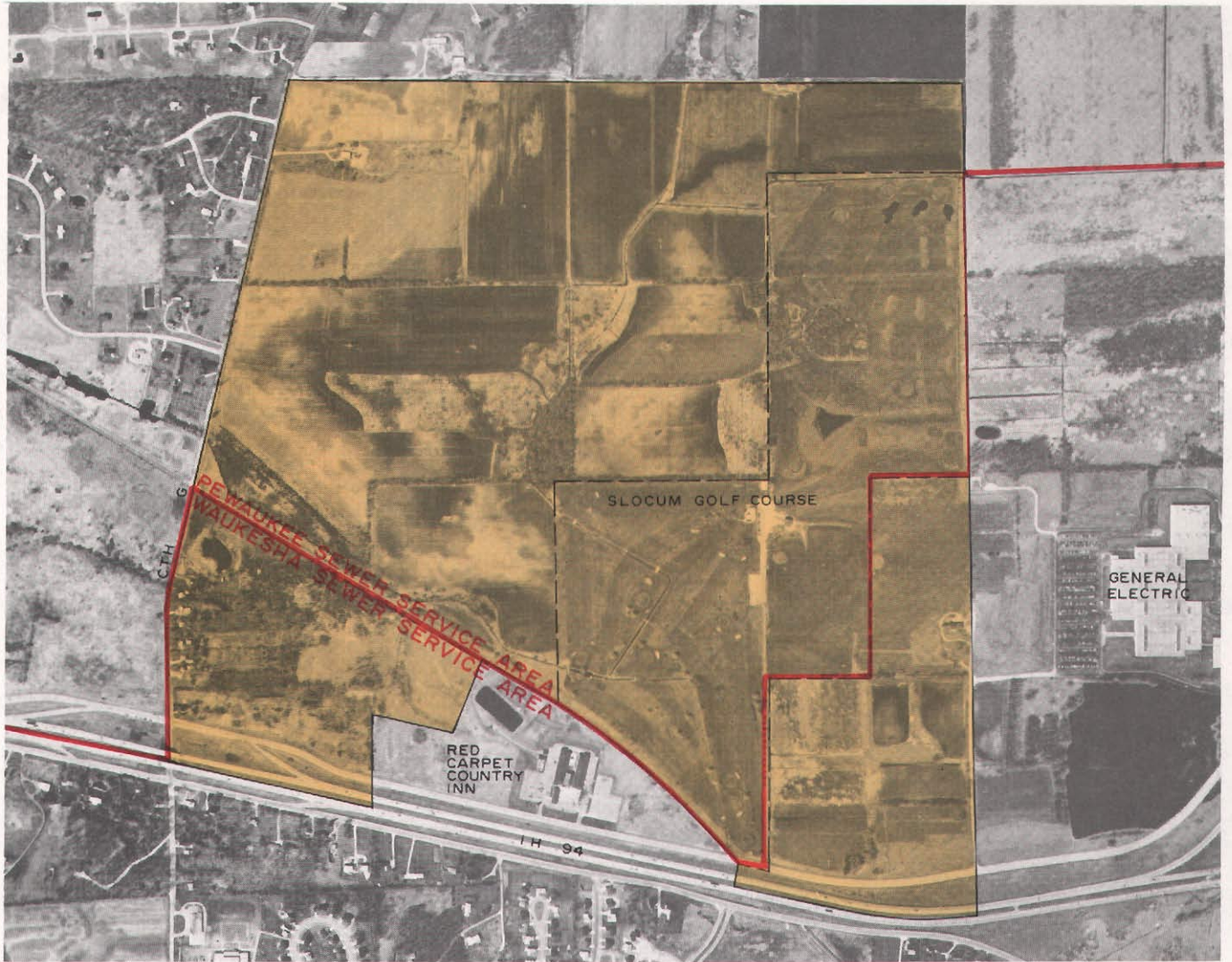


Source: SEWRPC.

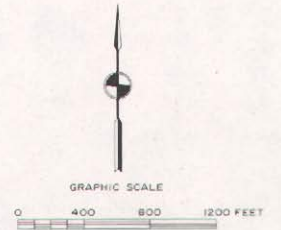


Map 4

SEWERAGE SYSTEM COST ANALYSIS AREA 2



Source: SEWRPC.



Since these costs differ by less than 10 percent, the costs of the two alternatives are considered equal. Accordingly, the Commission staff looked to other considerations for making a recommendation with respect to this area. The consideration selected was the adopted land use plan for the Town and Village of Pewaukee. That land use plan includes Area 2 as part of a larger neighborhood bounded by CTH G on the west, IH 94 on the south, CTH T on the east, and the planned future extension of CTH SS on the north. The land use plan divides this neighborhood into an industrial sector consisting of the General Electric Company lands lying both in the City of Waukesha and the Town of Pewaukee, a commercial sector consisting of the Red Carpet Country Inn and adjacent lands fronting along IH 94, a residential sector consisting of lands lying generally east of CTH G and south of the planned extension of CTH SS, and a primary environmental corridor and recreational sector which encompasses the remainder of the neighborhood and which acts to separate and buffer the commercial, industrial, and residential sectors.

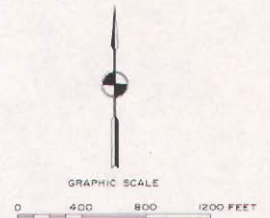
The boundary line recommended by the Commission staff places the entire commercial and industrial sectors in the planned Waukesha sewer service area, and the entire planned residential sector in the Pewaukee sewer service area. The boundary line has been drawn along the primary environmental corridor, related recreational lands, and existing real property boundaries. The Commission staff believes that the division of the area as proposed will help implement the adopted land use plan for the area, while recognizing to the extent possible past utility system planning and capital investments in sewerage facilities in both the Pewaukee and Waukesha systems.

3. Area 3--Waukesha Airport. This area consists of the Waukesha County Airport and adjacent lands along CTH TJ, CTH JJ, and CTH F as shown (see Map 5). The analyses indicated that it would be less costly to provide sewer service to this area through a connection to the Waukesha sewerage system. The capital cost to provide trunk sewer service to Area 3 through the Waukesha system is estimated at \$530,000. The average annual cost of the Waukesha connection alternative, including operation and maintenance costs, is estimated at \$47,100. The capital cost to provide trunk sewer service to Area 3 through the Pewaukee system is estimated at \$610,000. The average annual cost of the Pewaukee connection alternative, including operation and maintenance costs, is estimated at \$52,700. Accordingly, the Commission staff recommends that Area 3 be included in the planned Waukesha sewer service area.
4. Area 4--CTH JJ Corridor. This area consists of lands lying north of IH 94 and extending west to STH 16, east to the Pewaukee River, and north to the south line of U. S. Public Land Survey Section 15, Township 7 North, Range 19 East (see Map 6). This area is bisected by CTH JJ, and at present is almost totally undeveloped. The analyses indicated that it would be less costly to provide service to this area through a connection to the Pewaukee sewerage system. The

SEWERAGE SYSTEM COST ANALYSIS AREA 3

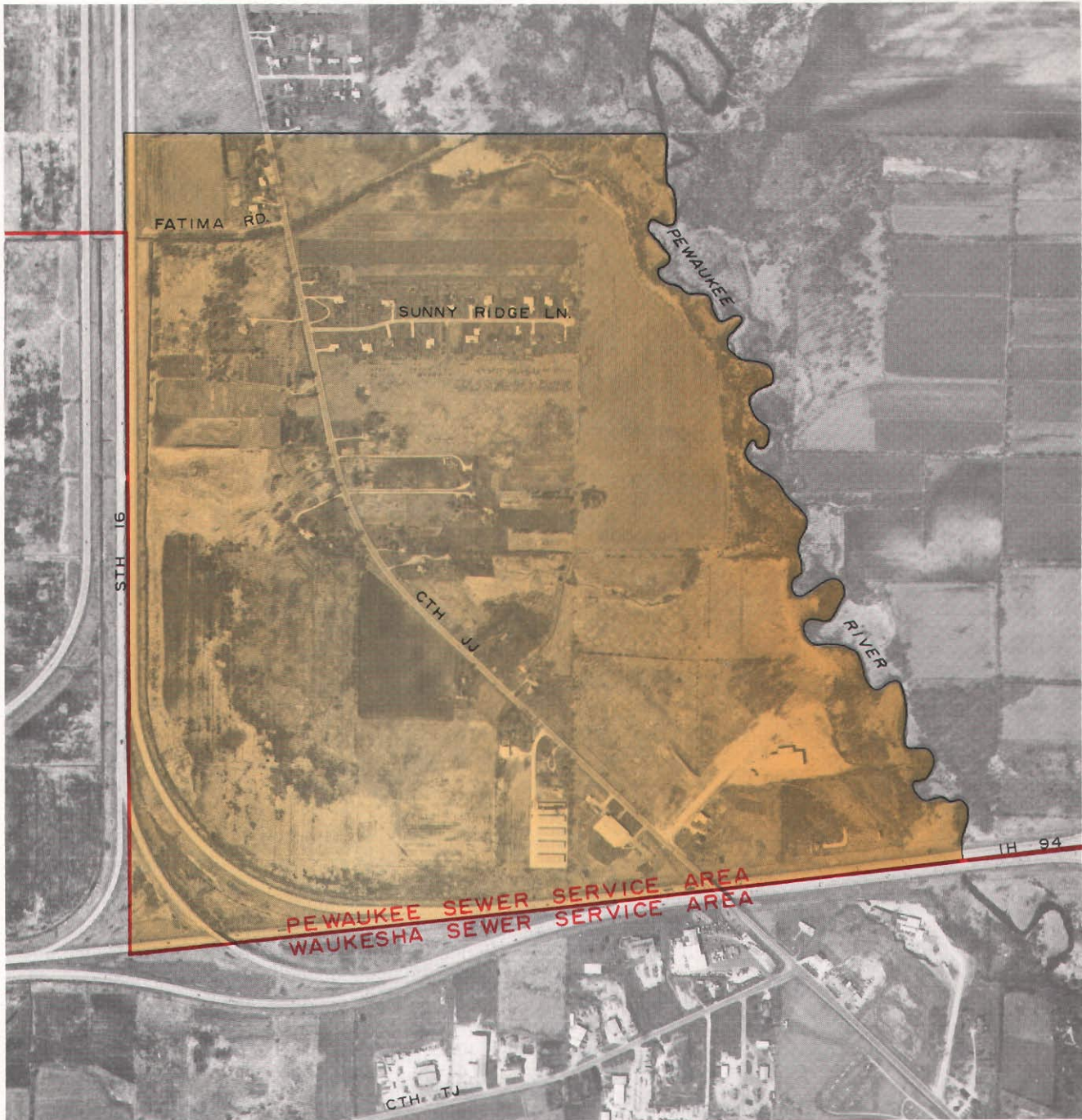


Source: SEWRPC.

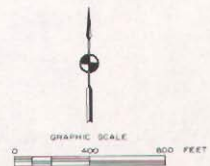


Map 6

SEWERAGE SYSTEM COST ANALYSIS AREA 4



Source: SEWRPC.



capital cost to provide trunk sewer service to Area 4 through the Pewaukee system is estimated at \$720,000. The average annual cost of the Pewaukee connection alternative, including operation and maintenance costs, is estimated at \$61,500. The capital cost to provide trunk sewer service to Area 4 through the Waukesha system is estimated at \$920,000. The average annual cost of the Waukesha connection alternative, including operation and maintenance costs, is estimated at \$73,100. Accordingly, the Commission staff recommends that Area 4 be included in the planned Pewaukee sewer service area.

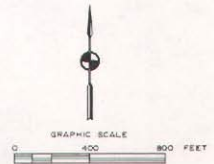
5. Area 5--Tower Insurance/Wisconsin Bell. This area consists of those lands lying north of IH 94, east of the Pewaukee River, and west of CTH F extending north to the south line of U. S. Public Land Survey Section 15, Township 7 North, Range 19 East (see Map 7). At present this area includes the Tower Insurance Company building and contains the site of the proposed Wisconsin Bell Data Center. The analyses indicated that it would be less costly to provide service to this area through a connection to the Pewaukee sewerage system. The capital cost to provide trunk sewer service to Area 5 through the Pewaukee system is estimated at \$610,000. The average annual cost of the Pewaukee connection alternative, including operation and maintenance costs, is estimated at \$53,800. The capital cost to provide trunk sewer service to Area 5 through the Waukesha system is estimated at \$870,000. The average annual cost of the Waukesha connection alternative, including operation and maintenance costs, is estimated at \$69,700. Accordingly, the Commission staff recommends that Area 5 be included in the planned Pewaukee sewer service area.
6. Area 6--Sherwood Forest and Environs. This area consists of those lands generally bounded by IH 94 on the north, CTH JJ and Badinger Road on the south, and the former Chicago, Milwaukee, St. Paul and Pacific Railroad tracks on the east (see Map 8). The capital cost to provide trunk sewer service to Area 6 through the Waukesha system is estimated at \$1,420,000. The average annual cost of the Waukesha connection alternative, including operation and maintenance costs, is estimated at \$106,200. The capital cost to provide trunk sewer service to Area 6 through the Pewaukee system is estimated at \$1,560,000. The average annual cost of the Pewaukee connection alternative, including operation and maintenance costs, is estimated at \$116,600. Accordingly, the Commission staff recommends that Area 6 be included in the planned Waukesha sewer service area.
7. Area 7--Takoma Hills-Bluemound Industrial Park-Milwaukee Cheese Company. This area consists of those lands generally lying south of IH 94, east of the Fox River, and north and west of the Waukesha City limits (see Map 9). This area includes the Takoma Hills Subdivision, the Bluemound Industrial Park, and the Milwaukee Cheese Company, and lies partly in the Town (City) of Pewaukee and partly in the Town of Brookfield. The cost analyses were inconclusive for this area. The capital cost to provide trunk sewer service to Area 7 through the Waukesha system is estimated at \$870,000. The

Map 7

SEWERAGE SYSTEM COST ANALYSIS AREA 5

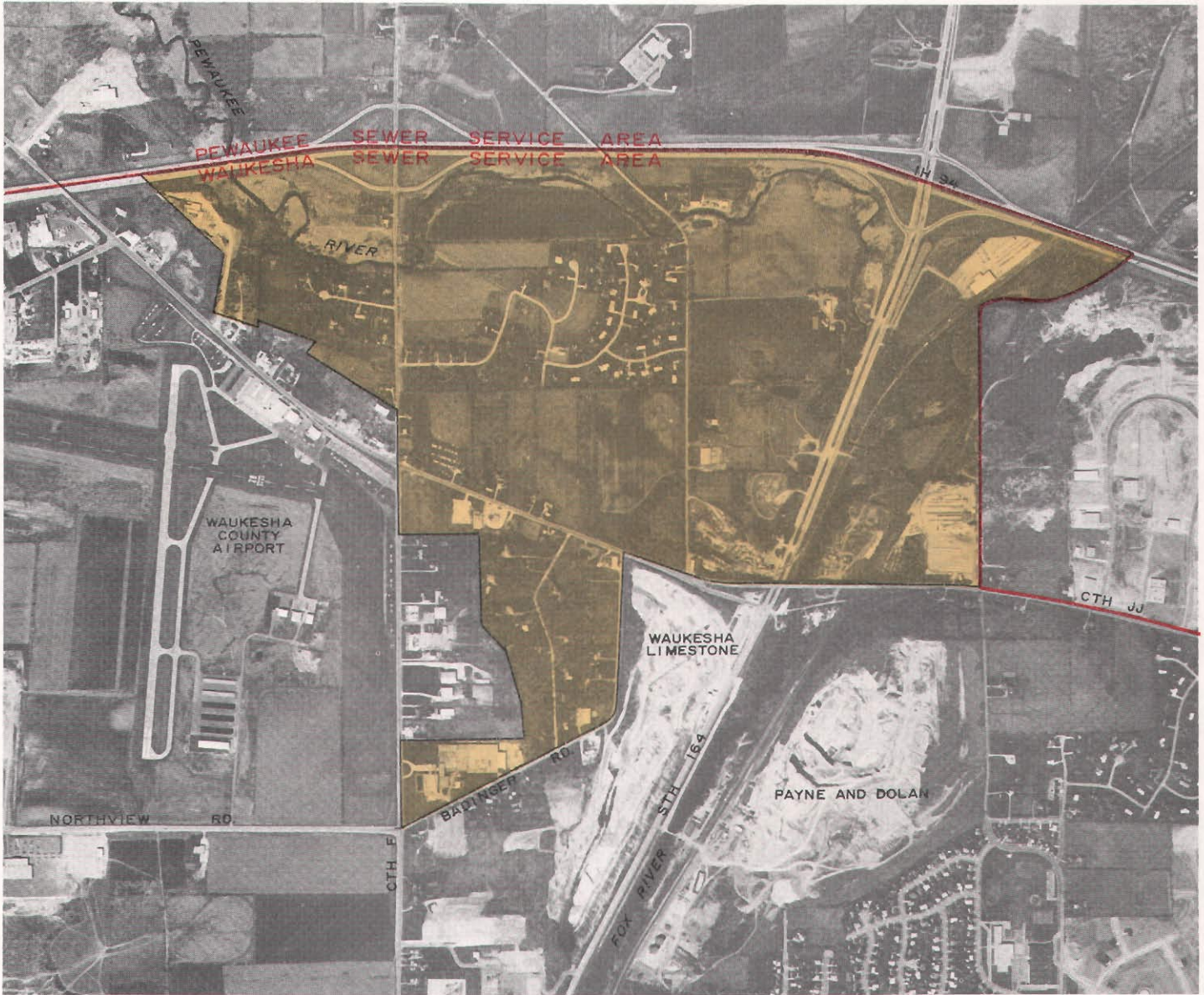


Source: SEWRPC.

