

ENROLLED RESOLUTION 163-1

AMEND THE REGIONAL WATER QUALITY MANAGEMENT PLAN FOR THE
BROOKFIELD-ELM GROVE SANITARY SEWER SERVICE AREA
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 selected 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 Town of Brookfield Sanitary District No. 4, requested by letter dated May 21, 2008, an amendment to the adopted Regional Water Quality Management Plan (Sanitary Sewer Service Area for the City and Town of Brookfield and the Village of Elm Grove, Waukesha County, Wisconsin dated November 1991), to transfer certain lands currently in the City of Waukesha sewer service area to the Brookfield-Elm Grove sewer service area outlined in a report entitled, "Amendment to the Regional Water Quality Management Plan Brookfield-Elm Grove Sanitary Sewer Service Area", dated June 2008, and after due notice of a joint public hearing held on June 3, 2008, said Plan amendment was adopted by the Southeastern Wisconsin Regional Planning Commission on June 18, 2008, the City of Waukesha Common Council on May 6, 2008, the City of Brookfield Common Council on June 3, 2008 and the Waukesha Town Board on June 12, 2008, and

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

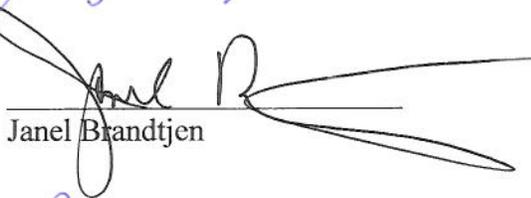
THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA
RESOLVES that the report entitled "Amendment to the Regional Water Quality Management Plan Brookfield-Elm Grove Sanitary Sewer Service Area" dated June 2008, is hereby approved signifying the County's agreement with the change to the "Regional 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, the City of Brookfield, City of Waukesha, Town of Waukesha and the Village of Elm Grove's clerk upon its adoption.

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BROOKFIELD-ELM GROVE SANITARY SEWER SERVICE AREA
WAUKESHA COUNTY, WISCONSIN

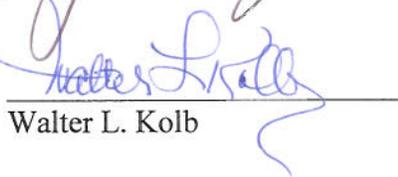
Presented by:
Land Use, Parks, and Environment Committee


