

**AMENDMENT TO THE**  
**REGIONAL WATER QUALITY**  
**MANAGEMENT PLAN**  
**VILLAGE OF GENOA CITY**

**AS ADOPTED BY THE**  
**SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION**

**MARCH 2010**

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# SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 •

TELEPHONE (262) 547-6721  
FAX (262) 547-1103

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**SUBJECT:** Certification of Amendment to the Adopted Regional Water Quality Management Plan (Genoa City Sanitary Sewer Service Area)

**TO:** The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the Counties of Kenosha and Walworth, the Village of Genoa City, and the Town of Bloomfield.

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Waukesha County Communications Center, Waukesha, Wisconsin, on the 10th day of March 2010, the Commission did by unanimous vote of all Commissioners present, being 11 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 Genoa City 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 11th day of March 2010.

David L. Stroik, Chairman  
Southeastern Wisconsin  
Regional Planning Commission

ATTEST:

Kenneth R. Yunker, Deputy Secretary

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**RESOLUTION NO. 2010-04**

**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 (GENOA CITY 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 Genoa City sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 175 (2nd Edition), *Sanitary Sewer Service Area for the Village of Genoa City, Kenosha and Walworth Counties, Wisconsin*, May 1996, as amended; and

WHEREAS by letter dated October 16, 2009, the Village of Genoa City requested that the Commission amend the Genoa City 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 Village of Genoa City to Amend the Genoa City 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 Village of Genoa City and the Regional Planning Commission on February 11, 2010; 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 subsequently amended to include the refined Genoa City Sanitary Sewer Service Area, 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.

**RESOLUTION NO. 2010-04**

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 10th day of March 2010, the vote being: Ayes 11; Nays 0.



David L. Stroik, Chairman

ATTEST:



Kenneth R. Yunker, Deputy Secretary

## SEWRPC STAFF MEMORANDUM

### RESPONSE TO REQUEST BY THE VILLAGE OF GENOA CITY TO AMEND THE GENOA CITY SANITARY SEWER SERVICE AREA

#### INTRODUCTION

By letter dated October 16, 2009, the Village of Genoa City requested the Southeastern Wisconsin Regional Planning Commission to amend the Genoa City sanitary sewer service area as that area is currently documented in SEWRPC Community Assistance Planning Report No. 175 (2nd Edition), *Sanitary Sewer Service Area for the Village of Genoa City, Kenosha and Walworth Counties, Wisconsin*, dated May 1996, as amended. The basic purpose of the amendment would be to include within the planned sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area.

#### AREA DESCRIPTION

As shown on Map 1, the proposed amendment involves the addition of two areas to the Genoa City sanitary sewer service area. These areas are described below:

##### Area A

Area A encompasses 147 acres located north of Twin Lakes Road (CTH B) in U.S. Public Land Survey Section 25, Township 1 North, Range 18 East, in the Town of Bloomfield.<sup>1</sup> The area consists largely of farmland, including an existing farmstead. The area contains 10 acres of environmentally significant lands, including nine acres of primary environmental corridor and one acre of isolated natural resource area. The identified primary environmental corridor includes 6 acres of farmed floodplains located in the north central portion of Area A. It is envisioned that the farmed floodplain would eventually revert to more natural conditions and become part of the adjacent primary environmental corridor as agricultural operations cease.

It is envisioned that most of the developable land in Area A would be developed for residential use, with some commercial development expected along CTH B. The anticipated residential development would accommodate about 350 housing units with a population of about 900 persons.

