

AMENDMENT TO THE

REGIONAL WATER QUALITY MANAGEMENT PLAN

VILLAGE OF GERMANTOWN



AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

SEPTEMBER 2018

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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 (Germantown Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Washington, the Village of Germantown, and the Milwaukee Metropolitan Sewerage District

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held on the 12th day of September 2018, the Commission did by unanimous vote of all Commissioners present, being 15 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 Germantown 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 13th day of September 2018.

Charles L. Colman, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Michael G. Hahn, Deputy Secretary

RESOLUTION NO. 2018-18

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 (GERMANTOWN 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 Germantown sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 70, *Sanitary Sewer Service Area for the Village of Germantown, Washington County, Wisconsin*, July 1983, as amended; and

WHEREAS by letters dated April 17 and July 25, 2018, the Village of Germantown requested that the Commission amend the Germantown 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 Germantown to Amend the Germantown 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 Germantown and the Regional Planning Commission on September 10, 2018; 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 Germantown 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. 2018-18

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 12th day of September 2018, the vote being: Ayes 15; Nays 0.

A handwritten signature in cursive script, reading "Charles L. Colman".

Charles L. Colman, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

A handwritten signature in cursive script, reading "Michael G. Hahn".

Michael G. Hahn, Deputy Secretary

SEWRPC STAFF MEMORANDUM

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

INTRODUCTION

By letters dated April 17 and July 25, 2018, the Village of Germantown requested that the Southeastern Wisconsin Regional Planning Commission (SEWRPC) amend the Village of Germantown sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD) sewerage system, as that area is currently documented in SEWRPC Community Assistance Planning Report No. 70, *Sanitary Sewer Service Area for the Village of Germantown, Washington County, Wisconsin*, dated July 1983, 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

The proposed additions to the Germantown sewer service area are identified on Map 1 and described below.

