

## MINUTES

### SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

#### PLANNING AND RESEARCH COMMITTEE MEETING

Tuesday, February 15, 2022

1:30 p.m.

SEWRPC Office Building  
Commissioners' Conference Room  
W239 N1812 Rockwood Drive  
Waukesha, WI 53187

Meeting Occurred in Person and Virtually via Video and Telephone Conference

**Present:**

**Excused:**

Commissioners:

Daniel S. Schmidt, Chairman  
Donna Brown-Martin  
Brian Holt  
Dewayne Johnson  
Natalia Minkel-Dumit  
Aloysius Nelson  
John O'Day  
Robert W. Pitts  
Peggy L. Shumway  
David L. Stroik  
Adam Tindall-Schlicht

Charles L. Colman  
Michael A. Crowley  
Jonathan Delagrave  
Mary Knipper  
James A. Ladwig  
Jeffrey D. Schleif

Staff:

Kevin J. Muhs	Executive Director
Benjamin R. McKay	Deputy Director
Elizabeth A. Larsen	Director of Administration
Catherine Pozum	Human Resources Assistant/Bookkeeper

#### ROLL CALL

Chairman Schmidt called the Planning and Research Committee meeting to order at 1:30 p.m. Roll call was taken, and a quorum was declared present. Chairman Schmidt indicated for the record that Commissioners Colman, Crowley, Delagrave, Knipper, Ladwig, and Schleif had asked to be excused.

#### APPROVAL OF MINUTES OF THE NOVEMBER 9, 2021, MEETING

Chairman Schmidt asked if there were any changes or additions to the November 9, 2021, meeting minutes. There were none.

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On a motion by Mr. Pitts, seconded by Mr. Stroik, and carried unanimously, the minutes of the November 9, 2021, Planning and Research Committee Meeting were approved.

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

**Village of Slinger and Environs sanitary sewer service area (copy attached to official minutes)**

Chairman Schmidt asked Mr. McKay to review the proposed amendment to the adopted regional water quality management plan pertaining to the Village of Slinger and environs sanitary sewer service area. A copy of the preliminary draft of SEWRPC Community Assistance Planning Report No. 128 (4<sup>th</sup> Edition) concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. McKay indicated that by letter dated February 18, 2021, the Village of Slinger requested that the Commission revise the sanitary sewer service area plan. He stated that a sewer service area plan was first prepared in 1985 for the Slinger area and second and third editions of the plan were prepared in 1993 and 1998, respectively. He then stated that the purpose of the revision is to add lands to the north and east of the currently adopted sewer service area. In response to the request staff has prepared a fourth edition of the plan because of the age of the plan and the extent of the proposed additions. Preparing a new edition allowed staff to incorporate updated natural resource information and information from the Village's recently adopted comprehensive plan throughout the entire proposed sewer service area.

Mr. McKay directed the attention of the Committee members to Map 2.1, which identifies the proposed changes to the Village of Slinger sanitary sewer service area. He stated that the area proposed to be added by the Village is an increase of 525 acres in size, which is a 14 percent increase. With the additional acreage, the total proposed sewer service area would be 4,410 acres, with environmentally significant lands encompassing about 1,113 acres. He then noted that future development in the proposed additions to the service area would consist primarily of industrial, residential, and business park uses under the Village comprehensive plan. He then directed the attention of the Committee members to Maps 2.4a, 2.4b, 2.4d, and 2.4e and stated that the proposed additions to the sanitary sewer service area would include 24 acres of environmentally significant lands.

Mr. McKay stated that the wastewater treatment facility currently has a capacity of 1.5 million gallons per day (mgd) and the total average annual sewage flow would range from 1.5 mgd to 1.9 mgd following the development of the proposed sewer service area. Thus, it may be necessary for the Village to initiate facility planning for a plant expansion during the planning period.

He then said that the public hearing will be held on February 21, 2022. The amendment is consistent with the land use component of the VISION 2050, with the regional water quality management plan, and with Chapter NR 121 of the *Wisconsin Administrative Code* governing the preparation of areawide water quality management plans.

Mr. McKay stated it is the staff recommendation that the Committee, contingent upon any public comments received at the February 21, 2022, public hearing, recommend that the Commission amend the Village of Slinger and environs sanitary sewer service area. Upon adoption by the Commission, the amendment will be provided to the Wisconsin Department of Natural Resources (WDNR) for approval and the WDNR will then provide the amendment to the U.S. Environmental Protection Agency for certification.

