

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

TOWN OF SALEM

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

JUNE 2006

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SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Town of Salem Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Kenosha and the Town of Salem

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Washington County Highway Department Building, West Bend, Wisconsin, on the 21st day of June 2006, 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 Town of Salem 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 22nd day of June 2006.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2006-08

**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
(SALEM 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, the Commission duly adopted amendments to the regional water quality management plan refining and detailing the Salem sanitary sewer service area in 1986, as originally documented in SEWRPC Community Assistance Planning Report No. 143, *Sanitary Sewer Service Area for the Town of Salem Utility District No. 2*, and in SEWRPC Community Assistance Planning Report No. 145, *Sanitary Sewer Service Area for the Town of Salem Utility District No. 1, Village of Paddock Lake, and Town of Bristol Utility District Nos. 1 and 1B*, and most recently documented in *Amendment to the Regional Water Quality Management Plan, Town of Salem*, dated March 2001, as amended; and

WHEREAS, by letter dated March 29, 2006, the Town of Salem requested that the Commission amend the Salem 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 Town of Salem to Amend the Salem 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 Town of Salem and the Regional Planning Commission on May 8, 2006; 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;

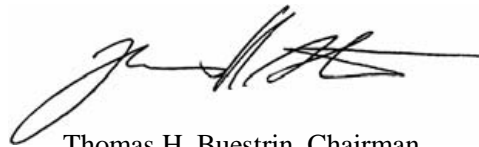
NOW, THEREFORE, BE IT HEREBY RESOLVED:

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 7th day of March 2001 to include the refined Salem sewer service area, as set forth in *Amendment to the Regional Water Quality Management Plan, Town of Salem*, be and the same hereby is amended in the manner identified on Map 3 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.

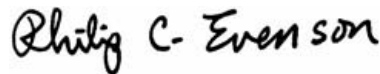
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals 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 21st day of June 2006, the vote being: Ayes 17; Nays 0.

A handwritten signature in black ink, appearing to read 'Thomas H. Buestrin', with a long horizontal flourish extending to the right.

Thomas H. Buestrin, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read 'Philip C. Evenson', written in a cursive style.

Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE TOWN OF SALEM TO AMEND THE SALEM SANITARY SEWER SERVICE AREA

INTRODUCTION

By letter dated March 29, 2006, the Town of Salem requested that the Southeastern Wisconsin Regional Planning Commission amend the Salem sanitary sewer service area. That area is currently documented in *Amendment to the Regional Water Quality Management Plan, Town of Salem*, dated March 2001, as amended. The basic purpose of this amendment would be to include within the planned Salem sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area.

BACKGROUND

The Town of Salem has experienced significant growth during the past 15 years. The Town population increased from about 7,100 persons in 1990 to 9,900 persons in 2000, and to an estimated 11,100 persons in 2005. Unlike many communities where development occurs outward from a core urban center, the Town of Salem has multiple growth centers, making the public oversight of planning and development matters more difficult. In the face of increasing development pressure, and at the urging of Kenosha County and the Regional Planning Commission, the Town of Salem in 2004 initiated the process of preparing detailed neighborhood plans for areas where development is anticipated over the long term—areas that include much of the Town. By refining and detailing the prior adopted town-wide land use plan, the neighborhood plans are intended to provide a detailed basis for land use decision-making and enable better coordination of land use and public utility planning within the Town. In this respect, the neighborhood-level planning provides a basis for amending the sanitary sewer service area over time.

The Town of Salem intends to prepare a detailed neighborhood plan for each of the neighborhoods shown on Map 1. To date, neighborhood plans have been prepared, adopted by the Town Plan Commission, and approved by the Kenosha County Land Use Committee for Neighborhood Nos. 1 through 6. A plan has also been completed for a portion of Neighborhood No. 11. A plan for Neighborhood No. 7 is nearing completion.