Fritz Ruf, Chair


Janel Brandtjen

Absent
Robert Hutton

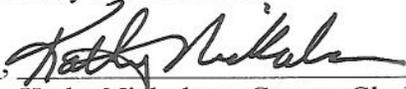

James Jeskewitz


Walter L. Kolb

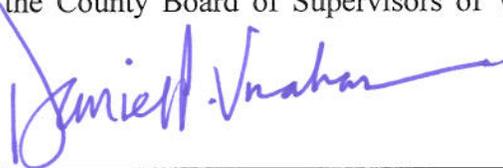
Absent
Ted Rolfs

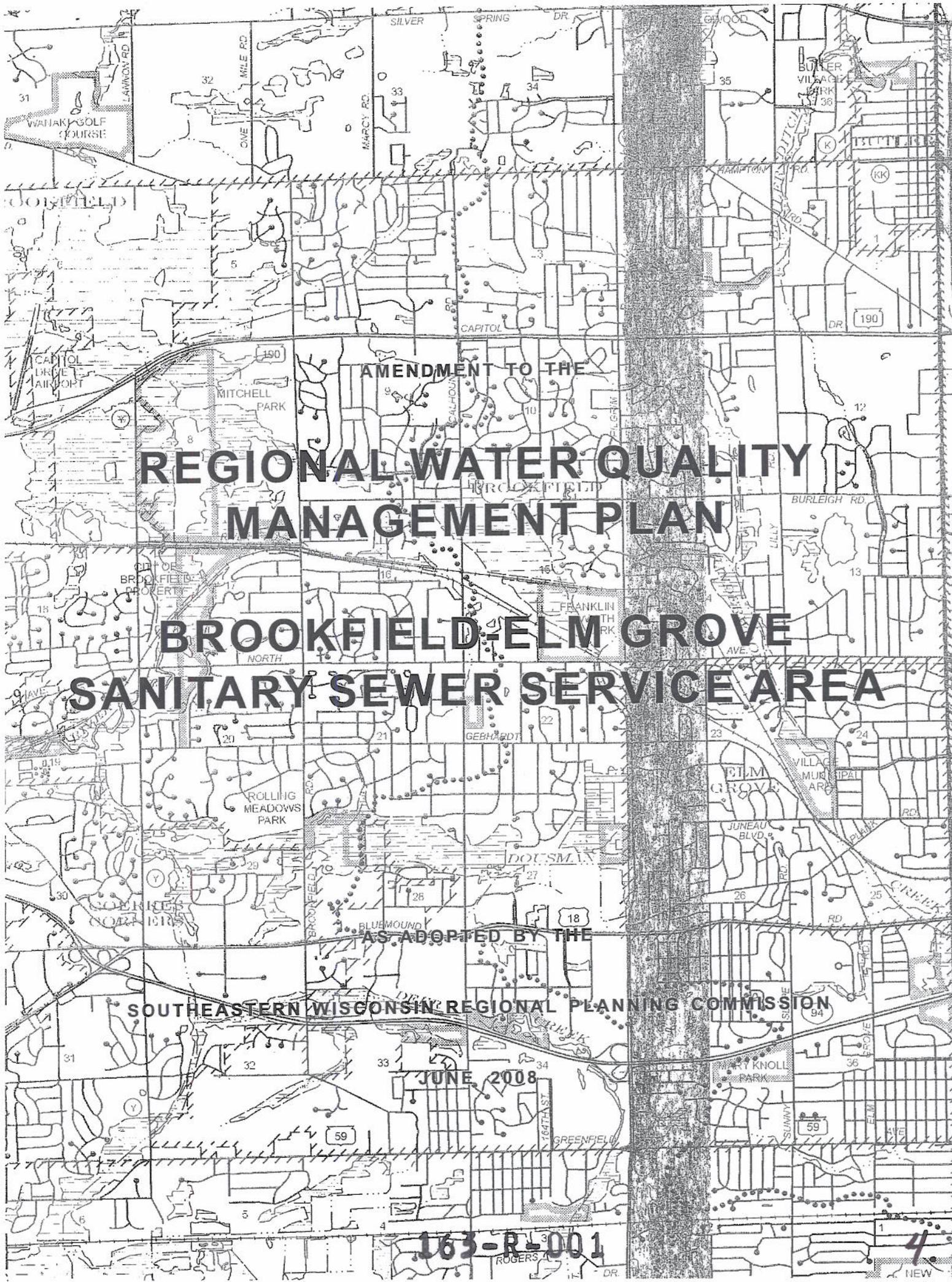

Gilbert W. Yerke

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

Date: 8-29-08, 
Kathy Nickolaus, County Clerk

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

Approved: X
Vetoed: _____
Date: 9-2-08, 
Daniel P. Vrakas, County Executive



**AMENDMENT TO THE
REGIONAL WATER QUALITY
MANAGEMENT PLAN
BROOKFIELD-ELM GROVE
SANITARY SEWER SERVICE AREA**

**AS ADOPTED BY THE
SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION**

JUNE 2008

163-R-001

**SOUTHEASTERN WISCONSIN
REGIONAL PLANNING COMMISSION**

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**SOUTHEASTERN WISCONSIN REGIONAL
PLANNING COMMISSION STAFF**

Philip C. Evenson, AICP Executive Director
Kenneth R. Yunker, PE.....Deputy Director
Nancy M. Anderson, AICP Chief Community Assistance Planner
Michael G. Hahn, PE, PHChief Environmental Engineer
Christopher T. Hiebert..... Chief Transportation Engineer
Elizabeth A. LarsenBusiness Manager
John G. McDougall Geographic Information Systems Manager
John R. MelandChief Economic Development Planner
Dr. Donald M. Reed Chief Biologist
Kenneth J. Schlager, PE.....Chief Telecommunications Engineer
Donald P. Simon, RLS Chief Planning Illustrator
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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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Brookfield-Elm Grove 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 Brookfield, the City of Waukesha, the Village of Elm Grove, the Town of Brookfield Sanitary District No. 4, and the Town of Waukesha

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Washington County Courthouse in West Bend, Wisconsin, on the 18th day of June 2008, the Commission did by unanimous vote of all Commissioners present, being 14 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 Brookfield-Elm Grove 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 19th day of June 2008.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

163-R-001

6.

