

AMENDMENT TO THE
REGIONAL WATER QUALITY
MANAGEMENT PLAN

VILLAGE OF MENOMONEE FALLS

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

SEPTEMBER 2013

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

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Waukesha and the Villages of Menomonee Falls and Sussex.

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Mount Pleasant Village Hall, Mount Pleasant, Wisconsin, on the 11th day of September 2013, 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 Menomonee Falls 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 12th day of September 2013.



David L. Stroik, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:



Kenneth R. Yunker, Deputy Secretary

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RESOLUTION NO. 2013-12

**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
(MENOMONEE FALLS 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 an amendment to the regional water quality management plan refining and detailing the Menomonee Falls sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 208, *Sanitary Sewer Service Areas for the Villages of Lannon and Menomonee Falls, Waukesha County, Wisconsin*, June 1993, as amended; and

WHEREAS by e-mail letter dated July 12, 2013, the Village of Menomonee Falls requested that the Commission amend the Menomonee Falls sanitary sewer service area to include certain land 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 Menomonee Falls to Amend the Menomonee Falls 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 Menomonee Falls and the Regional Planning Commission on September 3, 2013; 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:

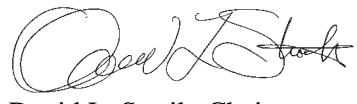
FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was subsequently amended to include the refined Menomonee Falls 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 Safety and Professional Services 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. 2013-12

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 11th day of September 2013, the vote being: Ayes 18; Nays 0.



David L. Stroik, Chairman

ATTEST:



Kenneth R. Yunker, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE VILLAGE OF MENOMONEE FALLS TO AMEND THE MENOMONEE FALLS SANITARY SEWER SERVICE AREA

INTRODUCTION

By e-mail letter dated July 12, 2013, the Village of Menomonee Falls requested that the Southeastern Wisconsin Regional Planning Commission amend the Village of Menomonee Falls sanitary sewer service area tributary to the Sussex wastewater treatment plant, as that area is currently documented in SEWRPC Community Assistance Planning Report No. 208, *Sanitary Sewer Service Areas for the Villages of Lannon and Menomonee Falls, Waukesha County, Wisconsin*, dated June 1993, as amended. The basic purpose of the amendment would be to include within the planned sewer service area certain land located immediately adjacent to, but outside, the currently adopted sewer service area.

AREA DESCRIPTION

The area proposed to be added to the Menomonee Falls sewer service area is shown on Map 1. The subject site encompasses about 103 acres, located east of Town Line road, south of the Union Pacific Railroad, in the Village of Menomonee Falls. The subject site is part of the former Lieds nursery. The subject site includes 17 acres of primary environmental corridor, one acre of secondary environmental corridor, and 85 acres of other open land. The primary environmental corridor includes Willow Springs Creek and the associated 100-year recurrence interval floodplain. Much of that floodplain area was used for nursery purposes and may be expected to revert to more natural conditions over time.

Under the Village comprehensive plan, most of the area of the subject site located east of the environmental corridor along Willow Springs Creek is recommended to be developed for low-density residential use, at up to two housing units per acre. A concept plan calling for single-family residential development is being prepared. It is estimated that the subject site would accommodate about 150 additional housing units with a population of about 350 persons.

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 2.