PRE-PUBLIC HEARING PROPOSED ADDITIONS TO THE SEWER SERVICE AREA

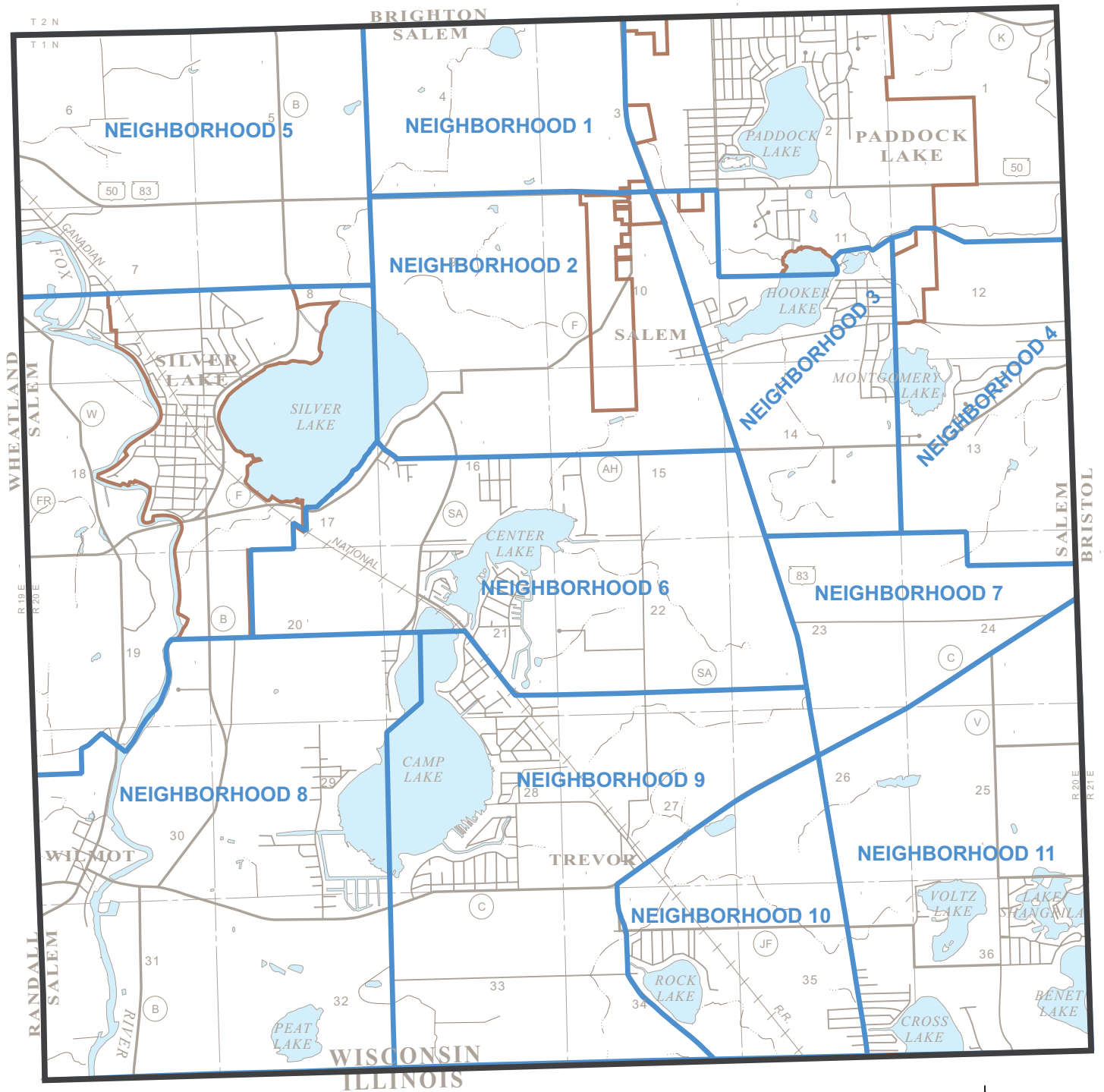
The proposed amendment to the Salem sanitary sewer service area, as taken to public hearing, is shown on Map 2, with two areas proposed to be added to the sewer service area. These areas are described below.