RESOLUTION NO. 2008-08

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 (BROOKFIELD-ELM GROVE 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 4th day of December 1991, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Brookfield-Elm Grove sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 109, *Sanitary Sewer Service Area for the City and Town of Brookfield and the Village of Elm Grove, Waukesha County, Wisconsin*, dated November 1991 as amended; and

WHEREAS, by letter dated May 21, 2008, the Town of Brookfield Sanitary District No. 4 requested that the Commission amend the Brookfield-Elm Grove sanitary sewer service area to transfer certain lands currently in the City of Waukesha sewer service area to the Brookfield-Elm Grove 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 Town of Brookfield Sanitary District No. 4 to Amend the Brookfield-Elm Grove 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 Town of Brookfield Sanitary District No. 4 and the Regional Planning Commission on June 3, 2008; 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:

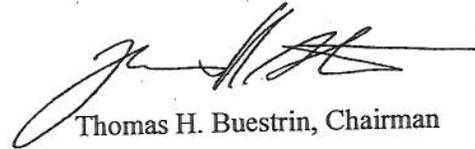
FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was subsequently amended to include the refined Brookfield-Elm Grove sewer service area, be and the same hereby is amended in the manner identified on Map 2 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.

RESOLUTION NO. 2008-08

THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be 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 18th day of June 2008, the vote being: Ayes 14; Nays 0.



Thomas H. Buestrin, Chairman

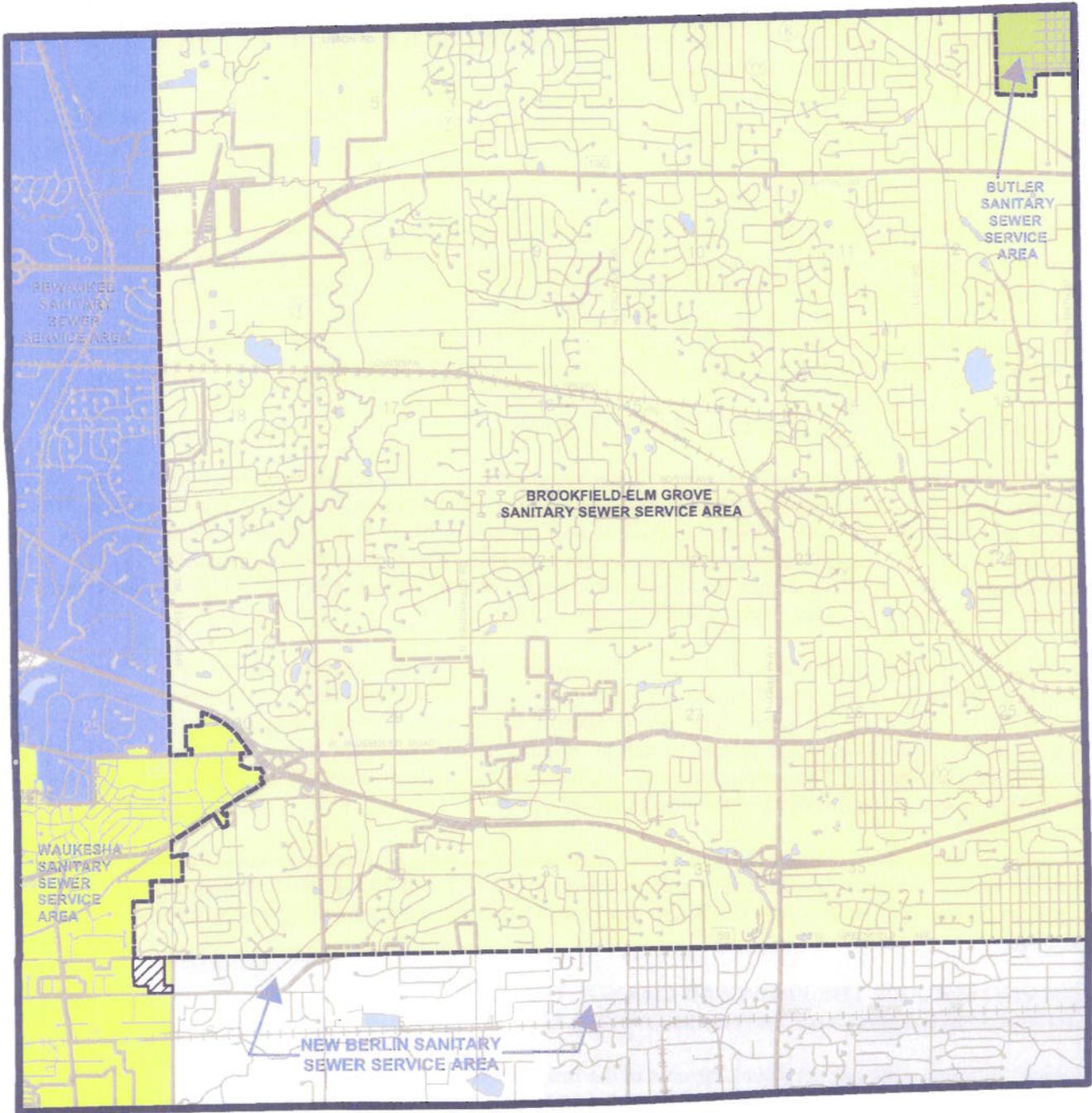
ATTEST:



