

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

**WALWORTH COUNTY
METROPOLITAN SEWERAGE
DISTRICT-LAKE COMO SANITARY
SEWER SERVICE AREA**

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

JUNE 2004

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Lake Como Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Walworth, the Town of Geneva, the Walworth County Metropolitan Sewerage District, and the Lake Como Sanitary District No. 1.

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Washington County Courthouse, West Bend, Wisconsin, on the 16th day of June 2004, the Commission did by unanimous vote of all Commissioners present, being 17 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 Lake Como 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 Pewaukee, Wisconsin, this 17th day of June 2004.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2004-10

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 (LAKE COMO SANITARY SEWER SERVICE AREA)

WHEREAS, pursuant to Section 66.0309(10) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, *A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000*; and

WHEREAS, at a meeting held on the 4th day of December 1991, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Lake Como sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), *Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District, Walworth County, Wisconsin*, dated November 1991 as amended; and

WHEREAS, by letter dated March 29, 2004, the Walworth County Metropolitan Sewerage District requested that the Commission amend the Lake Como sanitary 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 Walworth County Metropolitan Sewerage District to Amend the Lake Como Sanitary Sewer Service Area," attached hereto and made a part hereof; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforementioned staff memorandum, was the subject of a public hearing held jointly by the Walworth County Metropolitan Sewerage District and the Regional Planning Commission on June 8, 2004; and

WHEREAS, Section 66.0309(9) of the *Wisconsin Statutes* authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

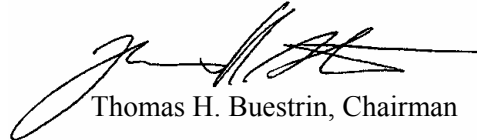
NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was amended on the 4th day of December 1991 to include the refined Lake Como sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

SECOND: 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.

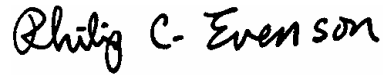
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals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

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 16th day of June 2004, the vote being: Ayes 17; Nays 0.



Thomas H. Buestrin, Chairman

ATTEST:



Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT TO AMEND THE LAKE COMO SANITARY SEWER SERVICE AREA

INTRODUCTION

By letter dated March 29, 2004, the Walworth County Metropolitan Sewerage District (WalCoMet), acting on behalf of the Lake Como Sanitary District No. 1, requested that the Southeastern Wisconsin Regional Planning Commission amend the Lake Como sanitary sewer service area as that area is documented in SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), *Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District, Walworth County, Wisconsin*, dated November 1991, as amended. The basic purpose of the amendment would be to remove the primary environmental corridor designation from certain lands in order to accommodate the development with public sanitary sewer service of a long-standing platted residential subdivision area.