Area A:

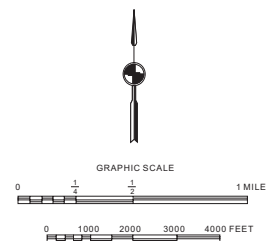
Area A encompasses about 860 acres generally located on either side of STH 83 in the central area of the Town. It contains 82 acres of environmentally significant land, including 37 acres of primary environmental corridor, 30 acres of secondary environmental corridor, eight acres of isolated natural resource area, and seven acres of small wetlands. Area A also contains about 39 acres of existing urban land, comprised primarily of residential development, including 18 existing housing units, and existing streets. Area A is located within Neighborhood Nos. 4, 6, and 7. According to the adopted neighborhood plans for Nos. 4 and 6 and the preliminary neighborhood plan for No. 7, the developable portions of Area A would accommodate future residential, commercial, and governmental/institutional uses. The planned residential areas would accommodate about 675 housing units with a population of about 1,750 persons. Area A would be served by proposed new trunk sewers connecting to existing Town sewers approximately two miles to the southwest, as indicated by blue lines on Map 2.

Map 1

NEIGHBORHOOD PLANNING AREAS IN THE TOWN OF SALEM

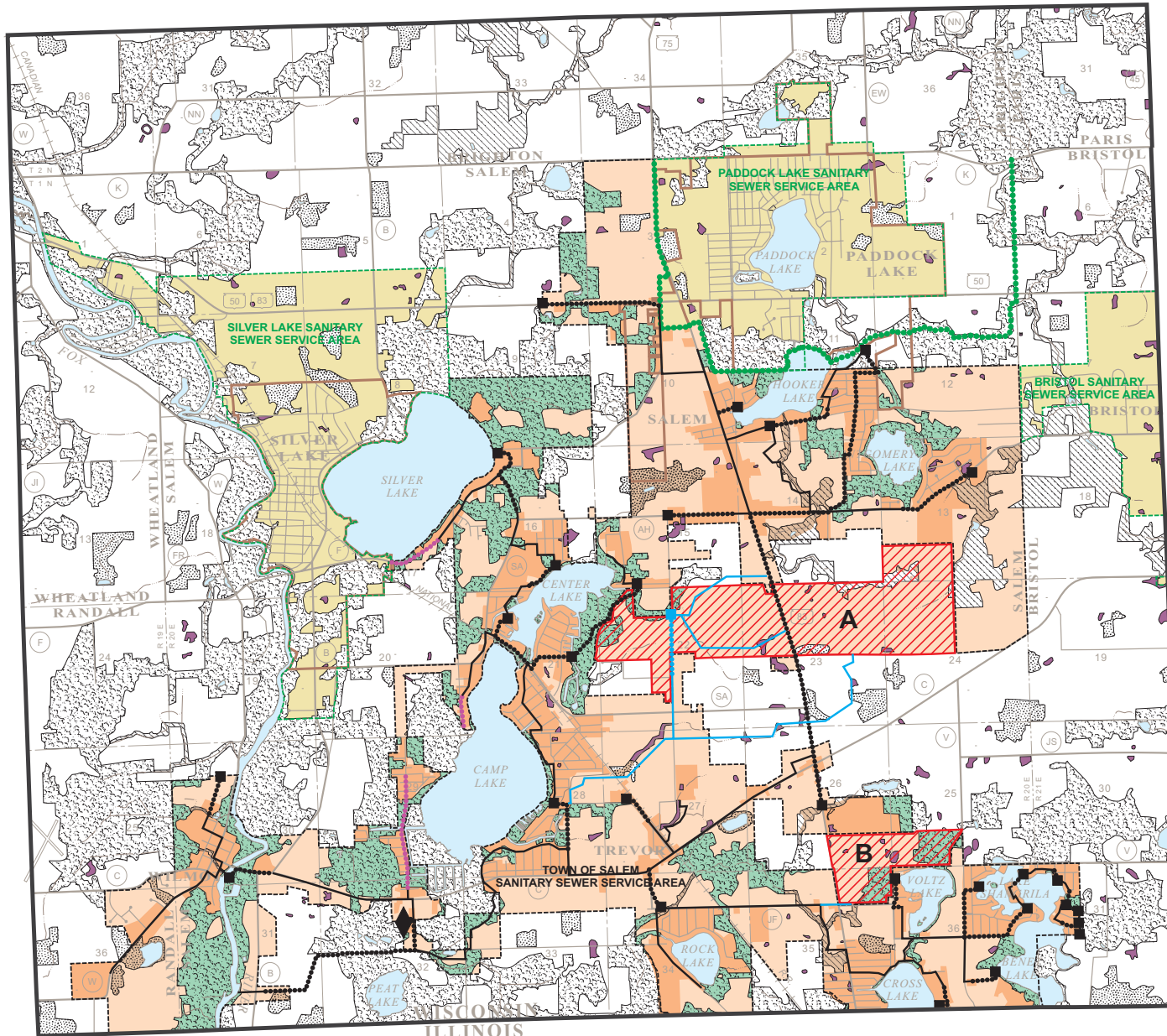


Source: Town of Salem and SEWRPC.

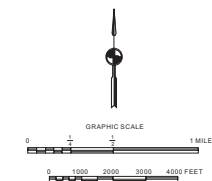


Map 2

**PROPOSED AMENDMENT TO THE TOWN OF SALEM SANITARY SEWER SERVICE AREA
(Pre Public Hearing)**



- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA. THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.
- PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
- EXISTING AREA SERVED BY TOWN OF SALEM SANITARY SEWER SYSTEM: 2000
- TOWN OF SALEM PLANNED SANITARY SEWER SERVICE AREA
- OTHER PLANNED SANITARY SEWER SERVICE AREAS
- AREAS PROPOSED TO BE ADDED TO THE SALEM SANITARY SEWER SERVICE AREA
- CURRENTLY ADOPTED TOWN OF SALEM PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
- RECOMMENDED COMMON BOUNDARY BETWEEN THE ULTIMATE TOWN OF SALEM AND VILLAGE OF PADDOCK LAKE SANITARY SEWER SERVICE AREAS
- EXISTING TOWN OF SALEM PUBLIC SEWAGE TREATMENT FACILITY
- EXISTING TRUNK SEWER
- EXISTING FORCE MAIN
- EXISTING PRESSURE SEWER
- EXISTING PUMPING STATION
- PROPOSED TRUNK SEWER
- PROPOSED FORCE MAIN