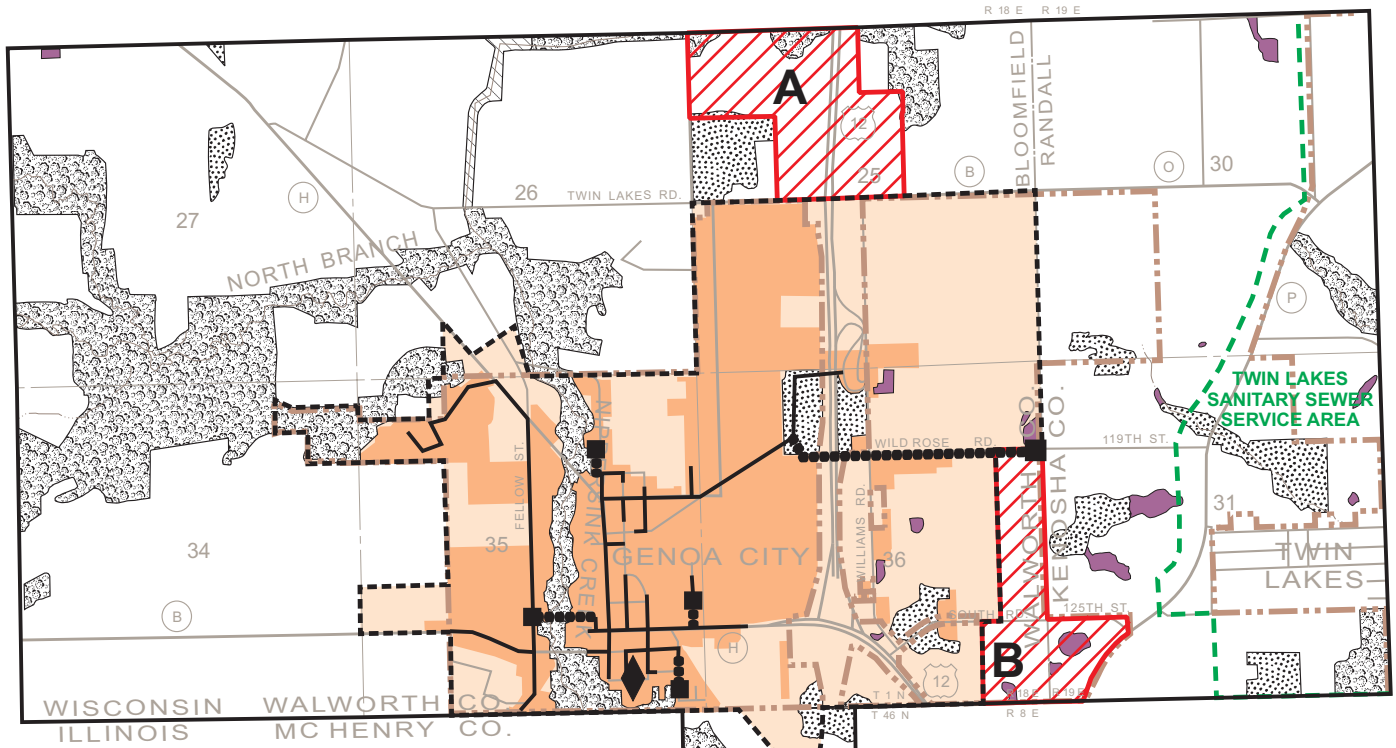
It should be noted that the Village of Genoa City, acting on behalf of the landowners concerned, first requested the addition of Area A to its sewer service area in July 2005. At a hearing on this matter in November 2005, the Chairman of the Town of Bloomfield indicated that the Pell Lake sewerage system should be considered as a possible means of serving this area. In a subsequent letter to the Regional Planning Commission, the President of Pell Lake Sanitary District No. 1 also requested that the Commission consider the potential for serving Area A via the Pell Lake sewerage system. Initially, the Commission urged the concerned units of government to cooperatively try to reach an agreement on this matter, and other matters of mutual concern, on their own. After a period of time in which it became clear that this would not happen, the Commission staff carried out a detailed analysis of the cost-effectiveness of providing sewer service to Area A through the Genoa City and the Pell Lake Sanitary District No. 1 sewerage systems. Completed in May 2007, that analysis indicated that the provision of service through the Genoa City sewerage system would be more cost-effective.<sup>2</sup> In September 2007, the owners of the property in Area A indicated that they wished to withdraw their request to have their land included in a sewer service area. Subsequently, in a letter dated September 7, 2007, to the Village of Genoa City, the Town of Bloomfield, and Pell Lake Sanitary District No. 1, the Regional Planning Commission indicated that this decision by the landowners effectively brought the sewer service amendment process as















<sup>1</sup> The USH 12 freeway right-of-way accounts for 21 acres within Area A.

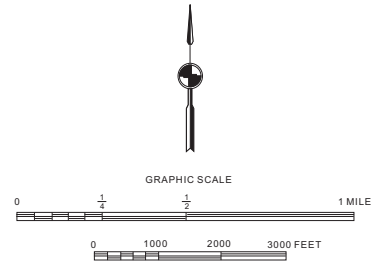
<sup>2</sup> The cost-effectiveness analysis is documented in a SEWRPC Staff Memorandum titled "Documentation of Analysis Associated with Providing Sanitary Sewer Service to Certain Lands Lying in the Town of Bloomfield in the Vicinity of the Village of Genoa City and Pell Lake Sanitary District No. 1," dated May 29, 2007.

