AMENDMENT TO THE

REGIONAL WATER QUALITY MANAGEMENT PLAN CITY OF NEW BERLIN

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

DECEMBER 1997

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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Bruce P Ruhin Chief Land Use Planner

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality

Management Plan (City of New Berlin Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the

Southeastern Wisconsin Region, namely: the County of Waukesha; the City of New Berlin,

and the Milwaukee Metropolitan Sewerage District

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Milwaukee County Courthouse, Milwaukee, Wisconsin, on the 3rd day of December 1997, the Commission did by unanimous vote of all Commissioners present, being 18 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional water quality management plan, which plan was originally adopted by the Commission on the 12th day of July 1979, as part of the master plan for the physical development of the Region. Said amendment to the regional water quality management plan pertains to the revised City of New Berlin sanitary sewer service area and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Waukesha, Wisconsin, this 4th day of December 1997.

Thomas H. Buestrin, Chairman Southeastern Wisconsin

Regional Planning Commission

Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

Rhilip C- Even son

RESOLUTION NO. 97-16

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

WHEREAS, pursuant to Section 66.945(10) of the <u>Wisconsin Statutes</u>, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, <u>A Regional Water Quality Management Plan</u> for Southeastern Wisconsin: 2000; and

WHEREAS, at a meeting held on the 7th day of December 1987, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the New Berlin sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 157, <u>Sanitary Sewer Service Area for the City</u> of New Berlin, Waukesha County, Wisconsin, November 1987 as amended; and

WHEREAS, by letter dated June 9, 1997, the City of New Berlin requested that the Commission amend the New Berlin sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, "Response to Request by the City of New Berlin to amend the New Berlin Sanitary Sewer Service Area," attached hereto and made a part hereof, which memorandum concludes that the plan amendment requested by the City of New Berlin is sound and in the public interest; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforereferenced staff memorandum, was the subject of a public hearing held jointly by the City of New Berlin and the Regional Planning Commission on November 18, 1997; and

WHEREAS, Section 66.945(9) of the <u>Wisconsin Statutes</u> authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

<u>FIRST</u>: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was amended on the 7th day of December 1987 to include the initial refined New Berlin sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 157, be and the same hereby is amended in the manner identified on Map 1 of the aforereferenced SEWRPC staff memorandum.

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

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

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 3rd day of December 1997, the vote being: Ayes 18; Nays 0.

Thomas H. Buestrin, Chairman

ATTEST:

Philip C- Even son

Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE CITY OF NEW BERLIN TO AMEND THE NEW BERLIN SANITARY SEWER SERVICE AREA

INTRODUCTION AND BACKGROUND

By letter dated June 9, 1997, the City of New Berlin requested that the Southeastern Wisconsin Regional Planning Commission amend the New Berlin sanitary sewer service area as that area is currently documented in SEWRPC Community Assistance Planning Report No. 157, Sanitary Sewer Service Area for the City of New Berlin, Waukesha County, Wisconsin, dated November 1987, as amended. The basic purpose of the amendment would be to include within the planned New Berlin sewer service area certain lands located immediately adjacent to, but outside of, the currently adopted sewer service area to accommodate planned residential, commercial, and industrial land uses. In addition, it was deemed necessary by City staff to expand the sewer service area to properly reflect levels of population growth envisioned by the City and the Milwaukee Metropolitan Sewerage District in facilities planning for the year 2010. The Regional Planning Commission recognizes that, like other long range-plans, sanitary sewer service area plans should be periodically reviewed to assure that the plans continue to properly reflect regional and local development objectives.

PRELIMINARY REVISED NEW BERLIN SANITARY SEWER SERVICE AREA

As shown on Map 1, the areas initially proposed to be added to the City of New Berlin sewer service area encompass approximately 1,140 acres, or about 10 percent of the currently adopted New Berlin sewer service area tributary to the Milwaukee Metropolitan Sewerage District, as set forth in SEWRPC Community Assistance Planning Report No. 157 as amended. In 1995, about 155 acres, or 13 percent of the area proposed to be added was in urban use, including 102 acres of residential land use containing 54 existing housing units, and 53 acres of commercial and industrial land use. About 20 acres, or 2 percent of the area is located within primary environmental corridor lands; about 77 acres, or 7 percent is located within secondary environmental corridor lands; and about 132 acres, or 12 percent is located within isolated natural resource areas.

