

ENROLLED RESOLUTION 162-27

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 the City of Muskego requested in a letter dated November 1, 2007, an amendment to the Adopted Regional Water Quality Management Plan (Muskego Sanitary Sewer Service Area), to add certain lands to the City of Muskego Sanitary Sewer Service area, and after due notice of a public hearing held on November 27, 2007, and preparation of a report entitled, "Amendment to the Regional Water Quality Management Plan for the City of Muskego, Waukesha County, Wisconsin", dated December 2007, said Plan amendment was adopted by the Southeastern Wisconsin Regional Planning Commission on December 5, 2007, and by the Muskego Common Council on November 27, 2007, 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 December 2007, 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.

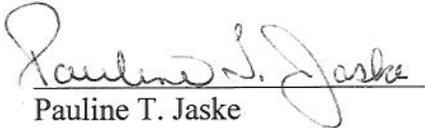
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CITY OF MUSKEGO, WAUKESHA COUNTY, WISCONSIN

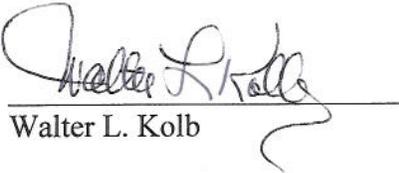
Presented by:
Land Use, Parks, and Environment Committee


William A. Mitchell, Chair

Absent
Keith Hammitt

Vacant
Keith Harenda


Pauline T. Jaske


Walter L. Kolb

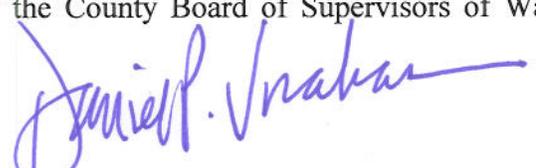
Vacant
Vera Stroud


Peter M. Wolff

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

Date: 2-29-08, 
Kathy Nickolaus, County Clerk

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

Approved: X
Vetoed: _____
Date: 3-3-08, 
Daniel P. Vrakas, County Executive

- 1 K. HERRO.....AYE
- 3 T. ROLFS.....AYE
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....AYE
- 9 P. HAUKOHL.....AYE
- 11 VACANT.....
- 13 J. HEINRICH.....AYE
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 W. MITCHELL.....AYE
- 21 W. KOLB.....AYE
- 23 J. TORTOMASI.....AYE
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 T. BULLERMANN.....
- 31 V. STROUD.....
- 33 K. HAMMITT.....
- 35 P. MEYER.....AYE

- 2 R. THELEN.....AYE
- 4 R. HUTTON.....AYE
- 6 D. FARRELL.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....
- 12 T. SCHELLINGER....AYE
- 14 S. WIMMER.....AYE
- 16 R. STEVENS.....AYE
- 18 B. MORRIS.....AYE
- 20 P. WOLFF.....AYE
- 22 G. BRUCE.....AYE
- 24 J. VITALE.....AYE
- 26 F. RUF.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-30

TOTAL NAYS-00

CARRIED_____

DEFEATED_____

UNANIMOUS X

TOTAL VOTES-30

**REGIONAL WATER QUALITY
MANAGEMENT PLAN
CITY OF MUSKEGO**

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

DECEMBER 2007

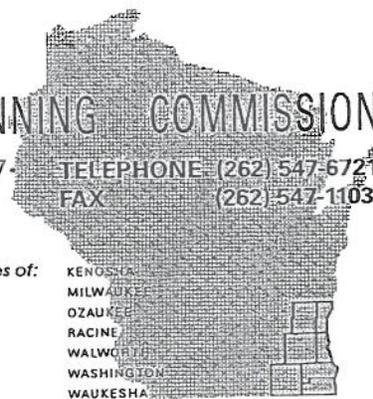
162-R-033

3.

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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TELEPHONE (262) 547-6721
FAX (262) 547-1103



Serving the Counties of:

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WAUKESHA

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 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 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 Pewaukee, Wisconsin, this 6th day of December 2007.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

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4.