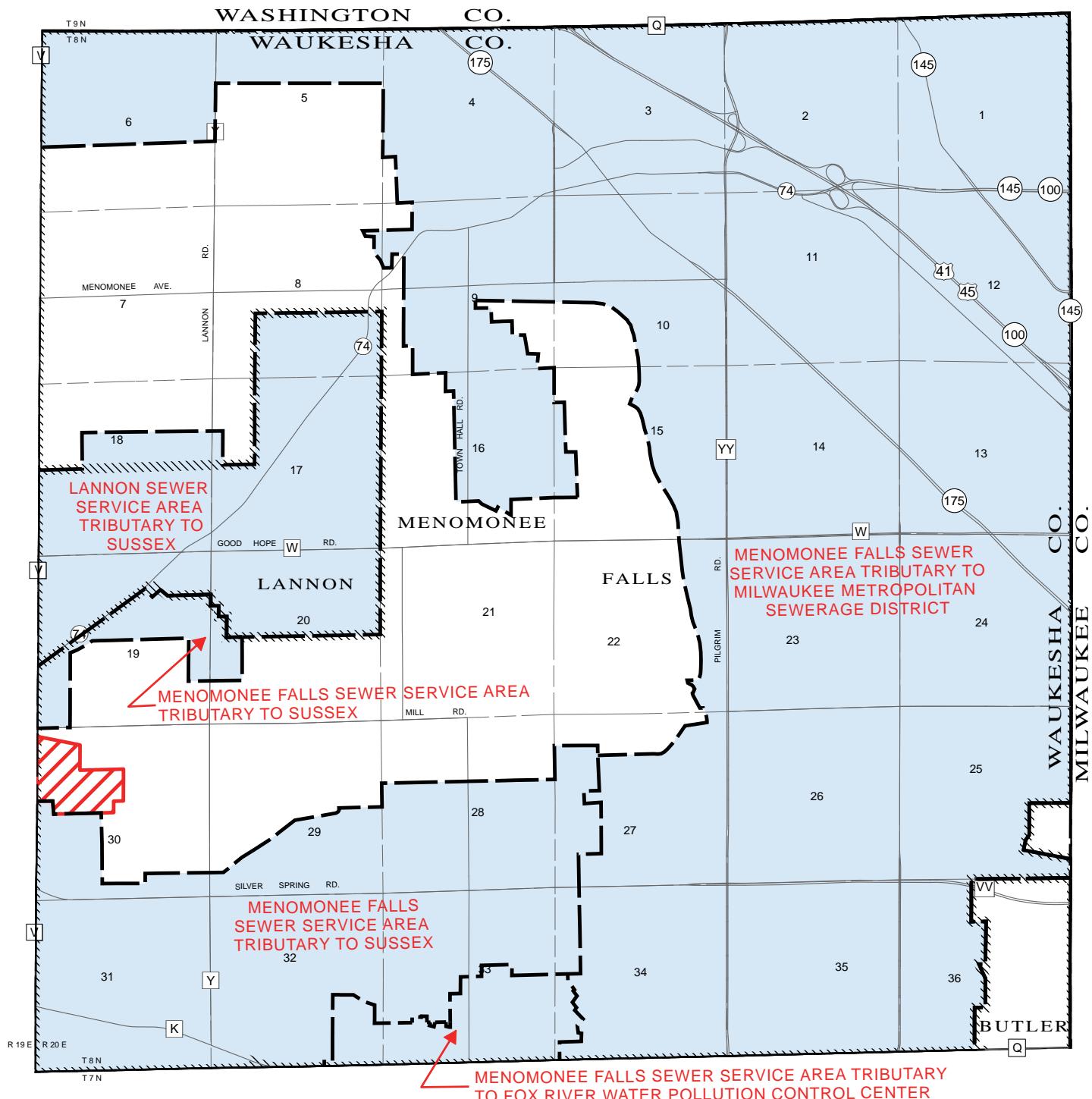
RELATIONSHIP OF THE PROPOSED CHANGE TO THE EXISTING SANITARY SEWER SERVICE AREA

The proposed addition of 103 acres to the Menomonee Falls sanitary sewer service area tributary to the Sussex wastewater treatment plant represents an increase in the planned sewer service area of just over 3 percent. The provision of 150 housing units within the subject area would increase the resident population by about 350 persons. The estimated buildout population of the expanded sewer service area—that is, the population which could be accommodated under full development of the sanitary sewer service area—would approximate 5,250 persons.¹ The year 2035 population range for this area embodied in the regional land use plan is 4,900 to 11,800 persons.

¹As part of the sewer service area amendment for the Village of Menomonee Falls completed in 2004, the buildout population of the sewer service area was estimated to be about 4,900 persons. The proposed amendment to the sewer service area would increase the buildout population by approximately 350 persons.

Map 1

PROPOSED AMENDMENT TO THE MENOMONEE FALLS SANITARY SEWER SERVICE AREA



Source: SEWRPC

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the Menomonee Falls 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.

WASTEWATER TREATMENT PLANT CAPACITY

The Sussex wastewater treatment plant serves the Village of Sussex and portions of the Town of Lisbon, Village of Lannon, and Village of Menomonee Falls. The plant has a design capacity of 5.1 millions of gallons per day (mgd) on an average annual basis. Average annual flow allocations for 2025 set forth in the 2004 facilities plan² are as follows: Village of Sussex—2.50 mgd; Town of Lisbon—1.20 mgd (includes combined allocation for the Town of Lisbon and Lisbon Sanitary District No. 1); Village of Lannon—0.30 mgd; and Village of Menomonee Falls—1.10 mgd.