The remainder of 756 acres, consisting of vacant developable lands located outside of environmentally sensitive areas, comprises about 66 percent of the area to be added. It is anticipated that 380 acres would be developed for single-family residential use at a density of 1.7 housing units per gross acre of land; 103 acres would be developed for multi-family residential use at a density of 4.5 dwelling units per gross acre of land; and 273 acres would be developed for commercial and industrial uses.

Based upon full development of all vacant developable residential lands identified above, the preliminary revised New Berlin sanitary sewer service area would accommodate a design year 2010 resident population of about 41,100 persons. This population level lies within the range of population levels for the New Berlin area envisioned under Commission alternative regional land use plans for the year 2010.

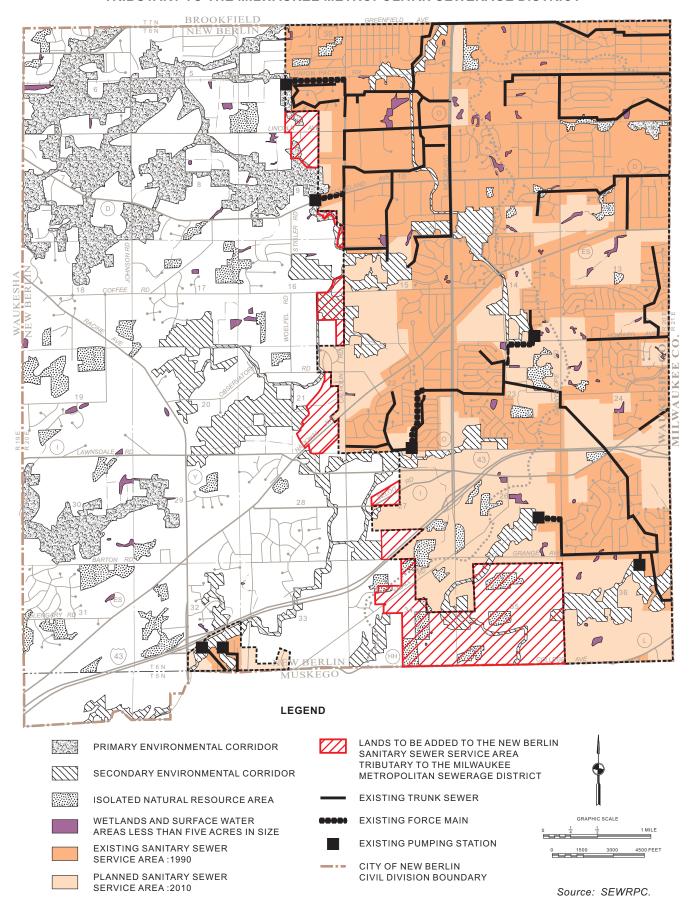
PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on November 18, 1997, for the purpose of receiving comment on the plan amendment to revise the New Berlin sanitary sewer service area. The hearing was sponsored jointly by the City of New Berlin and the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Minutes of the public hearing are on file at the offices of the City and SEWRPC.

A SEWRPC representative presented a summary of the plan amendment prior to receiving public comment. Topics specifically addressed in the summary presentation included the history of sewer service area planning and the process of extending sewer service areas; the rationale for refining the New Berlin sewer service area; the importance of the delineation of the outer boundaries of the sewer service area for future development; and the importance of the delineation of the environmentally significant lands within the sewer service area. Comments on the refined plan were then solicited.

Map 1

PRE-PUBLIC HEARING NEW BERLIN SANITARY SEWER SERVICE AREA TRIBUTARY TO THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT



A review of the hearing record indicates that while some residents of the City of New Berlin supported the extension of sewer service area boundaries, most were opposed to the extension of such boundaries because of the magnitude of new residential, commercial, and industrial development that would ensue.

After consideration of the public input received at the public hearing, the Common Council of the City of New Berlin adopted a revised sanitary sewer service area for the City on November 18, 1997. That revised sewer service area adopted by the Common Council, as described below, is significantly smaller than the area presented at the public hearing.

REVISED NEW BERLIN SANITARY SEWER SERVICE AREA

The year 2010 City of New Berlin sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD), as revised to reflect comments received at the aforementioned public hearing, is shown on Map 2. This gross revised sewer service area encompasses about 17 square miles, and is about 40 acres larger than the currently approved sewer service area. A total of about 1.6 square miles, or about 9 percent of this sewer service area, is located within environmentally significant areas consisting of about 0.1 square mile of primary environmental corridor, 1.0 square mile of secondary environmental corridor, 0.4 square mile of isolated natural resource areas, and 0.1 square mile of wetlands and surface water areas less than 5 acres in size.