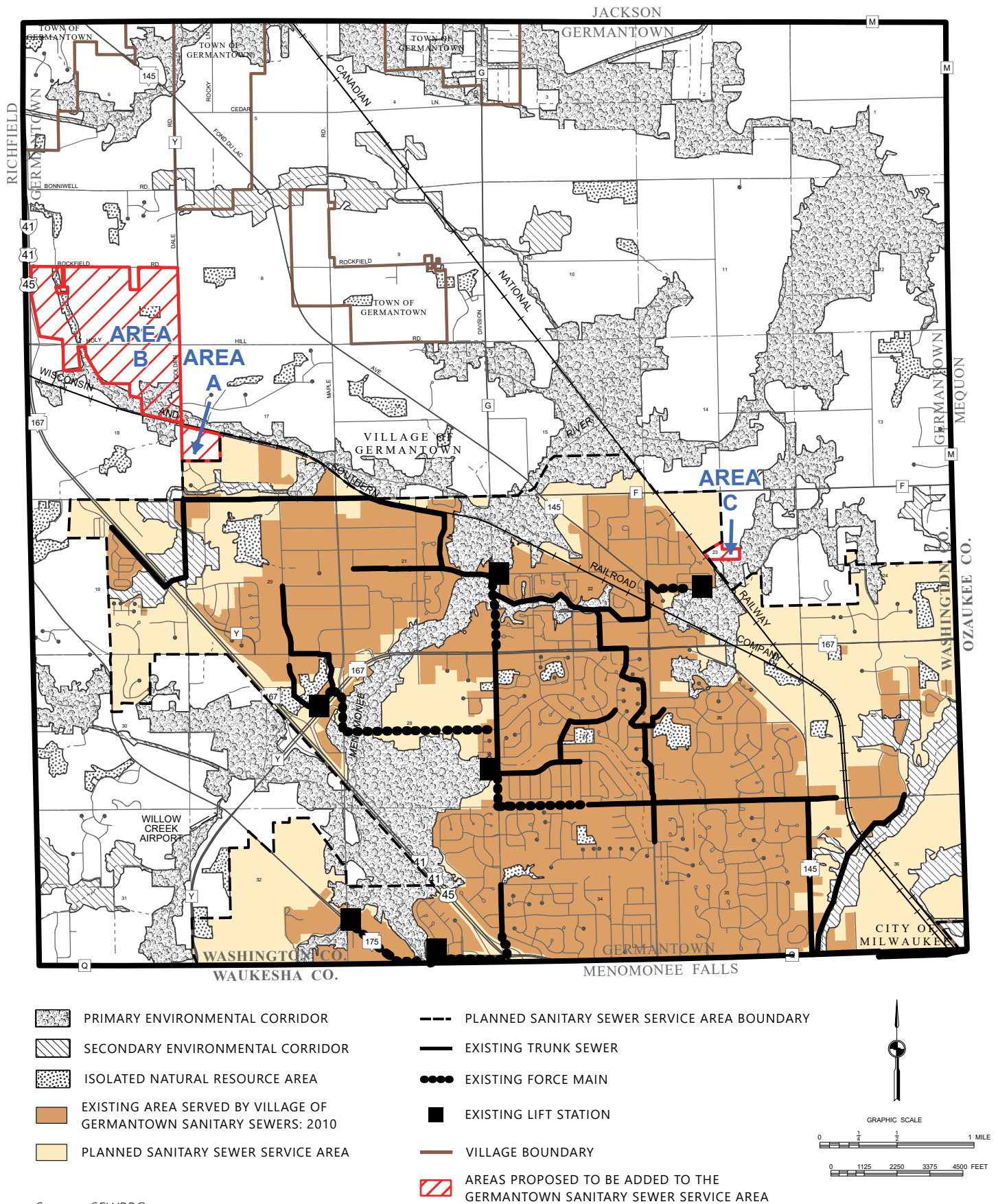
- Area A
The area proposed to be added to the sewer service area encompasses approximately 32 acres and is located within the southwest quarter of U.S. Public Land Survey Section 17, Township 9 North, Range 20 East. It includes a portion of tax key parcel GTNV 173992 (31 acres) in addition to a small portion (1 acre) of the eastern right-of-way of Goldendale Road. Under the Village comprehensive plan, the subject area is identified as industrial/office use to accommodate potential development in the area. The subject area does not contain any wetlands, environmental corridors, or isolated natural resource areas.
- Area B
The area proposed to be added to the sewer service area encompasses approximately 431 acres and includes multiple parcels located along Holy Hill Road, between Goldendale Road and US 41/45. The area includes about 61 acres of environmentally significant land, 30 acres of existing urban land, and 340 acres of agricultural and other open land. As shown on the Village comprehensive plan, the subject area would be developed in industrial/office, commercial, and mixed uses.
- Area C
The area proposed to be added to the sewer service area encompasses approximately 10 acres and is located within U.S. Public Land Survey Section 23, Township 9 North, Range 20 East, along the Canadian National Railroad right-of-way. The area includes about two acres of environmentally significant land and eight acres of agricultural and other open land. As shown on the Village comprehensive plan, the subject area would be developed in residential uses, accommodating 14 single-family lots in the Wrenwood Subdivision.

In combination, the areas proposed to be added to the Germantown sewer service area encompass 473 acres, including 63 acres of environmentally significant lands, 31 acres of existing urban land, and 379 acres of agricultural and other open land. The residential development associated with Area C would accommodate a population of about 34 persons.

A more-detailed delineation of the amended sewer service area is shown on the aerial photographs reproduced as Maps 2, 3, and 4.

