

BUTTE DES MORTS SEWER SERVICE AREA PLAN

WDNR Certification Date: January 29, 2002

Prepared by the
East Central Wisconsin Regional Planning Commission

in cooperation with the

State of Wisconsin
Department of Natural Resources

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2001-2002**

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ABSTRACT

Title: BUTTE DES MORTS SEWER SERVICE AREA PLAN

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Subject: Sanitary sewer service area delineation for future community growth.

Date: WDNR Certification Date – January 29th, 2002

Planning Agency: East Central Wisconsin Regional Planning Commission
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This plan updates and supersedes the 1985 Butte des Morts Sewer Service Area Plan which is an element of the Wolf River Basin Water Quality Management Plan. This plan was prepared by the East Central Wisconsin Regional Planning Commission and was certified by the Wisconsin Department of Natural Resources on January 29th, 2002 as part of the State of Wisconsin Water Quality Management Plan. It provides population and land use projections and delineates future growth areas for the Butte des Morts Sewer Service Area. Also identified are environmentally sensitive areas which should not be developed. This plan contains policy recommendations encourage cost-effective and environmentally sound development patterns.

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CHAPTER 1 - INTRODUCTION

This report represents the first update of the Butte des Morts Sewer Service Area Plan, a formal element of the State of Wisconsin's Water Quality Management Plan, which for this area includes the Wolf River Basin Water Quality Management Plan (WDNR, 1996). In the twenty-four years sewer service areas have been in effect, they have had significant impacts on urban development. Both communities and land developers are now more aware of sewer service areas and are using the plans and policies in planning of future growth.

PURPOSE

This Butte des Morts Sewer Service Area Plan Update amends the 1985 Butte des Morts Sewer Service Area Plan and is part of a regularly scheduled re-evaluation of sewer service area plans. Water Quality Plan elements, including sewer service areas, are to be updated every five years as provided by Wisconsin Administrative Code NR-121.07(2)(a)1. However, this schedule is dependent upon available funds and priorities established within the WDNR.

Sewer service area plans serve as a basis for Wisconsin Department of Natural Resources (WDNR) approval of state and federal grants for the planning and construction of wastewater collection and treatment facilities. They also serve as a basis for WDNR approval of locally proposed sanitary sewer extensions and Department of Workforce Development (formerly Department of Industry, Labor and Human Relations, or DILHR) approval of private sewer laterals. In addition, environmentally sensitive areas (ESAs) identified in the service area plans serve as a guide for environmental permit decisions by federal and state agencies.

Sewer service area plans are intended to be an important planning and development guide for local communities. The updated plans:

- Identify wastewater treatment and collection needs for sewer service areas through the year 2020.
- Forecast the amount and location of future urban development areas.
- Identify environmentally sensitive areas where development should be limited to protect water quality.

- Contain land use development forecasts and recommendations for implementing wastewater treatment and collection plans for individual sewer service areas.
- Establish "holding tank" service areas for isolated and rural special uses where appropriate.

CHAPTER 2 - BACKGROUND

SEWER SERVICE AREA PLANNING AUTHORITY

The passage of the Federal Water Pollution Control Act Amendment (P.L. 92-500) in 1972 marked the beginning of a new approach to the planning, design and construction of municipal wastewater collection and treatment facilities. This law established Areawide Water Quality Management Planning under Section 208 and also the Facility Planning Grant Program under Section 201. The preparation of sewer service area plans for major urban areas was a significant part of this planning process.

In recent years, the State of Wisconsin has embodied many of the federal areawide and facility planning requirements in the Wisconsin Administrative Code. These administrative rules set forth clear procedures and standards regarding the preparation of these plans and their implementation. Specific sections of the code directly pertaining to these activities are NR-121, concerning areawide waste treatment management planning; and NR-110, concerning facility planning and sanitary sewer extensions.

In June 1977, East Central completed initial sewer service area plans for 23 communities within the Fox Valley area under contract with the Fox Valley Water Quality Planning Agency (FVWQPA). These plans delineated sewer service areas through the year 2000. The service area plans were adopted as part of the Point Source element of the Fox Valley Water Quality Management Plan in January, 1979. In 1985, the East Central Wisconsin Regional Planning Commission entered into a memorandum of understanding with the Wisconsin Department of Natural Resources to initiate sewer service area planning for the non-designated portions of the East Central ten county region. This memorandum sets out the responsibilities and relationships among the parties relative to the planning, management and implementation of sewer service area plans.

The contractual agreement provides that East Central will periodically review, revise and update the service area plans, and review proposed sewer extensions for conformance with the approved areawide water quality plan. As provided by Wisconsin Administrative Code NR-121, the WDNR's role is to review and approve every sewer service area plan and plan amendment taking into account water quality impacts and cost effectiveness. The WDNR and East Central Planning also reviews and approves plans for wastewater treatment facilities and sewer extensions based upon conformance with the areawide plan. The contract agreement outlines rather broadly the responsibilities of each of the agencies involved in managing sewer service areas.

