

AMEND THE REGIONAL WATER QUALITY MANAGEMENT PLAN FOR
THE CITY OF MUSKEGO, WAUKESHA COUNTY, WISCONSIN

WHEREAS the Southeastern Wisconsin Regional Planning Commission, duly created by the Governor of the State of Wisconsin in accordance with Section 66.945(2) of the Wisconsin Statutes on August 8, 1960, upon the petition of the Counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha, has the function and duty of making and adopting a Master Plan for the physical development of the region, and

WHEREAS the Southeastern Wisconsin Regional Planning Commission prepared and adopted on July 12, 1979, a report entitled "Regional Water Quality Management Plan for Southeastern Wisconsin-Year 2000", (Southeastern Wisconsin Regional Planning Commission Report No. 30), and

WHEREAS the Waukesha County Board of Supervisors has supported, participated in the financing of, and generally concurred in the Regional Planning Programs undertaken by the Southeastern Wisconsin Regional Planning Commission and believes that the Regional Water Quality Management Plan for the Southeastern Wisconsin Region is a sound and valuable guide providing technical data and support to the concept of further refinement of the adopted Regional Land Use Plan, and

WHEREAS the County Board of Supervisors has adopted the "Regional Water Quality Management Plan for Southeastern Wisconsin – Year 2000", Planning Report No. 30 on October 23, 1979 in Resolution No. 140, and

WHEREAS on July 30, 2002 the City of Muskego requested an amendment to the Adopted Regional Water Quality Management Plan (Muskego Sanitary Sewer Service Area), to add certain land to the City of Muskego Sanitary Sewer Service area, and after due notice of a public hearing held on August 27, 2002, and preparation of a report entitled, "Regional Water Quality Management Plan for the City of Muskego, Waukesha County, Wisconsin", dated September 2002, said Plan amendment was adopted by the Southeastern Wisconsin Regional Planning Commission on September 11, 2002, and by the Muskego Common Council on August 27, 2002, and

WHEREAS the subject matter of this Resolution has been duly considered by the Waukesha County Park and Planning Commission and the Waukesha County Land Use, Parks and Environment Committee, which recommends its adoption.

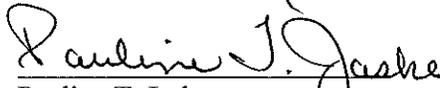
NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA that the report entitled "Amendment to the Regional Water Quality Management Plan for the City of Muskego, Waukesha County, Wisconsin" dated September 2002, is hereby approved signifying the County's agreement with the change to the "Regional Water Quality Management Plan" identified in the amendment document.

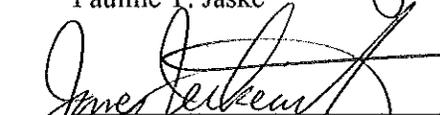
BE IT FURTHER RESOLVED that the Waukesha County Clerk shall transmit a certified copy of this Resolution to the Southeastern Wisconsin Regional Planning Commission and the City of Muskego Clerk upon its adoption.

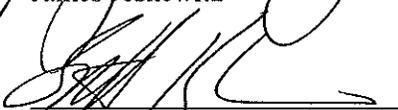
AMEND THE REGIONAL WATER QUALITY MANAGEMENT PLAN FOR
THE CITY OF MUSKEGO, WAUKESHA COUNTY, WISCONSIN

Presented by:
Land Use, Parks, and Environment Committee


Walter L. Kolb, Chair


Pauline T. Jaske


James Jeskewitz

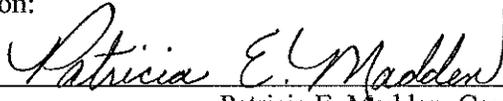

Scott J. Klein


Daniel Pavelko


Vera Stroud


Matt Thomas

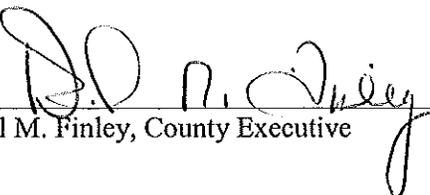
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: December 17, 2002, 
Patricia E. Madden, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved:

Vetoed:

Date: 12-17-02, 
Daniel M. Finley, County Executive

AMENDMENT TO THE

REGIONAL WATER QUALITY MANAGEMENT PLAN

CITY OF MUSKEGO

AS ADOPTED BY THE
SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

SEPTEMBER 2002

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REGIONAL PLANNING COMMISSION**

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Thomas J. Gorlinski
Sheila M. Siegler

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Vice-Chairman
David A. Novak

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**SOUTHEASTERN WISCONSIN REGIONAL
PLANNING COMMISSION STAFF**

Phillp C. Evenson, AICP Executive Director
Kenneth R. Yunker, PE. Assistant Director
Nancy M. Anderson, AICP. Chief Community Assistance Planner
Robert E. Beglinger. Chief Transportation Planner
Robert P. Biebel, PE, PH. Chief Environmental Engineer
Leland H. Kreblin, RLS. Chief Planning Illustrator
Elizabeth A. Larsen Business Manager
John G. McDougall Geographic Information Systems Manager
John R. Meland Chief Economic Development Planner
Donald M. Reed Chief Biologist
William J. Stauber, AICP Chief Land Use Planner

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607

TELEPHONE (262) 547-6721
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Serving the Counties of:

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Muskego 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 Muskego, and the Milwaukee Metropolitan Sewerage District.