This sewer service area tributary to the MMSD would accommodate a design year 2010 resident population of about 38,000 persons, assuming full development of vacant lands within the sewer service area as envisioned under the City's adopted land use plan as amended. This population level lies within the range of population levels for the New Berlin area envisioned under Commission alternative regional land use plans for the year 2010.

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the refined sanitary sewer service area plan herein set forth, it is envisioned that all urban lands within the planned urban service area would receive sanitary sewer service. It is also envisioned that all lands identified as primary environmental corridor would not be developed for intensive urban use. It is recognized, however, that certain land uses requiring sanitary sewer service could be properly located in the primary environmental corridors, including park and outdoor recreation facilities, certain institutional uses, and, in some cases, extremely low-density residential development at a density not to exceed one housing unit per five acres of upland corridor land, compatible with the preservation of the corridors in essentially natural, open uses. These plans also recognize that certain secondary environmental corridors and isolated natural resource areas may be converted to urban uses over the plan design period. However, current Federal, State, and local regulations may effectively preclude development of such areas. Of particular importance in this regard are natural resource protection regulations dealing with wetlands, floodplains, shorelands, stormwater runoff, and erosion control. Therefore, it is important that the developer or local unit of government concerned determine if it is necessary to obtain any applicable Federal, State, or local permits before any proposed disturbance of wetlands, floodplains, or other regulated lands.¹

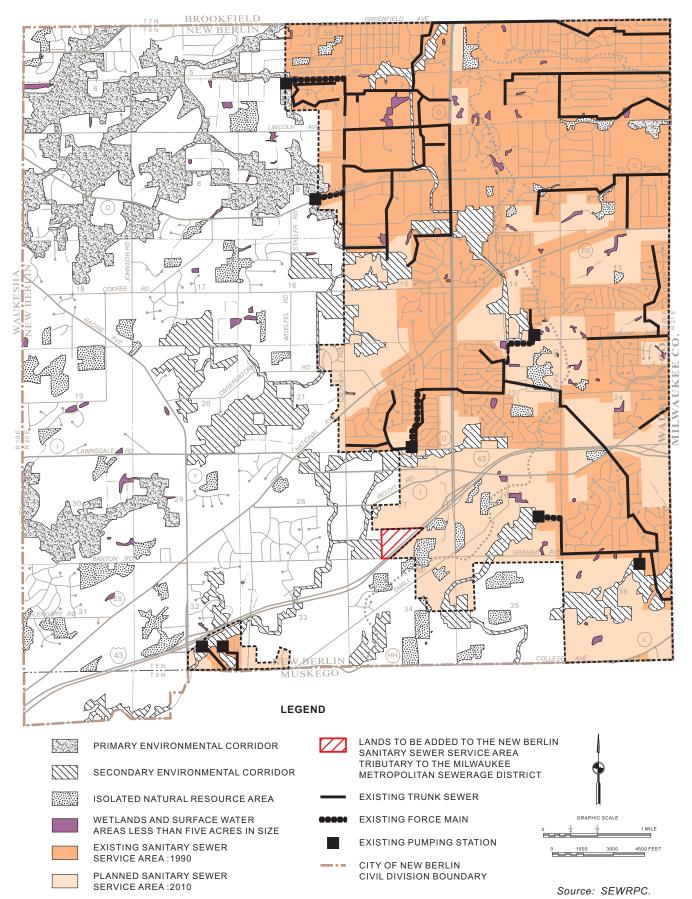
In addition, the provision of public sanitary sewer service to those lands within the planned sanitary sewer service area which are currently developed and served by onsite sewage disposal systems may be expected to reduce the pollutant loadings from the existing onsite sewage disposal systems to both surface and ground waters.

Accordingly, assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

¹It should be noted that the sanitary sewer service area map set forth herein, particularly the environmental corridors and isolated natural resource areas shown thereon, are a representation of conditions at the time of map preparation and that such physical features may change over time from natural or human causes. Therefore, the presence and location of wetlands, navigable water, floodplains, and similar site features should be verified by developers, and applicable permits obtained prior to any land disturbing activity.

Map 2

POST-PUBLIC HEARING NEW BERLIN SANITARY SEWER SERVICE AREA TRIBUTARY TO THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT



COST-EFFECTIVENESS ANALYSIS

All of the proposed additions to the New Berlin sewer service area lie adjacent to the current sewer service area which is tributary to the Milwaukee Metropolitan Sewerage District. No other public sewerage system is located in the vicinity, and thus no further analysis is deemed to be required to conclude that the subject area would be served most cost-effectively through connection to the Milwaukee Metropolitan Sewerage District sewerage system.