In order to address specific development proposals which impact sewer service area plans on a day-to-day basis, East Central has adopted an "Amendment Policy and Procedure for Sewer Service Areas." The amendment policies and procedures, initially adopted in 1978, were revised in 1984, 1990, with additional amendments regarding the urban areas (Fox-Cities/Oshkosh/Fond Du Lac) in late 1996, early 1997, and 2000. These policies and procedures established standards and criteria for amending sewer service area boundaries and also describes the procedure for amending sewer service area plans. The amendment policy (Chapter 5) provides a mechanism whereby communities can alter service area boundaries in response to changes in both the rate and direction of development.

The amendment process provides the flexibility for communities to adjust to short-term changes in development trends and thus provides a means of accommodating changing development trends between the five-year updates.

The Butte des Morts Sewer Service Area Plan was adopted by East Central's Community Facilities Committee on October 11th, 2002; by the Buttes des Morts Sanitary District on October 16th, 2002, and; by East Central's full Commission on October 26th, 2002. The plan update was certified by the Wisconsin Department of Natural Resources and became effective on January 29th, 2002 (Appendix A).

GOALS, OBJECTIVES AND POLICIES

In the ten-county region of the East Central Wisconsin Regional Planning Commission, sewer service area plans are prepared within the context of the regional land use plan, New Directions for Growth and Development (ECWRPC, 1977). The process used for the 1977 land use plan established goals, objectives and policies formulated in response to citizens' desires and needs brought forth in East Central's public participation program. Appropriate goals, objectives and policies were referenced as the groundwork for the establishment of 104 urban service area plans and boundaries.

The initial goals, objectives and policies were re-evaluated and refined in 1985 and in 1990. with additional refinements regarding the urban areas (Fox-Cities/Oshkosh/Fond Du Lac) in late 1996, early 1997, and 2000. Two overall goals have been identified. The first goal and its related objectives and policies pertain to land use and urban development issues. The second goal addresses public facilities, specifically sanitary sewerage systems. Objectives and policies related to both goals point out the significant interrelationship between urban land use and sanitary sewerage planning and also provide a sound basis for determining a community's future development and sewerage system needs. The adopted goals, objectives and policies are listed in Appendix B.

WATER QUALITY MANAGEMENT AREAS

The Statewide Water Quality Management Plan identifies three designated (complex) water quality management planning areas within the State of Wisconsin with the remainder of the state identified as a "non-designated" area. Within the East Central region, the Fox Valley Designated Water Quality Management Area comprises major portions of the four urban counties surrounding Lake Winnebago. The 1,580 square mile area has been specially designated for water quality planning because of the concentration of industries and urbanization along the Fox River and Lake Winnebago. Within this overall area there are now 20 different sewer service areas that have been delineated and individual plans prepared.

The remainder of the region is identified as a non-designated water quality management area. To date, East Central there are now six sewer service area plan elements within the non-designated area. The "non-designated" portion of the East Central region, as well as the remainder of the state, are further divided into major river basins. For each river basin the WDNR has prepared a water quality plan. The Butte des Morts Sewer Service Area is located within a "designated" area and lies within the Arrowhead River and Daggets Creek watershed, a subwatershed of the Wolf River Basin.

REPORT FORMAT

This plan describes and delineates the Butte des Morts Sewer Service Area. The plan was developed in accordance with state and federal guidelines and involved public input and review. Formal informational meetings and public hearings were held as part of the SSA Plan Update process with the Butte des Morts Sanitary District as well as with ECWRPC's Community Facilities Committee and full Commission. Summaries of Proceedings of these meetings are contained in Appendix A.

The following sections are formatted as follows and discuss the:

1. Butte des Morts Sewer Service Area characteristics, projected growth and service area plan map (Exhibit 1)
2. Service area delineation and planning process; and
3. Service area amendment process.

Additional information describing the sewer service area planning process and copies of supporting documentation (such as population and growth projection methodologies) are available at the Commission offices.

EXHIBIT 1 - BUTTE DES MORTS SEWER SERVICE AREA MAP

CHAPTER 3 - BUTTE DES MORTS SEWER SERVICE AREA

PLANNING AREA DESCRIPTION

The Butte des Morts Planning Area and Sewer Service Area are located the central part of Winnebago County between Lake Butte des Morts and STH 110 near its intersection with STH 116. The Planning Area encompasses the Butte des Morts Sanitary District No. 1 and lies within portions of three separate towns; Winneconne, Oshkosh and Vinland.

This plan update has not added any additional lands to the Planning Area Boundary. The Planning Area encompasses approximately 1.91 square miles and includes all of Section 24 and the southern ½ of Section 19 in T19N-R15E, and; the northern portion of Section 30, and the northwest ¼ of Section 29 in T19N-R16 E.

The Planning Area is defined based on individual, or combinations of factors, including, but not limited to representations of: the "ultimate service" area of the treatment plant based on capacity; the extent of service areas for individual lift stations or interceptor sewers, and; the proximity of nearby clusters of development currently on on-site systems which may have long-term (20+ years) needs for sanitary sewer. For administrative purposes, the Planning Area is often based on quarter-quarter section boundaries.