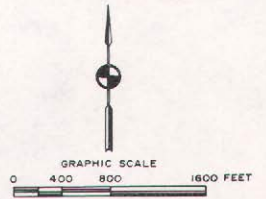


Map 8

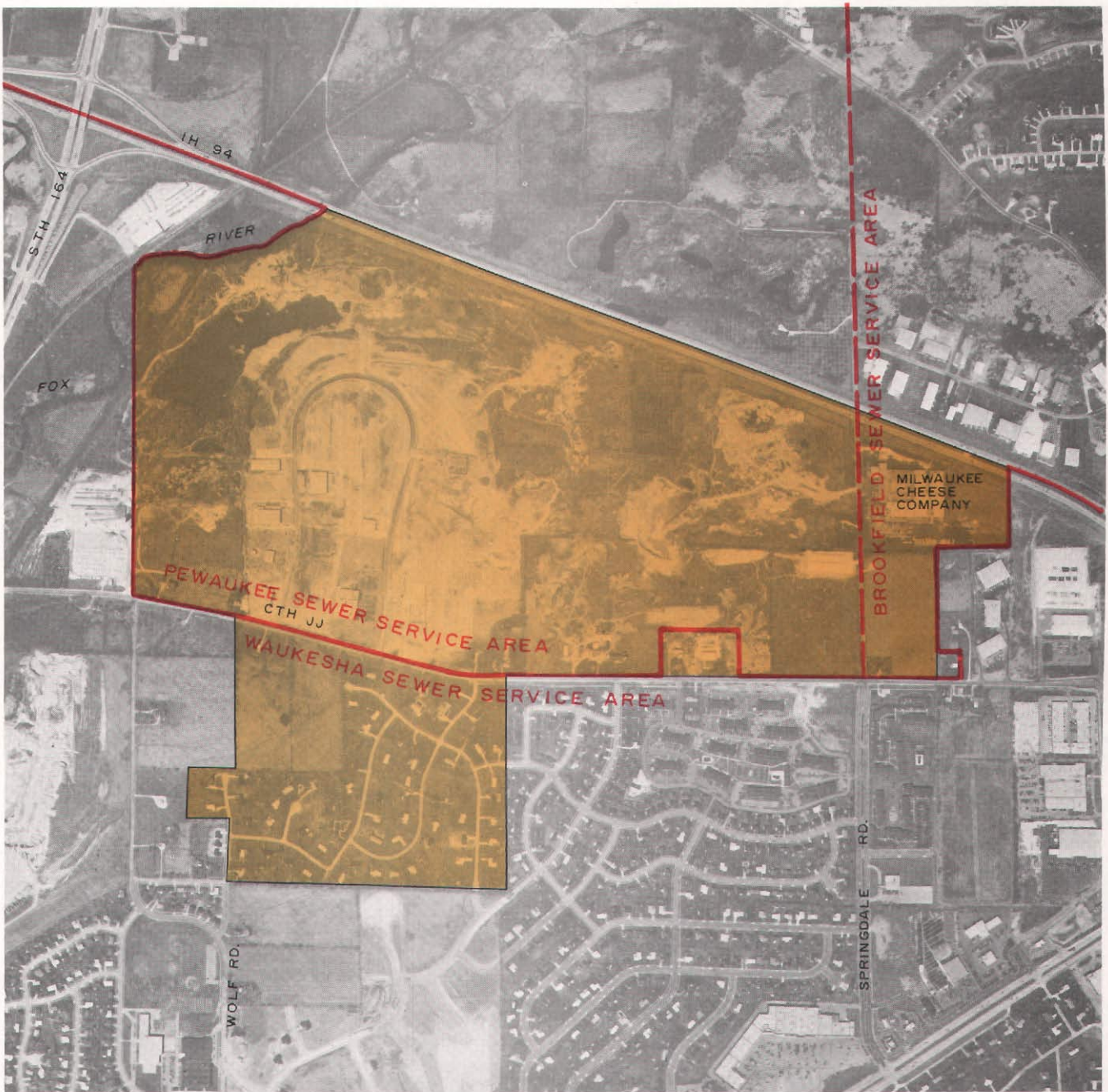
SEWERAGE SYSTEM COST ANALYSIS AREA 6



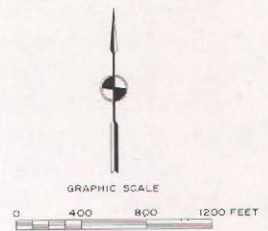
Source: SEWRPC.



SEWERAGE SYSTEM COST ANALYSIS AREA 7



Source: SEWRPC.



average annual cost of the Waukesha connection alternative, including operation and maintenance costs, is estimated at \$69,300. The capital cost to provide trunk sewer service to Area 7 through the Pewaukee system is estimated at \$840,000. The average annual cost of the Pewaukee connection alternative, including operation and maintenance costs, is estimated at \$68,700. Since these costs differ by less than 10 percent, the costs of the two alternatives were considered equal.

The adopted land use plan for the Village and Town of Pewaukee was again used as a basis for making a recommendation in this area. That plan recognizes CTH JJ (Bluemound Road) as an arterial street dividing an industrial neighborhood lying to the north from a residential neighborhood lying to the south. The Commission staff recommends that the proposed division line between the Waukesha/Pewaukee/Brookfield sewer service areas be placed on CTH JJ, excepting only those properties on the north side of CTH JJ which are already provided sanitary sewer service by Waukesha. The Commission staff believes that this proposed division of the area will help implement the aforementioned land use plan, while recognizing to the extent possible utility system planning and capital investments made in the Waukesha, Pewaukee, and Brookfield sewerage systems.

8. Area 8--Longview Drive-Park Lawn Court. Area 8 consists of those lands lying southeast of STH 18 between Kossow Road and Springdale Road extended, excepting only the Steinhafel Furniture Store which is presently provided with sewer service by the City of Waukesha (see Map 10). Area 8 consists of residential and commercial development primarily located along Longview Drive which functions as a frontage road along STH 18. Under both the Waukesha and Pewaukee connection alternatives, the capital cost to provide sewer service to Area 8 is estimated at \$60,000. The average annual cost of both the Waukesha and Pewaukee connection alternatives, including operation and maintenance costs, is estimated at \$4,000. Since the cost analyses were not conclusive, the Commission staff recommends that Area 8 be served through the Brookfield sewerage system, since Area 8 is an integral part of a larger neighborhood in the Town of Brookfield and City of New Berlin bounded by Springdale Road on the west, STH 59 on the south, Barker Road on the east, and STH 18 and IH 94 on the north.

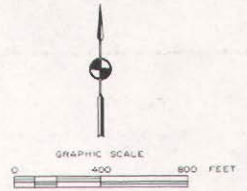
SUMMARY DESCRIPTION OF PROPOSED WAUKESHA AND PEWAUKEE SEWER SERVICE AREAS

Based upon the foregoing recommendations attendant to common boundaries, the Commission staff recommended Waukesha and Pewaukee sanitary sewer service area boundaries are set forth on Maps 11 and 12, respectively. The gross Waukesha sanitary sewer service area--that is, the entire land area within the perimeter of the planned urban area to be served by the Waukesha sewage treatment plant--totals about 30.2 square miles. Of this total, 14.6 square miles is presently in the City of Waukesha, 7.3 square miles in the Town (City) of Pewaukee, and 8.3 square miles in the Town of Waukesha. The proposed Waukesha sewer service area does not extend into the City of New Berlin on the east nor the Towns of Delafield and Genesee on the west.

SEWERAGE SYSTEM COST ANALYSIS AREA 8



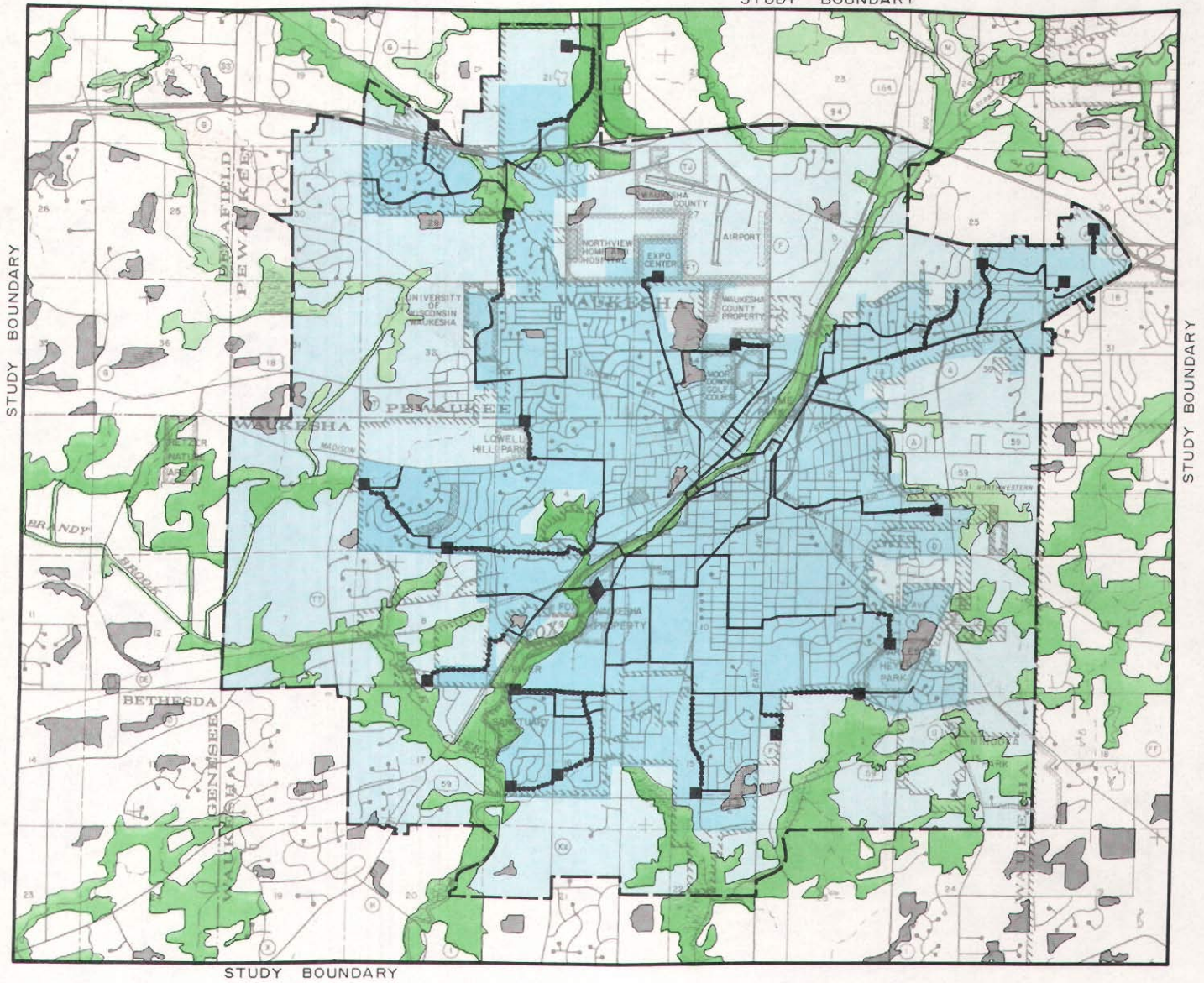
Source: SEWRPC.



Map 11

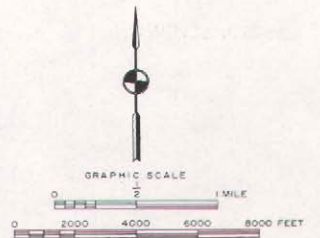
RECOMMENDED WAUKESHA SANITARY SEWER SERVICE AREA

STUDY BOUNDARY



LEGEND

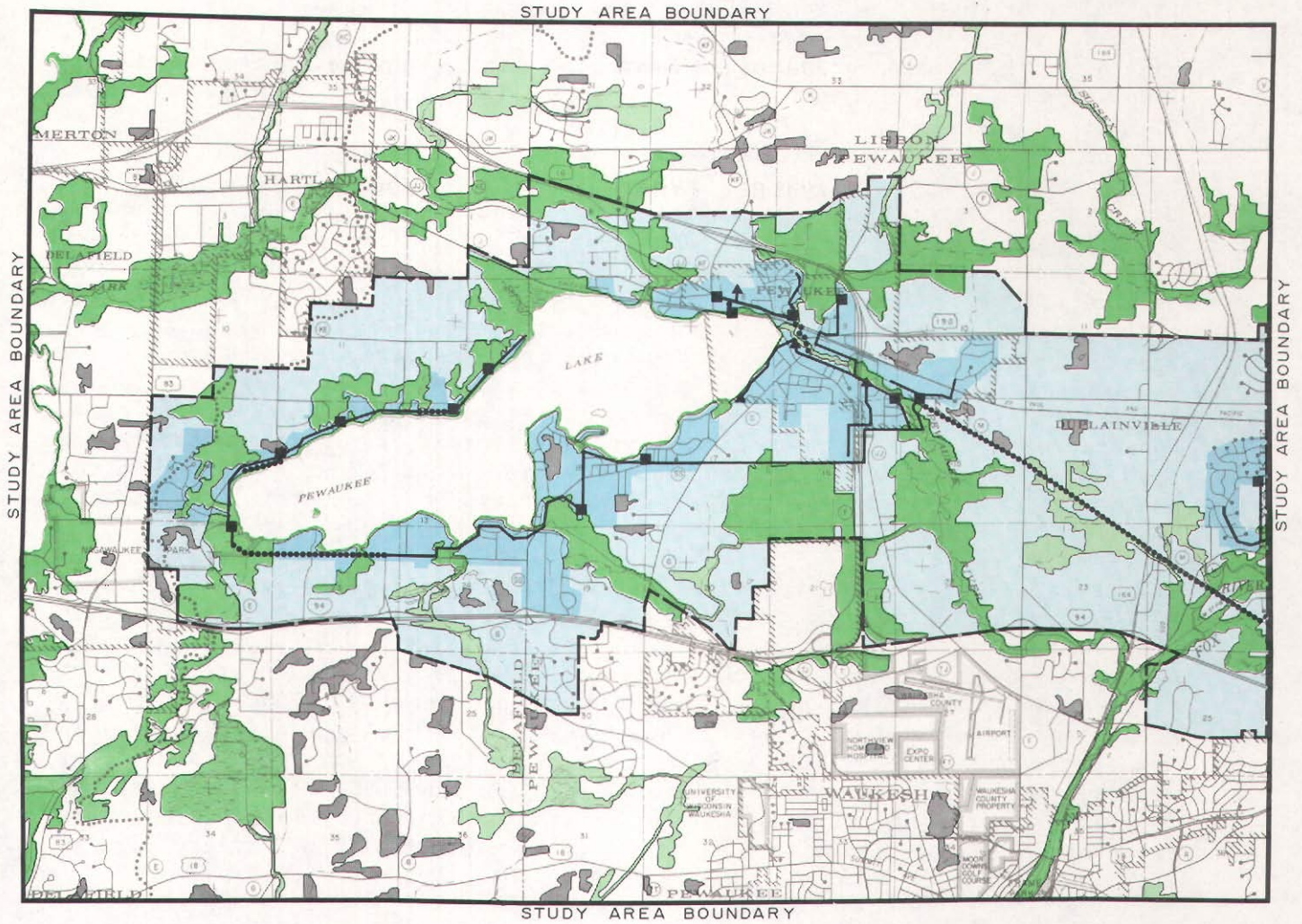
- | | | | |
|--|--|--|---|
| | PRIMARY ENVIRONMENTAL CORRIDOR | | EXISTING PUBLIC SEWAGE TREATMENT FACILITY |
| | SECONDARY ENVIRONMENTAL CORRIDOR | | EXISTING TRUNK SEWER |
| | ISOLATED NATURAL AREA | | EXISTING FORCE MAIN |
| | NET SANITARY SEWER SERVICE AREA (EXISTING) | | EXISTING PUMPING STATION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



Source: SEWRPC.

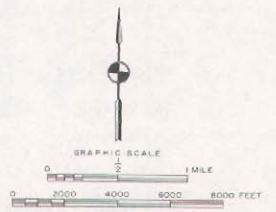
Map 12

RECOMMENDED PEWAUKEE SANITARY SEWER SERVICE AREA



LEGEND

- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL AREA
- NET SANITARY SEWER SERVICE AREA (EXISTING)
- NET SANITARY SEWER SERVICE AREA (2000)
- GROSS SANITARY SEWER SERVICE AREA BOUNDARY
- EXISTING TRUNK SEWER
- EXISTING FORCE MAIN
- EXISTING PUMPING STATION
- EXISTING LIFT STATION



Source: SEWRPC.