Map 1

PROPOSED AMENDMENT TO THE VILLAGE OF GENOA CITY SANITARY SEWER SERVICE AREA



-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  EXISTING AREA SERVED BY VILLAGE OF GENOA CITY SANITARY SEWERS
-  GENOA CITY PLANNED SANITARY SEWER SERVICE AREA
-  LANDS PROPOSED TO BE ADDED TO THE GENOA CITY SANITARY SEWER SERVICE AREA
-  CURRENTLY APPROVED GENOA CITY SANITARY SEWER SERVICE AREA BOUNDARY
-  TWIN LAKES PLANNED SANITARY SEWER SERVICE AREA
-  EXISTING PUBLIC SEWAGE TREATMENT FACILITY
-  EXISTING GRAVITY SEWER
-  EXISTING FORCE MAIN
-  EXISTING PUMPING STATION
-  2009 VILLAGE BOUNDARY



Source: SEWRPC.



related to Area A to a close at that time. The Commission's letter further indicated that, if another request to include Area A in a sewer service area were to be forwarded in the years ahead, Area A would be recommended to be attached to the Genoa City sewer service area in accordance with the findings of the Commission's cost analysis.

#### Area B

Area B encompasses 100 acres of land on either side of South Road in the southeast portion of the Village of Genoa City. The area consists largely of farmland. Environmentally significant lands in area B consist of small wetland areas less than five acres in size. There is one existing developed homesite in the area. It is envisioned that the developable portion of Area B would be developed for commercial use.

A more detailed delineation of the proposed amended sewer service area and of the environmentally significant lands within is shown on the aerial photograph reproduced as Map 2. It should be noted that some of the small wetlands (purple shade) shown on Map 2 are farmed wetlands as identified in the Wisconsin Wetlands Inventory, which would be expected to revert to wetland vegetation if agricultural operations ceased.

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

The addition of Areas A and B would increase the Genoa City sanitary sewer service area by a total of 247 acres, an increase of about 17 percent over the currently adopted area. The buildout population of the expanded sewer service area—that is, the estimated population which could be accommodated upon full development of the sewer service area—would approximate 4,630 persons. This is within the year 2035 population range indicated in the adopted regional land use plan of 4,300 persons to 7,100 persons for the Genoa City sewer service area.

### **WATER QUALITY IMPACTS**

Under the adopted regional water quality management plan, including the Genoa City sanitary sewer service area plan, it is envisioned that all new urban development within the planned sewer service area would receive sanitary sewer service. 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.

### **SEWERAGE SYSTEM CAPACITY IMPACTS**

Sewage from the Genoa City area is treated at the Village of Genoa City wastewater treatment plant, located in the south-central portion of the Village just north of the Illinois-Wisconsin state line. The plant was upgraded in 2001 following completion of a new facilities plan in 2000, and has a hydraulic design capacity of 0.58 million gallons per day (mgd) on an average annual basis. The current average annual flow rate is about 0.23 mgd.

The anticipated sewage flow from Areas A and B may be expected to be between 0.18 and 0.21 mgd on an average annual basis. Thus the treatment plant has the capacity to serve the proposed additions to the sewer service area.

### **PUBLIC REACTION TO THE PLAN AMENDMENT**

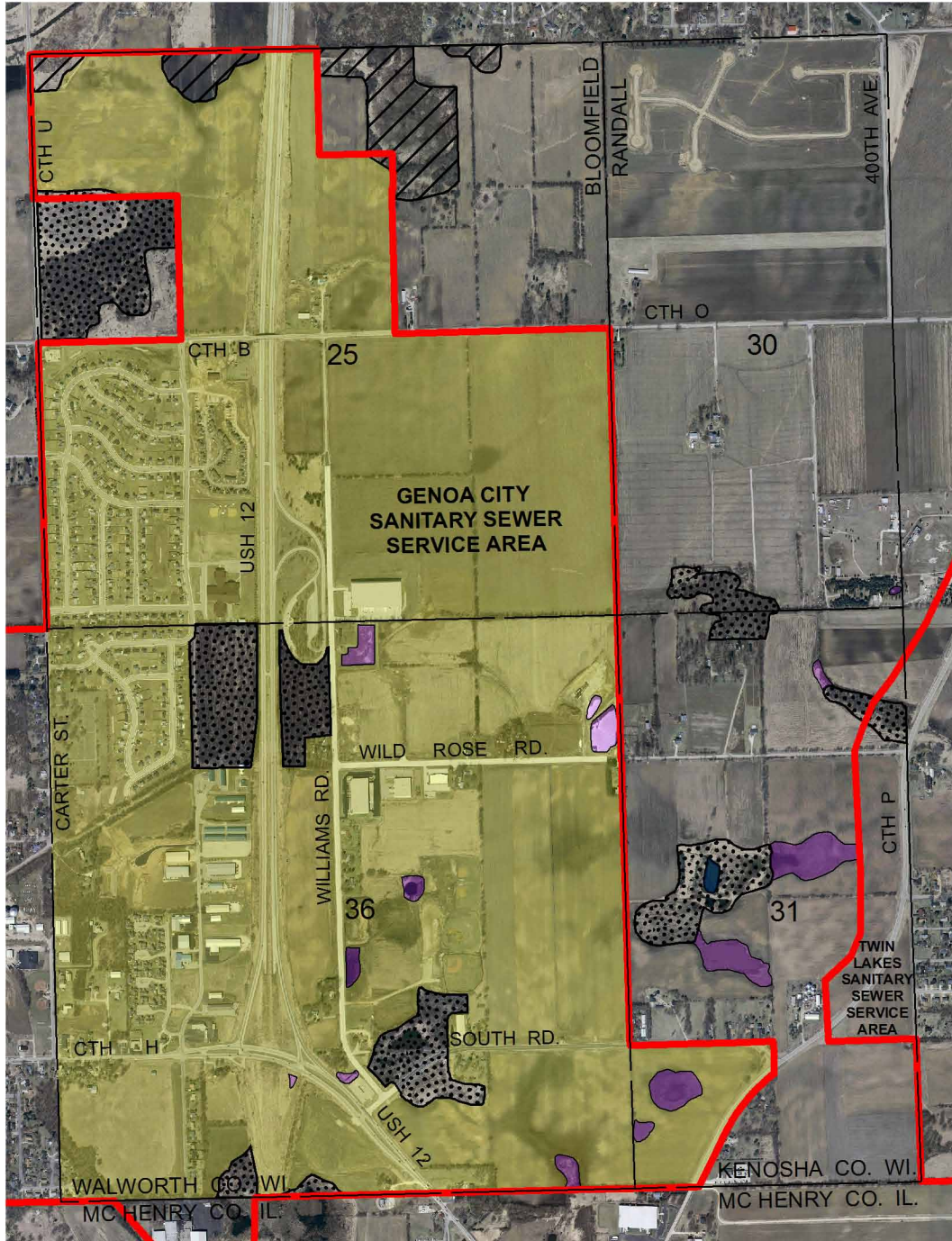
A public hearing was held on February 11, 2010, at the Genoa City Village Hall to receive public comment on, and reaction to, the proposed sewer service area amendment. The hearing was sponsored by the Village of Genoa City and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment, including a description of the lands proposed to be added to the sewer service area and any environmentally significant lands within.