LAND USE AND DEVELOPMENT

The unincorporated community of Butte des Morts, which is completely encompassed by the Butte des Morts Sanitary District, is the core of denser development. With a 2001 estimated population of 939 persons, the Sanitary District covers an area of approximately 777 acres, of which approximately one-half is developed. The total estimated dwelling units for the Sanitary District was 355 in 2001.

A mixture of land uses and development is present with the Planning Area. The predominant land use is single family residential homes with an older downtown commercial area located within the Sanitary District's boundaries. The balance of the Planning Area is comprised of agricultural and rural residential development. Butte des Morts is primarily a small recreational community with close ties to Lake Butte des Morts and its natural resource base, although recently, development pressures have increased due to its close proximity to the cities of Oshkosh and Neenah.

ENVIRONMENTAL CONDITIONS

Environmentally sensitive lands within the Planning Area are generally associated with water features, riparian corridors, and wetland areas. The following text describes these features in more detail.

Watersheds & Water Features

The Butte des Morts Sewer Service Area and its Planning Area fall entirely within the Arrowhead River and Daggets Creek Watershed (WR-01); a subwatershed of the Wolf River Basin with all drainage flowing directly or indirectly into Lake Michigan via the Fox River system. According to the Wolf River Basin Water Quality Management Plan (April, 1996), the Arrowhead/Daggets subwatershed covers substantial portions northern Winnebago County and encompasses approximately 86,400 acres (135 square miles). This watershed drains directly to Lakes Poygan, Winneconne, and Butte des Morts and was selected as a Priority Watershed (plan adopted by WDNR in 1993) due to its non-point source pollution.

According to USGS maps, the only water features within the Planning Area are Daggets Creek and two additional unnamed, intermittent streams which flow directly into Lake Winneconne, which forms the southern boundary of the Planning Area. No other named lakes exist within the Planning Area, although a number of un-named natural and man-made ponds and channels provide additional open water habitat.

Wetlands

Wetlands are essential environmental features for providing wildlife habitat, scenic open spaces, flood water retention, and groundwater discharge areas. Wetlands act as a natural filtering system for nutrients such as phosphorus and nitrates. They provide a buffer zone protecting shorelines and streambanks. Several relatively small areas of designated wetland remain along one of the unnamed tributaries, along Dagget's Creek and its outlet along Lake Butte des Morts. The wetlands contained within the SSA total approximately 3.0 acres.

Floodplains

Mapped FEMA Floodplains exist within various portions of the defined Planning Area. Areas susceptible to flooding are considered unsuitable for any type of development due to the potential health risks and property damage. As revised in 1984, the Flood Insurance Rate Map (FIRM) for the *unincorporated* portions of Winnebago County identify areas along the Lake Butte des Morts shoreline and the outlet of Dagget's Creek which are subject to flooding within the 100-year floodplain.

Soils

Soils support the physical base for development within the Planning Area. Knowledge of the limitations and potential difficulties of soil types is important in evaluating land use proposals such as residential development, utility installation and other various projects. Some soils exhibit characteristics such as slumping, compaction, erosion, and high water tables which place limits on development. Severe soil limitations do not necessarily indicate areas cannot be developed, but rather indicate more extensive construction measures must be taken to prevent environmental and property damage. These construction techniques generally increase the costs of development and the utilities needed to service that development. According to the Soil Survey of Winnebago County, prepared by the USDA in 1976, only one major soil association is present within the Butte des Morts Planning Area:

- **Kewaunee-Manawa-Hortonville:** This soil association comprises approximately 40 percent of the Planning Area and is located in a southwest to northeast band between the unincorporated communities of Winchester and Larsen. This association consists is well to somewhat poorly drained and nearly level to sloping. This unit is used mainly for cultivated crops. Seasonal wetness, poor tilth, and erosion are the main farming concerns, while residential uses are limited due to poor conditions for septic tank absorption fields.

Based on this soils information, no steep slopes (12% or more) are present within the Planning Area. Steep slopes may not be suitable for development due to the potential for soil erosion and slope stability. Additionally, bedrock located near the surface is not of concern either, as only a small area located along Brooks Road exists within the Planning Area. High bedrock can hinder development due to the cost of rock excavation.

Groundwater

The groundwater resources of area are generally plentiful and of fair quality. Groundwater resources within the Planning Area are linked directly to the surficial glacial deposits and underlying bedrock structure. The Planning Area contains three of the four major aquifers of Wisconsin. Formed during the Ordovician and Cambrian Periods, these aquifers are associated with the different geologic strata and can be generally described as having the following characteristics:

- **The Surficial (Sand & Gravel) Aquifer** - Also known as the “water table”, this aquifer is present in all areas of the Planning Area and consists of glacial sediments deposited by several glacial advances that covered portions of all of Winnebago County. The thickness of this aquifer is variable, being greatest in pre-glacial bedrock valleys and least over topographic highs in the bedrock surface. Sand and gravel seams, present throughout the aquifer, typically can transmit adequate amounts of water for private well systems, although this aquifer is the most environmentally at risk in due to the shallow depth to groundwater and the high permeability of most of the subsurface materials. This may increase the possibility that contaminants at the surface will percolate through the ground to contaminate groundwater. While there are sandy soils in the planning area, there is also high groundwater present in many areas. These conditions limit the use of individual septic systems and development in many of the desirable areas.
- **The Platteville-Galena Aquifer** - This aquifer is comprised primarily of dolomite and acts as a leaky confining layer between the upper Surficial Aquifer and the lower Sandstone Aquifer. It does not transmit water as readily as the underlying sandstone, but it is capable of supplying adequate amounts of water to private water systems due to secondary fractures.
- **The Cambrian (St. Peter's) Sandstone Aquifer** - The area's thickest and most important aquifer, it is the most widely used for sustained high capacity wells for municipal and industrial uses.

