

MINUTES

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

PLANNING AND RESEARCH COMMITTEE

June 18, 2008

2:15 p.m.

Room 2024
Washington County Courthouse Government Center
432 East Washington Street
West Bend, WI

Present:

Excused:

Committee Members:

Daniel S. Schmidt, Chairman
Thomas H. Buestrin
Anita M. Faraone
Susan S. Greenfield
William E. Johnson
Robert W. Pitts
David L. Stroik

Gregory L. Holden
Mary A. Kacmarcik
Michael J. Miklasevich
Paul G. Vrakas

Absent

Lee Holloway

Other Commissioners:

Adelene Greene

Staff:

Philip C. Evenson	Executive Director
Kenneth R. Yunker	Deputy Director
Loretta Watson	Executive Secretary

ROLL CALL

Chairman Schmidt called the meeting to order at 2:15 p.m. Roll call was taken and a quorum declared present. Mr. Evenson noted for the record that Commissioners Holden, Kacmarcik, Miklasevich, Villarreal, and Vrakas had asked to be excused.

APPROVAL OF MINUTES OF MEETING OF MARCH 5, 2008

On a motion by Mr. Stroik, seconded by Mr. Johnson, and carried unanimously, the minutes of the meeting of March 5, 2008, were approved as published.

CONSIDERATION OF AMENDMENTS TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN

Sewer Service Area Plan for the Village of Jackson

Chairman Schmidt asked Mr. Evenson 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 Jackson. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated June 2008 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Evenson indicated that by letter dated February 27, 2008, the Village of Jackson requested that the Commission amend the Jackson sanitary sewer service area. That area is currently documented in SEWRPC Community Assistance Planning Report No. 124 (2nd Edition), *Sanitary Sewer Service Area for the Village of Jackson and Environs, Washington County, Wisconsin*, dated September 1997, as amended. The purpose of the amendment would be to include within the planned sewer service area certain lands located immediately adjacent to, but outside, the Jackson sewer service area.

Mr. Evenson then directed the attention of the Committee members to Map 1 of the memorandum document. He noted that two areas are proposed to be added to the sewer service area. Together, the two areas encompass 238 acres, including 176 acres of agricultural land, 54 acres of environmentally significant land, and 8 acres of street right-of-way. The developable portion of the subject area is expected to be developed for residential use, potentially accommodating a population of about 550 persons. With this increase, the potential population of the sewer service area would remain within the Commission's projected year 2035 population range for the area.

Mr. Evenson indicated that the proposed amendment was taken to public hearing on June 10, 2008. There were no objections to the proposal. The amendment was approved by the Jackson Village Board following the hearing. Mr. Evenson indicated that the Commission staff recommends approval of the proposed amendment as consistent with the regional plans.

Following a brief discussion relative to the wastewater treatment plant monitoring protocol followed by the Wisconsin Department of Natural Resources, on a motion by Mr. Johnson, seconded by Mr. Stroik, and carried unanimously, the SEWRPC Staff Memorandum dated June 2008 concerning this matter was approved and recommended to the Commission for adoption.

Sewer Service Area Plan for the Brookfield-Elm Grove Area

Chairman Schmidt asked Mr. Evenson 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 Brookfield-Elm Grove area. A copy of the preliminary draft of a SEWRPC staff memorandum dated June 2008 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Evenson indicated that by letter dated May 21, 2008, the Town of Brookfield Sanitary District No. 4 requested that the Commission amend the Brookfield-Elm Grove sanitary sewer service area. That area is currently documented in a SEWRPC Community Assistance Planning Report No. 109, *Sanitary Sewer Service Area for the City and Town of Brookfield and the Village of Elm Grove, Waukesha County, Wisconsin*, dated November 1991, as amended. The purpose of the amendment would be to transfer certain lands located in the City of Waukesha sewer service area to the Brookfield-Elm Grove sewer service area.

Mr. Evenson directed the attention of the Committee members to Map 1 of the memorandum document, noting that the area proposed to be transferred from the Waukesha sewer service area to the Brookfield-Elm Grove sewer service area encompasses about 30 acres, including about 4 acres of wetlands. It is envisioned that the developable portion of this area would be developed for residential use, potentially accommodating about 50 housing units. The area can be readily served through an existing sewer which terminates just north of the subject parcel. That sewer is part of the Town of Brookfield Sanitary District No. 4 sewerage system, which is tributary to the Fox River Water Pollution Control Center sewage treatment plant. The City of Waukesha has indicated that it cannot cost-effectively serve the subject area at this time and has no long-term plans to serve the area. Mr. Evenson noted that it is expected that, at some future time, consideration would be given to transferring the existing homesites that abut the subject property on the east and south from the Waukesha to the Brookfield-Elm Grove sewer service area.

Mr. Evenson noted that a public hearing on the proposed amendment was held on June 3, 2008. There were no objections to the amendment. The Town of Brookfield Sanitary District No. 4 approved the amendment following the hearing. The Waukesha and Brookfield Common Councils have adopted resolutions indicating no objection to the proposed amendment, and the Town of Waukesha has adopted a resolution supporting the amendment. Mr. Evenson indicated that the Commission staff recommends approval of the proposed amendment.

