

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

**VILLAGE OF WALES/
CITY OF WAUKESHA**

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

DECEMBER 2007

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SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Wales portion of the Waukesha Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Waukesha, the City of Waukesha, the Village of Wales, and the Towns of Delafield and Genesee

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Milwaukee Intermodal Station, Milwaukee, Wisconsin, on the 5th day of December 2007, 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 Waukesha and environs 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 6th day of December 2007.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2007-19

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 (WALES/WAUKESHA 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, at a meeting held on the 3rd day of March 1999, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Waukesha sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 100 (2nd Edition), *Sanitary Sewer Service Area for the City of Waukesha and Environs, Waukesha County, Wisconsin*, March 1999, as amended; and

WHEREAS, by letter dated September 19, 2007, the Village of Wales, with concurrence from the City of Waukesha, requested that the Commission amend the Village of Wales portion of the Waukesha and environs sanitary sewer service area to include certain lands located outside 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 Requests by the Village of Wales and the City of Waukesha to Amend the Waukesha and Environs 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 Wales and the Regional Planning Commission on November 1, 2007; 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;

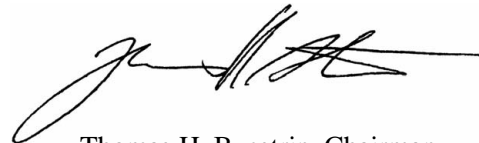
NOW, THEREFORE, BE IT HEREBY RESOLVED:

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 also amended on the 3rd day of March 1999 to include the refined Waukesha sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 100 (2nd Edition), 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 Commerce 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.


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 5th day of December 2007, the vote being: Ayes 15; Nays 0.

A handwritten signature in black ink, appearing to read "Thomas H. Buestrin", with a long horizontal flourish extending to the right.

Thomas H. Buestrin, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read "Philip C. Evenson", written in a cursive style.

Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUESTS BY THE VILLAGE OF WALES AND THE CITY OF WAUKESHA TO AMEND THE WAUKESHA AND ENVIRONS SANITARY SEWER SERVICE AREA

INTRODUCTION

By letter dated September 19, 2007, the Village of Wales, with concurrence from the City of Waukesha, requested that the Southeastern Wisconsin Regional Planning Commission amend the Village of Wales portion of the Waukesha and environs sanitary sewer service area tributary to the City of Waukesha sewage treatment facility. That area is currently documented in SEWRPC Community Assistance Planning Report No. 100, (2nd Edition), *Sanitary Sewer Service Area for the City of Waukesha and Environs*, dated March 1999, as amended. The basic purpose of this amendment would be to include within the Wales portion of the planned sanitary sewer service area certain lands located outside of the currently adopted sewer service area.

BACKGROUND

Existing development in the Village of Wales currently relies on onsite systems and holding tanks for sewage disposal. In 2006, the Village of Wales, working with the City of Waukesha and the Regional Planning Commission, undertook an effort to establish a sewer service area for the central portion of the Village. The Village has approved the creation of a tax incremental financing district to help pay for the proposed collection system, which would be connected to the City of Waukesha sewerage system. In January 2007, the Village and the City entered into an intermunicipal agreement for the provision of sanitary sewer services and wastewater treatment. The agreement specifies the boundary of the service area, arrangements for connection to the Waukesha wastewater collection system, and flow volumes and characteristics, among other issues. At this time, the Village of Wales is proposing to include additional lands in the sewer service area, beyond the initial boundaries established in 2006, to include all lands within a sewer service area boundary defined in the January 2007 intermunicipal agreement.