The current (2013) average annual wastewater flow to the Sussex wastewater treatment plant from the Village of Menomonee Falls approximates 0.14 mgd. The estimated wastewater flow from the proposed addition to the sewer service area would be about 0.05 mgd, for a total flow of 0.19 mgd from the Village of Menomonee Falls.

The current (2013) average annual wastewater flow to the treatment plant from the entire service area is about 3.00 mgd.

Based on the foregoing, including the proposed addition to the sewer service area, the estimated wastewater flow from the Village of Menomonee Falls would be below the plant capacity allocation for the Village as set forth in the 2004 facilities plan, and the total wastewater flow to the Sussex treatment plant would be below the plant design capacity.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on September 3, 2013, at the Menomonee Falls Village Hall to receive public comment on, and reaction to, the proposed sewer service area amendment. The hearing was sponsored by the Village of Menomonee Falls and the Regional Planning Commission. A summary of the amendment was presented prior to receiving public comment. No objections to the proposed amendment were expressed at the hearing.

LOCAL ACTION ON THE PLAN AMENDMENT

The Menomonee Falls Village Board approved the sewer service area amendment following the public hearing on September 3, 2013.

CONCLUDING RECOMMENDATION

The Regional Planning Commission's evaluation of proposed sanitary sewer service area amendments includes a consideration of whether the amendment is consistent with the regional land use plan, the regional water quality management plan, and the provisions of the *Wisconsin Administrative Code* governing water quality management plans, and whether established procedures for amending sewer service areas have been followed.

²Documented in Regional Water Pollution Control Facility-Facility Plan Amendment, Village of Sussex, Waukesha County, Wisconsin, dated July 2004.