Map 1

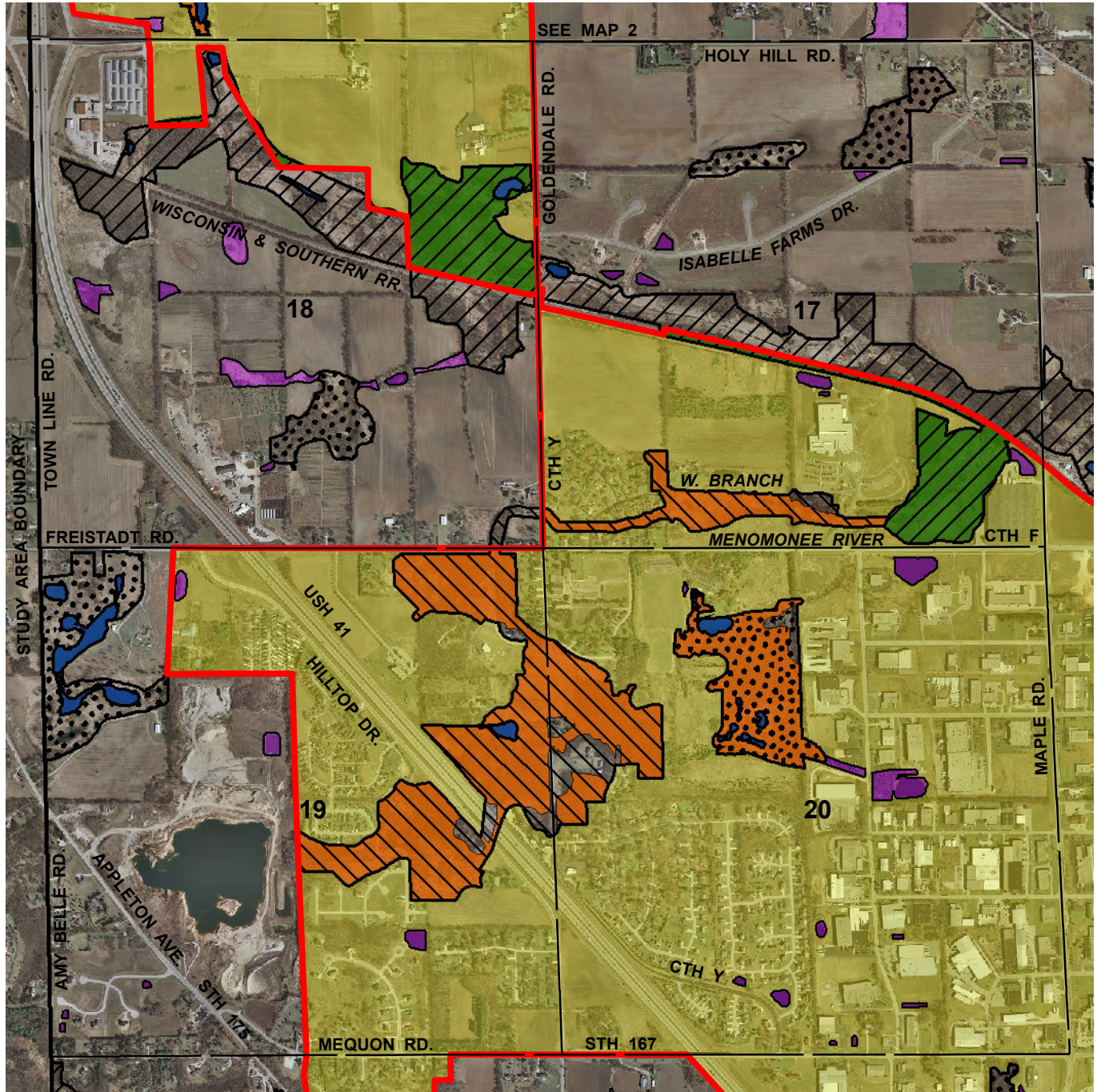
PROPOSED AMENDMENT TO THE VILLAGE OF GERMANTOWN SANITARY SEWER SERVICE AREA



Map 3

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

U.S. Public Land Survey Sections 17, 18, 19, and 20
Township 9 North, Range 20 East



Photography Date: April 2015

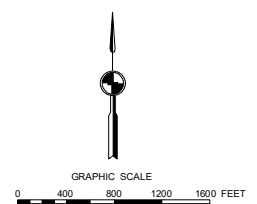
- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
- SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED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

NOTE: This map replaces a portion of Map 2, page 4, of SEWRPC Amendment to the Regional Water Quality Management Plan, Village of Germantown, December 2003.

