

**MINUTES**

**SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION**

**PLANNING AND RESEARCH COMMITTEE**

February 15, 2007

1:30 p.m.

SEWRPC Office Building  
Commissioners' Conference Room  
W239 N1812 Rockwood Drive  
Waukesha, Wisconsin

Present:

Excused:

Committee Members:

Daniel S. Schmidt, Chairman  
David L. Stroik, Vice-Chairman  
Charlene S. Brady  
Anita M. Faraone  
Gregory L. Holden  
Michael J. Miklasevich

Thomas H. Buestrin  
Lee Holloway  
Anselmo Villarreal  
Paul G. Vrakas

Absent:

Staff:

Philip C. Evenson	Executive Director
Robert P. Biebel	Special Projects Engineer
Michael G. Hahn	Chief Environmental Engineer
William J. Stauber	Chief Land Use Planner
Loretta Watson	Executive Secretary

**ROLL CALL**

Chairman Schmidt called the meeting to order at 1:35 p.m. Roll call was taken and a quorum declared present. Mr. Evenson noted for the record that Commissioners Buestrin, Holloway, Villarreal, and Vrakas had asked to be excused.

**APPROVAL OF MINUTES OF MEETING OF NOVEMBER 21, 2006**

On a motion by Mr. Miklasevich, seconded by Ms. Faraone, and carried unanimously, the minutes of the meeting of November 21, 2006, were approved as published.

**CONSIDERATION OF AMENDMENTS TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN**

**Sewer Service Area Plan for the Village of Dousman**

Chairman Schmidt asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the Village of Dousman and Environs. A copy of the preliminary draft of SEWRPC Community Assistance

Planning Report No. 192 (3<sup>rd</sup> Edition) concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that this is a comprehensive update of the Dousman sewer service area plan that will result in a third edition plan report for the area. It is an outgrowth of the recent boundary agreement between the Village of Dousman and the Town of Ottawa.

Mr. Stauber directed the Committee's attention to Map 4, which shows the proposed changes to the Dousman sewer service area as presented for public review. He described the additions to the sewer service area proposed by the Town of Ottawa and Village of Dousman, as indicated on Map 4. He noted that, in combination, the proposed additions encompass 3.6 square miles—including 1.1 square miles of existing urban development, 1.3 square miles of environmentally significant lands, and 1.2 square miles of land considered to be developable. He noted that upon full development, the expanded sewer service area would accommodate an estimated 7,700 persons, which is within the Commission-projected population range for the sewer service area of 4,700 persons to 8,900 persons by 2035.

Mr. Stauber indicated that this matter was the subject of a public hearing on January 29, 2007. He noted that the hearing record was held open for written comments until February 5, 2005. He noted that 23 individuals spoke at the hearing and 13 submitted written comments. Mr. Stauber indicated that the public comments generally centered on three topics: 1) the proposed addition of the Pretty Lake, School Section Lake, and Hunters Lake areas to the sewer service area; 2) concern for the potential environmental impacts of the proposed development of the Herr-Lurvey property located south of CTH D; and 3) the further expansion of the sewer service area to include an additional parcel located just east of the currently adopted sewer service area. A draft insert to the third edition report, summarizing the public comments along with Village, Town, and Commission staff responses to those comments was handed out to the Committee.

Mr. Stauber indicated that individuals opposed to the addition of the Pretty Lake, School Section Lake, and Hunters Lake areas raised several concerns: that sewer service is not needed at this time to remedy water quality problems; that the provision of a sewerage system in the Pretty Lake area would cause a decline in lake levels; and that it would be less costly to construct a separate sewerage system to serve the Pretty Lake area than to connect that area to the Dousman sewerage system. Mr. Stauber indicated that prior Commission work had estimated that there would be a marginal decline of about 0.2 foot in the water level in Pretty Lake if sewers were provided, adding that the replacement of onsite disposal systems with holding tanks could be expected to have a similar, though incremental, effect on lake levels. Mr. Stauber indicated that a cost analysis of wastewater treatment alternatives for Pretty Lake had not been undertaken for future conditions that include development of the Herr-Lurvey property. He noted, however, that it appears unlikely that a separate sewerage system for Pretty Lake that may have to discharge to groundwater would be more cost-effective than connection to the Dousman system. Mr. Stauber acknowledged that, while sanitary sewers may not be needed in the Pretty Lake, School Section Lake, and Hunters Lake areas at this time, such service may be required in the long run. Inclusion of the lake areas in the sewer service area now would expedite the provision of sewer service should a decision be made to extend sewer service in the future. Inclusion of the lake areas in the sewer service area now also would let the Village of Dousman know that that it should consider potential flows from these areas in its planning for sewage treatment and conveyance facilities.