SEWERAGE SYSTEM CAPACITY IMPACT ANALYSIS

The size and capacity of the Milwaukee Metropolitan Sewerage District (MMSD) sewerage facilities were developed as a part of the District's facility planning program². That plan was based upon an estimated year 2005 sewer service area population of 52,000 persons in the City of New Berlin. Under a recently completed follow-up facilities planning program,³ the MMSD, with cooperation from the City and the Regional Planning Commission, initially included consideration of a resident population level of 41,100 persons for the New Berlin sewer service area by the year 2010. It should also be noted that the amount of planned commercial and industrial land uses within the sewer service area, as initially set forth in the current MMSD facilities planning work, was arrived at after consultation with the City and the Regional Planning Commission, considering local planning and recent urban development, and represents a refinement of the regional land use plan. In a later stage of the facilities planning effort, the MMSD adjusted future population and land use data, and associated future flows and loadings, for the City of New Berlin sewer service area to reflect the revised service area as adopted by the Common Council and shown on Map 2, and to reflect other information and analyses developed by the MMSD. These adjustments included the use of a year 2010 facilities plan population level of 33,500 persons. This population level is considerably less than the 38,000 persons envisioned to reside within the revised sanitary sewer service area, as reflected on Map 2, under the Regional Planning Commission's forecasts, by the year 2010.

Since the planned population level now envisioned in the City of New Berlin sewer service area is greater than that being used in the final MMSD facilities planning, the sewerage facilities in the MMSD system, including the treatment plant, will have to be reviewed prior to any subsequent expansion of the New Berlin sanitary sewer service area to determine if adequate conveyance and treatment capacity exists. Such evaluation could be carried out as part of a subsequent facility planning effort or as a community-specific analysis, depending upon the timing of additional development within the City.

LOCAL GOVERNMENT SUPPORT FOR THE PLAN AMENDMENT

The Common Council of the City of New Berlin adopted the amendment on November 18, 1997.

CONCLUDING RECOMMENDATIONS

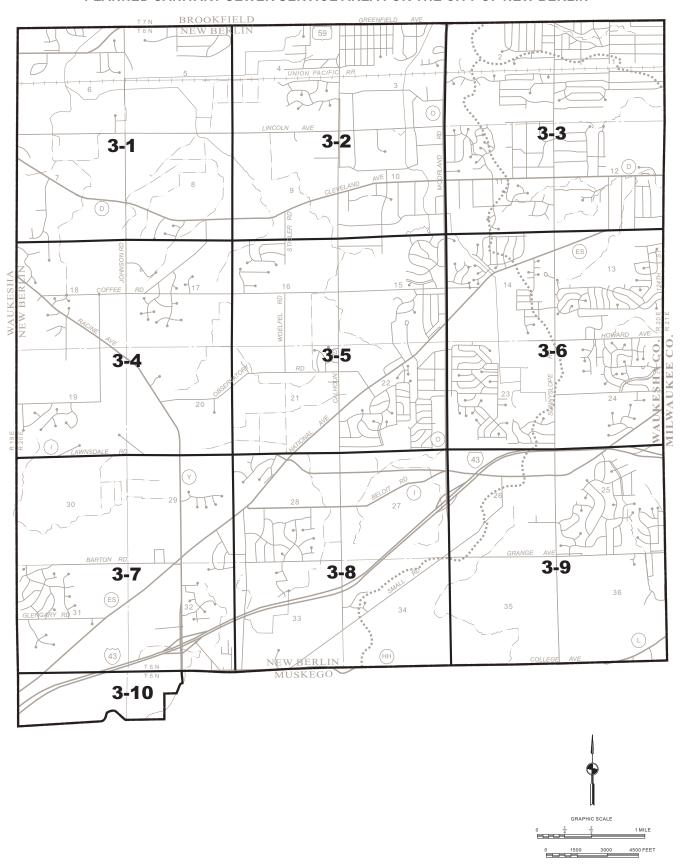
Based upon the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the New Berlin sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 157 in the manner identified on Map 2. A more detailed delineation of the revised sewer service area is shown on a aerial photographs reproduced as Map 3, beginning on page 6 and continuing through page 16 of this report.

²Milwaukee Metropolitan Sewerage District, Wastewater System Plan, June 1980.