Philip C. Evenson, Deputy Secretary

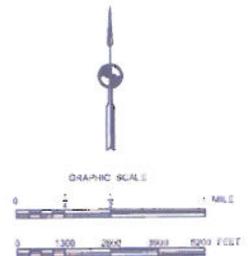
Map 1

PROPOSED AMENDMENT TO THE BROOKFIELD-ELM GROVE SANITARY SEWER SERVICE AREA



 AREA TO BE TRANSFERRED FROM THE CITY OF WAUKESHA SANITARY SEWER SERVICE AREA TO THE BROOKFIELD-ELM GROVE SANITARY SEWER SERVICE AREA

Source: SEWRPC.



SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE TOWN OF BROOKFIELD SANITARY DISTRICT NO. 4 TO AMEND THE BROOKFIELD-ELM GROVE SANITARY SEWER SERVICE AREA

INTRODUCTION

By letter dated May 21, 2008, the Town of Brookfield Sanitary District No. 4 requested that the Southeastern Wisconsin Regional Planning Commission amend the Brookfield-Elm Grove sanitary sewer service area. The area is currently documented in SEWRPC Community Assistance Planning Report No. 109, *Sanitary Sewer Service Area for the City and Town of Brookfield and the Village of Elm Grove, Waukesha County, Wisconsin*, dated November 1991, as amended. The basic purpose of the amendment would be to transfer certain lands currently in the City of Waukesha sewer service area to the Brookfield-Elm Grove sewer service area.

PROPOSED CHANGE TO THE SEWER SERVICE AREA

The proposed change to the Brookfield-Elm Grove sewer service area is shown on Maps 1 and 2. The parcel proposed to be transferred from the City of Waukesha sewer service area to the Brookfield-Elm Grove sewer service area encompasses about 30 acres located west of Springdale Road and north of Arcadian Avenue in the Town of Waukesha.¹ The subject parcel includes about four acres of wetlands. While no detailed site plans have been prepared, it is envisioned that the developable portion of the subject property would be developed for residential use, accommodating about 50 housing units.