Mr. Stauber indicated that several individuals expressed a concern that the proposed development of the Herr-Lurvey property, including a proposed man-made lake, would result in a decline in the water level in nearby Larkin Lake. Others expressed general concerns regarding impacts of the proposed development on surrounding wetlands and wildlife habitat. Mr. Stauber indicated that, in a February 13, 2007, letter to

the Commission, the Village of Dousman stated that it would require the installation of monitoring wells and a hydrogeologic assessment of groundwater flow in the area from Larkin Lake to School Section Lake. The Village indicated that, if the results of the groundwater monitoring and analysis study indicate that the proposed lake on the Herr-Lurvey site would adversely affect water levels in Larkin Lake, the Village would require that the new lake be designed to not change groundwater levels, and, thus, not alter the level of Larkin Lake. Mr. Stauber said that the staff considers this to be an acceptable approach to addressing groundwater concerns. He also noted that the staff had added text to the report emphasizing that the Village should strictly enforce construction site erosion control and stormwater management standards to minimize impacts on adjacent wetlands and environmental corridors.

Mr. Stauber directed the Committee's attention to the map attached to the back of the handout, identifying the additional area requested to be added to the sewer service area at the public hearing. He noted that this area encompasses about 50 acres, including an impoundment that resulted from a quarrying operation. He indicated that the Town and Village were on record as supporting this addition. He noted that the subject area abuts the currently adopted sewer service area and would only marginally increase the sewer service area.

Recapping, Mr. Stauber noted that the buildout population of the expanded sewer service area would be within the Commission-projected population range for the year 2035; that the proposed amendment would help to implement cooperative, long-range planning by the Village of Dousman and Town of Ottawa; that the amendment holds open the option for, but does not require, the extension of sewer service to the lake areas; that the Village of Dousman has committed to ensuring that development of the Herr-Lurvey property does not adversely impact Larkin Lake and that steps will be taken to minimize impacts on other natural resources in the vicinity; and that the Town of Ottawa has indicated that it supports adoption of the proposed plan amendment. He characterized the proposed amendment as consistent with adopted regional plans. Accordingly, he indicated, the staff recommends approval.

A brief discussion then ensued. In response to an inquiry by Mr. Stroik, Mr. Evenson indicated that Pretty Lake is a groundwater lake and is not part of a flow-through chain of lakes. The lake is ringed with largely residential development and is fed by runoff from adjacent lands. The lake, he said, has significant variations in elevations depending upon annual precipitation patterns. In response to a follow up question by Mr. Stroik, Mr. Evenson indicated that at such time as public sanitary sewer service may be provided to the Pretty Lake community, the treated wastewater would end up being discharged into the Bark River. This is why Commission studies a few years back indicated that the likely impact would be a loss of about two-tenths of a foot in lake elevation in any given year.

Following that discussion, on a motion by Mr. Stroik, seconded by Mr. Miklasevich, and carried unanimously, the SEWRPC Community Assistance Planning Report No. 192 (3<sup>rd</sup> Edition) was approved and recommended to the Commission for adoption.

### **Sewer Service Area Plan for the Town of Salem**

Chairman Schmidt asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the Town of Salem. A copy of the preliminary draft of a SEWRPC staff memorandum dated March 2007 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated January 23, 2007, the Town of Salem requested that the Commission amend the Town of 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, and subsequent amendments. The 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.