All of the Planning Area’s residents are provided drinking water via private wells which have water of generally good quality, however; the Planning Area lies within a WDNR defined “Arsenic Advisory Area” that coincides with the western edge of the St. Peter formation. Currently no plans for the installation of a public water system exist at this time. Many portions of the Planning Area also contain high groundwater (within one foot of the surface). These areas are scattered throughout the Planning Area, but have their highest concentration along the shoreline of Lake Winneconne and near existing stream corridors. Areas of high groundwater may hinder development in the balance of the SSA's vacant land, south of STH 116.

EXISTING SEWERAGE TREATMENT AND COLLECTION SYSTEM

A majority of residents within the Planning Area are connected to the Sanitary District's sewer system. Residents that are not connected rely on individual on-site wastewater treatment systems (holding tanks, conventional septic, and mound systems). The Butte des Morts Sanitary District's wastewater treatment facility (WWTF), constructed in 1991, is located a in the north-central portion of the Planning Area, along Spiegelberg Road.

The treatment plant is a package type facility which discharges treated effluent into directly into Lake Butte des Morts and utilizes a series of lagoons for sludge storage which is eventually landspread on agricultural fields.

The plant has had a good record of performance and has generally met permit limits under the District's management. According to the year 2000 Compliance Maintenance Annual Report (CMAR), the plant was designed for a maximum average design flow of 78,000 gallons per day (.0780 mgd). The annual average monthly flow for 2000 was .0786 which represents the designed limit for the system, although according to discussions with the District, the plant will be able to accommodate the additional flows expected as a result of future infill and planned (committed) residential growth. The designed loadings for biological oxygen demand (BOD) are 103 lbs/day. Although, the plant has exceeded the design influent flows on a monthly basis, the effluent limit of 30 mg/l was exceeded only twice, in May and June. The total suspended solids (TSS) effluent limit is 60 mg/l and was consistently monitored at levels well below one-half of this amount. No industrial wastes are received by the plant.

Overall, the District's WWTF had a total CMAR rating of 114 points (WDNR recommendation range). A majority (80) of these points were due to influent loading exceeding the design capacity of the plant. No action has been deemed necessary by the District at this time due to the overall average effluent limits being only 78 percent for BOD, and 44% for TSS. In summary, the permit and design information for the Butte de Morts Sanitary District is as follows:

- **WPDES Permit Number:** WI-0032492-2
- **Receiving water:** Lake Butte des Morts (Lake Butte des Morts/Fox River), Winnebago County
- **Design Flow:** 0.0780 mgd (78,000 gpd)
- **Average Flow (Jan.- Dec., 2000):** 0.0786 mgd
- **Design BOD (lb./day):** 103
- **Average BOD Inflow (lb./day, Jan.-Dec., 2000):** 202.8
- **Treatment Type:** Activated Sludge
- **Sludge Treatment:** Aerobic Digestion
- **Sludge Disposal:** Agricultural Landspreading

The District's existing wastewater collection system consists mainly of eight inch gravity sewers which culminate in a 10-inch gravity sewer. This, in turn discharges to a lift station which pumps the sewage a short distance to the treatment plant.

FORECAST GROWTH

Based solely on East Central's population projection methodology, the Butte des Morts Sewer Service Area is projected to have steady growth during the planning period (Exhibit 2). The total Sanitary District population is projected to increase 97 persons thus bringing the 2001 population of 939, to 1,036 in the year 2020. This projection is based partially on the expected trends of two of the three Towns which comprise portions of the District. Only the Towns of Vinland and Winneconne are projected to increase in total population over the next twenty years. The Town of Oshkosh's population is expected to decline rapidly, although this has historically been due to annexations of land by the neighboring City of Oshkosh. The Town's demographic projections, were therefore not utilized as they severely (and unrealistically) lowered the projected growth rate of the District. A portion of projected growth comes from within the District as the persons per household size is expected to decrease over time. Based on these factors, a total of 68 additional households are projected in the District.

Assuming that all single family units are at an average density of 1.0 units per acre, approximately 68 acres of vacant land will be required within the sewer service area to accommodate future residential development. An additional 20 percent "market factor" is added to this total for a final projection of 41 acres. Approximately 103.6 acres of vacant, developable land exist within the current SSA to accommodate such development.

Based on this information, the capacity limitations in the treatment plant, and discussions with the District, this plan update has not modified the SSA from its previous (current) configuration.