The existing Waukesha sanitary sewer service area is shown in dark blue on Map 11. This area totals about 11.9 square miles, or 40 percent of the total proposed sewer service area. The proposed additional sewer service area, including all remaining lands available for development and certain existing lands already developed but served by onsite sewage disposal systems, is shown in light blue on Map 11. This area totals about 13.9 square miles, or 46 percent of the total proposed service area.

The proposed Waukesha sewer service area includes about 3.6 square miles of primary environmental corridor lands, or 12 percent of the total proposed sewer service area--shown in dark green on Map 11. These lands are not considered suitable for intensive sewer urban development. The secondary environmental corridor lands--shown in light green on Map 11--comprise about 0.4 square mile, or 1 percent of the total proposed sewer service area, while the isolated natural areas--shown in light grey on Map 11--also comprise about 0.4 square mile, or 1 percent of the total proposed sewer service area. Consideration should be given in the land development process to incorporating these less significant environmental lands, as needed, into open space areas and drainageways within subdivisions and commercial and industrial development complexes.

At present there reside within the proposed Waukesha sewer service area about 53,100 persons. Of this total, about 50,300 currently are provided with centralized sanitary sewer service, with the remaining 2,800 relying on onsite sewage disposal systems and holding tanks. This population and its attendant residential, commercial, industrial, and institutional land uses comprise a total area of about 18.6 square miles. Thus, the gross population density in the area approximates 2,900 persons per square mile. There remain within the proposed Waukesha sewer service area about 7.2 square miles of land suitable for sewer urban development. Given the average density noted above, this reservoir of developable land is adequate to meet the planned future population in the City of Waukesha and environs of about 74,900.

The gross Pewaukee sanitary sewer service area totals about 25.7 square miles. Of this total, 2.9 square miles is presently in the Village of Pewaukee, 15.4 square miles in the Town (City) of Pewaukee, and 7.4 square miles in the Town of Delafield.

The existing Pewaukee sanitary sewer service area is shown in dark blue on Map 12. This area totals about 3.4 square miles, or 13 percent of the total proposed sewer service area. The proposed additional sewer service area, including all remaining lands available for development and certain existing lands already developed but served by onsite sewage disposal systems, is shown in light blue on Map 12. This area totals about 13.2 square miles, or 52 percent of the total proposed service area.

The proposed Pewaukee sewer service area includes about 8.2 square miles of primary environmental corridor lands, or 32 percent of the total proposed sewer service area--shown in dark green on Map 12. These lands are not considered suitable for intensive sewer urban development. The secondary

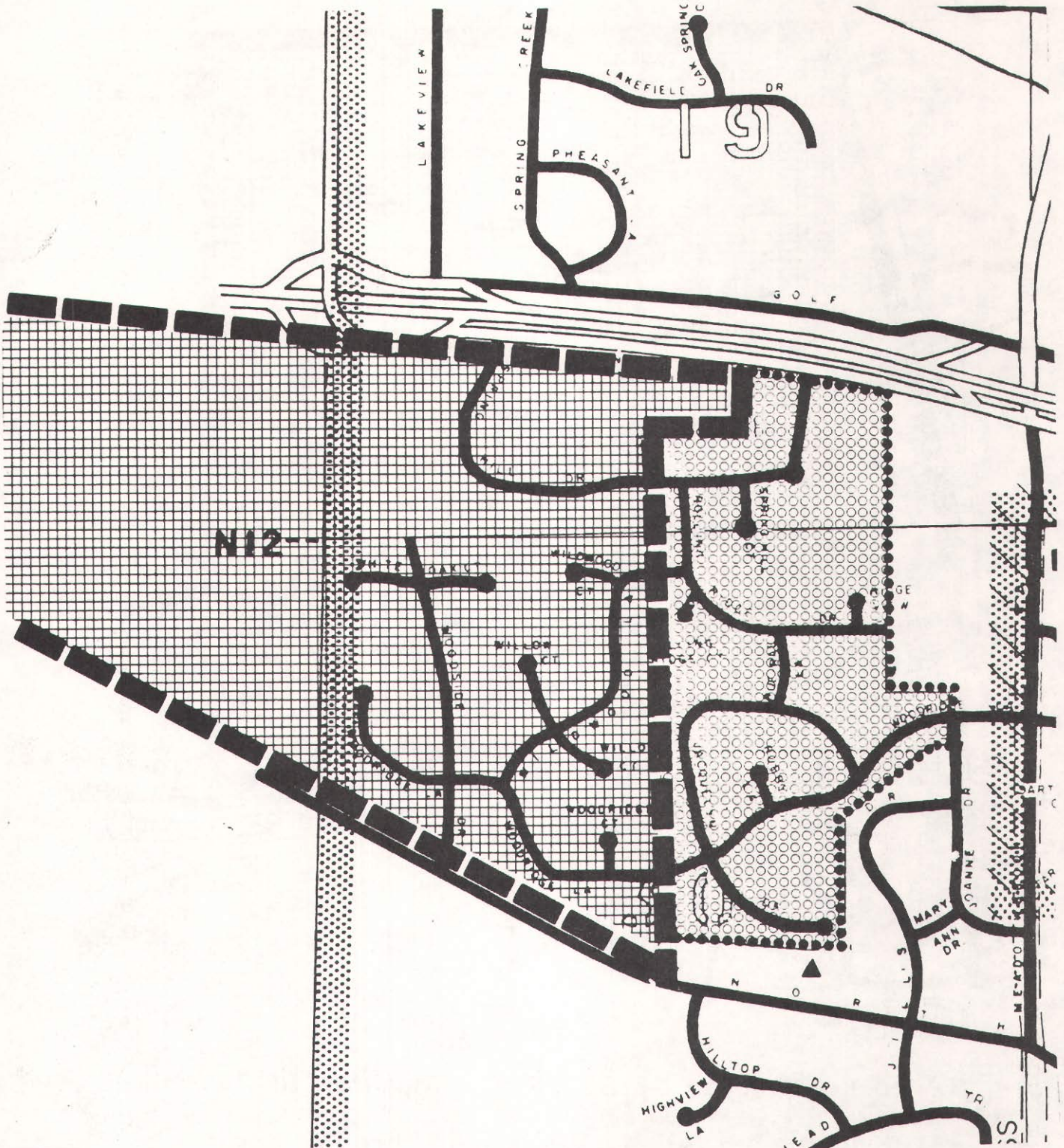
environmental corridor lands--shown in light green on Map 12--comprise about 0.6 square mile, or 2 percent of the total proposed sewer service area, while the isolated natural areas--shown in light grey on Map 12--comprise about 0.3 square mile, or 1 percent of the total proposed sewer service area. Consideration should be given in the land development process to incorporating these less significant environmental lands, as needed, into open space areas and drainageways within subdivisions and commercial and industrial development complexes.

At present there reside within the proposed Pewaukee sewer service area about 11,800 persons. Of this total, about 7,500 currently are provided with centralized sanitary sewer service, with the remaining 4,300 relying on onsite sewage disposal systems and holding tanks. This population and its attendant residential, commercial, industrial, and institutional land uses comprise a total area of about 7.0 square miles. Thus, the gross population density in the area approximates 1,700 persons per square mile. There remain within the proposed Pewaukee sewer service area about 8.4 square miles of land suitable for sewerred urban development. Given the average density noted above, this reservoir of developable land is adequate to meet the planned future Pewaukee area population of about 22,700.

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MAPS INCLUDED WITH TESTIMONY AT PUBLIC HEARING
OF WILLIAM J. MIELKE

AREA 1

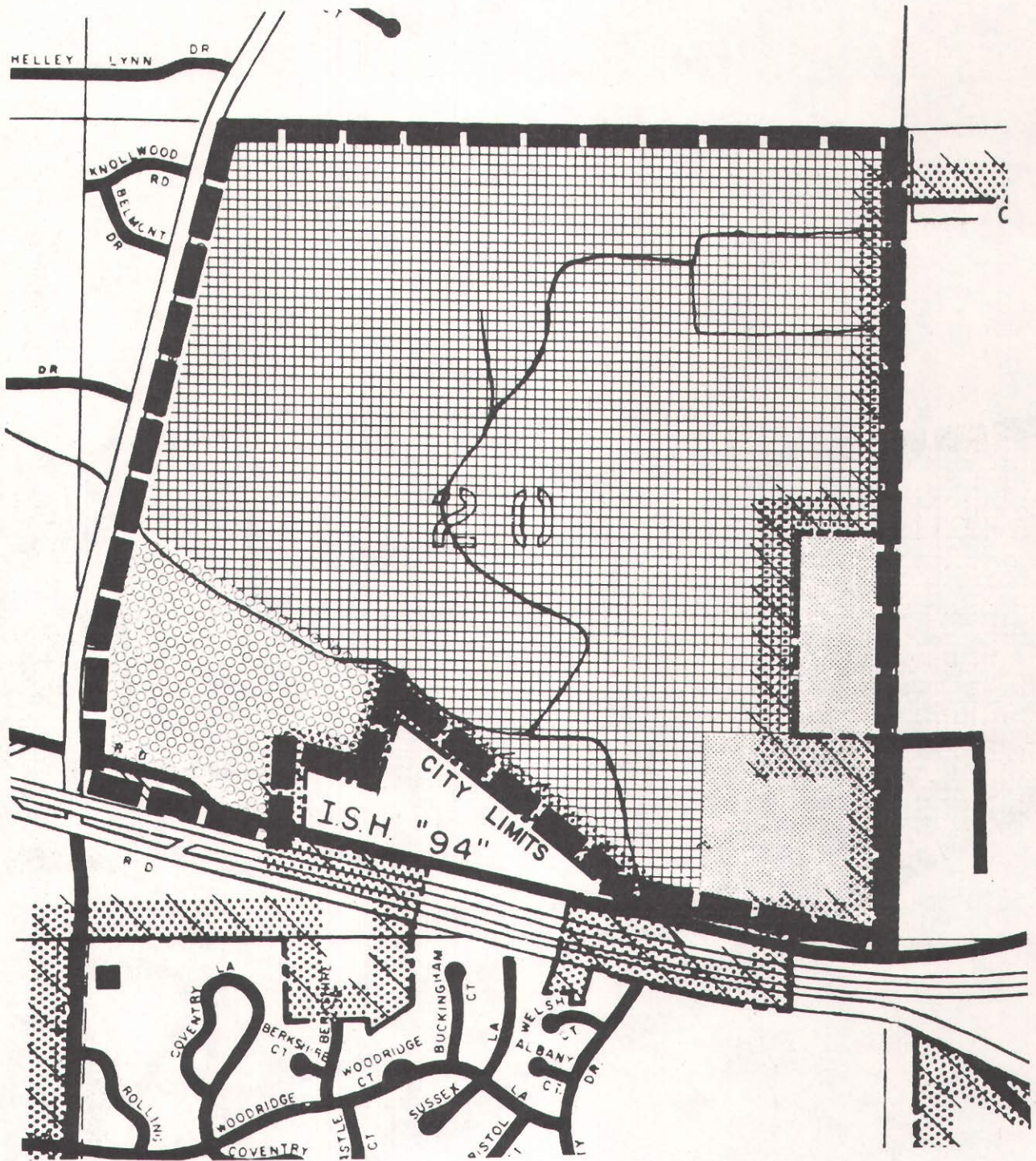


Area determined by SEWRPC tributary to Pewaukee



Additional area requested to be tributary to Pewaukee

AREA 2



Area determined by SEWRPC tributary to Pewaukee

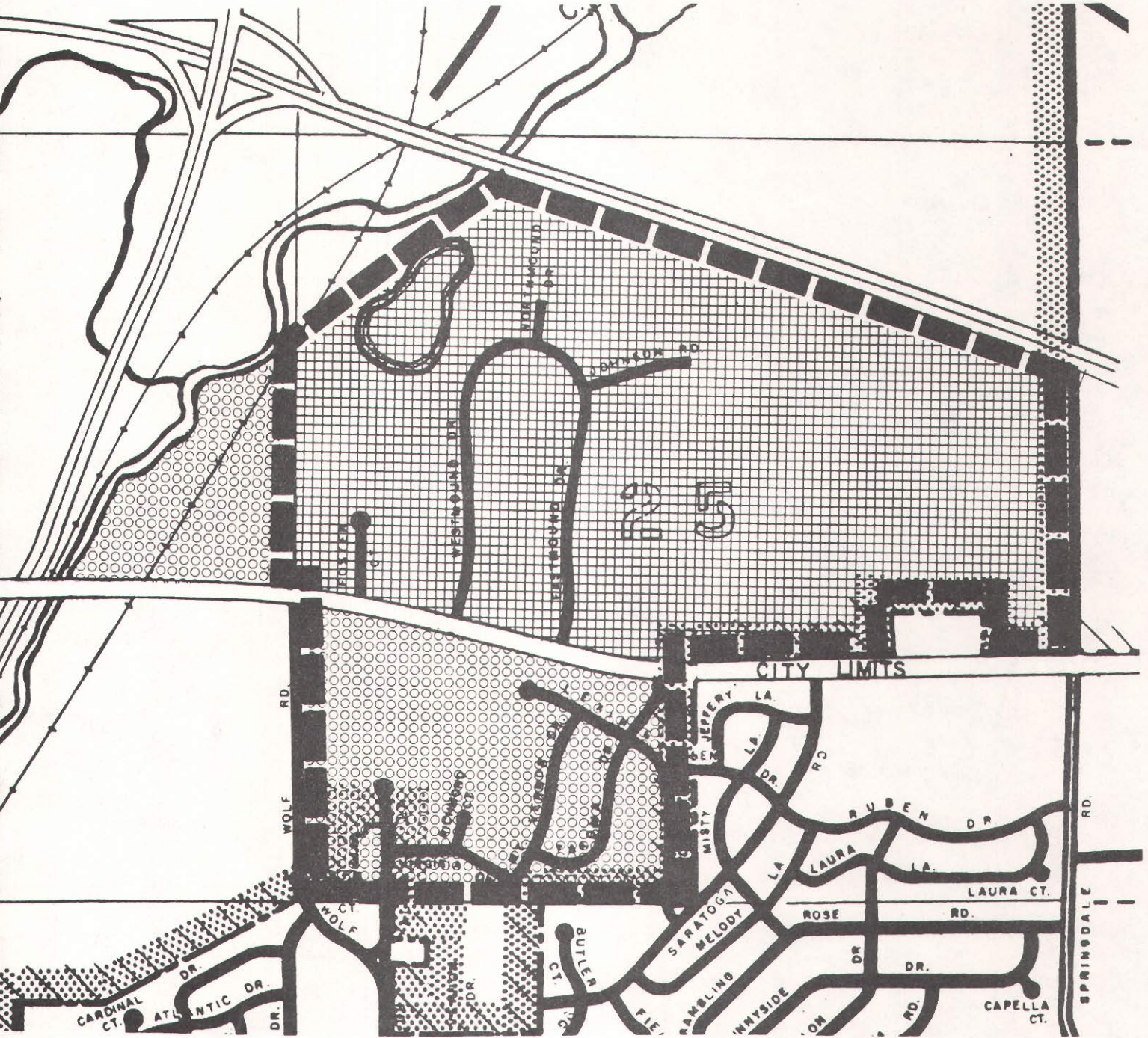


Area to be served by Waukesha through contract with Pewaukee



Area determined by SEWRPC as tributary to Waukesha

AREA 7



Area determined by SEWRPC tributary to Pewaukee

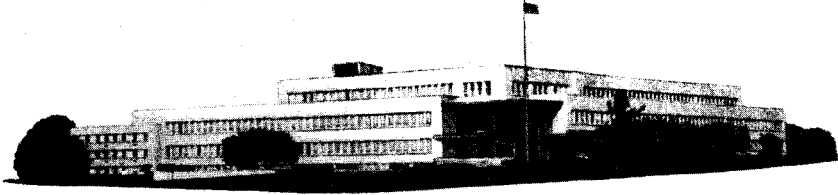


Area to remain in Pewaukee and be served by Waukesha or Pewaukee

RUEKERT & MIELKE INC.

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MATERIALS SUBMITTED FOR INCLUSION IN
THE PUBLIC HEARING RECORD
COUNTY OF WAUKESHA



June 4, 1985

Mr. Kurt Bauer, Executive Director
Southeastern Wisconsin Regional Planning Commission
P.O. Box 769
Waukesha, WI 53187-1607

RECEIVED

JUN 07 1985

SEWRPC

Dear Mr. Bauer:

Waukesha County is in receipt of a notice of public hearing for the establishment of sewer service areas for the Waukesha and Pewaukee sanitary sewer service areas. Said hearing is to be held on June 5, 1985 at 7:30 p.m. Under the proposed plan, Waukesha County owned lands, of which there are approximately 1,000 acres, are proposed to be served by the Waukesha sewer system. Existing facilities such as the Exposition Center and Northview Home and Hospital are already served by the Waukesha sewer system.

The County does not have a position as to whether the additional land should be served by the Waukesha system or the Pewaukee system. We are concerned, however, with the fact that the airport is served by a municipal water system operated by the City/Town of Pewaukee and said water line extends southerly to a point just north of the intersection of Hwy. "F" and Badinger Road. Traditionally, if an area is served by one community, its total municipal services are provided. In this case, sewer service is proposed to be provided by the City of Waukesha and water is presently provided by the City/Town of Pewaukee. We feel that this issue needs to be addressed and if it would create a problem in the future relative to obtaining sewer service, the Regional Planning Commission should attempt to resolve it or at least recognize it as a potential problem needing resolution. We do not feel that this matter represents a serious problem, but some form of intermunicipal agreement may have to be reached between the two communities regarding water and sewer service being provided by different communities to our property as well as other private lands having a similar situation along the C.T.H. "F" corridor.

