

Minutes
Land Use, Parks and Environment Committee
Tuesday, February 19, 2008

Chair Mitchell called the meeting to order at 8:53 a.m.

Committee Present: Supervisors Bill Mitchell (Chair), Pauline Jaske, Walter Kolb, and Peter Wolff.

Absent: Supervisor Keith Hammitt

Also Present, Legislative Policy Advisor Mark Mader, Legislative Associate Karen Phillips, Planning and Zoning Manager Dick Mace, and Environmental Health Manager George Morris.

Approve Minutes of the February 7, 2008, Joint Public Hearing - Waukesha County Park and Planning Commission and the Waukesha County Land Use, Parks and Environment Committee for the Waukesha County Development Plan Amendments.

MOTION: Jaske moved, second by Kolb, to approve the minutes of the February 7, 2008, Joint Public Hearing - Waukesha County Park and Planning Commission and the Waukesha County Land Use, Parks and Environment Committee for the Waukesha County Development Plan Amendments.

Motion carried 4-0.

Executive Committee Report

Mitchell highlighted the items considered at the February 18, 2008, Executive Committee meeting.

- UW Extension and CDBG: Transfer of funds and ordinances.

Future Meeting Dates

- Mitchell stated that Thursday, February 21, 2008, the Park and Planning Commission is meeting on the land use amendments. The LUPE Committee will hold a separate meeting on March 18 to go over the amendments. He stated LUPE members may attend the Park & Planning Commission for informational purposes, but not as participating members.
- March 4, 2008
- March 18, 2008

Legislative Update

Mader advised the Committee about the Water Compact and what may happen in the legislature to modify it.

Discuss and Consider Resolution 162-R-032: Amend The Regional Water Quality Management Plan For The Village Of Wales/City Of Waukesha, Waukesha County, Wisconsin

Mace explained this ordinance for a sewer amendment for the Village of Wales. He stated 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. Mace pointed out on the map the two areas that are proposed to be added to the Wales/Waukesha sanitary sewer service area. He went over a history of the area and gave a summary of the proposed resolution with a concluding favorable recommendation.

MOTION: Kolb moved, second by Wolff, to approve Resolution 162-R-032. Motion carried 4-0.

Discuss and Consider Resolution 162-R-033: Amend The Regional Water Quality Management Plan For The City Of Muskego, Waukesha County, Wisconsin

Mace explained this is a very small area of Muskego being added to the City of Muskego Sanitary Sewer Service area, and pointed out the location on the map. He stated this area covers a total of 13.5 acres, located southwest of the intersection of CTH OO and Boxhorn Drive.

MOTION: Jaske moved, second by Kolb, to approve Resolution 162-R-033. Motion carried 4-0.

Discuss and Consider Ordinance 162-O-096: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Summit And The Town Of Summit Zoning Ordinance By Conditionally Rezoning Certain Lands Located In Part Of The NE ¼ Of Section 22, T7N, R17E, Town Of Summit, From The R-3 Residential, B-2 Local Business And C-1 Conservancy Districts (County) And The NC Neighborhood Commercial And MF-2 Multi-Family Residential Districts With A Planned Development Overlay District (Town) To The P-I Public And Institutional And B-2 Local Business Districts With Other Lands To Remain Zoned R-3 Residential, B-2 Local Business And C-1 Conservancy Districts (County) And The NC Neighborhood Commercial And MF-2 Multi-Family Residential Districts With A Planned Development Overlay District (Town) (SZT-1586B)

Mace described the location of this 41-acre property in the Town of Summit, at the southeast intersection of STH 67 and CTH DR. He further explained the present zoning and pointed out the surrounding areas on the map. Mace stated there is a proposed nursing home to be built in this area (Extendicare) and explained that previously the area was planned for condominiums.

MOTION: Jaske moved, second by Wolff to approve Ordinance 162-O-096. Motion carried 4-0.

Discuss and Consider Ordinance 162-O-097: Amend The District Zoning Map Of The Town Of Waukesha, By Conditionally Rezoning Certain Lands Located In Part Of The NW ¼ Of Section 19, T6N, R19E, Town Of Waukesha, Waukesha County, Wisconsin, From The R-1 Residential District To The R-E Residence Estate District (ZT-1667)

Mitchell asked Mace to explain the significant public opposition to this ordinance. Mace stated the citizen concerns were not germane, and he did not see any reason for the opposition. The objections were concerning allowance of horses and concerns about the outbuildings and how many horses would be allowed. They did not want a commercial boarding facility. Another was opposed because he wanted the area to remain in its open, natural state. He opined that it may have had more to do with neighbor relationships, and there may be an underlying issue with the owner and the neighborhood.

Mace stated the 16.9-acre parcel is located west of Green Country Road and south of STH 59, in the Town of Waukesha. He explained the history of the property in the Honey Acres Subdivision and surrounding parcels. He explained how the parcel was split and pointed out the area which the owner would use for the grazing of horses.