- PROPOSED PUMPING STATION



Source: SEWRPC.

Area B:

Area B encompasses about 200 acres generally located northeast of the intersection of STH 83 and 119th Street in the southeastern portion of the Town. It contains 73 acres of environmentally significant lands, including 69 acres of primary environmental corridor and 4 acres of small wetlands. Area B is located within Neighborhood No. 11. Existing development in Area B is limited to one dwelling and farm buildings. According to the neighborhood plan that has been completed for this area, the developable portion of Area B would accommodate residential and commercial uses. The planned residential areas would accommodate about 100 housing units with a population of about 250 persons. Area B would be served by connection to an existing Town trunk sewer about one-quarter mile to the southwest.

PUBLIC REACTION AND TOWN BOARD ACTION REGARDING THE PLAN AMENDMENT

A public hearing was held on May 8, 2006, at the Salem Town Hall to receive public comment on, and reaction to, the proposed amendment to the Town of Salem sanitary sewer service area plan. The hearing was sponsored by the Town of Salem and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment, including a description of the lands proposed to be added to the sewer service area, environmentally significant land located within those areas, and potential impacts on population and sewage treatment plant capacity.

At the hearing, several Town residents objected to the proposed plan amendment and expansion of the sewer service area. Those residents expressed concerns regarding the costs of connecting to an expanded sewerage system; potential impacts of a proposed neighborhood public water supply system on nearby private wells; and a loss of the Town's rural character. Members of the Town Board indicated that other long-term Town residents not present at the public hearing, some of whom are farmers, are also affected by development policy and sewer service area amendments. It was noted that the interests of those other residents, which often involve being able to sell their land for development, would need to be considered along with the views expressed by residents attending the hearing.