We would like to thank you for the opportunity to express our views and if you have any questions, please do not hesitate to call.

Respectfully submitted,


Betty Cooper, Chairman
Waukesha County Board of Supervisors

Town of Pewaukee

SANITARY DISTRICT NO. 3
691-0804

W240N3065 Pewaukee Road • Pewaukee, Wisconsin 53072

June 6, 1985

RECEIVED

JUN 06 1985

Mr. Kurt W. Bauer, Executive Director
Southeastern Wisconsin Regional
Planning Commission
916 N. East Avenue
P. O. Box 769
Waukesha, Wisconsin 53187

RECEIVED
JUN 07 1985
SEWRPC

SEWRPC

Subject: Public Hearing Held June 5, 1985.

Dear Mr. Bauer:

I am writing in response to several interesting points that were made at the public hearing held June 5, 1985.

First, the Village of Pewaukee agreed with the proposed plan as presented by SEWRPC staff because that plan will provide them all the territory they wish to acquire in Area 2 from Pewaukee City. Area 2 being their only real concern, any other areas as defined are also agreeable with them.

Clayton Cramer, representing the Town of Brookfield, also concurs because Waukesha will not be encroaching into the Town of Brookfield. Mr. Cramer and/or the Town of Brookfield have no interest in any of the other areas and, therefore, concur with the SEWRPC staff recommendation.

Mayor Keenan stated that reluctantly Waukesha will go along with the staff recommendation. By virtue of Waukesha's annexation policies they will be acquiring 6.8 square miles which means Pewaukee City has lost 6.8 square miles of territory. This represents \$69,000,000 of assessed value or 21% of the total 1984 Pewaukee City assessed valuation. This proposal appears to have a severe impact detrimental to the tax base of Pewaukee City.

The second interesting point was the statement by the Mayor of the City of Waukesha that everyone annexed has asked to be annexed. I'm sure we are all well aware of Waukesha's policy of no annexation - no service, and view Mayor Keenan's statement as nothing more than a subterfuge.

The third item of interest is that the Mayor has finally come out in the open and stated that Waukesha has no interest in obtaining customers for the sewer treatment plant but is, in fact, only interested in acquiring land. This explains why Waukesha has not participated in the SEWRPC meetings in which the other communities were attempting to define a cost effective sewer service boundary. The only other possible explanation for his actions is that Waukesha did, in fact, do their homework and realized that they could not provide cost effective service to any of the eight areas due to limitations in their existing sewer system. They felt their best offense would be talking about how badly they would be hurt and in doing so would make SEWRPC feel sorry for them and SEWRPC would then make compromises to placate Waukesha.

The last item of interest is that the people of Pewaukee City are the only losers. They wish to remain in Pewaukee City and could care less if the sewer services are provided by Brookfield or Waukesha. They are content with the service provided by Pewaukee City and do not wish to be burdened with the additional taxes associated with the City of Waukesha.

Further, I would respectfully request you and your staff take into account the suggestions made by our engineering staff and those made by Mr. Redford, specifically with regard to the fiscal impact study. We ask that these considerations be taken to the Technical Advisory Committee and Planning and Research Committee prior to presenting your recommendation to your Commission on June 17, 1985.

Thank you for your time and consideration in the very unpleasant task that you have undertaken. Again, I would encourage you to call upon any of our staff to aid you in compiling information related to the fiscal impact study. If I can be of any help, please call on me also.

Very truly yours,



Ronald J. ^{eg}Guin,
President

cc: District Commission
Town Board Members
Attorney Dale W. Arenz
Ruekert & Mielke, Inc.

JAHNKE & JAHNKE ASSOCIATES INC.

CONSULTANTS IN

ENGINEERING, PLANNING, SUBDIVISIONS AND SURVEYING

711 W. Moreland Blvd.
Waukesha, Wisconsin 53186

Telephone
542-5797

RECEIVED

JUN 11 1985

SEWRPC

June 10, 1985

Kurt W. Bauer, Executive Director
Southeastern Wisconsin Regional Planning Commission
P.O. Box 769
Waukesha, Wisconsin 53187 - 1607

Dear Mr. Bauer:

On behalf of the Town of Delafield, I was directed to inform the Commission that the Town of Delafield is in accord with the recommendation that the area south of I-94, north of Northview Road, east of Elmhurst Drive, to the Town line be included in that area tributary to the Lake Pewaukee Sanitary District as depicted on your PEWAUKEE SEWER SERVICE AREA - MAP 6, dated May 10, 1985.

Sincerely yours,

JAHNKE & JAHNKE ASSOCIATES INC.



Jerome G. Wagner, P.E.

JGW:sh

CC June Nirschl, Town Clerk



Wisconsin's Newest City

Pewaukee City
Waukesha County

W240 N3065 PEWAUKEE ROAD
PEWAUKEE, WISCONSIN 53072
691-0770

BRENT J. REDFORD

MICHAEL HASSLINGER
SHERMAN JACOBS
SCOTT J. KLEIN
DOUGLAS A. RAMSTACK

Clerk
SANDRA J. SALBASHIAN
Treasurer
CAROLYN F. BYERS
Assessor
FRALAND CAMPBELL

June 10, 1985

Planning & Research Committee of
Southeastern Wisconsin Regional Planning Commission (SEWRPC)
C/O Paul Vrakus, Chairman
916 N. East Avenue
P.O. Box 769
Waukesha, Wisconsin 53187

Ladies & Gentlemen:

This is to advise you that at a special meeting held on June 10, 1985 the Pewaukee City Town Board and the Board of Sanitary District No. 3, within Pewaukee City, passed a joint resolution to endorse the sanitary sewer service boundaries of the Brookfield Regional Wastewater Treatment Facility as set forth and presented at the public hearing held by SEWRPC on June 5, 1985. (See accompanying resolution.) It is our understanding that with such endorsement all of the principal local units and agencies of government participating financially in the provision of sewer service by the Brookfield Regional Wastewater Treatment Facility have endorsed or accepted the boundaries as proposed at the June 5th public hearing.

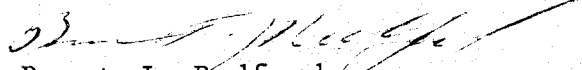
We are, therefore, hereby, requesting that the Planning & Research Committee take action to adopt said sewer service boundaries, and further, that your Committee recommend to the full Regional Planning Commission at their meeting on June 17, 1985 that the Commission adopt said sewer service boundaries and certify said adopted boundaries to the Department of Natural Resources.


It is our further understanding that such adoption or endorsement by any of the units and agencies of government involved has no bearing on municipal boundaries or any negotiations between or among individual municipalities or communities to provide services across established municipal or community boundaries as long as such provision does not effect a change in the adopted sanitary sewer service boundary. In addition, it is our understanding that these actions or proposed actions by the units and agencies of government involved do not preclude the possibility of future changes or adjustments to the sewer service boundaries as established by these actions.

Page 2
Planning & Research Committee
Paul Vrakus, Chairman
June 10, 1985

While we are aware that the time schedule for the Regional Planning Commission and your Committee to accommodate this request is short, we believe it would not be in the best public interest to delay these actions until the Regional Planning Commissions next quarterly meeting in September. Thank you for your efforts and your consideration in this matter. If you have any questions or comments or if we can assist in any way to help expedite this matter, please do not hesitate to contact us.

Sincerely,


Brent J. Redford,
Chairman, Pewaukee City
and


Ronald Gouin, President
Sanitary District No. 3

BJR/gb

cc: Town Board
Sanitary District No. 3
William Mitchell, Jr., Mayor, City of Brookfield
Robert J. Wargowski, Chairman, Town of Brookfield
Lawrence Farrell, President, Village of Pewaukee
Lake Pewaukee Sanitary District
Paul Keenan, Mayor, City of Waukesha
Pewaukee City Engineer
Pewaukee City Attorney
Pewaukee City Planner

RESOLUTION 85/6/1

ENDORING THE ESTABLISHMENT OF THE
SEWER SERVICE BOUNDARY OF THE
BROOKFIELD REGIONAL WASTEWATER TREATMENT FACILITY

- WHEREAS Pewaukee City, through its Town Board and the Board of Sanitary District No. 3 has, for several years, purchased treatment plant capacity and sewer service from the City of Brookfield without jeopardy to the corporate boundaries of Pewaukee City (formerly Town of Pewaukee); and,
- WHEREAS, in October of 1979, Pewaukee City (then Pewaukee Town) in cooperation with the Village of Pewaukee and Southeastern Wisconsin Regional Planning Commission (SEWRPC) undertook the preparation of a Land Use Plan for the areas contained in Pewaukee City and the Village of Pewaukee; and
- WHEREAS, Pewaukee City did on July 21, 1983, adopt a Land Use Plan for the year 2000, which Plan sets forth the expected and recommended use of land encompassed within T7N, R19E, in Waukesha County, Wisconsin to the year 2000; and,
- WHEREAS The adopted Land Use Plan recommends that urban development be established in areas of Pewaukee City lying outside of the current boundaries of the Brookfield Regional Wastewater Treatment Facility sewer service area; and,
- WHEREAS, Recognizing the difference between the current sewer service area and the planned urban land use, Mr. Brent

Redford, acting on behalf of the Pewaukee City Town Board, did request, in a letter dated June 21, 1984, that the Southeastern Wisconsin Regional Planning Commission (SEWRPC) revise the sewer service boundaries of the Brookfield Regional Wastewater Treatment Facility to accommodate the revision in proposed and expected land use development in Pewaukee City based on the adopted Land Use Plan for the year 2000; and,

WHEREAS, Pewaukee City does not wish to curtail good development which will benefit all communities in the area; and

WHEREAS, The Town Board of Pewaukee City and the Board of Sanitary District No. 3, in an effort to provide sanitary sewerage facilities to their mutual constituency lying outside the boundaries of the Brookfield Regional Wastewater Treatment Facility service area have, for more than four years, attempted to negotiate agreements with the City of Waukesha for purchase of wastewater treatment plant capacity and sewer service similar to agreements now in effect between the City of Brookfield and the municipalities within the current Brookfield Regional Wastewater Treatment Facility service area; and,

WHEREAS, After months of deliberation and review of data related to the physical and financial ramifications of the revision to the boundaries of the Brookfield Regional Wastewater Treatment Facility service area, a public hearing was held by SEWRPC on June 5, 1985 at the

Waukesha County Technical Institute to hear comments and recommendations on the proposed revised Brookfield Regional Wastewater Treatment Facility service area.

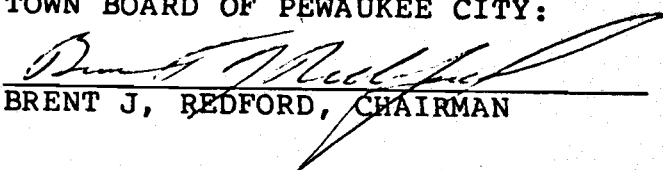
NOW, THEREFORE, BE IT HEREBY RESOLVED, that based on a review of the proposed Brookfield Regional Wastewater Treatment Facility sewer service area boundaries as presented at the June 5, 1985 public hearing by SEWRPC, the Town Board on behalf of the Pewaukee City and the Board of Sanitary District #3 do hereby endorse said proposed Brookfield Regional Wastewater Treatment Facility sewer service area boundaries.

FURTHER, BE IT RESOLVED, THAT in taking such action the Pewaukee City Town Board and the Board of Sanitary District No. 3 both understand the boundary so endorsed represents a boundary which delineates that area within which the extension and provision of public sanitary sewerage facilities connected to the Brookfield Regional Wastewater Treatment Facility will be accomplished; and, the establishment of such boundaries has no known legal or administrative constraint on the possible extension of other municipal services or, for that matter, the delineation of municipal or corporate boundaries; and, it is also understood that such endorsement does not preclude either the negotiations with other municipal or corporate agencies for purchase of sanitary sewerage facilities or even the possibility


of future changes, adjustments, or refinements in the
sewer service boundaries hereby endorsed.

THIS RESOLUTION DATED THIS 10TH DAY OF JUNE, 1985.

TOWN BOARD OF PEWAUKEE CITY:


BRENT J, REDFORD, CHAIRMAN

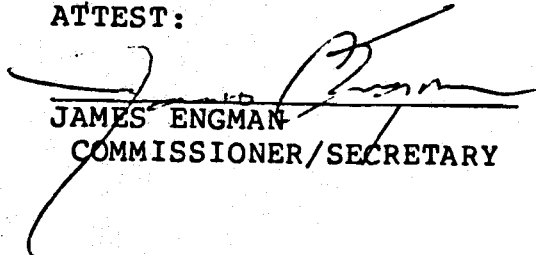
ATTEST:


SANDRA SALBASHIAN, CLERK

BOARD OF SANITARY DISTRICT NO. 3:


RONALD GOUIN, PRESIDENT

ATTEST:


JAMES ENGMAN
COMMISSIONER/SECRETARY

NEWSPAPER ARTICLES PERTAINING TO THE
WAUKESHA AND PEWAUKEE SANITARY SEWER SERVICE AREA PLANS

Sewer plan raises annexation fears

By Robert M. Riepenhoff
Journal Waukesha Bureau

Waukesha — Officials from Pewaukee City and other municipalities included in a proposed expansion of the City of Waukesha's sewer service area voiced objections to the plan Tuesday.

The plan, a preliminary proposal developed by the City of Waukesha and presented to the Southeastern Wisconsin Regional Planning Commission, calls for the establishment of a 33-square-mile sewer service district that includes the City of Waukesha and portions of Pewaukee City and the Towns of Waukesha, Brookfield and Delafield.

A meeting conducted by SEWRPC Tuesday marked the first time officials from the various municipalities involved convened to discuss the proposal publicly.

Several officials said their major objection to the plan was the City of Waukesha's policy of annexing lands to which it extends sanitary sewer service.

Last April, Pewaukee incorporated as a fourth-class city to halt further annexations. The City of Waukesha and the Village of Pewaukee have filed a lawsuit seeking to overturn that action.

Sewer service area boundaries are significant because the State Department of Natural Resources will not approve any sewer extensions unless they fall within a designated area.

Pewaukee City Chairman Brent J. Redford said much of the Pewaukee City area that the City of Waukesha has proposed to serve had already been slated for connection with a treatment plant in the City of Brookfield.

Several segments of Pewaukee City land, located just south and just north of I-94, are included in the proposed plan.

Pewaukee City has already spent "just shy of \$1 million" to contract with the Brookfield treatment plant for sewer service for the areas, Redford said.

Sincerity questioned

Redford questioned the sincerity of the proposal, saying:

MILWAUKEE JOURNAL
January 9, 1985

"We attempted [unsuccessfully] to sit down with the City of Waukesha and contract in the same manner.

"I think it's foolish to sit here and haggle over boundaries when it should be looked at from a cost standpoint."

Waukesha Mayor Paul J. Keenan's only comment was that the plan offered "a reasonable approach" and that the officials should consider it seriously.

Frank Hedgcock, the City of Waukesha's community development director, declined to answer questions from other officials on the city's annexation policy.

Hedgcock said the City of Waukesha built its sewage treatment plant based on projections that included serving an even larger area than the one currently proposed.

"We feel it is important that we not lose territory for a sewage treatment plant built for the year 2000 that may, in fact, be designed for well beyond that," he said.

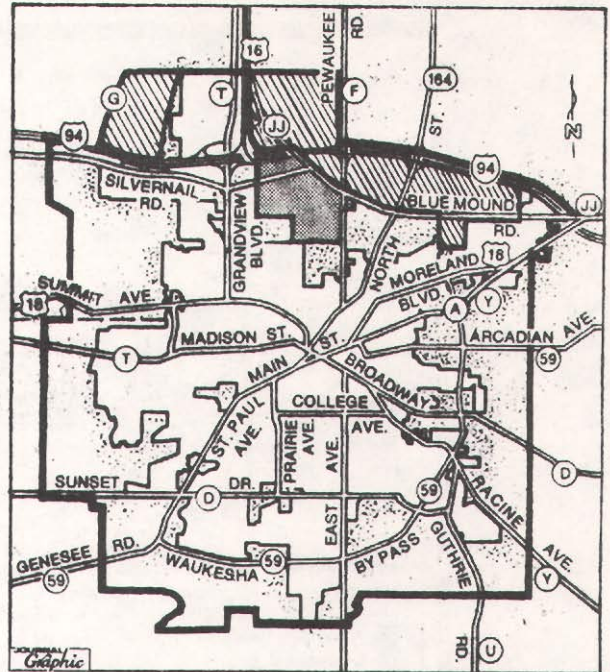
Hedgcock said, however, that the city would be open to negotiating some areas included in the plan.

Kurt W. Bauer, SEWRPC's executive director, said, "We should all be appalled about the confusion that exists along that boundary line [between Waukesha and Pewaukee City]."

Failure to arrive at an agreement could be harmful to future economic development along the I-94 corridor, the site of much recent commercial and industrial growth, he said.

William J. Mielke, of Ruckert & Mielke, an engineering firm retained by Pewaukee City, said additional information was needed to determine whether it would be more feasible to serve the Waukesha County Airport, Crites Field, and surrounding land with the Waukesha or Brookfield treatment plant.