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Walworth County Courthouse in Elkhorn, Wisconsin, on the 11th day of September 2002, the Commission did by unanimous vote of all Commissioners present, being 17 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 Muskego 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 Waukesha, Wisconsin, this 12th day of September 2002.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2002-12

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 (MUSKEGO 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 December 1997, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Muskego sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 64 (3rd Edition), *Sanitary Sewer Service Area for the City of Muskego, Waukesha County, Wisconsin*, December 1997, as amended; and

WHEREAS, by letter dated July 30, 2002, the City of Muskego requested that the Commission amend the Muskego sanitary sewer service area to remove one area from the sewer service area and add another area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, "Response to Request by the City of Muskego to amend the Muskego 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 City of Muskego and the Regional Planning Commission on August 27, 2002; 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;

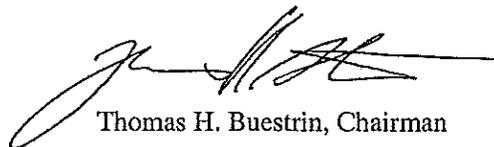
NOW, THEREFORE, BE IT HEREBY RESOLVED:

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 amended on the 3rd day of December 1997 to include the refined Muskego sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 64 (3rd 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.

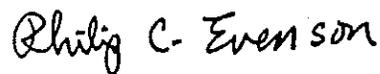
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals 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 11th day of September 2002, the vote being: Ayes 17; Nays 0.



Thomas H. Buestrin, Chairman

ATTEST:



Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE CITY OF MUSKEGO TO AMEND THE MUSKEGO SANITARY SEWER SERVICE AREA

INTRODUCTION

By letter dated July 30, 2002, the City of Muskego requested that the Southeastern Wisconsin Regional Planning Commission amend the City of Muskego sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District as that area is currently documented in SEWRPC Planning Report No. 64 (3rd Edition), *Sanitary Sewer Service Area for the City of Muskego, Waukesha County, Wisconsin*, dated December 1997, as amended. The proposed amendment involves the removal of one area from the sewer service area and the addition of another area.

AREA DESCRIPTION

The subject areas are located in the northeast one-quarter of U.S. Public Land Survey Section 24, Township 5 North, Range 20 East, in the City of Muskego, as shown on Map 1. The area proposed to be removed from the sewer service area encompasses 38 acres, including 24 acres of secondary environmental corridor, 1.5 acres of small wetlands, and 12.5 acres in agricultural use. The area proposed to be added to the sewer service area encompasses 18 acres, including 7 acres of isolated natural resource area and 11 acres in agricultural use.

The Regional Planning Commission staff conducted a field survey of the wetlands within the subject areas on August 7, 2001. The results of this field survey work are reflected in the delineation of secondary environmental corridors, isolated natural resource areas, and small wetlands shown on Map 2.

RELATIONSHIP OF THE PROPOSED CHANGE TO THE EXISTING SANITARY SEWER SERVICE AREA

The proposed changes to the Muskego sewer service area are offsetting in terms of land area, existing population, and future population increases. Thus, the areal extent and planned population of the Muskego sanitary sewer service area would be essentially unchanged.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on August 27, 2002, at the Muskego City Hall to receive public comment on, and reaction to, the proposed plan amendment. The hearing was sponsored by the City of Muskego and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment, including a description of the lands proposed to be added to the sewer service area and any environmentally significant lands located within.