AREA DESCRIPTION

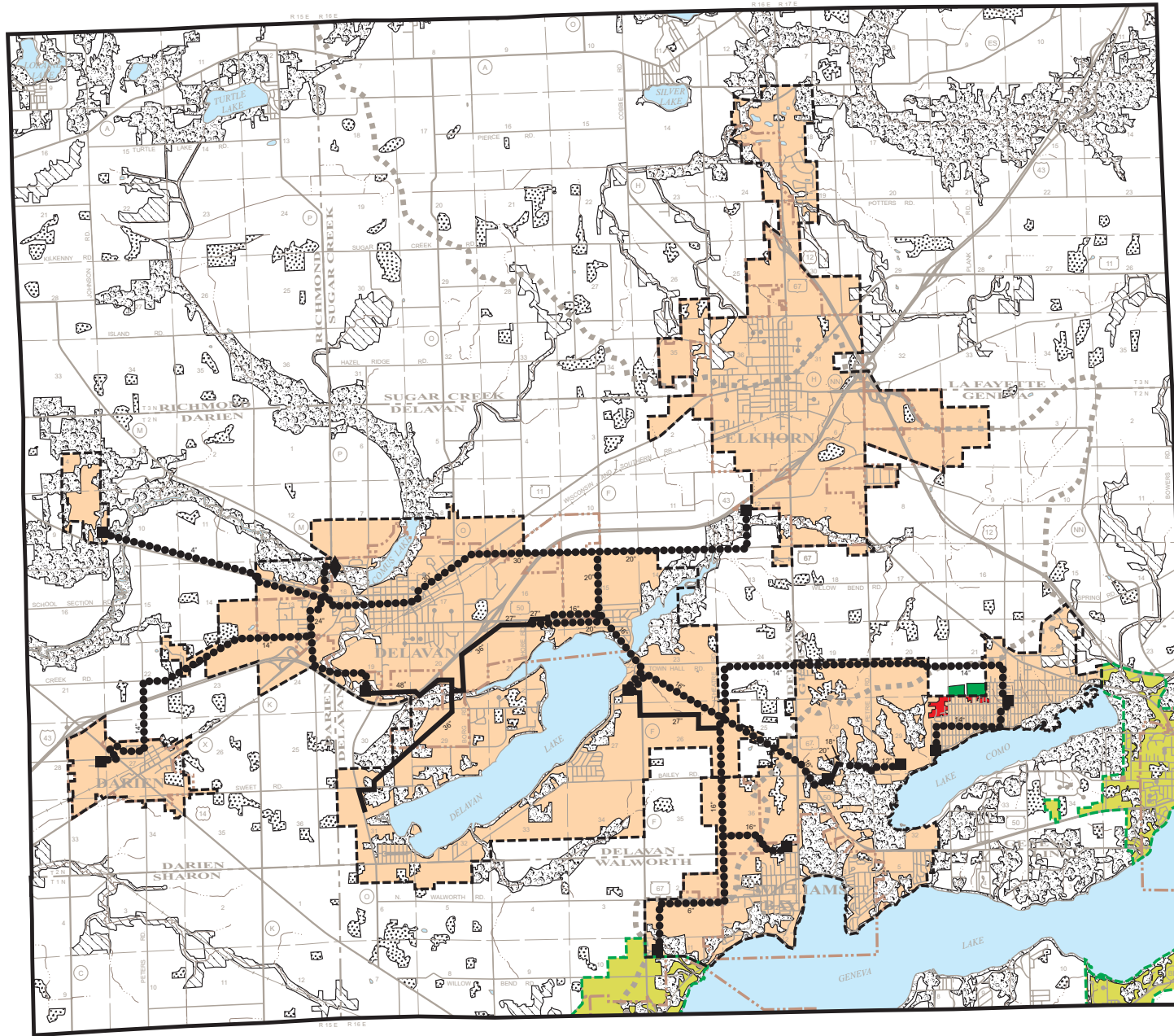
The proposed amendment would remove the environmental corridor designation on the lands shaded red on Maps 1 and 2. Those areas, which encompass a total of 41 acres, were platted for urban residential development in 1926. They are part of the Lake Como Beach Subdivision, which was approved by the Geneva Town Board on April 19, 1926, and recorded by the Walworth County Register of Deeds on May 1, 1926. The subject lands have been designated for urban use under the Town of Geneva land use plan as well as under the year 2020 Walworth County land use plan.

The subject area is comprised, for the most part, of upland woodlands, including areas of steep slope. Three small wetland areas, encompassing a total of less than one acre, have been identified (see Map 2). There were five single-family homes in the subject area at the time of the most recent aerial photography for the area (April 2000). Local officials have indicated that some additional single-family homes have been constructed in the area since then. Because of residential development which has occurred since the Lake Como area was added to the WalCoMet sewer service area, certain of the red-shaded areas no longer meet environmental corridor criteria.

With the removal of the primary environmental corridor designation as proposed in this amendment, the woodlands located outside the sewer service area in the southwest quarter of U.S. Public Land Survey Section 21, Township 2 North, Range 17 East, would be isolated from the environmental corridor network. Accordingly, the classification of that area would be changed from primary environmental corridor to isolated natural resource area. This would also be consistent with the Town of Geneva land use plan and the Walworth County land use plan.

The subject area was originally subdivided into very small lots—typically encompassing 2,000 square feet—most of which have been combined to create parcels of 8,000 square feet or more. It is estimated that the subject area could accommodate up to about 80 additional single-family dwelling units if fully developed with sanitary sewer service as permitted under the Walworth County zoning ordinance, depending upon how existing parcels are further combined or divided to create building sites. It is likely that the actual number of dwelling units would be significantly less than allowed under existing zoning, however, due to limitations related to steep slopes and rough terrain in the subject area. The forgoing estimate assumes that the small wetland areas would not be developed and further assumes that a 2.7-acre area located south of Woodland Drive and owned by the Town of Geneva would not be developed for residential use.