Clayton A. Cramer, attorney for the Town of Waukesha, acknowledged that town lands would most logically be served by the City of Waukesha's treatment plant.



Map shows proposed expansion of the Waukesha sewer service area. Pewaukee City officials say segments marked with diagonal lines should be excluded and the shaded segment needs more study.

Concerned about policy

But, Cramer said, "We, too, would like to get the City of Waukesha to change their annexation policy ... We've run up against the same stone wall as Pewaukee has."

Town of Brookfield Chairman Robert J. Wargowski said:

"I guess we would have no disagreement with the City of Waukesha if they did not have the policy of annexation ... It is the townspeople's desire to remain as a township

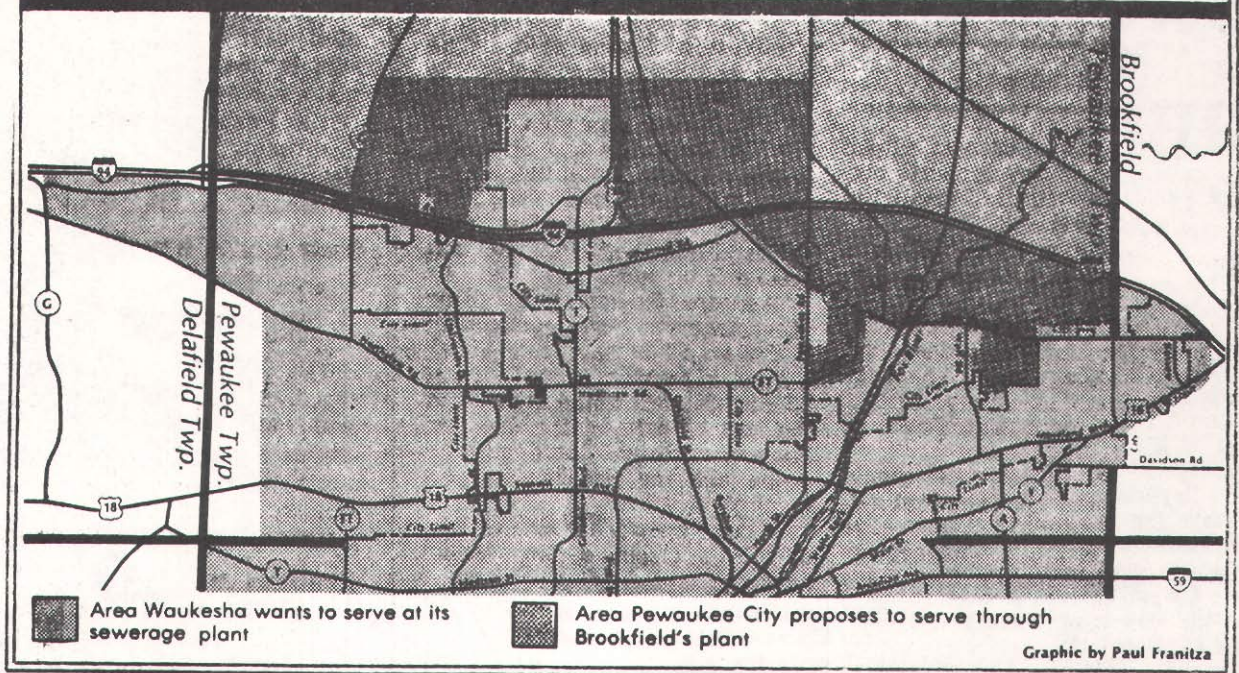
"It's strange to insist that land be acquired by the City of Waukesha when they could be making money off supplying sewer and water to these municipalities."

Town of Delafield Chairman Robert T. Audley said that, while the Town Board had no official position, he questioned whether the City of Waukesha's serving the small segment of his town that was included in the plan would be most efficient.

Bauer said SEWRPC would analyze alternatives in the controversial areas and reconvene the group to report its findings and recommendations. No date for that meeting has been set.

A public hearing would be required before any plan would be adopted, Bauer said.

The territorial dispute



Summit on sewer service ends without compromise

By Laurel Walker

Officials from five communities sat around a conference table Tuesday afternoon and, in civilized fashion, waged a territorial war.

The topic was a preliminary map which outlines where Waukesha, over the next few decades, will extend municipal sewers.

When the map is finally approved by the Southeastern Wisconsin Regional Planning Commission and the Wisconsin Department of Natural Resources, it will have the effect of law. No municipal sewers will be extended to developments outside a sewer service area.

Waukesha Mayor Paul Keenan Tuesday called the map, drawn by Waukesha officials, as "a reasonable approach."

Pewaukee City Chairman Brent J. Redford called the plan "ill-conceived," one that he could not take seriously.

And SEWRPC Executive Director Kurt W. Bauer called the whole disagreement "appalling."

Waukesha, Pewaukee City and Brookfield Town have spent time and taxpayers' money in designing sewer service for their "territories."

But the territories overlap.

Waukesha in the late 1970s built a sewerage treatment plant to serve an area much wider than its existing city limits. But so far, Waukesha has refused to extend that service to any property outside its city limits, requiring annexation first.

By implication, then, Waukesha sees the map as a definition of its eventual city limits.

"We feel it important that we not lose territory for a treatment plant that was designed for the year 2000," said Waukesha's Community Development Director Frank Hedgcock.

Pewaukee City, on the other hand, has spent "just shy of \$1 million," according to Redford, to serve its territory with sewers leading to the Brookfield sewerage treatment plant. "We purchased 13.2 percent of the Brookfield treatment plant" capacity, paying much of that in advance, he said.

In addition to that investment, Pewaukee City has incorporated — a move being challenged in court — to prevent Waukesha from further annexing its land.

Engineers, lawyers, planners and elected officials from Waukesha, Pewaukee City, and the towns of Delafield, Brookfield and Waukesha reviewed the plan in detail

Tuesday at SEWRPC's offices.

When all was said and done, there was no compromise.

Both Pewaukee City and Brookfield Town officials said they object to Waukesha's sewer service area being expanded northward.

Waukesha Town officials said they do not object to the city's service area being expanded southward, into town territory, "because we have no choice," in the words of Town Attorney Clayton Cramer.

But he added, "We would like to get the city of Waukesha to change that annexation policy." If Waukesha would allow the town to contract for sewer service without annexation, "we're prepared to pay our fair share, same as anyone else," he said. "But we're running into a stone wall."

Bauer, who had hoped the meeting would smooth some feathers and reduce the conflict, found little progress in that direction.

"We should all be appalled by the confusion that exists along that boundary line," Bauer said.

Sidetracking the argument over annexation, Bauer said, "The

more we discuss that policy, the further we get into a thicket that SEWRPC can't cope with."

When Redford asked SEWRPC to delay a decision on the service area, Bauer refused. He called SEWRPC's task of drawing a map "a thankless job," but one that needed to be done.

"Failure to arrive at some agreement can hurt development in this area," he said.

Bauer told officials that SEWRPC staff would figure out the cost of serving the disputed border territories by both the Waukesha and the Brookfield treatment plants.

"I don't know what else we can do short of tossing a coin," Bauer said.

Based on that information, SEWRPC staff will make a recommendation on the Waukesha sewer service area and call officials from the affected communities together again to discuss it.

The eventual sewer service area, Bauer said, "will in effect be a corporate limits line."

However, if Pewaukee City wins its incorporation lawsuit, Waukesha would have to take another

look at its "no annexation, no sewers" policy. In that event, Waukesha would likely be forced to provide sewers through service contracts with outlying towns. Failure to do so would leave its plant, now at three-fourths its capacity, under-used at the expense of city taxpayers.

The proposed sewer service area is 33 square miles in size, of which 15 square miles is in the Waukesha city limits. The map in dispute is actually a revision and detailing of the 1979 map drawn by SEWRPC and now used for sewer service policy decisions by the DNR.

The revision expands the 1979 version by about 8 miles, half of which comes from Pewaukee City and half from Waukesha Town.

Eventually, a public hearing will be held on the map before SEWRPC acts on it and sends it to the DNR. Once Waukesha's map is approved, SEWRPC will work to revise the Brookfield sewer service area.

Bauer noted that SEWRPC once had backed a single, metropolitan sewerage treatment plant for Waukesha County, but communities objected and opted for the two plants.

Study lists sewer costs, options

WAUKESHA FREEMAN
April 11, 1985

By James B. Nelson

Pewaukee City — not Waukesha — can most economically provide sewer service to two major areas north of I-94, according to an analysis of municipal sewer service areas.

However, the major study of the sewer service area disputed by Pewaukee City, Brookfield Town, Delafield Town and Waukesha officials showed no clear winners. Waukesha is shown as being able to provide sewers at the least cost for some areas and Pewaukee City, which would send its sewage to Brookfield's treatment plant, could economically serve other areas.

The preliminary draft of the Southeastern Wisconsin Regional Planning Commission study will

be discussed by municipal officials at a SEWRPC meeting April 18. The study, four months in the works, was prepared because Brookfield Town and Pewaukee City officials objected to Waukesha's plans to expand the city's sewer service area northward.

According to the study, Waukesha could most economically serve the area around the airport and the Sherwood Forest area (areas No. 3 and No. 6 on the accompanying map).

Pewaukee City, using the Brookfield plant, could most economically serve the Highway JJ corridor (area No. 4), and the Wisconsin Bell-Tower Insurance block (area No. 5).

Waukesha in the late 1970s built a sewage treatment plant that could serve an area much larger than the existing city limits. Because the city has a policy of not

providing sewer connections without annexations — a policy the Supreme Court recently upheld in a similar case — Waukesha officials see the service areas as the eventual city limits.

Pewaukee City officials see Waukesha's proposed service area as a threat to its future. Pewaukee Town incorporated into Pewaukee City to stop annexations to Waukesha. The incorporation was declared invalid by Judge Willis Zick. Pewaukee City is appealing that decision.

In part because of this, officials have disagreed over the service areas. No progress and no compromises were made when officials met in January in SEWRPC offices. The new study is SEWRPC's effort to break that logjam and start discussions.

Here are the study's results:

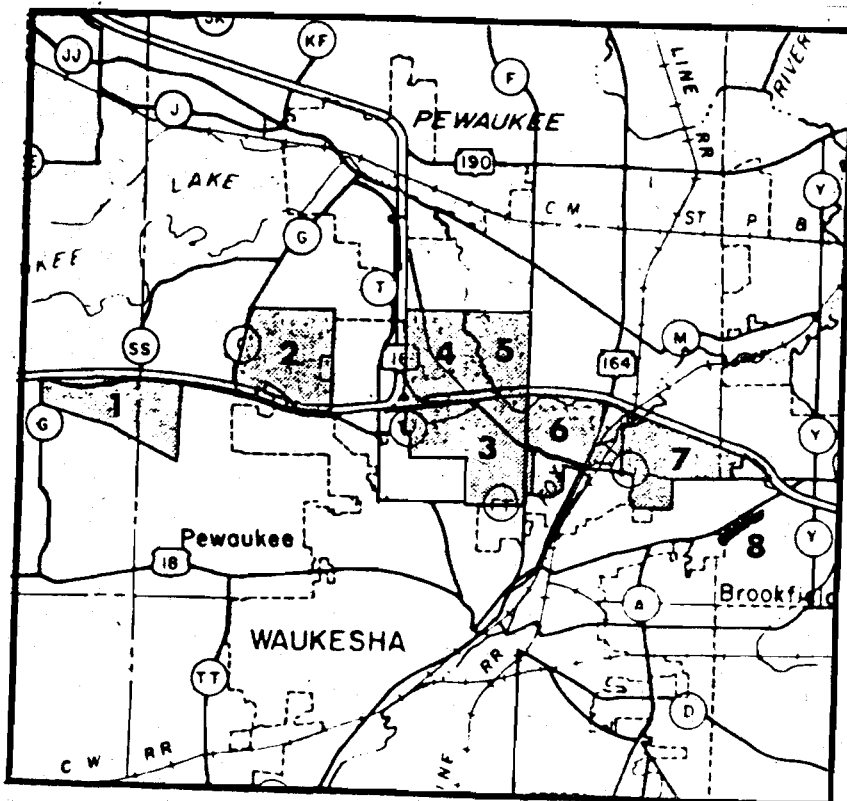
●Area No. 1. Connection to the Pewaukee Lake Sanitary District would cost \$415,000, or \$39,900 a year over 20 years to build and maintain. Connection to Waukesha would cost \$760,000, or \$82,000 over 20 years to build and maintain.

●Area No. 2, including the Country Inn and General Electric Medical Systems area. Connection to a combination of Waukesha and Brookfield systems would cost \$870,000, or \$101,200 a year for 20 years. Connection to Brookfield alone would be \$930,000, or \$86,100 a year over 20 years. Connection to Waukesha alone would be \$960,000, or \$100,100 a year over 20 years.

●Area No. 3, surrounding the airport. Connection to Waukesha \$530,000, \$58,000 a year over 20 years. Connection to Brookfield \$610,000, \$66,500 a year over 20 years.

●Area No. 4. Connection to Brookfield \$720,000 or \$77,500 a year over 20 years. Connection to Waukesha \$920,000, \$94,500 a year over 20 years.

●Area No. 5, including Tower Insurance and Wisconsin Bell developments. Connection to Brookfield, \$610,000 or \$67,200 a year over 20 years or, to Waukesha, \$870,000, or \$89,800 a year over 20 years.



● Area No. 6. Connection to Waukesha, \$1.42 million, or \$139,200 a year over 20 years, or to Brookfield \$1.62 million, or \$158,500 a year over 20 years.

● Area No. 7. Connection to Waukesha \$910,000-\$960,000, or \$94,600-\$99,200 a year over 20 years, depending on the alternative. Brookfield \$860,000, \$88,800 a year over 20 years.

● Area No. 8. Connection to Waukesha and Brookfield would cost the same, \$60,000, \$5,500 a year over 20 years.

The report's summary says:

"Where the equivalent annual cost of the alternatives differs by 10 percent or more, the cost analyses may be considered conclusive and the sewer service area boundary line drawn to effect the most cost effective solution."

That standard would hold true in

areas 1, 3, 4, 5, and 6.

"Where the costs differ by less than 10 percent, the costs may be considered equal, and the cost analyses may be considered to be inconclusive," the summary added.

Municipal engineers will study the report and prepare responses for the meeting next week, SEWRPC Chief Land Use Planner Bruce Rubin said.

SEWRPC hopes a consensus is reached on the service area. If no compromise is reached, SEWRPC would draw its own map, which would have the force of law.

Pewaukee Town Chairman Brent J. Redford said SEWRPC had done an "admirable job" but added, "I don't feel their job has been completed."

Redford said Pewaukee City engineers would prepare options

dividing several of the eight areas into smaller areas to show how Pewaukee City could most efficiently serve those areas.

The Country Inn (Area No. 2) would probably be best served by Pewaukee's treatment plant, an option not considered in the report, Redford said.

Redford said Pewaukee City would be willing to discuss with Waukesha at least some of the service area, particularly that surrounding the airport.

But he said he wasn't optimistic Waukesha would go along with such discussions. "Waukesha has never been one to sit down at a table and come to any type of an agreement," Redford said.

Waukesha Mayor Paul Keenan could not be reached for comment.

Keenan wary of 'problem' sewers

WAUKESHA FREEMAN
April 12, 1985

By James B. Nelson

Pewaukee City officials are trying to saddle Waukesha with sewer areas that are difficult to service while retaining the easy ones, Mayor Paul J. Keenan said this morning.

"They're trying to unload the difficult and expensive portions to serve onto Waukesha," Keenan said. "Or worse yet, they may not be served by anybody."

The mayor was responding to a new study of the economics of providing sewer service to different portions of Pewaukee City and other areas. The Southeastern Wisconsin Regional Planning Commission performed the preliminary draft study after Pewaukee City and Brookfield Town complained that Waukesha was pushing its proposed sewer area too far northward.

To Pewaukee City leaders, who led the effort last year to incorporate Pewaukee Town into a fourth-class city, the proposed Waukesha

service area could represent Waukesha's eventual city limits.

On Thursday, Pewaukee Town Chairman Brent J. Redford said Pewaukee City engineers would prepare alternatives to the SEWRPC report. Pewaukee City, using its connections to the Brookfield treatment plant, could serve those areas better than Waukesha, Redford said.

If Redford succeeds, it would further fortify Pewaukee City's boundaries.

However, this indicates that Pewaukee City is trying to "pawn off" the difficult areas onto Waukesha, Keenan charged.

Pewaukee City, if it is going to act as a city, should be willing to provide sewer service to all the land within its limits, Keenan said. But Pewaukee City doesn't have the resources to do that, he said.

"Redford has gone through a lot of trouble to give the impression to the people of Pewaukee City that Waukesha is going to grab off land from Pewaukee," Keenan said. "But nobody annexes (to Wauke-

sha) unless they want to."

Waukesha officials "have taken a beating" from Redford who has unfairly accused them of trying to expand the city's limits, Keenan said. "He's been taking a lot of potshots that we don't deserve.

"We're not out there trying to negotiate (the sewer area) as a bargaining ploy to get all the territory that we possibly could," he said.

Keenan said Waukesha's Planning Department would study the SEWRPC report in anticipation of a meeting with municipal officials next week.