MOTION: Wolff moved, second by Kolb, to approve Ordinance 162-O-097. Motion carried 4-0.

Discuss and Consider Ordinance 162-O-098: Amend The Town Of Oconomowoc District Zoning Map Of The Waukesha County Zoning Code For The Town Of Oconomowoc By Conditionally Rezoning Certain Lands Located In Part Of The NW ¼ Of Section 20, T8N, R17E, Town Of Oconomowoc, Waukesha County, Wisconsin, From The A-5 Mini-Farm And C-1 Conservancy Districts To The R-3 Residential And C-1 Conservancy Districts (CZ-1663)

Mace explained the location of the 4.6-acre property as south of STH 16/67 and east of Pennsylvania Street, with the rezoning being 2.8 acres. Mace stated that the rezoning request would allow the owner to develop the property in the future, potentially duplex development, while limiting development to a reasonable scale. He explained the history of the surrounding properties and pointed out the area on the map. Mace stated staff recommends in favor of this request.

MOTION: Wolff moved, second by Jaske to approve Ordinance 162-O-098. Motion carried 4-0.

Review and Discuss 2007 Environmental Health Division Program Summary

Morris explained the report, highlighting the following items:

- Sanitary Permits by System Type; 2006-2007: The number has increased in 2007, though it includes both new and replacement systems. There were a total of 531 Sanitary Permits issued in 24 municipalities in 2007, including conventional, mound and holding tank type systems.
- Preliminary Site Evaluation, 2003-2007: There were a total of 1,095 PSE inspections performed in 2007. This is a consumer protection issue, applying to Outbuildings (sheds, pole barns, accessory buildings), Swimming Pools, and Addition/Remodeling
- Bacteriological Water Sample Submissions: There were a total of 1,576 water samples tested in 2007. Of this total, 1316 were determined to be safe; 251 were determined to be unsafe; and 9 were determined to be unsafe with a positive E. Coli level detected. Morris said other counties are allowed to bring their samples in for testing. He stated water sample tests were performed by the Environmental Health Division Laboratory.
- Laboratory Test Results– 2007, 1,576 Public/Private Samples : Testing is done in the following categories: Bacteria, Nitrate, Fluoride, Iron, Chloride, Hard, and Beaches.
- Bacterial Results for Safe Drinking Water Act Samples, 2003-2007: Morris stated the 461 water samples come from sources such as businesses, churches, and town halls. The unsafe samples are typically many less than homeowners samples. This is because samples tested annually prove to have lower levels.
- Plan Review – 2007: Morris explained this involved the approval of 272 plan reviews in 2007, which were conducted by the Environmental Health Staff. He stated this endeavor has proven to be very successful with revenue of \$42,000, which has exceeded expectations.
- Morris stated there were a total of 1,791 licenses issued in 2007 for the following types of establishments: Restaurant, Retail Food, Recreational and Lodging. A total of 3,225 inspections and consultations were performed for the 1791 licensed establishments.
- Humane Animal Program – 2007: Morris explained the activities in the following categories:
Rabies Control: There were 903 rabies control related field activities. This includes verifying the animal, time and place, quarantine and follow up.
Animal Bite Investigations : There were a total of 522 reported animal bites investigated. Morris stated the staffing of the Humane Animal Officers is adequate to perform the services, but it is always a challenge in running this program.
Humane Animal Complaint: There were a total of 453 field activities performed in this category. Morris stated there were 21 educational presentations in 2007, which he would like to increase in the future.
- Environmental Health Division Revenues – 2007: Morris reviewed the revenue charts and highlighted the revenues from Humane Animal, Grant Programs, Private Water, Licensing, Private Sewage, for a total of \$1,163,635 in 2007.
- Site Assessments Performed in 2007, Hazardous Material Activities – Environmental Site Assessments: Morris stated that Environmental Site Assessments are performed on properties that the County buys, sells, or acquires through other means such as dedication, condemnation and tax delinquency. He said much time is spent on Highway projects, which get quite involved. Jaske

asked why the road projects are listed as zero on the chart. Morris stated he would follow up on that.

- **Regulatory Reporting Completed in 2007**

Annual SARA Chemical Inventory Reporting: Morris stated 22 chemicals at 11 facilities are included in the report describing the amounts, locations, and hazardous properties of these chemicals. The report is sent to the State Emergency Response Board, the Local Emergency Planning Committee and the local fire departments.

Annual WDNR Hazardous Waste Reporting: In 2007, 2,342 pounds of hazardous waste were properly disposed of from 8 facilities.

Annual DCOMM Underground Petroleum Storage Tank Use Permits: The County is required to verify that 6 underground storage tanks at 4 facilities are in compliance with leak detection requirements and that the County has financial resources available to address a leak if one did occur.

MOTION: Jaske moved, second by Wolff to adjourn the meeting at 10:25 a.m. Motion carried 4-0.

Respectfully submitted,

Pauline Jaske
Secretary