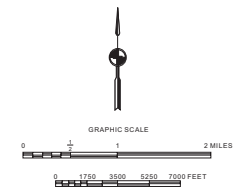
Under the Walworth County zoning ordinance, in the absence of sanitary sewer service, the subject area could be developed for urban residential use served by onsite sewage disposal systems. Under the substandard lot provisions of the Walworth County zoning ordinance, an existing parcel of record to be developed as a single-family homesite served by a septic system must be at least 10,000 square feet in area and at least 65 feet wide—



Map 1

**PROPOSED AMENDMENT TO THE WALWORTH
COUNTY METROPOLITAN SEWERAGE DISTRICT
SANITARY SEWER SERVICE AREA PLAN
(LAKE COMO SEWER SERVICE AREA)**

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREAS
-  AREA TO BE REMOVED FROM THE
PRIMARY ENVIRONMENTAL CORRIDOR
-  AREA TO BE RECLASSIFIED FROM PRIMARY
ENVIRONMENTAL CORRIDOR TO ISOLATED
NATURAL RESOURCE AREA
-  PLANNED SANITARY SEWER SERVICE AREA
-  PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
-  OTHER PLANNED SANITARY SEWER SERVICE
AREAS NOT TRIBUTARY TO THE WALWORTH COUNTY
METROPOLITAN SEWERAGE DISTRICT
-  EXISTING PUBLIC SEWAGE
TREATMENT FACILITY
-  EXISTING TRUNK SEWER
-  EXISTING FORCE MAIN
-  EXISTING PUMPING STATION
-  CITY AND VILLAGE BOUNDARIES

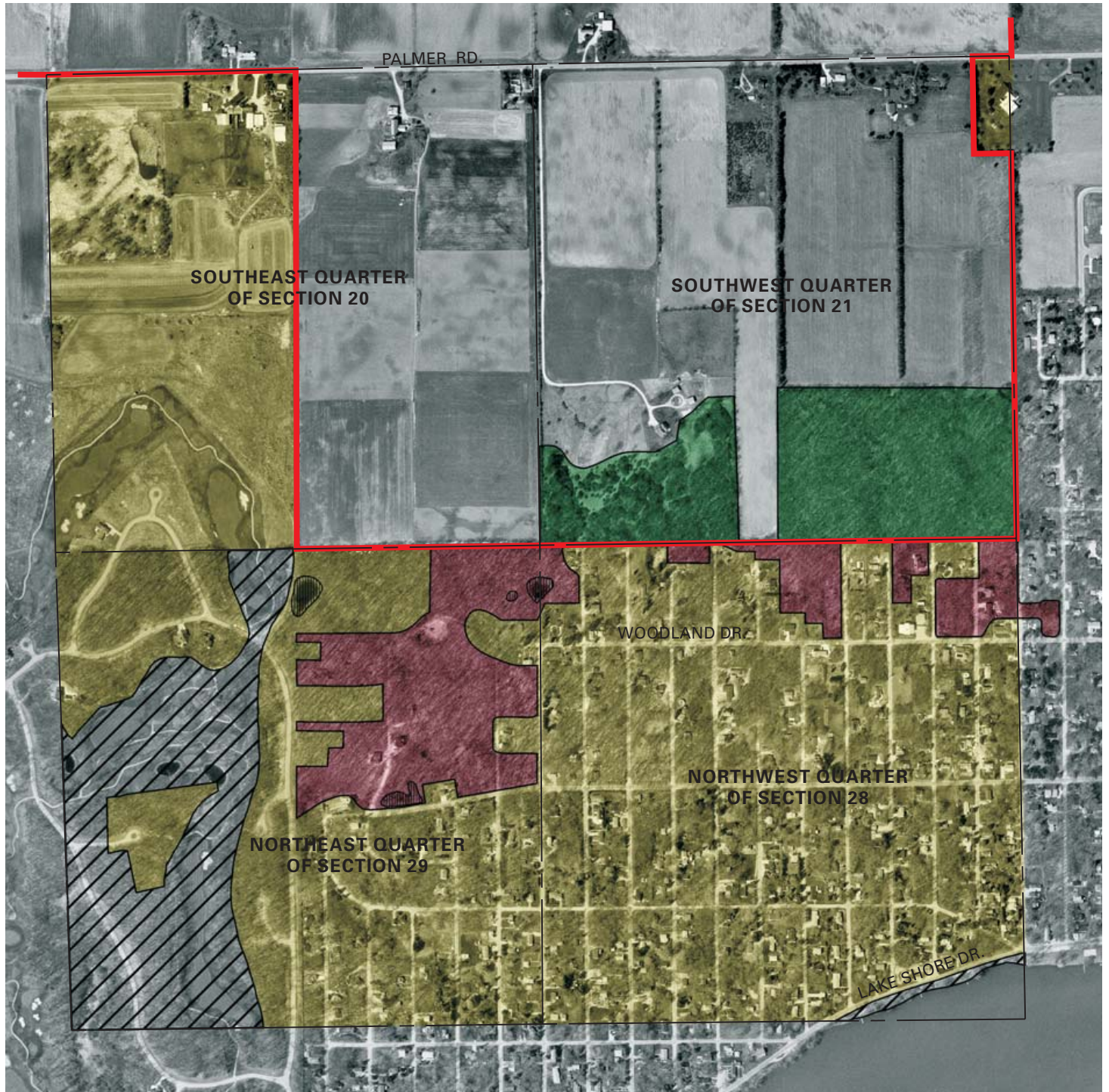




Source: SEWRPC.