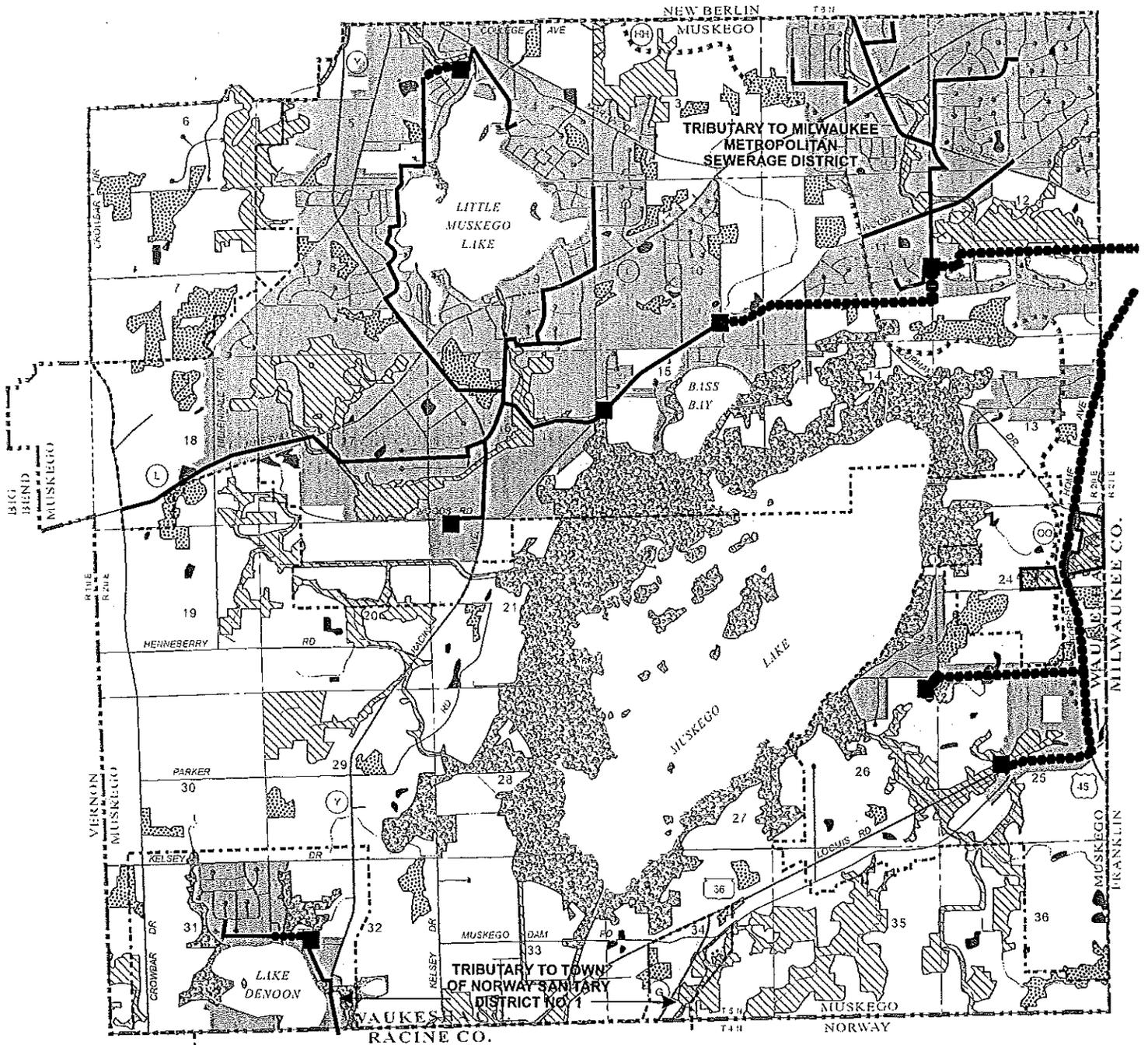
A review of the hearing record indicates that no substantive concerns were raised at the hearing. Accordingly, no changes were made to the proposed plan amendment as presented at the public hearing.

LOCAL GOVERNMENT SUPPORT FOR THE PLAN AMENDMENT

The Common Council of the City of Muskego adopted the plan amendment on August 27, 2002.

Map 1

RECOMMENDED AMENDMENT TO THE CITY OF MUSKEGO SANITARY SEWER SERVICE AREA

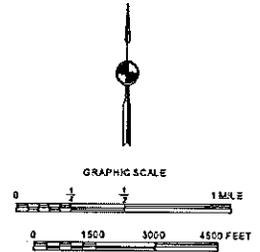


- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

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.

- EXISTING AREA SERVED BY PUBLIC SANITARY SEWER SYSTEM: 1997
- PLANNED SANITARY SEWER SERVICE AREA
- PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
- EXISTING TRUNK SEWER
- EXISTING FORCE MAIN
- EXISTING PUMPING STATION
- CITY OF MUSKEGO CIVIL DIVISION BOUNDARY
- AREA PROPOSED TO BE ADDED TO THE MUSKEGO SANITARY SEWER SERVICE AREA
- AREA PROPOSED TO BE REMOVED FROM THE MUSKEGO SANITARY SEWER SERVICE AREA



CONCLUDING RECOMMENDATION

Based upon the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the sanitary sewer service area for the Muskego area as documented in SEWRPC Community Assistance Planning Report No. 64 (3rd Edition), as amended, in the manner identified on Map 1. A more detailed delineation of the revised sewer service area and of the environmentally significant lands within is shown on an aerial photograph reproduced as Map 2.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-12/17/02

(RES) NUMBER-1570010

- 1 K. HERRO.....AYE
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....
- 7 J. JESKEWITZ.....AYE
- 9 P. HAUKOHL.....AYE
- 11 K. HARENDA.....AYE
- 13 J. MORRIS.....AYE
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 M. SONNENTAG.....AYE
- 21 W. KOLB.....AYE
- 23 P. PRONOLD.....
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 M. THOMAS.....AYE
- 31 V. STROUD.....AYE
- 33 D. PAVELKO.....
- 35 C. SEITZ.....

- 2 R. THELEN.....AYE
- 4 H. CARLSON.....AYE
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....AYE
- 12 J. GRIFFIN.....AYE
- 14 J. LA PORTE.....
- 16 R. MANKE.....AYE
- 18 D. FANFELLE.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....
- 24 A. SILVA.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-29

TOTAL NAYS-00

CARRIED_____

DEFEATED_____

UNANIMOUS_____

TOTAL VOTES-29