RESOLUTION NO. 2007-20

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 November 1, 2007, the City of Muskego requested that the Commission amend the Muskego sanitary sewer service area to include certain lands located outside of 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 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 November 27, 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;

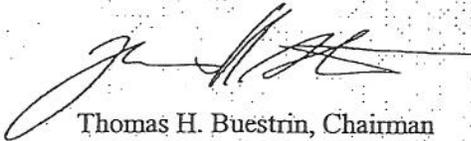
NOW, THEREFORE, BE IT HEREBY RESOLVED:

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 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.

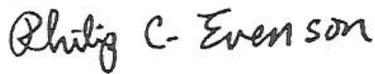
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals 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 5th day of December 2007, the vote being: Ayes 15; Nays 0.



Thomas H. Buestrin, Chairman

ATTEST:



Philip C. Evenson, Deputy Secretary

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6.

SEWRPC STAFF MEMORANDUM

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

INTRODUCTION

By letter dated November 1, 2007, 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 Community Assistance Planning Report No. 64 (3rd Edition), *Sanitary Sewer Service Area for the City of Muskego, Waukesha County, Wisconsin*, dated December 1997, as amended. The basic purpose of the amendment would be to include within the planned sewer service area certain lands located immediately adjacent to, but outside of, the currently adopted sewer service area.

AREA DESCRIPTION

The area proposed to be added to the Muskego sewer service area encompasses 13.5 acres located southwest of the intersection of CTH OO and Boxhorn Drive in U.S. Public Land Survey Section 24, Township 5 North, Range 20 East, in the City of Muskego, as shown on Map 1. The subject area contains about one-quarter acre of wetlands located within a larger isolated natural resource area extending to the west. The remainder is currently in residential and agricultural use and contains three existing housing units. Two of the existing housing units rely upon onsite sewage disposal systems, with one using a holding tank. The housing unit in the far eastern portion of the subject area is served by public sewer. The addition of the subject 13.5-acre area to the sewer service area would enable the provision of sewer service to two existing housing units and would appropriately include an already served housing unit within the sewer service area.

A more detailed delineation of the revised sewer service area and of the environmentally significant lands within is shown on the aerial photograph reproduced as Map 2.

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

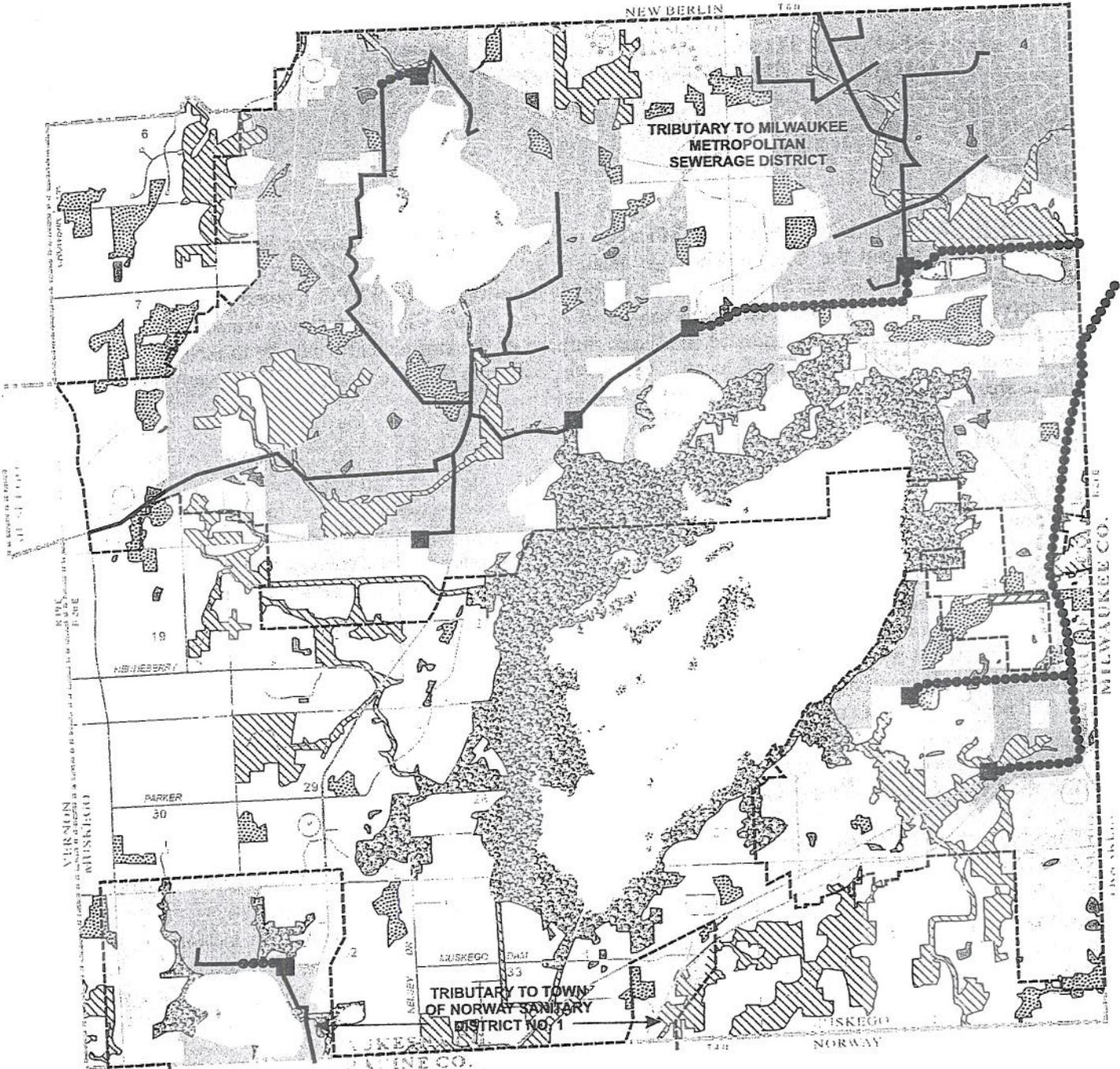
The proposed addition of 13.5 acres to the Muskego sanitary sewer service area represents an increase in the planned sewer service area of about one-tenth of one percent and would result in a negligible increase in the population of the sewer service area. Thus, the areal extent and planned population of the Muskego-MMSD sewer service area would remain essentially unchanged.