Map 2



PROPOSED AMENDMENT TO THE LAKE COMO SANITARY SEWER SERVICE AREA



Portions of U. S. Public Land Survey Sections 20, 21, 28, and 29
Township 2 North, Range 17 East



-  PRIMARY ENVIRONMENTAL CORRIDOR
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

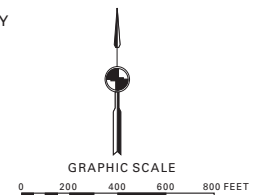
PROPOSED PLAN AMENDMENTS:

-  AREA TO BE REMOVED FROM THE PRIMARY ENVIRONMENTAL CORRIDOR
-  AREA TO BE RECLASSIFIED FROM PRIMARY ENVIRONMENTAL CORRIDOR TO ISOLATED NATURAL RESOURCE AREA

-  PLANNED SANITARY SEWER SERVICE AREA
-  EXISTING GROSS SANITARY SEWER SERVICE AREA BOUNDARY

NOTE: This map replaces the corresponding portions of Map 11-30, page 61, Map 11-31, page 62, Map 11-38, page 69, and Map 11-39, page 70 of SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), *Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District, Walworth County, November 1991.*

Photography Date: April 2000



Source: SEWRPC.

slightly greater than the minimum requirements for a parcel of record that is to be served by public sanitary sewer (7,500 square feet minimum area and 50 feet minimum width).

WATER QUALITY IMPACTS

Stormwater from a portion of the subject area is retained in internally drained areas while stormwater from the remainder of the subject area would be conveyed overland to a drainage system comprised primarily of roadside ditches and culverts draining to Lake Como.

Since the lands in question are part of a previously approved platted subdivision, development of any portion of the subject area not provided with sanitary sewers could take place using onsite sewage disposal systems. The overall development pattern in the subject area is not expected to be significantly different whether or not the lands in question are removed from the primary environmental corridor. The nonpoint source pollutant loadings from the development site are expected to be similar in either case. Furthermore, the provision of public sanitary sewer service as proposed could result in positive impacts since it would preclude the use of onsite sewage disposal systems in the area.

If development proceeds as planned, it will be important that appropriate construction site erosion control practices are applied to each building site as well as to general subdivision construction operations. Any areas where the slopes are greater than 6 percent, if developed, should utilize a high level of construction site erosion control designed site-specifically for areas of steep slopes. If this is done, there should be no significant adverse water quality impacts attributable to the change in the primary environmental corridor boundary as proposed herein.

COST-EFFECTIVENESS ANALYSIS

The subject area is already located within the Lake Como sewer service area tributary to the WalCoMet sewage treatment facility. No further analysis is deemed necessary to conclude that the most cost-effective means of providing public sanitary sewer service to the subject area is via Lake Como Sanitary District No. 1 sewers.

SEWAGE TREATMENT PLANT CAPACITY ANALYSIS

Sewage from the Lake Como area is treated at the WalCoMet sewage treatment facility located in the City of Delavan. The WalCoMet sewage treatment plant has a hydraulic design capacity of 5.75 million gallons per day (mgd) on an average annual basis. The current hydraulic loading to the plant is about 4.1 mgd on an average annual basis. The anticipated sewage flow to be generated assuming the maximum number additional dwelling units in the subject area may be expected to approximate less than 0.03 mgd on average annual basis. Thus, the treatment plant has capacity to serve residential development in the subject area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on June 8, 2004, at the WalCoMet offices to receive public comment on, and reaction to, the proposed plan amendment. The hearing was sponsored by WalCoMet and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment.

At the hearing, an owner of property in the vicinity of the subject area expressed concern regarding potential soil erosion attendant to further development in the area. A representative of the Walworth County Land Use and Resource Management Department indicated that the County construction site erosion control ordinance applies to building activities on individual building sites, but may not be applicable to erosion in other areas, such as roadways. Other questions and comments at the hearing were confined, for the most part, to responsibilities for payment of sewer extensions and roadway construction in the event that those improvements were eventually made.

LOCAL GOVERNMENT SUPPORT FOR THE PLAN AMENDMENT

The Board of Commissioners of the Walworth County Metropolitan Sewerage District adopted the plan amendment on June 8, 2004.

CONCLUDING RECOMMENDATION

Based upon the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the sanitary sewer service area for the Lake Como area as documented in SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), as amended, in the manner identified on Map 2.