In response to an inquiry by Mr. Nelson, Mr. McKay stated that the population that could be accommodated within the proposed expanded sewer service area is consistent with VISION 2050.

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In response to an inquiry from Mr. Johnson, Mr. Muhs stated that the Commission is not involved in other Federal, State, or local permitting processes.

There being no further questions or comments, on a motion by Mr. Stroik, seconded by Mr. Pitts, contingent upon the outcome of the February 21, 2022, public hearing, the Amendment to the Village of Slinger and Environs sanitary sewer service area was unanimously recommended by the Committee for adoption by the Commission.

**Oak Creek sanitary sewer service area (copy attached to official minutes)**

Chairman Schmidt asked Mr. McKay to review the proposed amendment to the adopted regional water quality management plan pertaining to the Oak Creek sanitary sewer service area. A copy of the preliminary draft of SEWRPC Staff Memorandum dated February 11, 2022, concerning this matter had been provided to the Committee members for review prior to this meeting.

Mr. McKay indicated that by e-mail dated September 24, 2021, the City of Oak Creek requested that the Commission amend the Oak Creek sanitary sewer service area. He stated that the purpose of the amendment is to revise and re-delineate portions of a primary environmental corridor located within the currently adopted sewer service area. He then stated the amendment would facilitate construction of the proposed Lakeshore Commons residential development.

Mr. McKay directed the attention of the Committee members to Map 1, which identifies the proposed changes to the primary environmental corridor in the City of Oak Creek sanitary sewer service area. He stated that the primary environmental corridor had been disturbed as part of a U.S. Environmental Protection Agency (EPA) and Wisconsin Department of Natural Resources (WDNR) clean-up of the area to remove certain contaminated soils and by the construction of Lake Vista Boulevard. This amendment would remove 18.79 acres of primary environmental corridor that would be mitigated through the expansion of the primary environmental corridor by about 23.3 acres. The expansion would occur in the adjacent Lake Vista Park as shown on Map 1 and in Abendshein Park, as shown on Map 2. The proposed changes to the primary environmental corridor do not change the outer boundary of the sewer service area.

An alternative to the proposal shown on Maps 1 and 2 is for the mitigation to be implemented within the adjacent Milwaukee County owned Bender Park; however, coordination would need to occur with Milwaukee County for this alternative to proceed.

Mr. McKay then stated a public hearing will be held on March 1, 2022. The amendment is consistent with the land use component of the VISION 2050, with the regional water quality management plan, and with Chapter NR121 of the *Wisconsin Administrative Code* governing the preparation of areawide water quality management plans.

Mr. McKay stated it is the staff recommendation that the Committee, contingent upon the outcome of the public hearing, recommend that the Commission formally amend the Oak Creek sanitary sewer service area. Upon adoption by the Commission, the amendment will be provided to the WDNR for approval and the WDNR will then provide the amendment to the EPA for certification.

In response to an inquiry by Mr. Stroik, Mr. Muhs stated that this amendment is unusual due to the request to remove a primary environmental corridor. He reiterated that the primary environmental corridor is located on a brownfield site and is part of a brownfield remediation plan.

In response to Mr. Nelson's inquiry, Mr. McKay stated that City of Oak Creek staff has contacted Milwaukee County regarding the Bender Park mitigation alternative.

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In response to an inquiry by Mr. Johnson, Mr. Muhs stated that the mitigation and remediation of the primary environmental corridor has traditionally been one-and-one-half acres of mitigated corridor for each one acre of disturbed corridor.

In response to Mr. Stroik's inquiry, Mr. Muhs stated the remediation by the WDNR and the EPA has been completed and the soil is capped.

In response to an inquiry by Mr. Johnson, Mr. Muhs stated that bluff restoration has occurred as part of the remediation of the site and the development of Lake Vista Park.

In response to an inquiry by Mr. Stroik, Mr. Muhs stated that the City would have oversight regarding the successful implementation of the mitigation plan, bound by the references included in this Staff Memorandum.

In response to an inquiry by Mr. Pitts, Mr. Muhs stated that if negative comments are made at the public hearing, the City and Commission staff will appropriately respond to and remedy such comments. Staff would update the Commission with such comments.