The District had stated at several meetings that its first concern lies with providing adequate service to its existing customers at the least cost. If any new development were proposed which would require upgrades to the treatment plant, the District would require that the developer assume the entire cost of the necessary infrastructure improvements.

Exhibit 2
Butte des Morts Planning Area Growth Projections, 1990-2020

Year	T. Vinland			T. Winneconne		
	Total Population	Persons Per Household	Total Households	Total Population	Persons Per Household	Total Households
1990 (US Census)	1,688	2.84	595	1,761	2.62	672
1995 (DOA Est.)	1,716	2.79	614	1,800	2.58	697
2000 (US Census)	1,849	2.75	650	2,145	2.54	749
2005 (ECWRPC)	1,903	2.70	675	2,274	2.50	787
2010 (ECWRPC)	1,922	2.65	691	2,365	2.45	817
2015 (ECWRPC)	1,936	2.59	706	2,451	2.39	845
2020 (ECWRPC)	1,944	2.55	716	2,532	2.35	869
Change (2000-2020)	95	-0.20	66	387	-0.19	120

Year	Total of Both Towns			Butte des Morts S.D.		
	Total Population	Persons Per Household Avg.	Total Households	Total Population*	Persons Per Household**	Total Households***
1990 (US Census)	3,449	2.73	1267	n/a	2.73	n/a
1995 (DOA Est.)	3,516	2.69	1311	n/a	2.69	n/a
2000 (US Census)	3,994	2.65	1399	939	2.65	355
2005 (ECWRPC)	4,177	2.60	1462	966	2.60	372
2010 (ECWRPC)	4,287	2.55	1508	992	2.55	389
2015 (ECWRPC)	4,387	2.49	1551	1015	2.49	408
2020 (ECWRPC)	4,476	2.45	1585	1036	2.45	423
Change (2000-2020)	482	-0.20	186	97	-0.20	68

* 2005-2020 Projections based on average percent increase of both Towns.

** Average of both Towns

*** 355 REU's and 326 customers existed in 2001. Projected households are calculated by dividing the total population by the PPH.

GROWTH ALLOCATION AREAS

The policy basis for allocating acreage for future development is outlined on page 29. These policies take into account a broad range of land use and environmental concerns directed toward encouraging orderly, cost-effective and environmentally sound development. Working within the broad policy base, the sewer service area plan also considers sewer system capacities, land development market trends, and development plans and preferences of the individual communities.

The year 2020 Butte des Morts Sewer Service Area Plan, as updated and illustrated in Exhibit 1, remains unchanged during this update and totals 402.9 acres. Within the service area boundary 16.4 acres have been identified as environmentally sensitive areas and 21.2 acres are open water. Developed lands within the updated service area total 259.3 acres while 103.6 acres of lands are considered to be available for sewered development. Exhibit 3 contains details of the acreages associated with the Year 2020 sewer service areas.

Environmentally Sensitive Areas

No additional ESA's were added to the SSA during this plan update. The reduction in ESA's from the 1985 plan is attributed to more accurate, GIS-based mapping.

Residential Development

Residential development is planned to continue gradually in the northwestern portion of the District, south of STH 116 and west of STH 110. Approximately two-thirds of the remaining vacant land in this area is currently a platted as planned phases of the Harbour View subdivision. All of the existing platted lots, although many are currently vacant, have already been sold and the District has committed themselves to servicing these lots.

Commercial Development

No additional lands were added to the SSA to accommodate commercial development, however; East Central staff feels that if this type of development occurs in the District, it will most likely happen at, or near, the proposed USH 45 and STH 116 interchange which is slated for construction in 2003.

Industrial Development

No additional lands were allocated to the SSA during this update for industrial development. More suitable sites with additional public services for this type of development are located in the nearby City of Oshkosh's industrial parks.

Public / Institutional Development

No additional public or institutional lands have been allocated in this plan update. A new church is, however, planned for construction on the northern end of the Harbour View subdivision.

Exhibit 3
Butte des Morts Sewer Service Area - Summary of Acreages

SSA Characteristic	1985 Acres	2001 Acres (no change)
Total SSA Acreage	303.5	402.9
Total Developed Acres	155.0	259.3
Developed Land Uses	155.0	185.3
Road Rights-of-way	N/A	74.0
Total Undeveloped Acres	148.5	143.6
Total Vacant Lands	96.5	106.0
Vacant Lands	96.5	103.6
Vacant, Undevelopable Areas	N/A	2.4
Environmentally Sensitive Area (ESA)	52.0	16.4
WDNR Wetlands	N/A	3.0
Stream Buffers	N/A	13.4
Open Water Areas	N/A	21.2
<i>Total Developable Acreage</i>	96.5	103.6

Source: ECWRPC, 1985, 2000 and 2001.