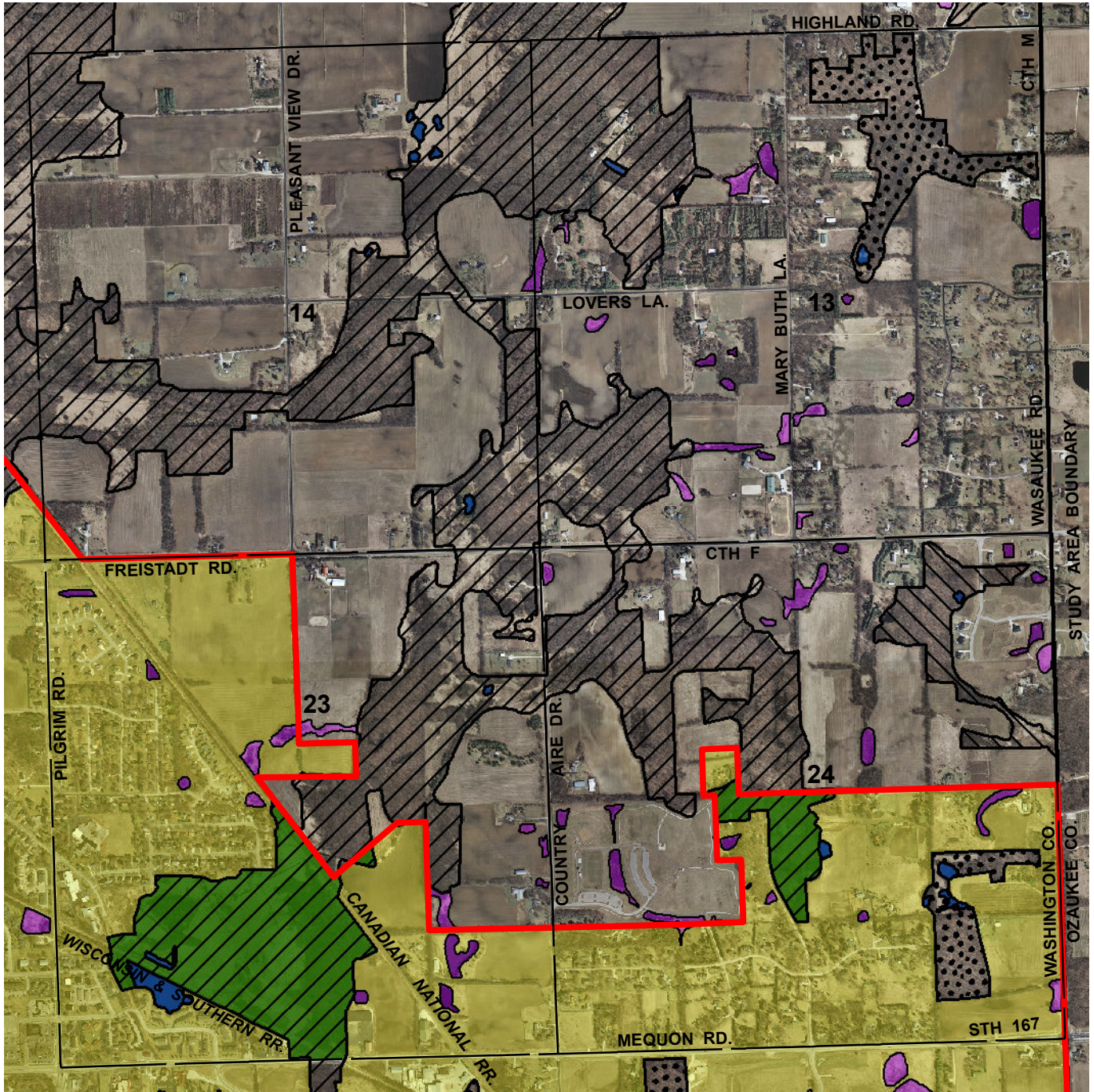


Source: SEWRPC.

Map 4

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

U.S. Public Land Survey Sections 13, 14, 23, and 24
Township 9 North, Range 20 East



Photography Date: April 2015

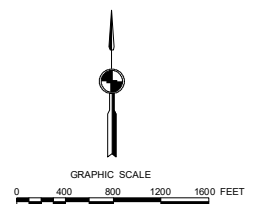
- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
- SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
- GROSS SANITARY SEWER SERVICE AREA BOUNDARY

PLANNED SANITARY SEWER SERVICE AREA

RESTRICTIONS ON SEWERED DEVELOPMENT

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- 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.