Following the public hearing, the Town Board met again on May 16, 2006, to debate and consider action on the proposed sewer service area plan amendment, and to consider comments raised at the public hearing. Board members expressed concern about impacts on sewage treatment plant capacity, as well as concern about the Town operating a public water system in portions of Area A. Following debate on those issues, the Board acted to approve the Area B portion of the sewer service area amendment, and not include Area A at this time. The post-public hearing amendment to the Salem sewer service area, as approved by the Town Board on May 16, 2006, is shown on Map 3.

RELATIONSHIP OF THE PROPOSED CHANGE TO THE EXISTING SANITARY SEWER SERVICE AREA

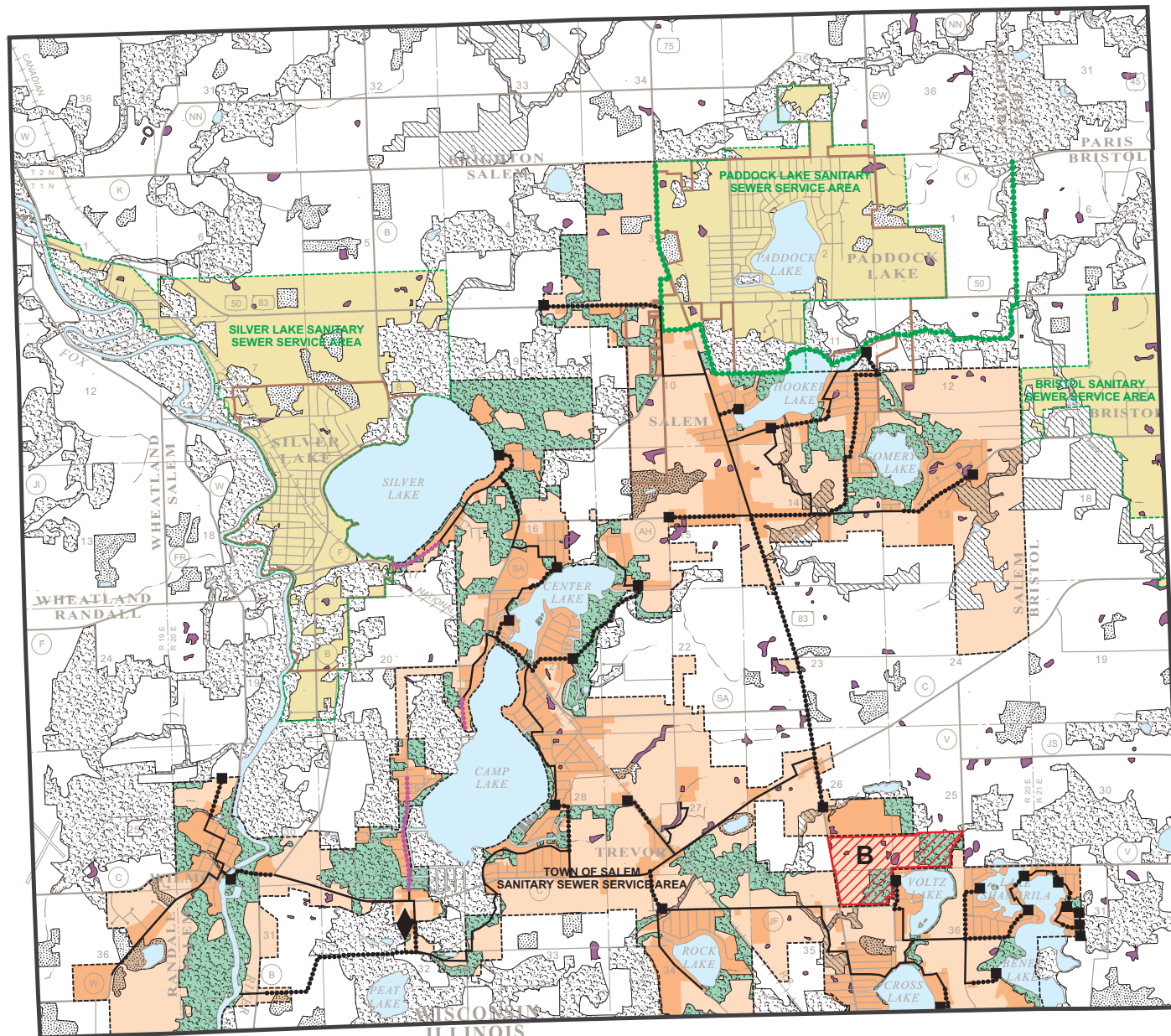
The addition of Area B to the Salem sanitary sewer service area would increase the sewer service area by 200 acres, or 2 percent. Planned residential development within Area B would accommodate an estimated resident population of about 250 persons under full development conditions. Including the proposed addition, the buildout population of the entire sewer service area in accordance with Town-prepared land use plans—that is, the population which could be accommodated upon full development of the sewer service area—is estimated to be about 16,750 persons. This compares to the projected year 2035 population range for the Salem sewer service area of 18,000 to 23,200 persons embodied in the Commission's preliminary year 2035 regional land use plan.