FUTURE WASTEWATER FLOWS

Based on ECWRPC's growth projection for the Butte des Morts SSA, no significant change in wastewater flows should result during the planning period. Given that there is an excess of available acreage within SSA as compared to the development projections, the potential for increased flows does exist. If all 103.6 acres of vacant, developable lands allocated within the SSA were to develop in a residential fashion in the future, the increase in flows are calculated to be 17,260 gallons per day (0.017 mgd) assuming:

- 15% of land would be utilized for road rights-of-way and other infrastructure, leaving;
- 88.06 acres of residential development at an average density of 1.0 units per net acre, 2.45 persons per household [year 2020 projection], generating 80 gallons per day per capita;

Current flows average 0.0786 mgd with a design flow of 0.0780 mgd for the current treatment system. Any additional development within the SSA will contribute to the exceedence of the WWTF's designed capacity. The Butte des Morts Sanitary District should monitor new growth and loadings to the plant continuously in order to determine the need for facilities planning.

WATER QUALITY ASSESSMENT

Continued urbanization of the Butte des Morts Planning Area will impact surface and groundwater resources. Short term impacts include the increase in surface water runoff and pollutant loadings as well as a reduction in groundwater recharge areas. Long term, cumulative development impacts include the loss of baseflow in streams and enhanced stream flashiness (flooding). The scope of these impacts cannot be precisely determined because specific development characteristics (location, type, density) are unknown. However, it is possible to generally estimate water quality impacts by applying assumptions concerning the nature of future development.

Point Source Water Quality Impacts

Population growth and commercial / industrial development will increase loadings to the wastewater treatment plant, and ultimately to surface waters and groundwater aquifers. At current wastewater treatment levels, if all lands 103.6 acres of lands available within the SSA were to develop in a residential form, it would result in an increase in the daily discharge of approximately 55.0 pounds of BOD, 64.7 pounds of suspended solids (TSS), and 1.9 pounds of phosphorus. Impacts of increased discharge

levels will be periodically evaluated by the Department of Natural Resources in conjunction with WPDES permit renewals.

Non-point Source Water Quality Impacts

The 2001 sewer service area update includes 103.6 acres of developable land within the sewer service area boundary. As this land comes under development, surface water runoff and pollutant loadings are likely to increase. The placement of buildings, roads and parking areas increase the amount of impervious area, and hence, more water runs off the land surface, carrying organic and inorganic pollutants associated with more intensive urban uses. The conversion of the allocated acreage from rural/agricultural to urban uses (assuming full development which is not likely given the population growth projected) is estimated to increase annual pollutant yields by 2.59 tons for sediment, 0.03 tons for phosphorus, and 0.02 tons for zinc and lead.

On a watershed basis, conversion of these lands will result in less than a one percent increase in pollutant loadings. However, localized impacts on receiving waters may be significant. Utilization of stormwater detention facilities, site development controls, preservation of green space and other measures can help mitigate urban non-point source impacts on water quality.

Groundwater

Conversion of rural/agricultural lands to urban uses may impact the quality and quantity of groundwater. Groundwater recharge will decrease as areas which are paved over or built upon. At the same time, withdrawal of groundwater is likely to increase for domestic, commercial and industrial use. All residents within the District utilize private wells and, therefore; while the installation of the sanitary sewer system eliminates a major contamination potential, the underlying soil and bedrock in the area poses risks of contamination from urban related land uses such as parking lot runoff, lawn pesticides and commercial activities.

Water Quality Protection

Where sanitary sewer extensions are proposed in mapped environmentally sensitive areas or on other lands whose physical characteristics indicate susceptibility to erosion or flooding, or where development of such lands is likely to impair surface or groundwater quality, East Central may identify mitigating conditions to be incorporated into the development proposal. As part of the sewer service area plan review East Central may request the WDNR attach conditions for mitigation to any sewer extension prior to the approval for the proposed development.

RECOMMENDATIONS

The following recommendations have been generated by East Central staff during this plan update:

1. Monitor new development and loadings to the WWTF in order to determine the appropriate time for the District to initiate facility planning efforts to address potential capacity or treatment deficiencies.
2. Continue to implement existing plans and programs to control infiltration and inflow to the wastewater treatment plant so as to increase capacity for new developments.
3. The District should consider the development and implementation of an information/education plan regarding water-saving devices and conservation methods for the District's households in order to reduce flows to the wastewater treatment plant.
4. Efforts should be made to direct development to areas where sewers are already in place before extending new sewers into undeveloped areas. Efforts should also be made to maximize use of gravity sewers as well as capacity of existing wastewater pumping stations to avoid the capital, operating and maintenance costs associated with constructing new pumping facilities.
5. The District should work closely with the Towns of Vinland, Winneconne, and Oshkosh, as well as Winnebago County, in coordinating and planning for any unsewered development in the transitional areas (lands between the SSA and Planning Area boundaries) so as to avoid negative impacts of development which may require additional infrastructure in the future.
6. The District should work closely with the Town of Winneconne and Winnebago County in potential future issues regarding the development of commercial uses near the proposed USH 45 / STH 116 interchange.
7. Environmental conditions in the planning area warrants concern with regard to construction site erosion, destruction of wetlands and impacts on groundwater and surface water quality. Development should be directed away from riparian areas and wetlands as well as other areas of limiting conditions. Additionally, appropriate erosion control measures should be applied to any land disturbing activity to minimize the erosion hazard.