The City of Waukesha has indicated that providing sewer service to the subject property through the City of Waukesha sewerage system would not be cost-effective at this time and that the City does not have long term plans to extend service to the parcel. The subject parcel can be readily served through the Town of Brookfield Sanitary District No. 4 sewerage system, which is tributary to the Fox River Water Pollution Control Center sewage treatment facility. The subject property could be served by connection to an existing Sanitary District sewer in Cherokee Drive just north of the subject property.

The City of Waukesha Common Council passed a resolution on May 6, 2008, indicating that the City has no objection to the proposed sewer service area amendment. The City of Brookfield Common Council passed a similar resolution on June 3, 2008. The Waukesha Town Board adopted a motion approving the transfer on June 12, 2008.

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

With the transfer of the subject parcel, the area of the Brookfield-Elm Grove sewer service area would increase by less than one percent. The buildout population—that is, the estimated population which could be accommodated upon full development of the sewer service area—would not change significantly.

¹ *This amendment involves only the transfer of the approximately 30-acre parcel currently proposed for development by Bielinski Homes, as shown on Maps 1 and 2. It is envisioned that, at some future time, consideration will be given to transferring the developed homesites which abut the subject parcel on the east and south from the City of Waukesha sewer service area to the Brookfield sewer service area.*

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the Brookfield-Elm Grove sanitary sewer service area plan, it is envisioned that all new urban development within the planned urban service area would ultimately receive 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 adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

SEWAGE TREATMENT PLANT CAPACITY ANALYSIS

Sewage from the Town of Brookfield Sanitary District No. 4 is treated at the Fox River Water Pollution Control Center sewage treatment plant, which has a design capacity of 12.5 million gallons per day (mgd) on an average annual basis. The average annual flow rate in 2007 was 8.8 mgd. The anticipated sewage flow to be generated in the area proposed to be added to the Brookfield sewer service area may be expected to be less than 0.01 mgd on an average annual basis. Thus, the treatment plant has capacity to serve the proposed addition to the sewer service area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on June 3, 2008, at the Brookfield Town Hall to receive public comment on, and reaction to, the proposed sewer service area plan amendment. The hearing was sponsored by the Town of Brookfield Sanitary District No. 4 and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment.

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 Town of Brookfield Sanitary District No. 4 adopted the plan amendment on June 3, 2008. As previously noted, the Cities of Brookfield and Waukesha and the Town of Waukesha have expressed approval of, or no objection to, the amendment.