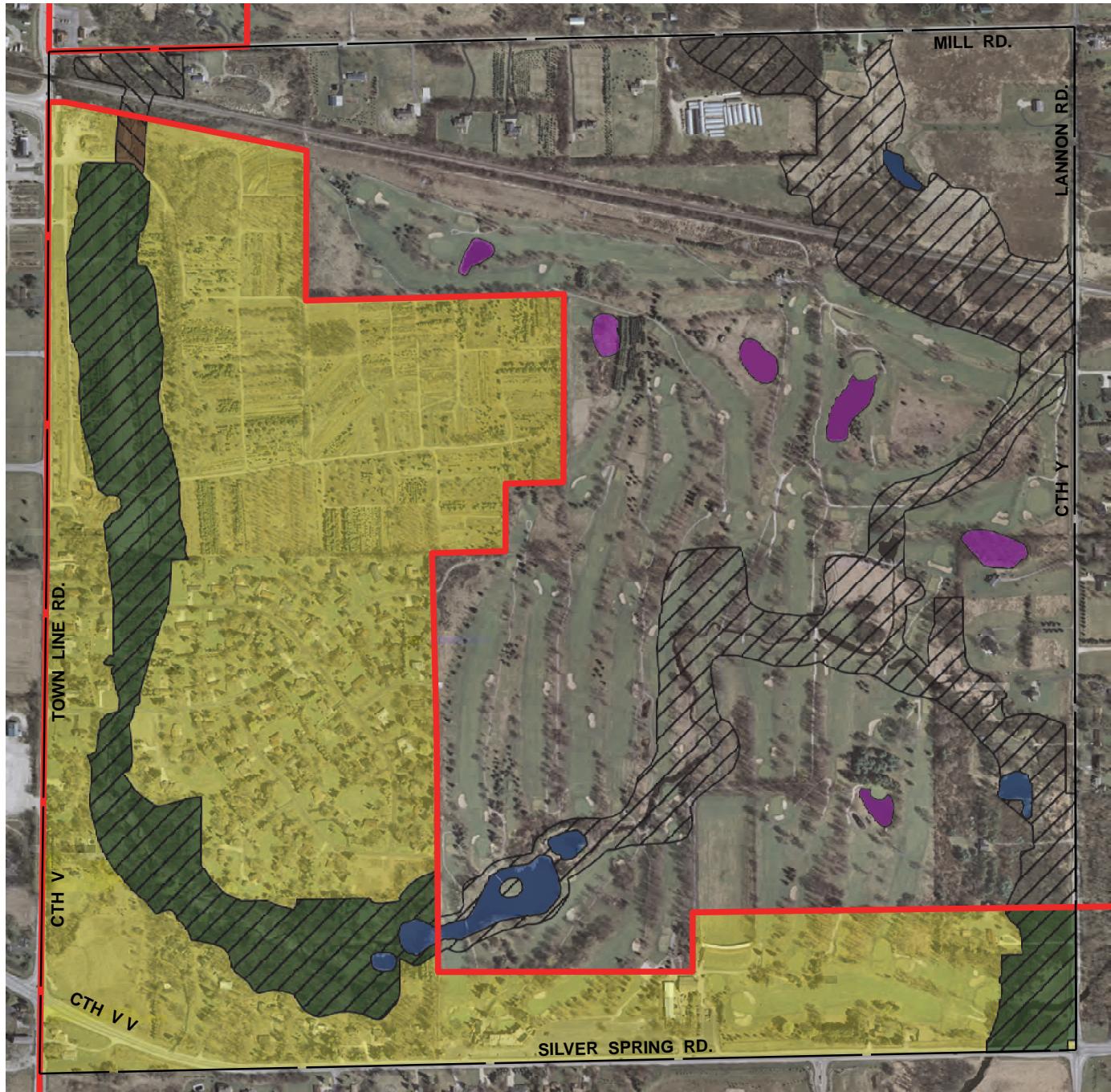
- **Consistency with the Regional Land Use Plan**
The regional land use plan recommends that, in addition to the infilling and redevelopment of existing urban centers, new urban development within the Region be accommodated through the orderly expansion of existing urban centers in locations and at densities which can be efficiently served by basic urban facilities, including sanitary sewer service, with the overall amount of new urban development consistent with projected growth in population and the economic base. The regional land use plan further recommends the preservation of primary environmental corridors and that consideration be given to the preservation of secondary environmental corridors and isolated natural resource areas. The proposed sewer service area amendment is consistent with these recommendations of the regional land use plan.
- **Consistency with the Regional Water Quality Management Plan**
The regional water quality management plan recommends that new urban development within the Region be provided with centralized sanitary sewer service. The plan designates a wastewater treatment plant to serve each of the urban centers within the Region that are identified in the regional land use plan. In the case at hand, the regional plan recommends that wastewater from the southwestern portion of the Menomonee Falls urban service area be conveyed to and treated at the Sussex wastewater treatment plant. The proposed sewer service area amendment is consistent with these recommendations of the regional water quality management plan.
- **Consistency with Chapter NR 121 of the Wisconsin Administrative Code**
Chapter NR 121 of the *Wisconsin Administrative Code* governs the preparation of areawide water quality management plans, including the component sewer service area plans. The code requires that sewer service areas be determined in a way that promotes cost-effective and environmentally sound wastewater collection and treatment and that is consistent with 20-year population projections. Under the code, sewer service area plans must identify lands that are to be excluded from sewer service because of physical or environmental constraints or potential adverse water quality impacts. The proposed sewer service area amendment is consistent with these provisions of the *Wisconsin Administrative Code*.
- **Consistency with Procedural Requirements**
As carried out by the Regional Planning Commission, the sewer service area amendment process must begin with a request to the Commission from the appropriate local unit of government or government agency to process the amendment. A public hearing must be held on the proposed amendment; the hearing is jointly sponsored by the Regional Planning Commission and the requesting agency or unit of government. Subsequent to the public hearing, the requesting agency or unit of government must act to approve the amendment as presented at the hearing, approve a modified amendment, or deny the amendment. Only after approval by the requesting agency or unit of government will the proposed amendment be considered for adoption by the Regional Planning Commission as an amendment to the areawide water quality management plan. All of the Commission's procedural requirements have been met for this amendment.

Given all of the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the Village of Menomonee Falls sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 208, in the manner shown on Map 1. It is also recommended that the Wisconsin Department of Natural Resources approve this sewer service area plan amendment and transmit the plan amendment to the U.S. Environmental Protection Agency for certification.

Map 2

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF MENOMONEE FALLS

**U.S. Public Land Survey Section 30
Township 8 North, Range 20 East**



PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

PLANNED SANITARY SEWER SERVICE AREA

GROSS SANITARY SEWER SERVICE AREA BOUNDARY

RESTRICTIONS ON SEWERED DEVELOPMENT

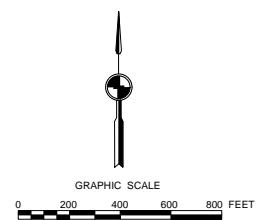
PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.