PLAN IMPLEMENTATION

Although sewer service area planning was initiated at the state and federal levels, successful implementation of each plan rests primarily at the local level with some guidance provided by East Central Planning. In the state-approved Areawide Water Quality Management Plan, certain local units of government were assigned water quality-related management functions. Entities with adequate authority to plan, construct, operate and maintain wastewater collection and treatment facilities were designated as management agencies for portions of the planning area within their jurisdictions.

The Butte des Morts Sanitary District has been designated as a Class III Designated Management Agency (DMA) to provide wastewater collection and treatment within its planning area. As a Designated Management Agency for wastewater treatment and collection the District should do the following:

1. Adopt the Butte des Morts Sewer Service Area Plan Update;
2. Review and update development policies and regulations in light of the sewer service plan and recommendations;
3. Request that the Towns comprising the District, and/or Winnebago County submit future preliminary land subdivision plats which are proposed to be seweraged to the East Central Wisconsin Regional Planning Commission to review for consistency with the sewer service area plans;
4. Submit future sanitary sewer extension requests to the East Central Wisconsin Regional Planning Commission for review for consistency with the sewer service area plan prior to being submitted to the WDNR for approval;
5. Submit future wastewater facilities plan elements and amended plan elements to the East Central Wisconsin Regional Planning Commission for review for consistency with the sewer service area plan prior to submittal to the WDNR for approval; and
6. Carry out their management responsibilities for treatment facilities and collection systems as specified by state and federal requirements.

Implementation of the SSA Plan relies mainly on local government actions which use the plan recommendations as a guide for the extensions of new sewers to service development. However, ECWRPC plays an advisory role in these decisions in two distinct ways:

1. ECWRPC requests that communities within the region require developers to submit "preliminary" subdivision plats for staff review and comment (advisory only). Staff not only checks the proposed plat (whether sewer or using on-site treatment) for conformance with the municipality's SSA Plan, but also reviews the subdivision's overall design and, more specifically, check the following items: potential water quality impacts to environmental corridors; groundwater aquifer / private well concerns; impacts to other natural and cultural features; construction site erosion control methods; storm-water management methods and concerns; internal vehicle/bicycle/pedestrian transportation system design; and other social / service provision impacts (i.e., parks, adjacent land use conflicts, police and fire protection, etc.), and;
2. Sewer extension requests are required to be submitted to ECWRPC for review and comment. Hopefully, staff has reviewed the preliminary plat prior to the extension request which can reduce conflicts at this point. However, staff normally requests that a copy of the final plat be submitted with the extension request. ECWRPC then issues a "208 Water Quality" letter if the extension request is in conformance with the municipality's current SSA Plan. In general, if the extension request is within the designated SSA and does not have negative impacts to defined environmental corridors, a letter will be issued. Sometimes, requests fall outside of the SSA Boundary and thereby, usually initiates an SSA Amendment Request for continued consideration. If negative water quality impacts will occur to designated environmental corridors, a denial of the extension will occur, or recommended mitigation measures (i.e., stormwater management / erosion control devices, etc.) will be attached to the approval.

Utilizing these two methods, a majority of the water quality concerns relating to construction and development can be effectively monitored by ECWRPC for individual projects; thereby, assisting to attain the water quality objectives outlined within the plan's goals. In addition to ECWRPC's role in implementing sewer service area plans, local units of government may exercise other authority conferred upon them by state statute to preserve and protect water quality. Local units may use this authority to plan and manage land use and development through subdivision, zoning and other development ordinances. Criteria can be written into existing ordinances or new ordinances can be adopted which promote orderly development and address water quality concerns. Additional actions by local units of government which are recommended for water quality protection include the adoption of construction site erosion and stormwater management ordinances and the preservation of greenways along existing drainage corridors.

CHAPTER 4 - SEWER SERVICE AREA PLANNING PROCESS

GENERAL DESCRIPTION

A sewer service area is a geographic area which is currently served or anticipated to be served with sanitary sewers within a 20-year planning period. Sewer service areas, sometimes called "urban service areas," were first delineated for the East Central region in 1978 in the plan New Directions for Growth and Development. In the initial plan, a generalized methodology was used for the estimation and allocation of growth which led to the identification of service area boundaries. Various state and federal guidelines, as well as regional policies, were utilized in the planning process. Since the initial delineation of service areas, the planning and management process has become much more complex and multi-faceted, thus greater detail in the explanation of the updating process is required.

The process of updating and refining sewer service area plans consists of the following major steps:

1. Identification of planning area limits;
2. Delineation of environmentally sensitive areas;
3. Identification and quantification of existing conditions;
4. Refinement of goals, objectives and policies;
5. Forecast of urban growth and re-delineation of service area limits;
6. Public and community input; and
7. Adoption and publication of final plans.