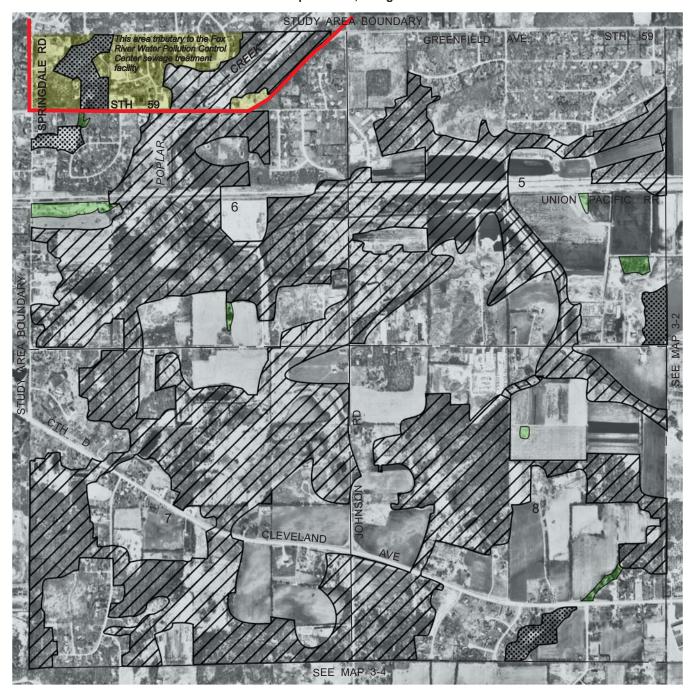
³Milwaukee Metropolitan Sewerage District, 2010 Facilities Plan, May 1998.

Map 3

INDEX OF MAPS SHOWING ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF NEW BERLIN



U. S. Public Land Survey Sections 5, 6, 7 and 8 Township 6 North, Range 20 East



LEGEND

PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

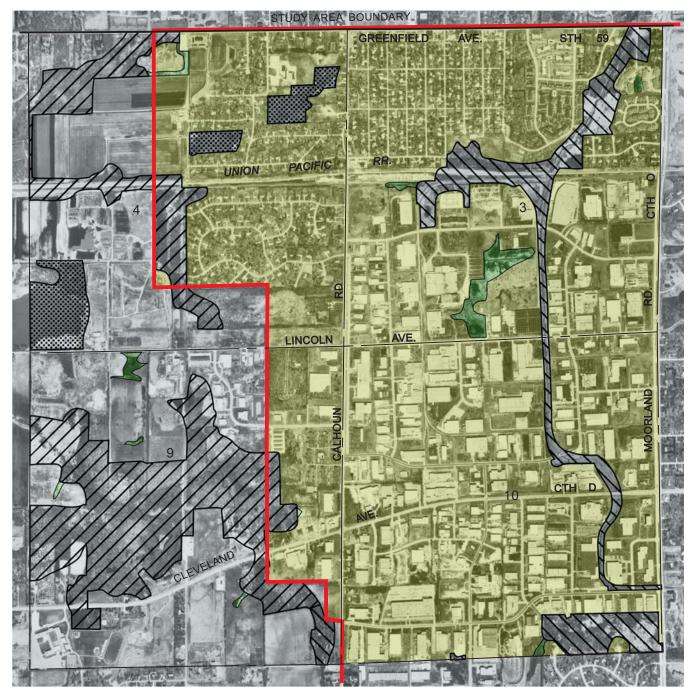
Source: SEWRPC.