There being no further questions or comments, on a motion by Mr. Johnson, seconded by Mr. Stroik, contingent upon the outcome of the March 1, 2022, public hearing, the Amendment to the Oak Creek sanitary sewer service area was unanimously recommended by the Committee for adoption by the Commission.

#### **PRESENTATION PROVIDING AN UPDATE ON THE REGIONAL FOOD SYSTEM PLAN**

Chairman Schmidt asked Mr. McKay to present an update on the Regional Food System Plan.

During Mr. McKay's presentation, the following comments and questions were made.

Mr. Holt stated that the definition of farm size is flexible. Depending on what is produced, a small farm could have significant sales.

In response to an inquiry by Mr. Pitts, Mr. McKay stated that farm income related to government payments will be included in the report. Mr. Holt further clarified that farmers may be paid to turn non-farmable land into buffers to prevent water pollution.

In response to an inquiry by Ms. Minkel-Dumit, Mr. McKay stated that the green shown on the map on the "Agricultural Production Highlights" slide represents pasture and unused farmland that has not reverted to a natural state.

Ms. Brown-Martin commented that the area along County Line Road in northwestern Milwaukee County includes a significant amount of urban agriculture. Mr. McKay stated that staff is continuing to collect data on urban agriculture in the Region and will ensure that any activity in this area is included. Ms. Minkel-Dumit concurred that there is significant activity in the area.

In response to an inquiry by Ms. Brown-Martin, Mr. McKay stated that dollar stores are included in the inventory of food establishments being developed by Commission staff.

Ms. Brown-Martin commented on food deserts and stated that they are a serious issue for households without access to an automobile. Mr. McKay responded that improving access to healthy and fresh foods is one of the primary objectives of the plan. He noted that Commission staff is currently mapping sources of healthy foods, such as supermarkets, in relation to transit service. He then noted that this information will help to inform plan recommendations that would improve access to healthy foods for households

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without access to an automobile. Ms. Brown-Martin suggested that staff work with Milwaukee County on this issue. Mr. Nelson commented that Kwik Trip stores have been innovative in providing convenient access to fresh foods.

In response to an inquiry by Mr. Johnson, Mr. McKay stated that the Commission works with nine community partners to help with outreach efforts in the Region. Mr. Muhs then added that the Commission's Environmental Justice Task Force Committee meets quarterly to discuss Commission plans, and the Commission maintains an extensive list of community-based organizations that staff communicates with routinely.

Ms. Brown-Martin commented on the decline in access to fresh foods at facilities such as farmers markets during the winter. Mr. Muhs also commented that food access for school aged children is an issue in summer months. Ms. Brown-Martin stated that the Milwaukee Public School District does have a summer lunch program.

### **NEXT MEETING**

The next meeting of the Planning and Research Committee will be held on May 10, 2022.

### **CORRESPONDENCE/ANNOUNCEMENTS**

Mr. Muhs noted that Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors, has been appointed to the Commission. Chairwoman Nicholson will be seated at the March Quarterly meeting.

Ms. Knipper noted the recent increase in Federal grant opportunities and asked if the Commission will take on a larger role in providing grant assistance. Mr. Muhs stated that currently the Commission does not have that capacity, however, depending upon interest, the Commission could discuss providing such assistance.

In response to an inquiry by Ms. Shumway, Mr. Muhs stated that the Commission had been part of the Kenosha-Racine-Milwaukee commuter rail study; however, the Wisconsin Department of Transportation has entered into a partnership with a private company related to this project.

Mr. Johnson inquired about funding for local roads and bridges running up against budget limits and contingency allotments. Mr. Muhs stated that these issues could be discussed with the Milwaukee urbanized area TIP Committee.

Mr. Johnson then inquired about asset management, specifically wastewater treatment plant conditions and needs regionwide. Mr. Muhs stated the Commission staff would be interested in a program that would track asset condition and performance.

Ms. Brown-Martin noted that broadband is a need in both urban and rural areas of the Region. Mr. Muhs stated the Milwaukee 7 Regional Economic Partnership may work to address broadband access and affordability issues in the future.

### **ADJOURNMENT**

There being no further business to come before the Committee, on a motion by Mr. Stroik, seconded by Mr. Nelson, and carried unanimously, the meeting was adjourned at 3:28 p.m.

Respectfully submitted,

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Kevin J. Muhs  
Deputy Secretary

KJM/BRM/EAL/cp  
#261307