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.

Photography Date: April 2010

Source: SEWRPC.

NOTE: This map replaces a portion of Map 8-7, page 31, of SEWRPC Community Assistance Planning Report No. 208, Sanitary Sewer Service Areas for the Villages of Lannon and Menomonee Falls, Waukesha County, Wisconsin, June 1993.



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APPENDIX

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Appendix A

REGIONAL HOUSING PLAN: JOB/HOUSING BALANCE ANALYSIS

On March 13, 2013, the Regional Planning Commission adopted a regional housing plan for the seven-county Southeastern Wisconsin Region. That plan is documented in SEWRPC Planning Report No. 54, *A Regional Housing Plan for Southeastern Wisconsin*, dated March 2013. The plan addresses a range of housing issues and concerns, including the balance between jobs and housing throughout the Region. The plan includes a generalized analysis of the “job/housing balance” for subareas of the Region. The regional housing plan recommends that the findings of the job-housing analysis be provided to communities seeking to amend their sanitary sewer service areas. Accordingly, the findings of that analysis are summarized in this appendix.

The job/housing analysis conducted under the regional housing study examined the relationship between jobs and housing that would exist in subareas of the Region, with the implementation of adopted long-range county and community comprehensive plans for those areas. The analysis was undertaken for each sub-area of the Region shown on Map A-1, and was confined to the areas planned by local governments to be served by sanitary sewers. For each sub-area, the analysis compared the projected relative shares of lower-cost, moderate-cost, and higher-cost housing¹ with the projected relative shares of lower-wage, moderate-wage, and higher-wage jobs,² respectively—assuming implementation of adopted county and community comprehensive plans. Job/housing imbalances identified under this analysis are indicated on Map A-1. A “lower-cost” job/housing imbalance indicates a sub-area projected to have a higher percentage of lower-wage jobs than lower-cost housing. A “moderate-cost” job/housing imbalance indicates a sub-area projected to have a higher percentage of moderate-wage jobs than moderate-cost housing.

As shown on Map A-1, the Village of Menomonee Falls is located in Sub-area 20, which also includes the Villages of Butler and Lannon, in Waukesha County. Based upon the job/housing balance analysis conducted as part of the regional housing study, Sub-area 20 overall is projected to have a moderate-cost job/housing imbalance, assuming implementation of the currently adopted comprehensive plans for communities in that sub-area. Determination of which of the communities in Sub-area 20 have a projected job/housing imbalance would require further analysis, on a community-by-community basis. The regional housing plan encourages such community-by-community analyses, recognizing that the community-level analysis may consider community-specific wage data and housing price data that were not available on an areawide basis for the regional analysis.

The regional housing plan recommends that communities which are demonstrated to have a job/housing imbalance consider making changes to their comprehensive plan and zoning ordinance, as appropriate, in order to enable the provision of housing suitable for the people holding jobs in their community. Actions to address a moderate-cost job/housing imbalance could include modifying the comprehensive plan to permit some single-family residences on smaller lots (1/4 acre or less) and of modest square footage

¹ For purposes of the analysis, lower-cost housing generally includes multi-family dwellings and single- and two-family dwellings at densities of 6,000 square feet or less per dwelling unit; moderate-cost housing includes single- and two-family dwellings at densities of one dwelling per 6,000 to 20,000 square feet for homes constructed prior to 2000 and at densities of one dwelling per 6,000 to 10,000 square feet for housing constructed after 2000; and higher-cost housing includes the balance of the housing stock.

² For purposes of the analysis, lower-wage jobs include those with an average annual wage that is 80 percent or less than the average annual wage for all jobs in the county; moderate-wage jobs include those with an average annual wage between 80 percent and 135 percent of average annual wage for all jobs in the county; and higher-wage jobs include those with an average annual wage that is 135 percent or more of the annual average wage for all jobs in the county.

(1,200 square feet). Actions to address a lower-cost job/housing imbalance could include modifying the comprehensive plan to permit some modest multi-family housing (density of about 10 housing units per acre and 800 square feet per two bedroom apartment).

Additional information about the housing plan and the job/housing balance analysis is available on the SEWRPC website (www.sewrpc.org/sewrpc/housing.htm) or by contacting the SEWRPC staff.