SEWRPC officials have said they want the sewer lines to be drawn based on a consensus reached by the communities. If that doesn't happen, SEWRPC will draw the lines on its own.

When asked if he thought the city would negotiate with Pewaukee City officials, Keenan said: "We'll do what we think is best for the city of Waukesha."

SEWRPC releases sewer study

LAKE COUNTRY REPORTER
April 16, 1985

by Jim Stevens

The question of which municipality should serve areas along the I-94 corridor with sewer became a little clearer last week with the release of a preliminary draft prepared by the Southeastern Wisconsin Regional Planning Commission.

The study examined which areas the Waukesha treatment plant, Brookfield plant and Lake Pewaukee Sanitary district (LPSD) would serve most economically.

Neither Pewaukee City, which sends its sewage to the Brookfield plant, nor Waukesha came out the clear winner in the study. Rather, Pewaukee was determined to serve two areas north of the expressway (areas 4 and 5 on the map) more economically than Waukesha, and Waukesha could serve two major areas south of the I-94 (areas 3 and 6) at the least cost.

Other areas could be served by either community, the study said.

The study was prompted by Waukesha's request that SEWRPC review the sewer service area which has been the subject of a dispute between Waukesha and Pewaukee City.

Waukesha Plant

Waukesha built its treatment plant in the late 1970s with a capacity to serve an area larger than existing city limits. Waukesha officials have said they see the service area as the eventual city limits.

Waukesha has a policy of requiring annexation when providing sewer connections outside the city limits.

Pewaukee City incorporated last year, in part because of that policy. Incorporation would seal Pewaukee's borders. But that incorporation has been ruled invalid and is currently being appealed by Pewaukee.

The two communities have been disputing how the areas addressed in the study should be served.

According to SEWRPC, the analysis was "prepared in an effort to help the local governments reach agreement as to the appropriate location of a division line between sewer service areas."

The study said if the municipalities could not reach an agreement, SEWRPC would then determine the division line.

The study also examined how much it would cost Waukesha, Pewaukee City and LPSD to provide sewer service to each area. Those costs could be passed on through special assessments.

Study Findings

The results of the study are below. Included are the total capital cost of

providing a sewer connection to each area and the equivalent annual cost of each alternative over a 20-year period.

For reference to each area, see the accompanying map.

- Area 1, Town of Delafield, western Pewaukee City.

The last expensive alternative would be to service this area through the LPSD. The estimated capital cost is \$415,000, or \$39,000 over a 20-year period.

To connect this area to the Waukesha plant, SEWRPC estimates the cost to be \$760,000, or \$82,000 a year over a 20-year period.

- Area 2, which includes the Country Inn and General Electric. There are three alternatives to service this area.

One is to split the area, the northern portion to be served by the Brookfield plant, the southern area to be served by the Waukesha plant. The cost of providing the two connections is estimated at \$870,000, or \$101,200 a year for 20 years.

For Waukesha alone to connect to this area it would cost \$960,000, or \$100,100 a year over 20 years.

For a connection to the Brookfield plant, it would be \$930,000, or \$86,100 a year for 20 years.

- Area 3, which includes the land around Waukesha Airport.

A connection to the Waukesha system would cost \$530,000, or \$58,000 a year for 20 years.

Connection to the Brookfield system would be \$610,000, or \$66,500 a year for 20 years.

- Area 4, includes the Highway JJ corridor.

Connection to the Brookfield plant would be \$720,000, or \$77,500 a year for 20 years.

Connection to the Waukesha plant would be \$920,000, or \$94,500 a year for 20 years.

- Area 5, which includes Tower Insurance and Wisconsin Bell.

The cost of connecting this area to the Brookfield plant would be \$610,000, or \$67,200 a year over 20 years.

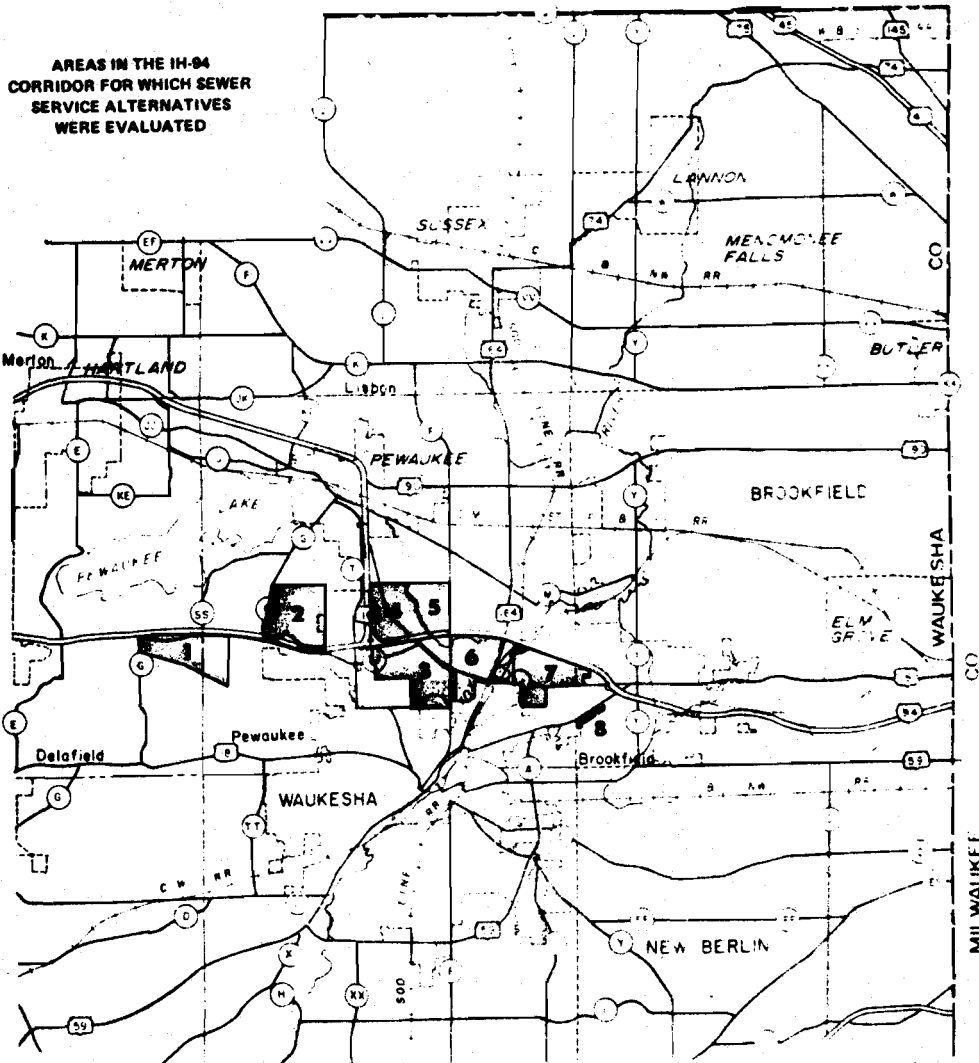
Connecting to the Waukesha system would be \$870,000, or \$98,800 a year for 20 years.

- Area 6, which includes the Sherwood Forest area.

Connecting to the Waukesha system would cost \$1,420,000, or \$139,200 a year for 20 years.

Connecting to the Brookfield plant would cost \$1,620,000 or \$158,500 a year for 20 years.

- Area 7, which includes Takoma Hills and the Bluemound Industrial Park. Connecting to the Brookfield system would



be \$910,000, or \$94,600 a year for 20 years for one alternative. A second alternative for the Brookfield system would cost \$860,000, or \$88,800 a year for 20 years.

Connecting to the Waukesha plant would be \$960,000, or \$99,200 a year for 20 years.

- Area 8, which includes Longview Drive.

Connecting this area would cost the same to either the Brookfield or Waukesha plant, SEWRPC estimates. The costs of connection are \$60,000, or \$5,500 a year for 20 years.

Boundary Line

According to the study, "where the equivalent annual cost of the alternatives

differs by 10 percent or more, the cost analyses may be considered conclusive and the sewer service area boundary line drawn to effect the most cost effective solution."

This standard holds true for areas 1, 3, 4, 5 and 6.

"Where the costs differ by less than 10 percent, the costs may be considered equal, and the cost analyses may be considered to be inconclusive. This situation prevails for areas 2, 7 and 8," the study states.

Municipal engineers will review the study and present pros and cons of the study to SEWRPC on April 18. Eleven governmental bodies have been invited to the meeting.

Keenan, Redford respond to study

by Jim Stevens

Officials from Pewaukee City and the City of Waukesha, the principle communities involved in the dispute over the sewer service area along the I-94 corridor, responded Friday to the Southeastern Wisconsin Regional Planning Commission's study.

SEWRPC released its preliminary draft of the costs associated with providing sewer service to the disputed areas. (See related story on the sewer service area.)

The study was not conclusive as to who would serve what areas. It did say certain areas north of the expressway could be serviced for less cost by Pewaukee City and certain areas south of the expressway could be served at lower cost by Waukesha.

Keenan: Many Questions

Waukesha Mayor Paul J. Keenan said Friday that many questions remain in regard to the study. He said city engineers will be looking at what has been proposed and give input into the matter at an April 18 meeting with SEWRPC, Waukesha, Pewaukee and several other municipal bodies.

Keenan then went on to criticize Pewaukee Town Chairman Brent Redford.

"Mr. Redford has been giving his people the impression we're going to swallow up the town," he said.

Keenan said Pewaukee residents who are annexed into the city do so for "their own reasons. We don't force anybody."

"He (Redford) made a lot of false statements. I don't think he understands annexation rules," Keenan said.

He said Pewaukee is attempting to "unload" difficult and expensive portions of the service area in question

onto Waukesha.

Keenan said if Pewaukee is going to act like a city, the municipality should be willing to provide sewer to all areas within its boundaries. Keenan said Pewaukee, however, does not have the resources to do so.

Redford: Good Job

Redford said SEWRPC "did a very good job, but not quite far enough. They really did their homework."

He said SEWRPC could have looked more closely at the west side of Pewaukee City.

About the proposed area that SEWRPC suggested both communities sewer, Redford said that area is "not negotiable." That area includes the Country Inn and General Electric.

Pewaukee Town Planner Harlan Clinkenbeard agreed with Redford that SEWRPC "did a pretty good job."

Redford said some of the areas suggested by SEWRPC to go into Waukesha south of I-94 "should be going into Pewaukee."

Responding to Keenan's charges, Redford said, "I think he's been misled, possibly by his staff." Redford said Keenan is "out soliciting" property owners to annex.

In regard to Keenan's comments about not forcing anyone to annex, Redford said there are letters on file at the Pewaukee City Hall to the contrary.

In a letter to the town, Mae Krumkaus and Ronald and Mary Olson, all of S7 W22259 Davidson Rd., informed the town as of April 13, 1983, they petitioned to the City of Waukesha for annexation so they may hook up to the sewer, as they were having septic system problems.

In a letter dated April 9, 1981, Frank

Huber of 18 & A Development Corp. informed Redford that, due to a series of events, the owners of 11 acres of property on the corner of Highways 18 and A were left with "little or no choice but to annex to the City of Waukesha."

Huber and the owners purchased the property with the understanding they would be able to have access to a Waukesha sewer line adjoining their property without leaving Pewaukee. However, the land was eventually annexed into Waukesha so the property owners could get access to the sewer.

In the minutes of a Waukesha Plan Commission meeting, there is a direct reference to forcing other properties to annex.

The minutes for the Jan. 11, 1984 plan commission meeting were in reference to the annexation of the Wilde Dodge property on Highway 18. The minutes read: "It should be decided if the city wants to force in any other properties. There are two other properties between the city limits and the Dodge dealership. They could force the properties in unless there is someone living in one of the buildings. One property has someone living on it, so they would not be able to force them in." The minutes were submitted by Frank Hedgecock, City of Waukesha planner.

At the Dec. 15, 1983 Pewaukee Town Plan Commission meeting, the matter of Wilde Dodge's annexation was discussed, according to plan commission minutes.

Redford asked Al Link of Link Builders, which was constructing a new building at the Wilde Dodge property, why the dealership would want to annex to Waukesha. "Mr. Link said basically only to get the sewer and water facilities," the minutes read.

LAKE COUNTRY REPORTER

April 16, 1985

Sewer dispute: Round 2

By Laurel Walker

Round two of the territorial fight between Waukesha and Pewaukee City over who will provide sewer service to — and, by implication, govern — areas along their mutual border ended Thursday without a winner.

The only punches thrown were verbal, when Pewaukee City officials accused Waukesha city leaders of “greed,” making “a land grab” and “blackmail.” Waukesha officials charged that Pewaukee City showed an unwillingness to compromise.

When all was said and done, all sides walked out with the idea that — maybe — they’ll meet again in two or three weeks to spar some more.

At issue is a revision of the Waukesha and Brookfield sewer service areas — maps that will dictate where sewers can be extended, and by whom. When finally approved by the Department of Natural Resources, the maps will have the effect of law.

In a steamy conference room at the Southeastern Wisconsin Regional Planning Commission, 36 lawyers, engineers, planners and elected officials from eight municipalities met for the second time since January to try to reach agreement on who could best serve territory on either side of I-94. Most of the land is in Pewaukee City and some is in Brookfield Town.

Because Waukesha has a policy of not extending sewer service to areas outside the city, the final sewer service map will be a roadmap to Waukesha’s future municipal boundaries. By contrast, Brookfield extends sewer service to outlying areas through contractual agreements without insisting on annexation.

When county Planner Richard Mace questioned the opposing policies and asked Waukesha officials to explain their rationale, Pewaukee City

Attorney Dale Arenz snarled, “Greed.”

But Waukesha Community Development Director Frank Hedgcock, who said he personally disagrees with Waukesha’s policy but professionally must back it, argued that Brookfield has the luxury of not needing to expand.

Brookfield incorporated as a 17.5-acre city in 1954 and expanded to 25 square miles by 1974. Waukesha, with 53 percent more people, has about 15 square miles; its proposed sewer service area is now 25 square miles and, if expanded as Waukesha wants, would grow to 33 square miles.

Arenz said, “If it weren’t for the word ‘annexation,’ we wouldn’t care what (sewer service) area it (the disputed land) goes in.... That’s the bottom line.”

Waukesha isn’t likely to change its annexation policy unless it fails in its challenge of Pewaukee Town’s incorporation into a fourth-class city, an incorporation that prevents annexations.

Waukesha prevailed in the lower court, but Pewaukee City is appealing.

SEWRPC Executive Director Kurt Bauer said that if the local officials can’t work out their differences, SEWRPC will make the decision based on economics. If local officials arrive at an agreement on their own, he said, economics are secondary.

SEWRPC might make its decision in June, he said.

SEWRPC’s economic analysis showed some of the contested areas could better be served by the Brookfield plant, others by Waukesha.

Waukesha Mayor Paul Keenan said it appeared from SEWRPC’s analysis that three segments, including land between highways 16 and F north of I-94, would better served by the Brookfield plant.

But Keenan said Pewaukee City officials seemed intent on serving all the disputed areas. “I don’t hear any negotiations,” he said.

Neither of two developments in that area — Tower Insurance, which is on a sewage holding tank and the planned but unbuilt Wisconsin Bell computer center — can have sewer service until the sewer service areas are defined.

Referring to those and other developments, Pewaukee City

Chairman Brent J. Redford said, “What I see taking place ... is a certain amount of blackmail being used to hold up economic development.”

Responding to Keenan, Redford accused Waukesha of making a “land grab,” but said Pewaukee City would be willing to negotiate on two areas south of I-94, east and west of Highway F. To the west of F are county-owned lands, including the airport. To the east is a subdivision that includes the home of Redford at W235-N991 Busse Rd.

Redford was asked today whether he didn’t feel a bit like a legislator facing a reapportionment plan that eliminates his district.

Redford said, “I’m not worried. I don’t believe Waukesha has any intentions of sewerage that area.” If Waukesha were to annex the property, he said, a state law requires that it would have to pay Pewaukee City for sewer mains already in the ground — a \$500,000 bill.

When Redford asked SEWRPC to arrange another meeting on the issue soon, Keenan did not appear anxious to meet again. He said he was unwilling to meet in a week but perhaps would agree to a meeting in two weeks. He made no promises, however.

Bauer said he’d call the meeting, but that he didn’t have subpoena powers to force all sides to attend.

Earlier in the session, Bauer scolded the communities for their failure to develop local development plans long ago.

“None of the local units of government are going to be totally happy” with the final plan, he said, “because the situation is already screwed up.... You left this problem go too many years.”

WAUKESHA FREEMAN
April 19, 1985

Sewer service area remains unsettled

by Jim Stevens

The matter of who should serve areas along I-94 with sewers remained unsettled between Waukesha and Pewaukee City Thursday.

Those communities are the main combatants in the battle to service areas roughly stretching from Highway G north of I-94 to just west of Goerke's Corners. A third party, the Village of Pewaukee, is interested in an area north of I-94 and west of Highway T.

Officials from Waukesha, the two Pewaukees and three other municipalities met with representatives of the Southeastern Regional Planning Commission Thursday to discuss who should service what areas.

The intergovernmental meeting held on that warm day became hot as the discussions wore on with allegations of "land grabbing" from Pewaukee City by town chairman Brent Redford and Waukesha Mayor Paul Keenan denying those charges.