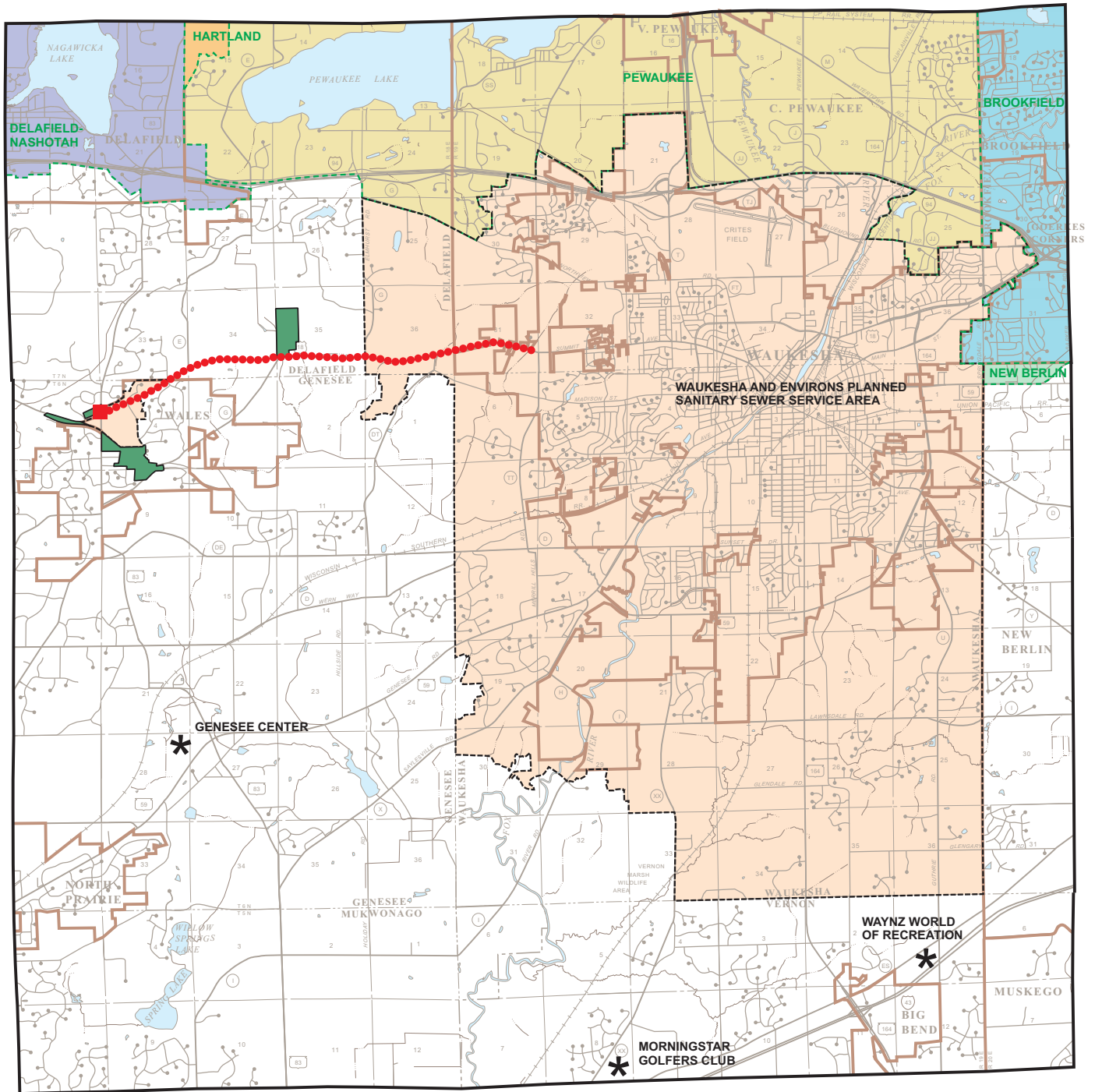
SUBJECT AREA




Two areas are proposed to be added to the Wales/Waukesha sanitary sewer service area, as shown on Map 1. The first of these is located adjacent to the initially-delineated 193-acre Wales portion of the sanitary sewer service area that was adopted in 2006. The current proposal involves the addition of 115 acres to that initially delineated area. The subject 115-acre area includes 92 acres of existing urban development, including transportation rights-of-way, residential, commercial, industrial, and institutional uses, with 72 existing housing units; 6 acres of isolated natural resource area; and 17 acres of undeveloped land. The undeveloped lands are anticipated to accommodate in-fill commercial, industrial, and residential uses, which would contribute small increases in population, estimated at roughly 40 persons, to the sewer service area. The existing and possible future residential uses within the subject area would, combined, contribute a population of about 230 persons to the total population of the sewer service area, bringing the potential population of the expanded Wales portion of the sewer service area to about 500 persons. The proposed Wales portion of the sewer service area presented herein is consistent with long-standing recommendations of the regional water quality management plan regarding the provision of sewer service to the Village of Wales.




