

**Minutes of Land Use, Parks and Environment (LUPE) Committee
July 19, 2016**

Chair Zimmermann called the meeting to order at 8:30 a.m.

Present: Dave Zimmermann, Bill Mitchell, Keith Hammitt, Robert Kolb, Tom Schellinger, Ted Wysocki, Kathleen Cummings (8:32)

Also Present: Planning and Zoning Manager Jason Fruth, Land Resources Manager Perry Lindquist, Corporation Counsel Attorney Christopher Morgan, Corporation Counsel Law Intern Riad El-Azem, Principal Assistant Corporation Counsel Kimberly Haines, Legislative Policy Advisor Sarah Spaeth. Recorded by Administrative Specialist Beth Schwartz, County Board Office

Approve Minutes of June 21, 2016

MOTION: Wysocki moved, second by Hammit to approve minutes of June 16, 2016. Motion carried 6 -0.

Executive Committee Report of June 20, 2016

Zimmerman highlighted the following items discussed at the Executive Committee meeting:

- Discussed Parks & Land Use Golf Course Cashiering Audit
- Discussed Public Works Highway Operations Division Audit
- Approved Ordinance 171-O-008: Modify Project Scope for Capital Project 201407, Waukesha to Brookfield Multi Use Trail
- Approved ordinances and appointments that have since been considered by the County Board.

Legislative Update

Spaeth reported that it is still quiet in Madison, and a coming Study committee may affect LUPE. Spaeth said the Governor has requested the Department of Transportation's (DOT) budget to be submitted earlier than usual this year. The budget will be submitted in September and the DOT was asked not to increase taxes or fees and to reconsider some of the Southeast area major road projects.

Future Meeting Date

- August 16, 2016

Discuss And Consider Ordinance 171-O-021: Amend The Text Of The Town Of Merton Zoning Code By Amending Section 17.81(2) Regarding The Mailing And Posting Of Public Hearing Notices (ZT-1833)

Fruth said this ordinance will amend Section 17.81(2) of the Town of Merton Zoning Code, allowing the Town to mail notifications of conditional use and rezoning public hearings by first class mail rather than certified mail. Fruth said making this switch to regular mail will save the County money.

MOTION: Schellinger moved, second by Mitchell to approve Ordinance 171-O-021. Motion carried 7-0.

Discuss And Consider Ordinance 171-O-022: Amend The District Zoning Map Of The Town Of Brookfield Zoning Code By Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 29, T7N, R20E, Town Of Brookfield, Waukesha County, Wisconsin, From The B-3 Office And Professional Business District To The MU-1 Mixed Use District (ZT-1835)

Fruth said this ordinance rezones property located on Brookfield Road that is subject to the Town of Brookfield Zoning Code to the MU-1 Mixed Use District to allow for mixed commercial and residential uses. It is amended to rezone from the B-3 Office and Professional Business District to the MU-1 Mixed Use District, certain lands located in part of the SE ¼ of Section 29, T7N, R20E. According to Fruth, this is a one parcel rezone on a one-acre piece in an existing mixed use setting. The site itself is mixed use and the proposed multi-family development motivated the change from business district to multi use.

Comments at the public hearing questioned if this is a spot zone given the site is already mixed use. Fruth explained that this may be the first parcel to go to mixed use but other settings could prospectively change too. Citizens expressed concern for children riding bikes. The developer doesn't anticipate children in the dwellings, which are 1-2 bedroom homes with an anticipated demographic of young professions and young retirees.

Mitchell questioned where the access to the parcel is, to which Fruth explained that there is a system of driveways in place. Several committee members asked for clarification of what buildings and businesses are near this parcel. Cummings expressed concern for barriers that impede traffic, and Fruth explained how the developer will market the availability of businesses to the demographic of it being walkable. This site draws appeal from Senior residential living to the west for the proximity to nearby shops. The construction is not far enough along to know where pedestrian walkways will be located. Zimmerman commented that this is a consistent designation of mixed use.

MOTION: Schellinger moved, second by Hammit to approve Ordinance 171-O-022. Motion carried 7-0.

Discuss and Consider The Appointment Of A LUPE Representative To The Southeast Area Land And Water Conservation Association Board Of Directors

Lindquist explained that in the Land Conservation Program, a formed state association divided the state into districts and each county within the district must appoint one Conservation staff member and one LUPE member to serve on the Board of Directors. The representative will be appointed to the Southeast area and meet twice a year, fall and post-elections spring. The next meeting in September will be held in Walworth County, where the seven counties will take a tour which is open to the public. The locations of the meetings are rotated to show current projects in each county.

MOTION: Zimmerman moved, second by Schellinger to nominate Wysocki to the Southeast Area Land and Water Conservation Association Board of Directors. Motion carried 7-0.

Overview Of Land Resources Division

Lindquist presented an overview of the Land Resources Division which is made up of a cooperative and joint effort, especially with education programs, among the Land and Water

Conservation team and Recycling and Solid Waste team. In describing the Land and Water Resource Management (LWRM) Plan, Lindquist stated writing this plan is required by state law, describing water quality goals and objectives for every lake and stream for the next ten years. In response to Zimmerman's question about the plans, Lindquist said the plan will not go into detail for every water body until the annual report for pollution runoff from agricultural and urban sources becomes available.