WATER QUALITY IMPACTS

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

Map 1

PROPOSED AMENDMENT TO THE CITY OF MUSKEGO SANITARY SEWER SERVICE AREA



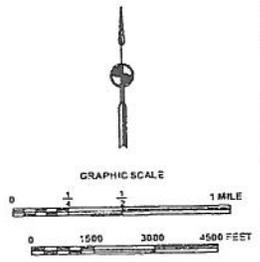
-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

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
-  AIRPORTS, LARGE PARK AND RECREATION SITES, AND SIMILAR USES WITHIN THE 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

Source: SEWRPC.



SEWAGE TREATMENT PLANT CAPACITY IMPACT ANALYSIS

The size and capacity of the MMSD sewage conveyance and treatment facilities are set forth in the District's facility plan completed in 2007.¹ That facility plan is based upon a planned Muskego-MMSD sewer service area resident population level of 34,100 persons. In addition to the estimated per capita contribution allowance for residential development, a separate allocation was developed for sewage loadings from commercial and industrial lands. The current population of the Muskego-MMSD sanitary sewer service area is about 20,000 persons. The proposed addition to the sewer service area would add negligible population and sewage flow. Thus, there is planned capacity available for the area proposed to be added to the sewer service area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on November 27, 2007, 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 land located within.

No comments or objections were expressed 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 November 27, 2007.

CONCLUDING RECOMMENDATION

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 Muskego as documented in SEWRPC Community Assistance Planning Report No. 64 (3rd Edition), as amended.

¹Milwaukee Metropolitan Sewerage District 2020 Facilities Plan, *June 2007*.

Map 2

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

U. S. Public Land Survey Section 24, Township 5 North, Range 20 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
-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

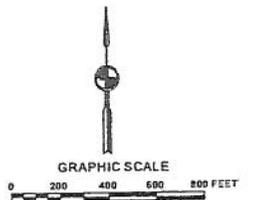
 PLANNED SANITARY SEWER SERVICE AREA

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 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 3-7, page 12, of SEWRPC Amendment to the Regional Water Quality Management Plan—City of Muskego, December 1999.



Source: SEWRPC.

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10.