NOTE: This map replaces Map 5-6, page 16, of SEWRPC Amendment to the Regional Water Quality Management Plan, Village of Germantown, March 1998.



Source: SEWRPC.

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

The proposed addition of about 473 acres to the Germantown sanitary sewer service area tributary to the MMSD sewerage system represents an increase in the planned sewer service area of about 5 percent.

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the Germantown 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 size and capacity of the MMSD sewage conveyance and treatment facilities are set forth in the District's facility plan completed in 2007.¹ Areas A and B that are proposed to be added to the planned sewer service area would be tributary to Sewershed GE3007 and Area C would be tributary to Sewershed GE3008. The MMSD facility plan is based upon a planned Sewershed GE3007 peak hourly flow of 5.6 million gallons per day (mgd) and a planned peak hourly flow of 1.5 mgd for Sewershed GE3008. The proposed additions to the sewer service area would add net planned industrial/office, commercial, and mixed use development areas of about 270 acres and residential development that would accommodate a population of about 34 persons. The MMSD staff has verified that there is planned capacity available for the area proposed to be added to the sewer service area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on September 10, 2018, at the Germantown Village Hall to receive public comment on, and reaction to, the proposed sewer service area amendment. The hearing was sponsored by the Village of Germantown 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 Germantown Village Board approved the sewer service area amendment following the public hearing on September 10, 2018.

REGIONAL HOUSING PLAN: JOB/HOUSING BALANCE

Appendix A provides job/housing balance information for the Village of Germantown developed under the SEWRPC regional housing plan. The inclusion of information from the regional housing plan in sewer service area amendment reports is based upon a regional housing plan recommendation (one of 50 recommendations made under the plan) that 1) SEWRPC provide the findings of the approximate job/housing balance analysis conducted under the regional housing plan to communities requesting an amendment of their sanitary sewer service area and 2) for those communities with a job/housing imbalance, that recommendations be provided to the community for their future consideration in addressing that imbalance. However, it is important to note that job/housing balance is not intended to be a requirement to be met by any individual sewer service area amendment.

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.

- **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 which can be readily 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 Germantown urban service area be served through the MMSD sewerage system. 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 Germantown sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 70, as amended, 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.

APPENDIX

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, with the intent to inform communities of any job/housing imbalance, and to encourage them to consider addressing the imbalance when they review and update their community comprehensive plan and zoning ordinance. 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 areas planned by local governments to be served by a public sanitary system, assuming implementation of adopted long-range comprehensive plans for those areas. For each sewered community, 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. Job/housing imbalances identified under this analysis are indicated on Map A-1. A “lower-cost” job/housing imbalance indicates a community projected to have a higher percentage of lower-wage jobs than lower-cost housing. A “moderate-cost” job/housing imbalance indicates a community projected to have a higher percentage of moderate-wage jobs than moderate-cost housing.

Map A-1 shows the Village of Germantown is projected to have a shortage of moderate cost housing compared to job wages. The regional housing plan would encourage the Village to consider conducting a more detailed job/housing analysis specific to their community, with the community-level analysis considering community-specific wage data and housing price data. The community-specific analysis could also consider the effect of multiple workers in a household, which was not incorporated in the regional-level analysis.

The regional housing plan further recommends that communities which are demonstrated to have a job/housing imbalance following a community-specific analysis consider making changes to their comprehensive plan and zoning ordinance, as appropriate, 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 (1,200 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 to 850 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.