WATER QUALITY IMPACTS

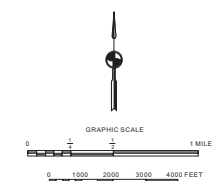
Under the adopted regional water quality management plan and the amended Salem sanitary sewer service area plan, it is envisioned that all urban lands within the planned urban service area would ultimately receive sanitary sewer service. In addition, the provision of public sanitary sewer service to 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. 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.

Map 3

**PROPOSED AMENDMENT TO THE TOWN OF SALEM SANITARY SEWER SERVICE AREA
(Post Public Hearing)**



- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
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- EXISTING FORCE MAIN
- EXISTING PRESSURE SEWER
- EXISTING PUMPING STATION



Source: SEWRPC.

SEWAGE TREATMENT PLANT CAPACITY IMPACT ANALYSIS

Sewage from the Salem sewer service area is treated at the Town of Salem Utility District No. 2 sewage treatment plant, which has a design capacity of 1.57 million gallons per day (mgd) on an average annual basis. The flow rate in 2005 was about 0.9 mgd on an average annual basis. The anticipated sewage flow to be generated in the area proposed to be added to the Salem sewer service area is expected to be about 0.02 to 0.03 mgd on an average annual basis. Thus, the treatment plant has adequate capacity to treat sewage flows from the subject area.

If the vacant developable lands within the Salem sewer service area, including the proposed addition, were fully developed in accordance with local plans, flows to the sewage treatment facility would approximate 2.0 to 2.5 mgd on an average annual basis, with the total flows being somewhat dependent upon the sewage flows generated by new commercial and industrial development. **Depending upon the level of growth that actually occurs within the next 10 to 20 years, it will be necessary to initiate facilities planning directed toward expansion of the existing sewage treatment plant.** In any event, the inclusion of the proposed addition to the sewer service area documented in this report would not materially affect the timeframe for future facility planning and treatment plant expansion.