The other area proposed to be added to the sewer service area is an 80-acre area located north of USH 18 between the Village of Wales and the City of Waukesha, and within the Town of Delafield. That area is shown in detail on Map 2. Most of the area is currently in agricultural and open space use, and a small 2-acre area in the southwest corner of the site, just north of USH 18, is the site of a local community center owned by the Kettle Moraine School District. Of the total 80 acres, 53 acres are identified on Map 2 as primary environmental corridor and three acres are identified as secondary environmental corridor. The identified primary environmental corridor consists of 40 acres of existing wetlands and woodlands and 13 acres of other lands comprised of floodplains—for the most part, farmed floodplains which may be expected to revert to more natural conditions in the years ahead.

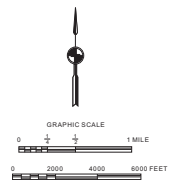
Map 1

PROPOSED AMENDMENT TO THE WAUKESHA AND ENVIRONS SANITARY SEWER SERVICE AREA



-  CITY OF WAUKESHA AND ENVIRONS PLANNED SANITARY SEWER SERVICE AREA
-  OTHER PLANNED SANITARY SEWER SERVICE AREAS
-  AREAS PROPOSED TO BE ADDED TO THE WALES PORTION OF THE WAUKESHA AND ENVIRONS SANITARY SEWER SERVICE AREA

-  HOLDING TANK SEWAGE DISPOSAL SYSTEM DESIGNED TO ACCEPT AT LEAST 3,000 GALLONS PER DAY - ATTACHED TO THE WAUKESHA SANITARY SEWER SERVICE AREA.
-  PROPOSED FORCE MAIN
-  PROPOSED PUMPING STATION








ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF WAUKESHA AND ENVIRONS

**U. S. Public Land Survey Section 35
Township 7 North, Range 18 East**




Photography Date: April 2005


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

 GROSS SANITARY SEWER SERVICE AREA BOUNDARY

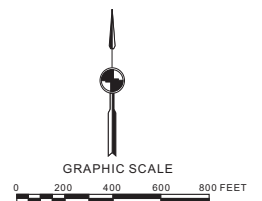
 PLANNED SANITARY SEWER SERVICE AREA

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.

Source: SEWRPC.



The floodplains reflected on Map 2 are based on the preliminary floodplain delineation released by the Wisconsin Department of Natural Resources (WDNR) and the Federal Emergency Management Agency (FEMA) in February 2007, and are subject to change. Where lands are included in the primary environmental corridor solely on the basis of floodplain considerations, it is recognized that the environmental corridor boundary could be modified based upon locally permitted filling of the floodplain, as long as provision is made for compensatory floodplain storage.

While detailed facility planning has not been completed, wastewater from the Wales portion of the Waukesha and environs sewer service area is envisioned to be conveyed via a force main located generally along the STH 18 corridor, easterly to a connection point with the City of Waukesha sewerage system near the intersection with Meadowbrook Road.

A more detailed delineation of the subject area and of the environmentally significant lands within is shown on the aerial photographs reproduced as Maps 2 and 3.

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan, it is envisioned that all urban lands within the planned sewer service area would eventually be served by public 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 sewer service area. In addition, the provision of public sanitary sewer service to those lands within the subject area that are currently developed and served by onsite sewage disposal systems may be expected to reduce pollutant loadings from existing onsite sewage disposal systems to both surface and ground waters.

SEWAGE TREATMENT PLANT IMPACT ANALYSIS

The City of Waukesha sewage treatment facility, which was upgraded and expanded in 1994, has a design hydraulic loading capacity of 14.0 million gallons per day (mgd) on an average annual flow basis. The average annual flow rate in 2006 was about 10.0 mgd. The anticipated sewage flow to be generated from the Village of Wales portion of the Waukesha sewer service area, including the previously adopted 193-acre area, the currently proposed 115-acre addition, and the proposed school site, is expected to be about 0.3 mgd on an average annual basis. Thus, the treatment plant has adequate capacity to treat sewage flows from the area proposed to be added to the sewer service area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on November 1, 2007, at the Wales/Genesee fire Department meeting room to receive public comment on, and reaction to, the proposed plan amendment. The hearing was sponsored by the Village of Wales and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment, including a description of the land proposed to be added and any environmentally significant land within.