Mr. Stauber directed the Committee's attention to Map 1 in the amendment document. He noted that two areas, identified as Area A and Area B on Map 1, are proposed to be added to the sewer service area. Area A is located on either side of STH 50, west of the currently adopted sewer service area. Under the Town of Salem neighborhood plans and the Village of Paddock Lake land use plan, the developable lands in Area A would be developed primarily for residential use. The southeastern portion of Area A has been attached to the Village of Paddock Lake but will be served through the Salem sewerage system under the Paddock Lake-Somers boundary agreement. The balance of Area A will remain in the Town of Salem. Area B is located west of STH 83, just north of the Wisconsin-Illinois State line. The Town of Salem neighborhood plan calls for single-family residential development in this area. In combination, Areas A and B encompass 407 acres, including about 150 acres of environmentally significant lands. The developable lands would accommodate a total of about 310 housing units, with a population of about 775 persons under full development conditions.

Mr. Stauber indicated that this matter was the subject of a public hearing before the Salem Town Board on February 12, 2007. One individual objected to the proposed amendment, indicating opposition in principle to the Town's providing sewer service to the Village of Paddock Lake. Responding, the Town Engineer indicated that such service is required under the Paddock Lake-Salem boundary agreement and that the Village would pay for the costs of providing service to that area.. There were no other objections to the proposed plan amendment. Following the hearing, the Town Board approved the subject amendment.

Mr. Stauber noted that the regional land use plan indicates a 2035 population range of 18,000 to 23,200 persons for the Salem sewer service area. The estimated buildout population of the Salem sewer service area, including the subject amendment, would approximate 18,600 persons—within the regional land use plan projection range for 2035.

Mr. Stauber indicated that the Commission staff recommends approval of the proposed amendment as consistent with the adopted regional land use plan as well as with local plans for the area.

There being no discussion, on a motion by Mr. Miklasevich, seconded by Mr. Holden, and carried unanimously, the SEWRPC Staff Memorandum dated March 2007 was approved and recommended to the Commission for adoption.

#### **Sewer Service Area Plan for the City of Brookfield**

Chairman Schmidt asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the City of Brookfield. A copy of the preliminary draft of a SEWRPC staff memorandum dated March 2007 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated December 21, 2006, the City of Brookfield requested that the Commission amend the City of Brookfield-Elm Grove sanitary sewer service area. That area is currently documented in SEWRPC Community Assistance Planning Report No. 109, *Sanitary Sewer Area for the City and Town of Brookfield and the Village of Elm Grove, Waukesha County, Wisconsin*, dated November 1991, as amended. Mr. Stauber noted that the City of Brookfield is served by two sewerage systems—the Milwaukee Metropolitan Sewerage District (MMSD) system and the Fox River Water Pollution Control Center (FRWPCC) system. He explained that this amendment involves several small adjustments to the boundary between the two systems serving the City of Brookfield.

Mr. Stauber directed the Committee's attention to Map 1, noting that adjustments to the boundary between the MMSD and FRWPCC service areas are proposed at four areas. Area 1 involves a transfer of 8.5 acres from the FRWPCC system to the MMSD system. This would enable extension of a gravity sewer tributary to the MMSD system, from the south, potentially serving 7-8 residential lots. The adjustments proposed at Areas 2, 3, and 4 are intended to reflect actual service arrangements; with this amendment, the plan map will show Areas 2,3, and 4 to be in the service area of the FRWPCC system—to which they are already connected.

Mr. Stauber indicated that this matter was the subject of a public hearing before the Brookfield Plan Commission on February 13, 2007. No objections to the proposed plan amendment were expressed at the hearing. The Brookfield City Council is scheduled to consider the amendment on February 20<sup>th</sup> ; it is expected to approve the amendment. The MMSD staff has indicated that they support the amendment.

Mr. Stauber recommended that the Planning and Research Committee forward the subject amendment to the Commission with a recommendation for approval, subject to receipt of a report of positive action by the Brookfield City Council.