Lindquist explained the Waukesha County's water resource classifications for lakes and streams, and went on to say that 33% of our stream miles are impaired. In answering Hammit's questions, Lindquist said the type of pollution is different in every watershed. Nationwide, one of the largest causes of pollution is agricultural runoff, which is very much linked to land use patterns. Nonpoint pollution includes that from farm fields, construction sites, parking lots, lawns, streets, types- sediment, nutrients, chemicals, and pathogens. The County must report compliance progress of Agricultural Conservation to the state annually. Cities are now regulated the same way as industries. Monitoring and recording this pollution is the biggest part of Lindquist and his team's workload in the Land Resources Division. In 2010 new laws were passed to address phosphorous discharge standards, which is currently taking place in Oconomowoc, where they want to delay upgrades in their watershed, desiring to meet water quality without the upgrade. Mitchell questioned if quality changes in lakes are measured and watched. Lindquist explained that in Oconomowoc there is monitoring, but it is difficult and there are many challenges, such as going to a monthly monitoring plan and measuring specific days within the month.

In 2010 the developed lands of Waukesha County were 47% for urban uses, and 4-5 square miles of the county are converted each year to urban uses. The County must report compliance progress to the state annually with focus on farmland preservation areas, as it loses 2-3% through urbanization every year. Lindquist said in regards to questions from Kolb and Cummings, that in the urban sector there is not a reduction but a prevention effort for additional pollutant sources. The goal is to prevent the damage from new developments, despite it being hard to show improvements in the urban setting because there is so much residual damage.

Lindquist reported on an ordinance passed in January to deal with the newer Aquatic Invasive Species program, which was formed to try to prevent the spread of invasives from stream to stream, spread easily from one to another if boats aren't cleaned off. A strategic plan is to be written as they apply for another three-year state grant. In regards to urban erosion and stormwater management, Kolb asked if the department takes into consideration the cost, in which Lindquist said there is a cost effectiveness built into those standards. Lindquist explained Stormwater's Best Management Practices (BMP) include wet detention, bio-retention, green roof, rain garden, and infiltration basin. BPM data and images are stored on the internet so future owners of properties can track this information. He also discussed Basement Flooding Prevention Standards, incorporated into the Code in 2005, which provides the minimum site drainage standards and considers both surface and groundwater's soils and flow modeling.

Lindquist went on to say that Waukesha County serves as the recycling responsible unit for 27 municipalities. Vernon and Muskego have recently joined as a participator through intergovernmental agreements. The services provided include material processing for no fee, information and education, compliance with the Ordinance, contract assistance, drop off sites, and state and local grants. The Material Recovery Facility (MRF) is a joint facility with Milwaukee, which started in 2015. A new facility was built in the Menomonee Valley and sees

25,000 tons per year. This is a non-tax levy Enterprise Fund. Despite the expenses, it is paid for through a competitive private process. This is a very expensive service, but \$15.3 million has been recovered to communities with the dividend payments. The switch to single sort recycling saved communities \$4 million per year as more can be collected and covered through single sort automated collection. After the change to single sort there was a 34% increase in annual county recycling tons. With a lower disposal cost, the charge was separated between disposal and collection so the communities could get those savings back. Lindquist added there are also programs they are not mandated to do but operate anyways, including Household Hazardous Waste Collection with four permanent sites and four temporary sites, landfill funding in Muskego, and product exchange and reuse.

Lindquist reported that yard waste composting has been banned from landfills since 1993. This is a resource that needs to be used as these wastes can't go through water. The County Composting Operation went through 65,000 tons of yard waste composted all to be used for county mine reclamation, a topsoil substitute from 2004-2013. The County now has a Purple Cow contract in effect from 2013-2023, has moved to a facility to Genesee, and will phase out county funding. There is also electronics and appliance recycling, a contract in cooperation with seven communities, which operates one collection event program per month. This has been a tremendously successful collaboration, collecting 2,607 cars with 259,437 pounds of material in the first 6 months. There are 3 active Landfill Siting Committees, 2 within the county, and 1 within 1,200 feet of the county. In regards to the Menomonee Falls landfill, the next expansion will be the last one. In tracking landfill diversion rates county wide, tonnage has been going down, as going single stream diverted a lot of tonnage. Waukesha County's program earned awards of 2015 State Recognition.

Conservation Education incorporates 25 intergovernmental municipal agreements, targeting teachers, youth, and developers through web sites, workshops, presentations, tours, field trips, and displays. Educational tours of the MRF and community events have been provided, and over 70 in school presentations are given every year. In addition, there have been 67 green school agreements so far.

MOTION: Mitchell moved, second by Hammit to adjourn the meeting at 9:49 a.m. Motion carried 7-0.

Respectfully submitted,

Keith Hammitt
Secretary