Keenan said after the meeting, Waukesha was willing to make concessions to Pewaukee City over the sewer service area, particularly the areas south of I-94 and east of Highway G, and the area north of I-94 between Highways 16 and F. Those areas could be sewered by the Brookfield plant through Pewaukee City.

SEWRPC had determined those areas that Keenan conceded would be serviced best by Pewaukee City.

The City and Village of Pewaukee are serviced by the Brookfield treatment plant.

However, Keenan said he had not heard Pewaukee City make any concessions and in fact "they want the whole thing."

Engineer's Report

Keenan was referring to a report presented by Pewaukee City engineer William Mielke of Ruckert and Mielke. Mielke reported Pewaukee City could sewer areas south of I-94 between Highways TJ and F and from F to just west of 164. SEWRPC had determined those areas could be serviced most cost-effectively by Waukesha. The areas are presently in Waukesha's service area.

Mielke said if those areas were combined and treated as one service area, Pewaukee could sewer them most cost-effectively.

Redford said "based on our figures, that area could go either way."

Robert Biebel, SEWRPC's chief environmental engineer, said Redford might be correct.

Redford, in the past, has charged that Waukesha's goal was to "land grab." He restated that charge Thursday.

Keenan responded, "How do you grab

land out of the town? How are we going to do this?"

Pewaukee City officials said it has already been done.

Redford's Letter

In a letter Redford wrote to SEWRPC and read at the meeting he said, "the City of Waukesha has stated through its planner, that its intent is not to service anyone with public sewer or water facilities without detachment (annexation)."

This policy of not providing service to areas in Pewaukee City without annexation or detachment is in large part the main reason Pewaukee incorporated last year. That incorporation was challenged in court by Waukesha and ruled invalid in February. Pewaukee City is appealing that decision.

Asked if Waukesha would service areas in Pewaukee without annexation, Keenan said, "That is severely open to question."

This policy has clearly been the major stumbling block between the communities reaching an agreement on a sewer service area.

However, the two communities did agree to meet to negotiate an agreement using SEWRPC as an intermediary.

Also, the Village of Pewaukee will meet with the two communities to work out an agreement concerning the area in which the village has a vested interest.

Time Constraint

There is a time constraint to these negotiations as SEWRPC will be holding its quarterly meeting on June 17. SEWRPC would like to see a settlement reached so the agency may approve two Pewaukee City sewer projects. One will serve the Wisconsin Bell area on Highway R, and the other is the Springdale sewer interceptor, which would serve Takoma Hills subdivision and the Bluemound Industrial Park.

Contributing to the time constraint was Keenan's statement that Waukesha would not be prepared to talk for two weeks.

Keenan said Waukesha officials would have to look at the numbers presented by Pewaukee City before talking.

Redford repeatedly said Pewaukee City officials were willing to sit down and talk.

If the parties involved can not reach an agreement, SEWRPC does have the authority to set the boundaries of the service area.

Kurt Bauer of SEWRPC said no matter who decides the boundaries, no one will be satisfied.

"None of the local communities will be happy," he said. "The situation is badly screwed up already and the longer you wait, the more complex the situation will be."

Sewer plan goes to public

By Mark Lisher

Four Waukesha County communities will go to a public hearing in early June on a sewer service area that none of them has agreed upon.

Representatives from Waukesha, Pewaukee City, Pewaukee village and Brookfield Town did, however, agree that a public discussion of new plan was in everyone's best interest.

The sewer service area describes the territory which Waukesha may eventually serve with sewers.

It has been followed with intense interest by local officials because of what's at stake. If accepted by the Department of Natural Resources, the map will determine where sewers can be built, and by whom.

Because Waukesha has a pol-

icy of refusing sewer service to land outside the city, the sewer service map is by implication a definition of the city's eventual municipal boundaries.

So opposed to those annexations has been Pewaukee Town that it incorporated as a city. Cities can annex land from towns, but not cities or villages unless the city or village agrees to the detachment.

Waukesha's challenge to that incorporation prevailed in circuit court, but Pewaukee City is appealing it.

By contrast, the Brookfield sewerage treatment plant serves bordering municipalities, including Pewaukee City, by contract, without requiring annexations.

The host to Friday's meeting, Kurt Bauer, executive director of the Southeastern Wisconsin Regional Planning Commission which will recommend a service area to the DNR, kicked off the meeting of officials this way:

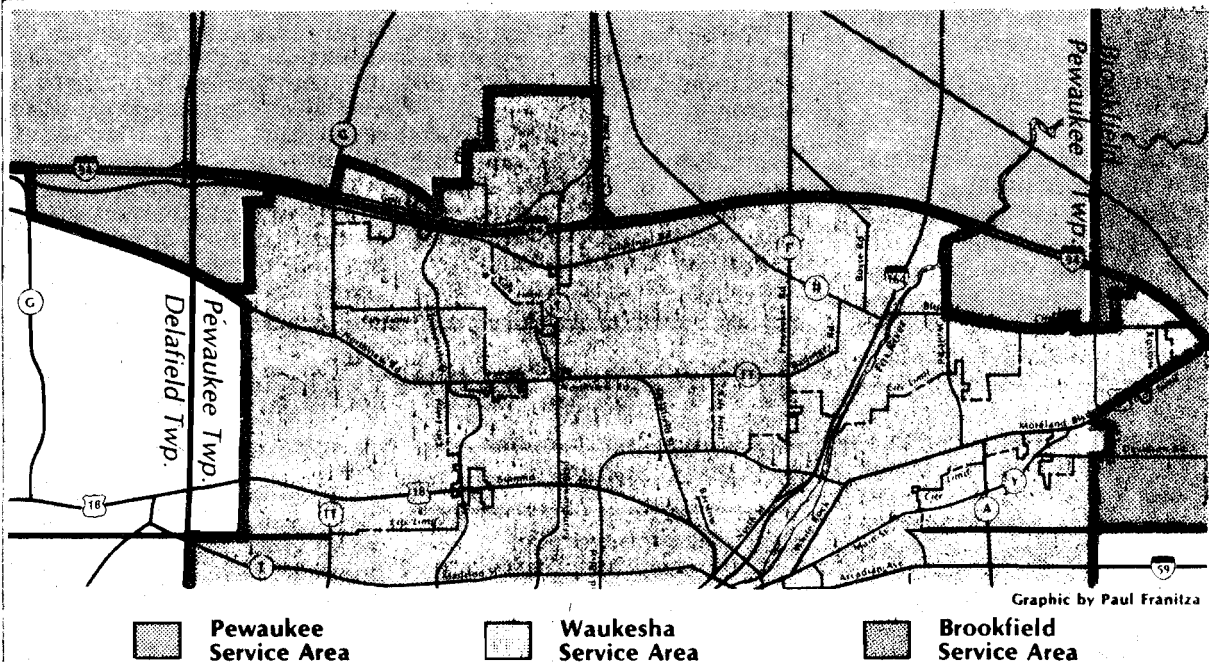
"We tried to draw the line in a location most cost effective for sewer service. We warned you guys that if you couldn't get together on this, we'd try. Everyone's going to have to, in some degree, give up something. Hopefully, having made all parties equally unhappy, we can proceed."

Leaders from both Waukesha and Pewaukee City Friday contended the other was the bigger winner in the final plan.

A public hearing is required before SEWRPC can win final approval of the plan from the Department of Natural Resources. A hearing has tentatively been scheduled for June 3 or June 4 in the county courthouse.

Waukesha Mayor Paul Keenan and Pewaukee Town Chairman Brent Redford made it clear they would not publicly endorse SEWRPC's red outlines for the Waukesha and Brookfield service

Proposed sewer service areas



areas.

Redford said the boundaries, together with Waukesha's annexation policy, will allow Waukesha to prey on \$69 million of the town's property. That represents 21 percent of Pewaukee's total assessed value, he said.

"What you're looking at is pulling our guts out," Redford said. "I'm giving you the overall picture. You're sticking one to us. To do that is unconscionable."

Keenan voted against calling the public hearing, saying he wanted to study the new sewer service areas with city planners before throwing support to them.

In its planning report on the boundaries, SEWRPC said that its lines were drawn, for the most part, to save taxpayers money. In some residential instances, lines of compromise were drawn to preserve unity in a subdivision.

The hotly contested Blue Mound Industrial Park south of I-94, north Highway JJ east of Highway 164, was placed in Pewaukee City's

sewer service area. A residential neighborhood just south of that remained in the Waukesha sewer service area.

The cost analyses done by SEWRPC in this industrial area were "inconclusive," the report said.

"The commission staff believes this division of the area will help implement the adopted land use plan for the area, while recognizing to the extent possible utility system planning and capital investments made in the Pewaukee, Brookfield and Waukesha sewerage systems," the report said.

Another disputed area, the Sherwood Forest subdivision south of I-94 and west of the Blue Mound Industrial Park, was placed into the Waukesha sewer service area.

Waukesha surrendered to Pewaukee a residential tract south of the interstate and east of Highway G.

The area east of Highway 16, site

of the Tower Insurance and Wisconsin Bell developments west of Highway F, would "clearly" be better served by Pewaukee, planners said.

County-owned lands — most of which are in Pewaukee City — will, for the most part, be kept in the Waukesha sewer service area.

Representatives from Pewaukee village and Brookfield Town, including Town Attorney Clayton Cramer, asked for a public hearing. Without a hearing before a meeting of SEWRPC June 18, sewer extension would be stalled until the commission met again in September.

Pewaukee City Attorney Dale Arenz said that without DNR approval before fall, a proposed sewer extension on Springdale Road would be stopped. The sewer work is planned to coincide with the widening of the interstate that is expected to be completed in November.

WAUKESHA FREEMAN

May 20, 1985

Sewer wars: no cease-fire

By Laurel Walker

analysis

Regional planners had hoped their solution to the turf war between Waukesha and Pewaukee City along I-94 would serve as a peace treaty.

It appears, however, not even to have prompted a cease-fire.

At a summit meeting Friday, Southeastern Wisconsin Regional Planning Commission staff advanced a map that outlines where Waukesha will eventually be allowed to extend its sewer lines.

Pewaukee Town Chairman Brent Redford immediately called Waukesha the winner, charging

that the plan would "pull our guts out" and allow Waukesha to raid his community's tax base.

Waukesha Mayor Paul Keenan today said today he's not altogether happy with SEWRPC's proposal. And, contrary to pleadings by Pewaukee City and SEWRPC that the argument be settled quickly so development can continue, Keenan said, "I'm in no rush."

SEWRPC Executive Director Kurt Bauer, on the other hand, said the solution is both economical and fair.

"It's hard to understand why

you can't get agreement on this line," he said today.

The best anyone could do was agree to a public hearing on the plan, probably in early June.

Because Waukesha generally will not provide sewer service to noncity land, the sewer service area may well represent the city's eventual boundary. But the northward expansion of the sewer service area is at the expense of Pewaukee City territory. And therein is the conflict.

Keenan and Redford have sparred over the issue for years.

Bauer has used everything, including threats, to get the two officials to agree on the sewer service area.

His weapon in the past: If the communities can't agree on the service areas, then SEWRPC would draw the line. SEWRPC's recommendation will be forwarded to the DNR and then, upon DNR approval, will have the effect of law.

Friday the threat was carried out. The resulting map provided Waukesha with a larger service area, an expansion Waukesha has banked on to help use up capacity on its under-used plant. But the new service area isn't anywhere near as large as Waukesha had hoped for.

Likewise, Pewaukee City has already paid for capacity in the expanded Brookfield treatment plant — some of it expected to come from development along I-94.

SEWRPC's solution gives Waukesha a bit more commercial and industrial land near the General Electric Co. plant at I-94 and Highway T, as well as residential territories south of I-94, from one side of the city to the other.

Land in Waukesha Town is also added to the city's service area.

The plan gives Pewaukee City, on the other hand, proposed and existing commercial and industrial developments along Highway JJ, both north and south of I-94. Those include the proposed Wisconsin Bell computer center, the

existing Tower Insurance property, the Milwaukee Cheese Co. and the Blue Mound Industrial Park.

Bauer's threat may have a slightly hollow ring to it, however.

He said today that the Regional Planning Commission has never adopted a sewer service area that has not been accepted by the "owners" of the sewerage plants.

In this case, Waukesha and Brookfield city councils would be asked to approve the revised service areas.

Because the two sewer service areas abut each other, one area could be set by "default" if the other community approves its area.

Keenan said today he isn't sure when, or if, he'll take the revised sewer service area to the City Council.

In any case, Keenan said, he is tired of taking "abuse" from town chairmen who object to Waukesha annexing town land. "Towns are the natural feedstock of cities. To ask us to guarantee forever that we're not going to annex is asking us to give away the right of the city to grow...." he said.

Redford said even if Brookfield were inclined to approve its service area, he would oppose the solution that has been proposed by SEWRPC.

Keenan said Pewaukee City is pushing SEWRPC for a speedy solution so that the Wisconsin Bell development — now unable to get sewers because it is in no one's service area — can be built with sewer service rather than a septic system.

Pewaukee City had no business promising Wisconsin Bell sewer service, Keenan said.

Redford said today, however, that Waukesha is "intent on holding this thing up." If Waukesha doesn't act on the plan, he said, Pewaukee City would seek to have at least the Wisconsin Bell property added to Brookfield's service area.

But William Muth, public works director for Brookfield, said his public works board is unwilling to take up the service area as long as there is a dispute between Pewaukee City and Waukesha.

"We don't want to interfere," he said. Since Brookfield's capacity is already paid for through agreements with bordering communities, "we don't care" about the dispute over acreage, he said.

"When those two are happy, we'll agree to it," Muth said. There's more at stake here than sewage flow, he said, referring to the territorial dispute.

"We don't think it's our business."

Waukesha to win in dispute over sewer at I-94

by Jim Stevens

The City of Waukesha may come out a winner in its battle with Pewaukee City over who should provide sewer along the I-94 corridor.

Officials of the two municipalities met once again Friday, May 17, along with members of the Southeastern Wisconsin Regional Planning Commission and representatives from other communities.

And according to Pewaukee officials, Waukesha came out on top.

Under a proposal drafted by SEWRPC, Waukesha would service the lands around Waukesha County Airport, bordered roughly by Highways TJ, JJ and F and south of I-94.

Also, Waukesha would provide sewer to an area generally bounded by I-94 on the north, Highway JJ and Badinger Road on the south, and the former Chicago, Milwaukee, St. Paul and Pacific railroad tracks on the east. This area includes Sherwood Forest subdivision.

A third area, north of I-94, would be divided between Waukesha and Pewaukee City. The area to be served by Waukesha would be the undeveloped lands near General Electric Medical Systems. Pewaukee City would serve the area north of that and east of Highway 16. All the areas lie within Pewaukee City.

Pewaukee Town Chairman Brent Redford was not pleased with SEWRPC's draft.

"There is one overall basic problem," he said. "You are stripping over \$69 million assessed value from Pewaukee City. That is 21 percent of total assessed value.

"You are pulling our guts out over a sewer service area."

Waukesha Mayor Paul Keenan said his city could provide more economical

service.

"Cost-effective sewer service, not annexation, is the question," Keenan said.

Waukesha's policy of requiring annexation or detachment before providing sewer service has made Pewaukee City officials leery about having Waukesha's sewer service area in Pewaukee City.

Redford said from what he has heard from Waukesha officials, "Nothing would be serviced without being in (Waukesha's) corporate limits."

Waukesha's policy was a major reason Pewaukee City residents voted for incorporation last year. That incorporation was challenged by Waukesha and the Village of Pewaukee and was ruled invalid.

Pewaukee City is appealing that decision.

Redford said he would have no problems with the service area if Waukesha would sit down and agree not to require detachment or annexation.

The cities asked SEWRPC to schedule a public hearing for early June. Based on the input of the meeting, SEWRPC will then make a final decision.

At first Keenan objected to the public hearing.

"It sounds like you're going to take your winnings home and come back to get the rest," he said.

"Either way, it was ours," Redford said.

Keenan later agreed to the public hearing.

The communities also agreed to allow work on the Springdale Road interceptor to proceed. The site is in Pewaukee's current sewer service area, but would be in Waukesha's if SEWRPC's proposal is agreed upon.

Waukesha officials refused to comment on the meeting.

LAKE COUNTRY REPORTER

May 21, 1985

EDITORIAL

Map should settle 'war'

Because both Pewaukee City and Waukesha officials are unhappy about the proposed sewer service area boundary lines recommended by a regional planning agency, the plan to end local "sewer wars" must be good.

Last week, the Southeastern Wisconsin Regional Planning Commission's staff displayed a map of who-gets-what in the hotly contested I-94 growth corridor where Waukesha and Pewaukee City are fighting for future tax revenue generated by residential, commercial and industrial development. Both communities have refused to cooperate and settle the turf war, so the planning commission's map should be accepted.

Members of the regional planning commission should approve the sewer service area map and the state's Department of Natural Resources should use the map to accept or reject sewer line extensions.

Approval of the sewer service area map won't please either Mayor Paul Keenan of Waukesha or Town Chairman Brent Redford of Pewaukee City.

(Remember, Pewaukee City used to be Pewaukee Town — or maybe it still is, when the state Supreme Court rules on the incorporation case; but Pewaukee Town became Pewaukee City to stop Waukesha's annexation of the town's prime territory when sewer lines were extended. Got all that?)