A brief discussion then ensued. In response to an inquiry by Ms. Brady, Mr. Evenson indicated that while the City of Brookfield is served by two separate sanitary sewerage systems, residents of the City are served by a common sewer utility, with the costs from the systems on both sides of the subcontinental divide combined and paid for through a uniform utility rate.

Following that discussion, on a motion by Mr. Miklasevich, seconded by Ms. Faraone, and carried unanimously, the SEWRPC Staff Memorandum dated March 2007 was approved and recommended to the Commission for adoption subject to approval of the amendment by the Common Council of the City of Brookfield.

#### **Sewer Service Area Plan for the Town of Bristol**

Chairman Schmidt asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the Town of Bristol. A copy of the preliminary draft of a SEWRPC staff memorandum dated March 2007 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated December 6, 2006, the Town of Bristol requested that the Commission amend the Bristol sanitary sewer service area. That area is currently documented 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, Kenosha County, Wisconsin*, dated October 1986, as amended. The purpose of this amendment would be to include within the planned Bristol sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area.

Mr. Stauber directed the Committee's attention to Map 1 in the amendment document. He noted that the area to be added is located northeast of the intersection of USH 45 and STH 50 in the Town of Bristol. The subject area encompasses 24 acres including two acres of environmentally significant land. The developable area would be used for an expansion of the Kenosha County Center

Mr. Stauber indicated this matter was the subject of a public hearing before the Bristol Town Board on February 12, 2007. No objections to the proposed plan amendment were expressed at the hearing. The Town Board adopted the amendment following the hearing.

Mr. Stauber characterized this as a minor amendment needed to accommodate Kenosha County's plans to expand its facility in Bristol. He recommended that the Planning and Research Committee forward the amendment to the Commission with a recommendation for adoption.

There being no discussion, on a motion by Ms. Brady, seconded by Mr. Stroik, and carried unanimously, the SEWRPC Staff Memorandum dated March 2007 was approved and recommended to the Commission for adoption.

**Sewer Service Area Plan for the Walworth County Metropolitan Sewerage District/Elkhorn Sanitary Sewer Service Area**

Chairman Schmidt asked Mr. Stauber to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the City of Elkhorn. A copy of the preliminary draft of a SEWRPC staff memorandum dated March 2007 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Stauber indicated that by letter dated January 5, 2007, the Walworth County Metropolitan Sewerage District (WalCoMet) requested that the Commission amend the Elkhorn sanitary sewer service area. That area is currently documented in SEWRPC Community Assistance Planning Report No. 56 (2<sup>nd</sup> Edition), *Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District, Walworth County, Wisconsin*, dated November 1991, as amended. The purpose of this amendment would be to include within the planned Elkhorn sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area.

Mr. Stauber directed the Committee's attention to Map 1 in the amendment document. He noted that the area to be added is located one-half mile west of the IH 43/STH 67 interchange in the City of Elkhorn. The subject area encompasses 40 acres; no environmentally significant land has been identified. The parcel would be developed for residential use, accommodating about 150 housing units; it would be part of a larger proposed residential development on lands already in the sewer service area.

Mr. Stauber indicated this matter was the subject of a public hearing before the Walworth County Metropolitan Sewerage District (WalCoMet) Board on February 13, 2007. No objections to the proposed plan amendment were expressed at the hearing. The WalCoMet Board adopted the amendment following the hearing.

Mr. Stauber characterized this as a minor amendment. It would increase the Elkhorn sewer service area by less than 1 percent and increase the buildout population of the sewer service area by 2 percent. He indicated that the subject amendment is consistent with the regional plan. He recommended that the Planning and Research Committee forward the amendment to the Commission with a recommendation for adoption.

There being no discussion, on a motion by Ms. Faraone, seconded by Mr. Miklasevich, and carried unanimously, the SEWRPC Staff Memorandum dated March 2007 was approved and recommended to the Commission for adoption.