PLANNED SANITARY SEWER SERVICE AREA

— GROSS SANITARY SEWER SERVICE AREA BOUNDARY



U. S. Public Land Survey Sections 3, 4, 9, and 10 Township 6 North, Range 20 East



LEGEND

PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

GROSS SANITARY SEWER SERVICE AREA BOUNDARY

PLANNED SANITARY SEWER SERVICE AREA



GRAPHIC SCALE

U. S. Public Land Survey Sections 1, 2, 11, and 12 Township 6 North, Range 20 East



LEGEND

PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

PLANNED SANITARY SEWER SERVICE AREA

GROSS SANITARY SEWER SERVICE AREA BOUNDARY

GROSS SANITART SEWER SERVICE AREA BOUNDART





ENVIRONMENTALLY SIGNIFICANT LANDS FOR THE CITY OF NEW BERLIN

U. S. Public Land Survey Sections 17, 18, 19 and 20 Township 6 North, Range 20 East



LEGEND



PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

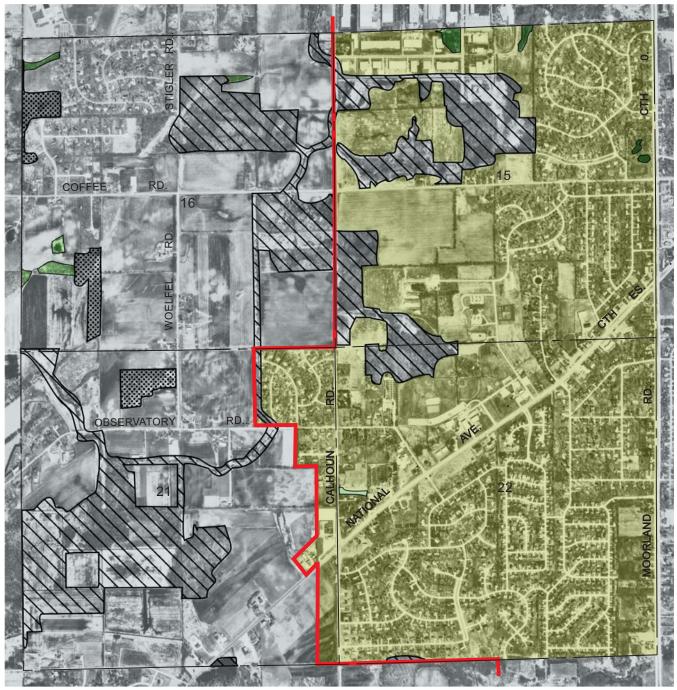


ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE



U. S. Public Land Survey Sections 15, 16, 21 and 22 Township 6 North, Range 20 East



LEGEND

PRIMARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

PLANNED SANITARY SEWER SERVICE AREA

GROSS SANITARY SEWER SERVICE AREA BOUNDARY



U. S. Public Land Survey Sections 13, 14, 23 and 24 Township 6 North, Range 20 East



LEGEND

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

PLANNED SANITARY SEWER SERVICE AREA

GROSS SANITARY SEWER SERVICE AREA BOUNDARY



U. S. Public Land Survey Sections 29, 30, 31 and 32 Township 6 North, Range 20 East



LEGEND

PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

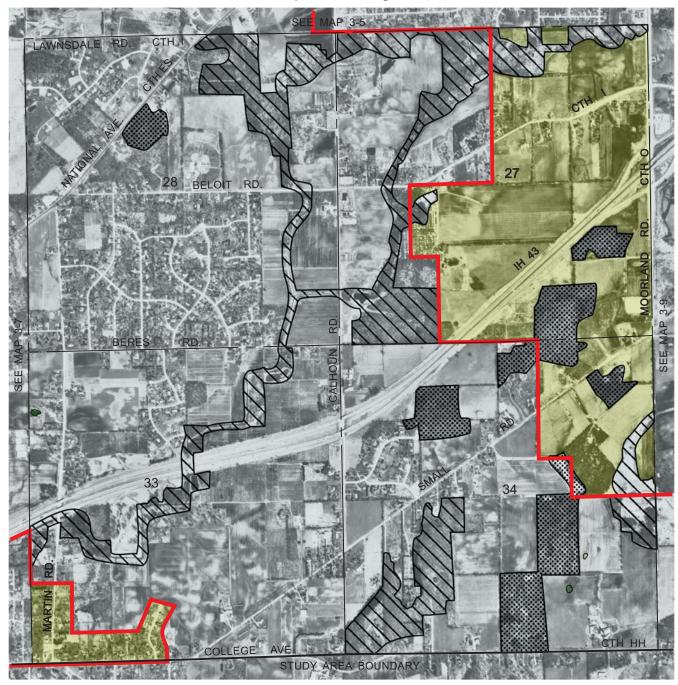
Source: SEWRPC.

PLANNED SANITARY SEWER SERVICE AREA

GROSS SANITARY SEWER SERVICE AREA BOUNDARY



U. S. Public Land Survey Sections 27, 28, 33 and 34 Township 6 North, Range 20 East



LEGEND

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

PLANNED SANITARY SEWER SERVICE AREA

GROSS SANITARY SEWER SERVICE AREA BOUNDARY



U. S. Public Land Survey Sections 25, 26, 35 and 36 Township 6 North, Range 20 East



LEGEND

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

PLANNED SANITARY SEWER SERVICE AREA

GROSS SANITARY SEWER SERVICE AREA BOUNDARY