A brief discussion then ensued. In response to an inquiry by Mr. Stroik, Mr. Evenson indicated that absent any action to formally detach the site in question from the Town of Waukesha and attach such lands to the Town of Brookfield, there would be no change in the situation in so far as the possible provision of Lake Michigan water is concerned to the development. Under the proposed Great Lakes Compact, Mr. Evenson continued, the Town of Waukesha is a non-straddling community in a straddling county, while the Town of Brookfield is a straddling community. The procedures to extend Lake Michigan water under the Great Lakes Compact would be somewhat simpler for straddling communities than for non-straddling communities in straddling counties. In response to a follow up question by Mr. Stroik, Mr. Evenson said that any role of the Regional Planning Commission in compact planning issues would be determined in a rule-making process to be undertaken by the Wisconsin Department of Natural Resources in the months ahead.

Following that discussion, on a motion by Ms. Faraone, seconded by Ms. Greene, and carried unanimously, the SEWRPC Staff Memorandum dated June 2008 concerning this matter was approved and recommended to the Commission for adoption.

Sewer Service Area Plan for the City of Burlington

Chairman Schmidt asked Mr. Evenson 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 Burlington. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated June 2008 concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Evenson indicated that by letter dated May 23, 2008, the City of Burlington requested that the Commission amend the Burlington sanitary sewer service area. That area is currently documented in SEWRPC Community Assistance Planning Report No. 78 (2nd Edition), *Sanitary Sewer Service Area for the City of Burlington and Environs, Racine County, Wisconsin*, dated December 2001, as amended. The purpose of the amendment would be to modify the shape of a primary environmental corridor located within the currently adopted sewer service area.

Mr. Evenson indicated that the proposal to modify the shape of the environmental corridor is intended to accommodate the expansion of an existing business, R.K.W. Redi Mix Concrete, which is located on the north side of Brookview Avenue. Mr. Evenson directed the attention of the Committee members to Map 1, noting that the areas to be added to and removed from the primary environmental corridor are equal in area—about 1.8 acres. He

noted the R.K.W. firm is expected to submit to the City a stormwater management/erosion control plan for the proposed development area to ensure that there will be no adverse impacts on the adjacent environmental corridor. The firm is also expected to work with the City to prepare and execute a revegetation/management plan for the corridor mitigation area.

Mr. Evenson noted that a public hearing on the proposed amendment was held on June 17, 2008. There were no objections to the amendment. That hearing was held in front of the Burlington Common Council members, meeting as a committee as a whole, and not as the Council. Accordingly, the Council could not act to formally adopt the amendment in light of the failure to publicly notice a Council meeting following the hearing. The members of the Council, however, indicated that they would formally act to adopt the amendment at the next opportunity.

Mr. Evenson indicated that the Commission staff was satisfied that the integrity of the environmental corridor would be maintained, provided the appropriate stormwater management/erosion control and revegetation/management plans are prepared and implemented. He noted that, by committing to adopt the amendment, the City of Burlington also commits to ensure the preparation and implementation of such plans. He said that, given this arrangement, the Commission staff recommends approval of the proposed amendment, with the record of the Commission action to indicate that should the Burlington Common Council fail to formally adopt the amendment, the Commission would act to rescind its action at the next opportunity.

A lengthy discussion then ensued. In response to an inquiry by Ms. Greenfield, Mr. Evenson indicated that proposals to mitigate loss of environmental corridor lands are relatively rare but sometimes are required to make the best of situations where past land platting activities did not properly take into account the existence of corridor lands. Such is the case in the City of Burlington where the City itself many years ago platted the subject industrial park without fully taking into account the significance of the corridor lands. Since then, he noted, the City of Burlington has become a proponent of preserving primary environmental corridors. This is one case, however, where the City needs to compromise a bit in order to accommodate existing industrial activities. The alternative would be for the plant concerned to leave the City and develop elsewhere. Ms. Greenfield indicated that she would have difficulty supporting the loss of such corridor lands even taking into account the proposed mitigation activities. Mr. Pitts said that he understood Ms. Greenfield's concerns, but that it appears to him that the mitigation activities would address the issues.

Following that discussion, on a motion by Ms Faraone, seconded by Mr. Pitts, and carried by a vote of 6 ayes and 1 nay, with Ms. Greenfield voting nay, the SEWRPC Staff Memorandum dated June 2008 concerning this matter was approved and recommended to the Commission for adoption subject to an understanding that should the Common Council of the City of Burlington fail to adopt the amendment and commit to the mitigating actions in a timely way, the Committee would recommend to the Commission rescission of its adoption action.

CORRESPONDENCE/ANNOUNCEMENTS

Mr. Evenson indicated 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 Ms. Faraone, seconded by Mr. Pitts, and carried unanimously, the meeting was adjourned at 2:50 p.m.

-5-
(Planning and Research Committee)
June 18, 2008

Respectfully submitted,

Philip C. Evenson
Deputy Secretary

PCE/lw
#136940 v1 - P&RJune08Min