At the public hearing, twenty persons spoke regarding the proposed amendment. About one-third spoke in favor, one-third spoke against, and one-third expressed questions/concerns that could be characterized as neither in favor nor opposed. Those speaking in favor indicated that there were indeed failing septic systems in the older part of the Village; that it would be prudent to install a sewerage system now while there was an opportunity to finance it through a tax incremental financing (TIF) district; and that the costs of installing a sewerage system at some later date could very well be prohibitive. Those speaking in opposition were concerned about the need for a sewerage system and the costs to the Village and homeowners. Other questions and concerns primarily involved the process of creating the proposed sewer service area and whether or not an advisory referendum among the affected residents should be conducted.

Map 3

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

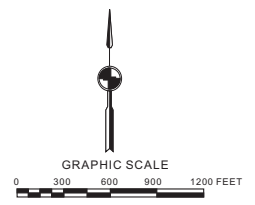
U. S. Public Land Survey Sections 4 and 5, and the northern portion of Sections 8 and 9, Township 6 North, Range 18 East



Photography Date: April 2005

- | | | | |
|--|---|--|---|
| | PRIMARY ENVIRONMENTAL CORRIDOR | | PLANNED SANITARY SEWER SERVICE AREA |
| | SECONDARY ENVIRONMENTAL CORRIDOR | | GROSS SANITARY SEWER SERVICE AREA BOUNDARY |
| | ISOLATED NATURAL RESOURCE AREA | RESTRICTIONS ON SEWERED DEVELOPMENT | |
| | WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE | | 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 the corresponding portion of Map 2, page 4, of SEWRPC Amendment to the Regional Water Quality Management Plan, City of Waukesha / Village of Wales, September, 2006.



Village officials present at the hearing responded that expanding the sewer service area at this time would enable the timely provision of a public sewerage system to various areas of the Village if and when needed—no costs would be incurred in establishing the boundary. While the initial phase of the proposed sewerage system is envisioned to serve only certain portions of the Village, including some proposed new development, the timing for provision of sewer service to additional areas would depend upon the rate of failure for existing onsite sewage disposal systems. Several residents present at the hearing indicated that an older portion of the Village, which is included within the proposed sewer service area plan amendment, was indeed experiencing failures of existing onsite systems.

Village officials also noted that being able to proceed with installing the proposed sewerage system is dependent in large measure upon whether a proposed condominium project within the TIF district proceeds to completion. A referendum is probably not necessary at this point because the costs to Village taxpayers for installing the initial phase of the sewerage system would be negligible—the TIF district would pay the costs. When the TIF district was formed, the public was well-notified and the Village Board did what it perceived to be in the best interests of the citizens by taking advantage of an important opportunity. Village officials indicated that the Board wanted to be proactive and visionary, and was concerned that the opportunity to finance a public sewer project with a TIF district could be elusive unless action was taken.

The participants at the public hearing were generally satisfied with the responses provided by Village officials. As a result, no changes were made to the proposed plan amendment due to the public hearing. Village officials noted that the Village Board would consider adopting the plan amendment during the following week.

LOCAL GOVERNMENT ACTION ON THE PLAN AMENDMENT

The Board of Trustees of the Village of Wales adopted the plan amendment, as presented at the public hearing, on November 5, 2007. The Common Council of the City of Waukesha (the operator of the sewage treatment facility) adopted the plan amendment on November 20, 2007. In addition, the Delafield Town Board on September 25, 2007, indicated that it had no objection to the Village of Wales providing sewer service to the properties owned by the Kettle Moraine School District located north of STH 18—specifying, however, that in the event that School District’s properties were to be sold or otherwise transferred, the Town’s agreement on the provision of sewer service to the School District’s properties would be null and void.

CONCLUDING RECOMMENDATIONS

Based on the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the sanitary sewer service area for the City of Waukesha as documented in SEWRPC Community Assistance Planning Report No. 100 (2nd Edition), as amended, in the manner identified on Map 1.