**CONSIDERATION OF SEWRPC PLANNING REPORT NO. 50, A REGIONAL WATER QUALITY MANAGEMENT PLAN UPDATE FOR THE GREATER MILWAUKEE WATERSHEDS, CHAPTER 9**

Chairman Schmidt called upon Mr. Hahn of the Commission staff to review with the members of the Committee material included in Chapter 9, "Development of Alternative Plans: Description and Evaluation," of the forthcoming report. A copy of Mr. Hahn's presentation slides is attached as Exhibit A.

During Mr. Hahn's presentation, a number of questions and comments were made and addressed relating to the material presented. In response to an inquiry by Mr. Evenson relative to the alternative plan costs identified on several slides, Mr. Hahn indicated that he believed the numbers were properly presented.

[Secretary's Note: Following the meeting, Mr. Hahn reported that the costs on the slides in question were inadvertently presented in thousands of dollars instead of millions of dollars. The Exhibit attached to these Minutes provides the correct cost figures.]

Several comments focused on the preliminary plan recommendation that efforts be made over time to convert up to ten percent of existing crop land in the rural portions of the watershed to wetlands or prairies. Such actions would have important water quality benefits. Mr. Miklasevich indicated that the ten percent goal seems high. Mr. Hahn commented that the restored land does not have to be limited to riparian areas. Mr. Hahn also commented that in the Des Plaines River watershed plan affecting Kenosha and Racine Counties, a similar recommendation has been made but at a level of about 20 percent. Mr. Miklasevich indicated that reducing the amount of crop land would have the effect of reducing herbicides and pesticides as contributors to receiving streams, but indicated that he was concerned about losing productive land. Mr. Hahn indicated that this particular recommendation was debated by the county land conservationists concerned and they seemed to think that the goal is reasonable, acknowledging that if we continue with "business as usual" we will not achieve significant water quality improvements. Referring to the text of the chapter in question, Ms. Brady indicated that she would like to obtain copies of certain tables. In response, Mr. Hahn indicated that those tables would be provided to Ms. Brady after the meeting.

Following Mr. Hahn's presentation and the ensuing discussion, on a motion by Mr. Miklasevich, seconded by Ms. Faraone, and carried unanimously, Chapter 9, "Development of Alternative Plans: Description and Evaluation," of SEWRPC Planning Report No. 50 was approved for publication.

### **CONSIDERATION OF SEWRPC PLANNING REPORT NO. 52, A REGIONAL WATER SUPPLY PLAN FOR SOUTHEASTERN WISCONSIN, CHAPTER 3**

Chairman Schmidt noted that the Committee continues to review materials being developed to document the forthcoming regional water supply plan. He then called upon Mr. Robert P. Biebel of the Commission staff to review with the members of the Committee material included in Chapter 3, "Existing Water Supply Conditions in the Region," of the forthcoming planning report. Mr. Biebel then delivered a presentation attendant to that chapter. A copy of Mr. Biebel's presentation slides is attached as Exhibit B.

A brief discussion followed Mr. Biebel's presentation. In response to an inquiry by Mr. Evenson, Mr. Biebel indicated that not all of the private wells at the intersection of STH 50 and IH 94 in Kenosha County have been abandoned even though the Lake Michigan water supply is now available. In response to an inquiry by Ms. Brady, Mr. Biebel indicated that the inventories conducted by the Commission have identified which wells have been adversely impacted by radium and arsenic. These issues, he said, will be specifically addressed in a follow up chapter of the report now being prepared.

At the end of the discussion, on a motion by Mr. Holden, seconded by Ms. Faraone, and carried unanimously, Chapter 3, "Existing Water Supply Conditions in the Region" of SEWRPC Planning Report No. 52 was approved for publication.

#### **CORRESPONDENCE/ANNOUNCEMENTS**

Mr. Evenson reported that there were no announcements or correspondence to be brought to the attention of the Committee.

#### **ADJOURNMENT**

There being no further business to come before the Committee, on a motion by Mr. Miklasevich, seconded by Ms. Faraone, and carried unanimously, the meeting was adjourned at 3:05 p.m.

Respectfully submitted,

Philip C. Evenson  
Deputy Secretary

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