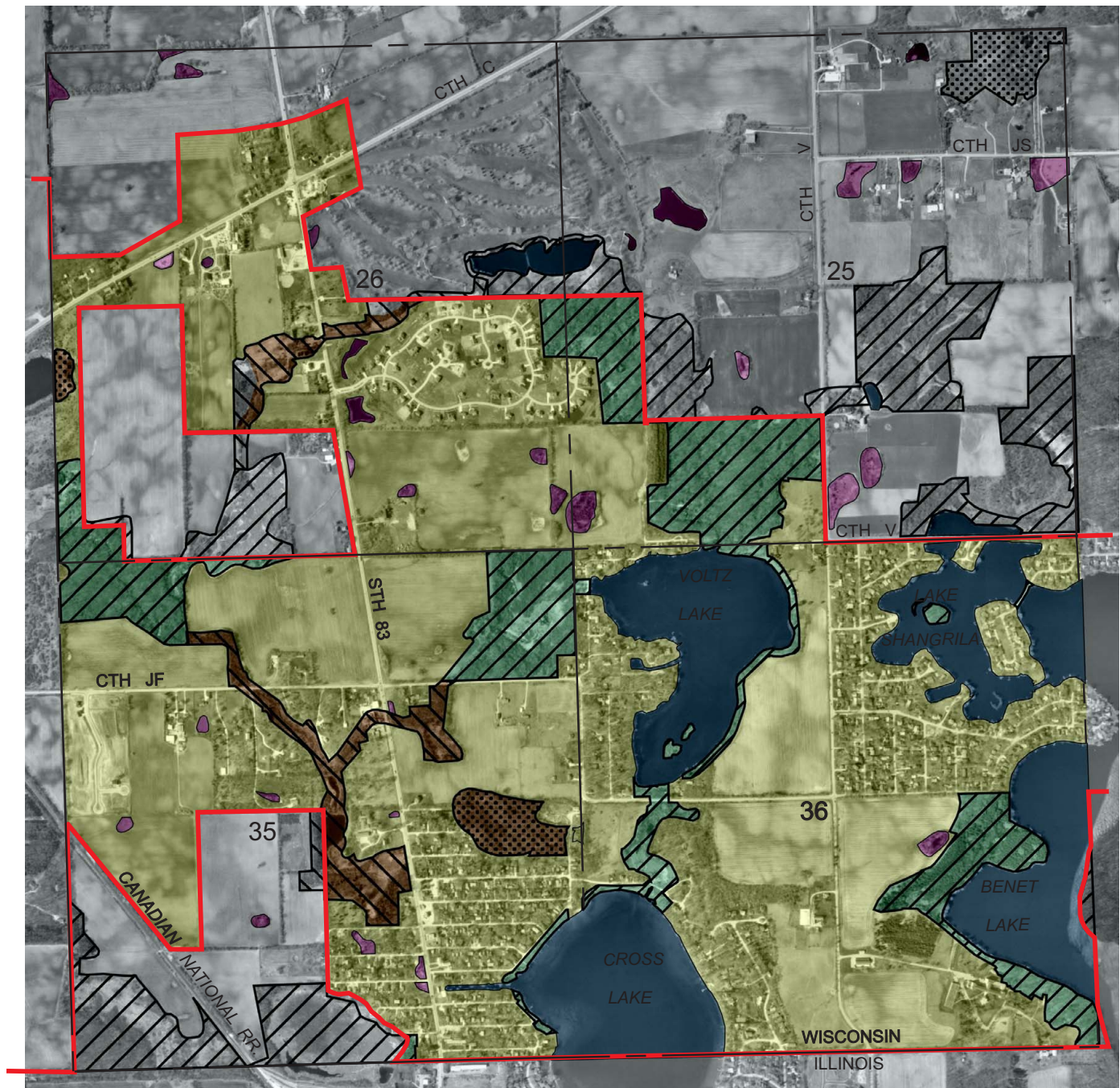
CONCLUDING RECOMMENDATION

Based upon the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the sanitary sewer service area for the Town of Salem as documented in *Amendment to the Regional Water Quality Management Plan, Town of Salem*, dated March 2001, as amended, in the manner identified on Map 3. A more detailed delineation of the amended sewer service area and of the environmentally significant lands within is shown on the aerial photograph reproduced as Map 4 on the following page of the report.







Map 4

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE TOWN OF SALEM AND ENVIRONS

**U. S. Public Land Survey Sections 25, 26, 35, and 36
Township 1 North, Range 20 East**





Photography Date: April 2000

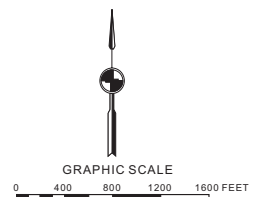
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-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

-  PLANNED SANITARY SEWER SERVICE AREA

RESTRICTIONS ON SEWERED DEVELOPMENT

-  PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.
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NOTE: This map replaces Map 3-19, page 25, of Amendment to the Regional Water Quality Management Plan--Town of Salem, March 2001.



Source: SEWRPC.