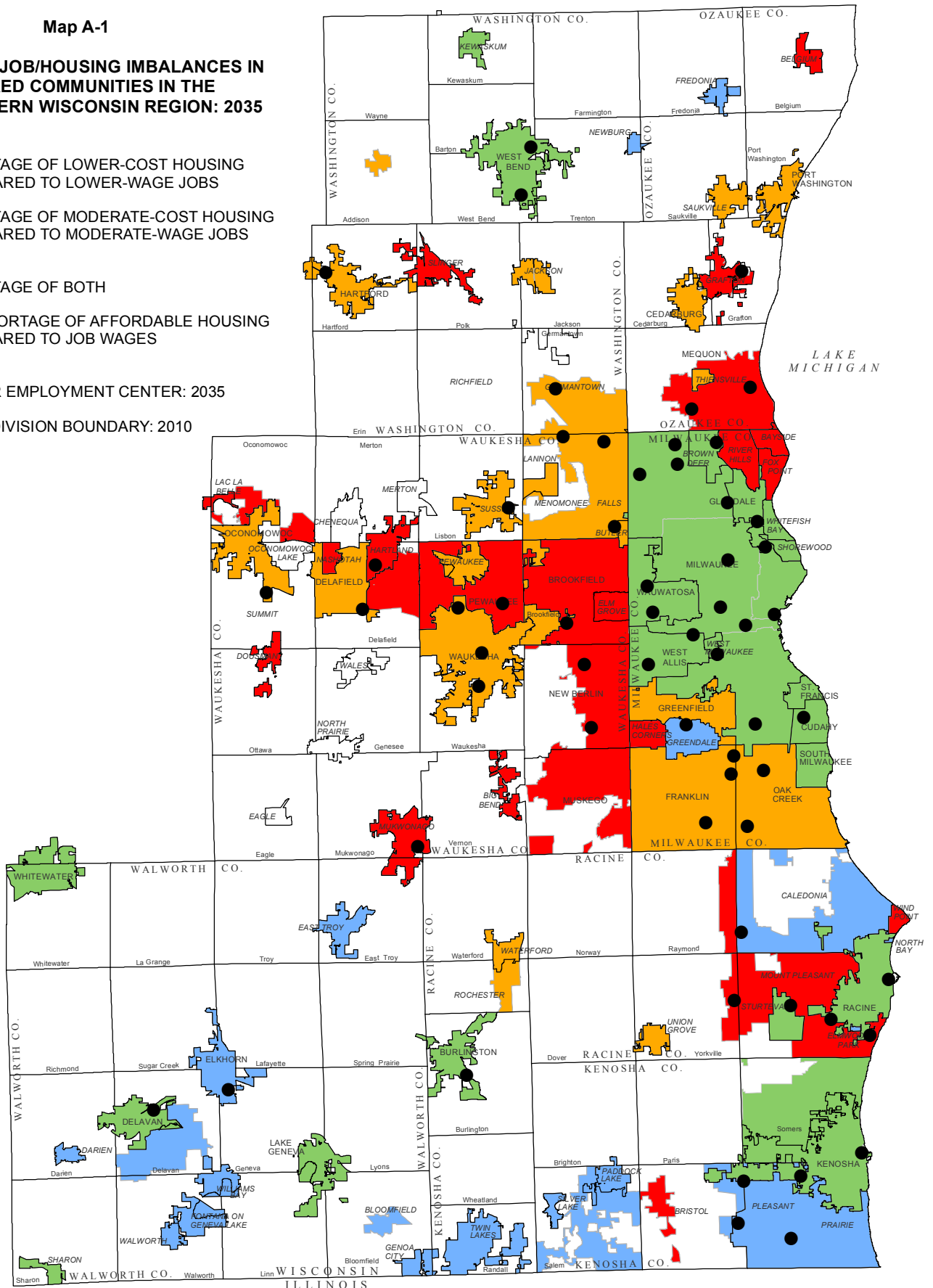
¹ For purposes of the analysis, lower-cost housing generally includes multi-family dwellings and single- and two-family dwellings at densities of 6,000 square feet or less per dwelling unit; moderate-cost housing includes single- and two-family dwellings at densities of one dwelling per 6,000 to 20,000 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.

Map A-1

**PROJECTED JOB/HOUSING IMBALANCES IN
SEWERED COMMUNITIES IN THE
SOUTHEASTERN WISCONSIN REGION: 2035**

- SHORTAGE OF LOWER-COST HOUSING
COMPARED TO LOWER-WAGE JOBS
- SHORTAGE OF MODERATE-COST HOUSING
COMPARED TO MODERATE-WAGE JOBS
- SHORTAGE OF BOTH
- NO SHORTAGE OF AFFORDABLE HOUSING
COMPARED TO JOB WAGES
- MAJOR EMPLOYMENT CENTER: 2035
- CIVIL DIVISION BOUNDARY: 2010



Source: Local Government Comprehensive Plans and SEWRPC.