Keenan says the planning commission's map gives too much land to Pewaukee City — including land that Wisconsin Bell's new development will occupy.

Meanwhile, Redford gripes about the developed land now inside Pewaukee City's turf and valued at \$69 million — but designated as being within the Waukesha sewer service area. If sewer lines are extended to this area by Waukesha, the property will be annexed to the city because city officials won't provide sewer service unless property owners agree to be annexed.

The planning commission staff was sure to offend Waukesha and Pewaukee City officials. Waukesha wants more land along both sides of I-94 in order to assure the city's expansion. Pewaukee City wants to keep land already within its borders.

However, neither community would budge to allow a compromise. So, the regional planning commission staff did what it had threatened to do: Draw its own map.

Good. It's about time for sewer wars to end — and for development of property in the disputed area to proceed.

Hearing June 5 on sewer area

A public hearing will be held on June 5 at 7:30 p.m. in Room B-201 of the Business Occupations Building at the Waukesha County Technical Institute in Pewaukee. The purpose of the hearing will be to receive public comment on the proposed year 2000 sanitary sewer service areas for the Waukesha and Pewaukee areas.

The Waukesha area would be served by the City of Waukesha sewage treatment plant; the Pewaukee area would be served by the City of Brookfield sewage treatment plant.

The public hearing is being sponsored by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) in cooperation with the cities of Brookfield, Pewaukee, New Berlin and Waukesha; the Village of Pewaukee; the towns of Brookfield, Delafield, Genesee and Waukesha; and the Lake Pewaukee Sanitary District. Maps of the proposed Pewaukee and Waukesha sanitary sewer service areas, which areas share a common boundary along the I-94 corridor,

are on file at the offices of the clerks for the communities and at the SEWRPC offices in Waukesha. The sanitary sewer service area proposals will be explained at the beginning of the hearing.

Following the hearing, a determination will be made whether or not any changes should be made in the proposed sanitary sewer service areas. It is intended that the service areas be adopted formally by the SEWRPC as part of the regional water quality management plan for southeastern Wisconsin, a plan required by state and federal regulations. Once approved by the Wisconsin Department of Natural Resources, the sewer service areas will be used by that department in the review and approval of sanitary sewer design and construction.

Interested citizens and landowners are encouraged to attend the public hearing. Further information may be obtained by contacting Kurt W. Bauer, executive director of the SEWRPC, 916 N. East Ave., Waukesha, WI 53187; telephone, 547-6721.

LAKE COUNTRY REPORTER
May 28, 1985

Hearing set on boundary controversy

WAUKESHA FREEMAN
June 4, 1985

The boundary dispute between Waukesha and Pewaukee City is expected to be aired again Wednesday during a hearing on the size and shape of Waukesha's sewer service area.

The Southeastern Wisconsin Regional Planning Commission will conduct the hearing at 7:30 p.m. in the Business Occupations Building, Room 201, at Waukesha County Technical Institute.

At center stage is a proposal that would expand Waukesha's eventual sewer service area into Pewaukee City and Waukesha Town. The map was drawn by SEWRPC staff based on an analysis of the most economical way to extend sewers.

But several areas of the map are in contention, particularly areas around the Country Inn and GE Medical Systems, the Blue Mound Industrial Park north of Highway JJ and a small stretch of road along Highway 18 south of Goerkes Corners.

Town Chairman Brent Redford

said Pewaukee City officials will suggest changes in the SEWRPC map; Waukesha Mayor Paul Keenan said he would, too.

SEWRPC had hoped to act on the revised sewer service area this month, but Executive Director Kurt Bauer said the commission has never adopted a sewer service area that was not first accepted by the community that owns the sewage plant.

Keenan said he probably will take the map to the City Council later in June, but not necessarily for its approval.

Once approved by SEWRPC and the state Department of Natural Resources, the map describes which areas will be entitled to municipal sewers and which will not.

The Waukesha sewer service area has been particularly controversial because of Waukesha's policy against extending sewers to areas that have not been annexed to the city.

Pewaukee officials call sewer service plan unfair

By John M. Hostved
of The Journal Staff

Pewaukee — Pewaukee City officials Wednesday called the sewer service plan to serve the I-94 corridor unfair and asked that the plans be sent back to the drawing board.

Pewaukee City fears that it could lose \$69 million of its tax base through annexation by the City of Waukesha. That is 21% of its \$332 million base as calculated in 1984.

"Pewaukee City is the only loser in this whole deal," Brent J. Redford, chairman of Pewaukee City's Town Board, told a group of about 30 municipal leaders and engineers.

Pewaukee City probably will not be able to protect its borders if it loses an appeal of a decision invalidating its incorporation as a fourth-class city. The incorporation attempt was aimed at preventing Waukesha from annexing lands near Pewaukee's southern boundaries.

The sewer plan, designed by the Southeastern Wisconsin Regional Planning Commission for Pewaukee City, the City of Waukesha and portions of five other communities — the Town of Brookfield, the Town of Waukesha, the Village of Pewaukee, the City of Brookfield and the Town of Delafield — was the topic of a public hearing at the Waukesha County Technical Institute.

The plan outlines which areas would be served by a sewage treatment plant in Brookfield and which would be served by Waukesha's plant.

The plans must be approved by the commission and the State Department of Natural Resources before sewers can be built. That effectively holds up much development along I-94, including a proposed Wisconsin Bell plant in Area 5 (see accompanying map).

Redford objected to the plan because some homeowners in his community — particularly those in the

Takoma Hills Subdivision in Area 7 — would be forced to annex to Waukesha for sanitary sewer service under a Waukesha policy of not providing sewer service to landowners outside the city's boundaries. Area 7 is designated by the study to be served by the Waukesha treatment plant.

Redford said residents in his community would be penalized because they would have to pay Waukesha's higher property taxes. Pewaukee City's property tax is \$1.89 per \$1,000 assessed value. Waukesha's is \$7.53, he said.

Area 6 just south of I-94 also is in the Waukesha treatment plant's service district. Area 6 includes the Sherwood Forest subdivision.

Areas 1, 4 and 5 would be served by the Brookfield plant and remain in Pewaukee City, according to the study. Area 2 would be served for the most part by Brookfield, but the industrial lands to the southwest part of the area would be served by Waukesha, the study said.

Area 3, the Waukesha County Airport, would be served by Waukesha, the study said.

Philip C. Evenson, SEWRPC's assistant director, summed up the hearing by saying that Waukesha Mayor Paul Keenan and Pewaukee Village officials agreed with the plan and that Pewaukee City officials were against it.

Evenson said that if it were not for Waukesha's policy of annexing land it serves with sewers, Pewaukee City also would be in accord.

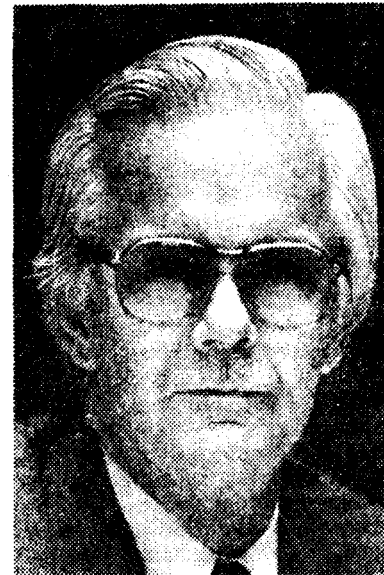
Redford has called the Waukesha annexation policy a "land grab," and argued that Waukesha "fell off the sled" in negotiations over the sewer areas.

Kurt Bauer, SEWRPC's executive director, said his agency would continue to encourage community leaders to reach an agreement.

Keenan countered Redford's statements several times during the hear-



Brent J. Redford



Paul Keenan

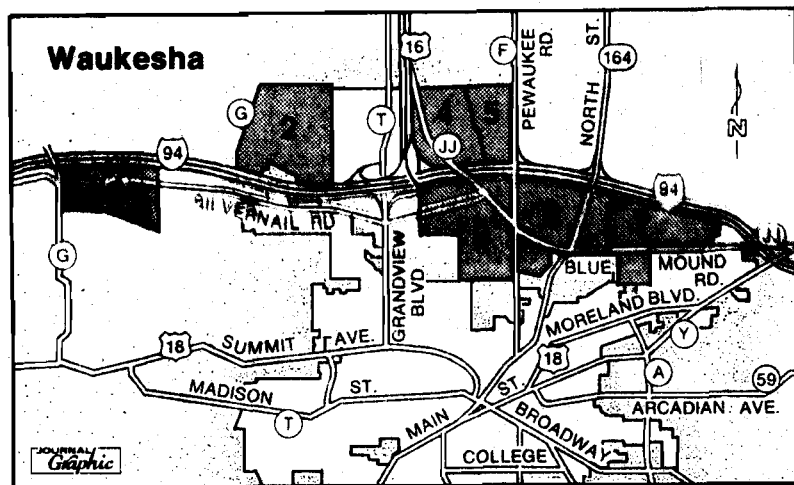
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ing. Redford's attempt to make Waukesha look like it wants to annex any land it can get its hands on is unfair, Keenan said.

"We don't solicit people to come here," he said.

He also sent a barb to Pewaukee City officials by saying that Waukesha "hasn't chosen to go into great engineering studies to contradict SEWRPC's findings."

Pewaukee City Engineer William Mielke had prepared a report countering some of SEWRPC's findings. In the report, he told agency planners to go back to the drawing board.



— By a Journal Artist

DISPUTED AREAS — These are the areas involved in a dispute over how sewer service should be provided to land along I-94.

Keenan backs SEWRPC sewer plan

WAUKESHA FREEMAN
June 6, 1985

By Laurel Walker

Regional planners who had hoped to help settle the border disputes between Pewaukee City and Waukesha were given a big boost by Waukesha Mayor Paul Keenan Wednesday.

For the first time, Keenan publicly stated his acceptance of the Southeastern Wisconsin Regional Planning Commission's staff proposal outlining which areas along the Waukesha-Pewaukee City border would be served by Waukesha sewers and which would be served by the Brookfield plant.

"It doesn't look too terribly bad to us," Keenan said, speaking during a two-hour public hearing on the proposal at Waukesha County Technical Institute's Pewaukee campus Wednesday night.

SEWRPC Executive Director Kurt Bauer said after the hearing he considered that a big turn-

around. It appears, he said, that the regional commission will no longer be faced with establishing a service area that the sewerage plant owner might object to.

As a result, Bauer said, the commission probably will delay action on the plan, which had been scheduled for its June 17 quarterly meeting, to await Waukesha City Council action, possibly June 18.

Once adopted by SEWRPC and, finally, the Department of Natural Resources, the sewer service area will determine who will get sewers and from which community.

Keenan said he wished SEWRPC had included more territory in Waukesha's service area, but added, "I guess we're willing to go along with that (plan) provided it stops there. I'm not really interested in further negotiations."

Pewaukee Town Chairman Brent Redford, by contrast, continued his objections to the proposal. "Pewaukee City is the only loser in this whole deal," he said.

Waukesha generally requires property owners to annex to the city before they can get sewer or water services. And much of the service area along I-94 is within Pewaukee City, which is locked in a court fight with Waukesha over Pewaukee City's incorporation to prevent further Waukesha annexations.

Officials from both sides have jostled repeatedly over the annexation issue.

They did so again at Wednesday's hearing.

The loss of Pewaukee City territory to Waukesha would drain it of \$69 million of its \$332 million tax base, Redford said. And forcing property owners to annex to Waukesha will drastically increase their taxes because Waukesha's municipal tax rate is more than four times that of Pewaukee City, he claimed.

Pewaukee City consulting engineer William J. Mielke, referring to the loss of the Takoma Hills sub-

division south of Highway JJ to the Waukesha service area, said, "It's wrong to force those people to annex ... because the fiscal analysis will show those people will be harmed."

Pewaukee City officials again asked that Waukesha agree to provide sewer services to Pewaukee City property through intergovernmental contracts, as Brookfield does.

Said Mielke, "It's more of a political question than it is a technical question or an engineering question."

About 50 persons attended the hearing, a good number of them apparently Pewaukee City residents in the affected areas. When Redford and Mielke finished their comments, both were met with applause. Keenan's remarks were met with silence.

Among others who spoke was Ralph Delfeld, responsible for preparing long-range capital costs for HUSCO-AMCA International at

W239-N218 Pewaukee Rd., Pewaukee City.

"Quite frankly, I'm getting very frustrated" by the inability of Waukesha and Pewaukee City to settle their dispute, he said. The company is paying about \$20,000 a year to have its sewage holding tank pumped and trucked away, he said, and his company is unable to plan for sewer service while the dispute continues.

Among the companies waiting for a resolution to the sewer dispute is Wisconsin Bell, whose proposed computer center east of Highway 164 and north of I-94 is in no sewer service area. It is proposed to be added to the Brookfield area, a proposal Waukesha has not challenged.

Representatives from the village of Pewaukee and Brookfield Town said they support the SEWRPC proposal.

Jerald Haerle of N9-W2396 Sherwood Dr., Pewaukee City, which

would be added to Waukesha's service area, criticized the dispute. "The areas are being talked about like they're a prize," he said.

Gerald E. Graf of W231-N1013 Highway 164, Pewaukee City, in the same Sherwood Forest subdivision east of Highway I just south of I-94, said he was concerned that he might "wait 500 years" to get sewers from Waukesha because his home is not adjacent to Waukesha and business property between his property and the city might not ever annex.

Redford's home is in the same subdivision. Also included in Waukesha's service area is the home of Pewaukee Town Supervisor Michael J. Hasslinger.

Bauer agreed that "there's going to be a certain amount of frustration on the part of the landowners" until Waukesha and Pewaukee City cooperate.

Sewer service agreement reached

By Laurel Walker

Pewaukee City and Waukesha officials have finally agreed on the Southeastern Wisconsin Regional Planning Commission staff's plan establishing sewer service areas for the Waukesha and Brookfield sewage treatment plants.

In what SEWRPC Executive Director Kurt Bauer termed "a very pleasant surprise," the Pewaukee Town Board Monday urged SEWRPC to adopt the Brookfield sewer service area, which serves the Pewaukee Lake Sanitary District.

Because that service area has a common boundary along I-94 with the Waukesha sewer service area, SEWRPC's adoption of the Brookfield plan would in effect establish Waukesha's northern sewer service boundary.

Bauer said SEWRPC's full commission would likely take up the Brookfield plan at its meeting Monday in West Bend. Action on the Waukesha sewer

service area could be taken up as well, but more likely would await formal action of the Waukesha City Council, which doesn't meet until next Tuesday.

Once SEWRPC and the state Department of Natural Resources approve the sewer service areas, the maps will have the effect of law, dictating what land may get municipal sewers and from which community.

Bauer said officials from every affected community in both Brookfield's and Waukesha's sewer service area are now on record favoring both plans. "That's a big, big positive step," he said.

Bauer said Pewaukee Town Chairman Brent Redford appeared at SEWRPC's Planning and Research Committee meeting Monday armed with a letter and Town Board resolution endorsing the plan, which was the subject of a public hearing last week.

At that hearing, Mayor Paul Keenan for the first time said he and his staff would support

SEWRPC's recommended sewer service map. But Redford spoke in opposition to it.

Both sides had fought to include land along I-94 within their respective sewer service areas. The fight was fueled by Waukesha's policy of not providing sewer service to land that has not annexed to Waukesha.

Consequently, Pewaukee City land incorporated into Waukesha's sewer service area could well be annexed to the city some day.

SEWRPC's staff analyzed the disputed land based on the most costly way of providing sewer service; based on that analysis, they put some of the land in Waukesha's sewer service area and some in Brookfield's through the Pewaukee Lake Sanitary District.

Bauer said that while Pewaukee City officials endorsed SEWRPC's plan, they maintained the the sewer service area "is not a municipal corporate limits boundary."

In short, Bauer said, Pewaukee City would continue to fight Waukesha on annexing any of its

land, but instead would seek to serve those areas in Waukesha's sewer service area through intergovernmental agreements, much as it does with Brookfield.

Pewaukee Town incorporated as a city to prevent further annexations by Waukesha. However, Waukesha has challenged the incorporation in court and a circuit court judge has sided with Waukesha. The decision is being appealed.

The sewer service areas are actually revisions of ones drawn in 1979, which were not intended to be detailed boundary descriptions.

The newly drawn map expands Waukesha's 1979, 25-square-mile sewer service area to about 30 square miles. It takes in additional land in both Waukesha Town and Pewaukee City.

Of the 30-square-mile area, 12 square miles are already developed and served by sewers, while another 14 square miles are considered "developable," according to SEWRPC. Another 4 square miles are primary

environmental corridors and could not be developed.

According to SEWRPC, the new Waukesha service area would serve a population of about 74,900 people, compared with the 53,100 existing population.

The Pewaukee City portion of the Brookfield service area incorporates about 3 square miles of populated, developed area and includes another 13 square miles considered "developable." It is designed to serve a population of about 22,700, compared to 11,800 now, according to SEWRPC.

Until the new sewer service maps are adopted, development in some areas along I-94 which are not in any service area, including the Wisconsin Bell computer center at Highway T and I-94, could not be built with municipal sewers.

In other business Monday, SEWRPC's Planning and Research Committee recommended approval of the Hartland sewer service area, expanded slightly since the 1979 version.

WAUKESHA FREEMAN

June 11, 1985