No objections to the proposed amendment were expressed at the hearing. The staff of the Walworth County Department of Land Use and Resource Management submitted written comments for inclusion in the hearing record. The Walworth County staff noted that the inclusion of Area A in the sewer service area is consistent with the County





Map 2



ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF GENOA CITY

U.S. Public Land Survey Sections 25 and 36, Township 1 North, Range 18 East and the West Half of U.S. Public Land Survey Sections 30 and 31, Township 1 North, Range 19 East

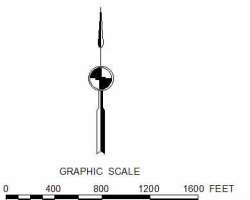


Photography Date: April 2005

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

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

NOTE: This map replaces the corresponding portions of Map 2, page 4, of SEWRPC Amendment to the Regional Water Quality Management Plan, Village of Genoa City, June 1999 and Map 8-3, page 22, of Community Assistance Planning Report No. 175 (2nd Edition) Sanitary Sewer Service Area for the Village of Genoa City, Kenosha and Walworth Counties, Wisconsin, May 1996.



Source: SEWRPC.

comprehensive plan designation of that area as urban reserve and that the inclusion of Area B is consistent with the Village of Genoa City comprehensive plan. The County staff also indicated that, in addition to the primary environmental corridor and isolated natural resource area in Area A as shown on Map 1, there are 5 acres of land that have been identified by the Federal Emergency Management Agency as 500-year recurrence interval floodplain, noting that this area is covered by soils with moderate to severe limitations for the construction of structures. The County staff noted that, while construction is not prohibited in this area, special consideration should be given by the Village and developer as to whether it is necessary or prudent to build in or disturb this area. The County staff also recommended that existing wetlands in Areas A and B be identified on any future plat or certified survey map for these areas, along with any restrictions on disturbance.

The Regional Planning Commission would recommend that, in detailed site design planning for Areas A and B, the Village and concerned developer appropriately consider the County's staff's comments as summarized above. It should be noted that the planned primary environmental corridor in Area A as shown on Map 1 has been delineated so as to include the 100-year recurrence interval floodplain, in accordance with long-standing Commission policy in this regard. Within Area A, all known wetlands are included in the environmental corridor and isolated natural resource area, in accordance with long-standing Commission policy. In Area B, where there are no environmental corridors or isolated natural resource areas, all known wetlands have been specifically identified as "wetlands less than five acres in size" in accordance with long-standing Commission policy.

#### **LOCAL GOVERNMENT SUPPORT FOR THE PLAN AMENDMENT**

The Genoa City Village Board adopted the plan amendment on February 11, 2010.

#### **CONCLUDING RECOMMENDATION**

Based upon the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning formally amend the Village of Genoa City sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 175, in the manner shown on Map 1.