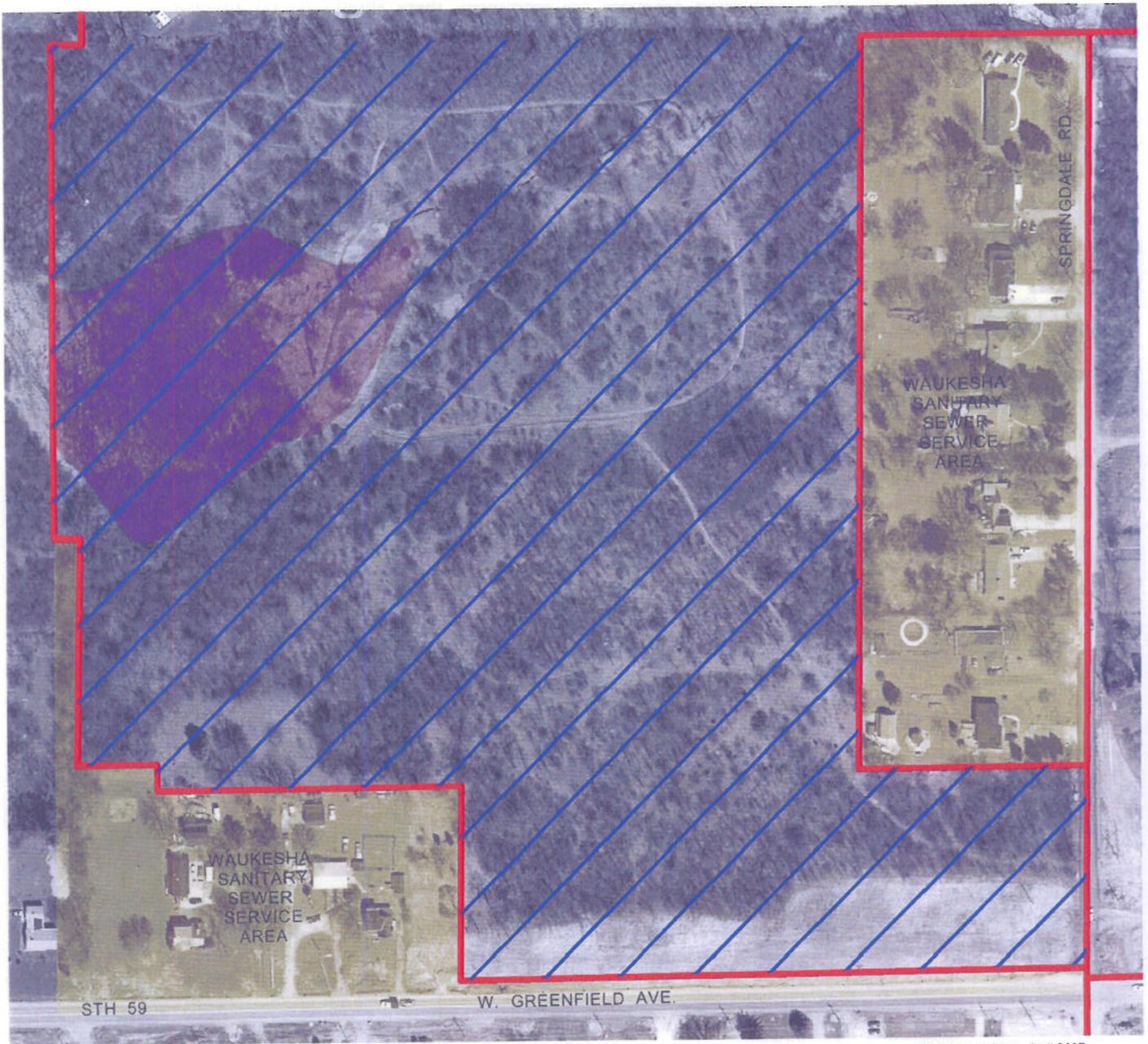
CONCLUDING RECOMMENDATION

Based on the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the Brookfield-Elm Grove sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 109, as amended, in the manner identified on Map 1.

Map 2

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED
SANITARY SEWER SERVICE AREA FOR BROOKFIELD-ELM GROVE

Part of the Northeast Quarter of the Northeast Quarter of U.S. Public Land Survey Section 1
Township 6 North, Range 19 East



Photography Date: April 2007

-  AREA TO BE TRANSFERRED FROM THE CITY OF WAUKESHA SANITARY SEWER SERVICE AREA TO THE BROOKFIELD-ELM GROVE SANITARY SEWER SERVICE AREA
-  PLANNED WAUKESHA SANITARY SEWER SERVICE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

Source: SEWRPC.



WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-08/26/08

(RES) NUMBER-1630001

1 D. FALSTAD.....AYE
 3 R. HUTTON.....AYE
 5 J. JESKEWITZ.....AYE
 7 P. HAUKOHL.....AYE
 9 J. HEINRICH.....AYE
 11 F. RUF.....AYE
 13 J. BEHREND.....AYE
 15 P. MEYERS.....AYE
 17 J. TORTOMASI.....AYE
 19 S. WIMMER.....AYE
 21 W. ZABOROWSKI.....AYE
 23 J. PLEDL.....AYE
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 8 T. SCHELLINGER....AYE
 10 D. SWAN.....AYE
 12 P. WOLFF.....AYE
 14 B. MORRIS.....AYE
 16 D. PAULSON.....AYE
 18 K. CUMMINGS.....AYE
 20 P. JASKE.....AYE
 22 P. GUNDRUM.....
 24 W. KOLB.....AYE

TOTAL AYES-24

TOTAL NAYS-00

CARRIED_____

DEFEATED_____

UNANIMOUS

~~X~~

TOTAL VOTES-24