IDENTIFICATION OF PLANNING AREA LIMITS

The first step in delineating sewer service areas is the outlining of broad planning areas which include all feasible options for where urban growth might occur within a 40 to 50 year planning period (through the year 2040). Planning Area boundaries generally include all areas within existing city, village or sanitary district limits. These areas may also include clusters of development and adjacent areas where there is potential for the installation of a sanitary sewerage system in the foreseeable future. Areas which could be serviced by the existing infrastructure (lift station service areas or gravity sewers) are generally included within this boundary. Planning Areas generally extend beyond the existing or potential development areas to the nearest quarter section line. Planning areas serve as the study areas for wastewater facilities planning efforts.

DELINEATION OF ENVIRONMENTALLY SENSITIVE AREAS

Environmentally sensitive areas are geographic areas consisting of all lakes and streams shown on the USGS quadrangle maps and adjacent shoreland buffer areas as defined in Exhibit 4. All wetlands shown on the state Wisconsin Wetland Inventory Maps and floodways as delineated on the official Federal Emergency Management Administration Flood Boundary and Floodway Maps are also designated environmentally sensitive. The environmentally sensitive areas are mapped on the Commission's GIS system and are also shown on the maps contained in this plan.

The purpose of designating environmentally sensitive areas is to preserve significant environmental features from encroachment by sewer development. Environmentally sensitive areas perform a variety of important environmental functions including stormwater drainage, flood water storage, pollutant entrapment, and the provision of wildlife habitat. They can also provide desirable green space to enhance urban aesthetics.

In the 1978 sewer service area plans only major wetlands as shown on the USGS quadrangle maps were considered environmentally sensitive. Since that time, the Department of Natural Resources through Wisconsin Administrative Code NR-121.05(g)(2)(c), has developed guidelines which serve as minimum criteria for the identification and delineation of environmentally sensitive areas. Department of Natural Resource guidance states, "Environmentally sensitive areas will be used for all environmental features that should be excluded from sanitary sewer service areas."

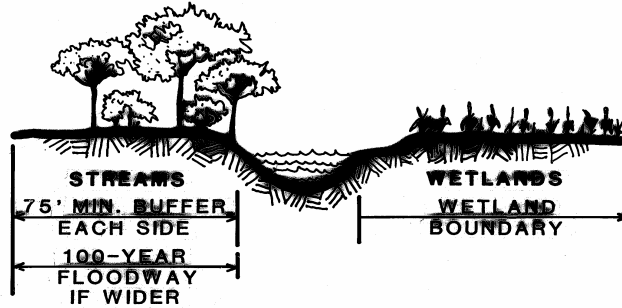
East Central, after deliberations with technical and policy advisory committees, defined environmentally sensitive areas in a manner that complements existing local, state and federal regulations which protect various environmental amenities. While NR-121 authorizes sewer service area plans to identify a broad array of natural features as environmentally sensitive areas, only those features which were believed vital in the East Central Wisconsin Region to preserve environmental quality were so designated.

Although the delineation of environmentally sensitive areas is intended to provide adequate long term and uniform environmental protection for all sewer service areas within the East Central Wisconsin Region, the environmentally sensitive area classification may be changed in two ways in response to specific local development proposals.

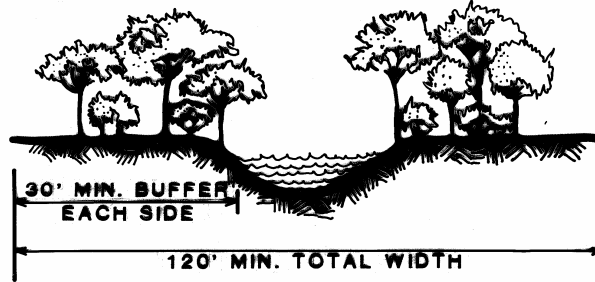
Exhibit 4

ENVIRONMENTALLY SENSITIVE AREA STANDARDS

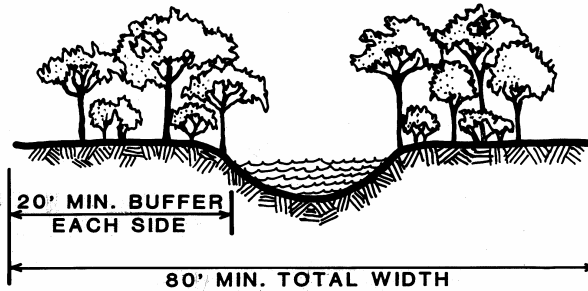
NAVIGABLE STREAMS & WETLANDS



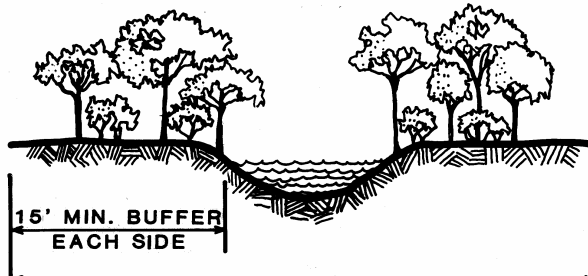
**NON-NAVIGABLE STREAMS & DRAINAGEWAYS
DRAINAGE AREA GREATER THAN APPROXIMATELY 2000 ACRES**



**NON-NAVIGABLE STREAMS & DRAINAGEWAYS
DRAINAGE AREA APPROXIMATELY 300-2000 ACRES**



**NON-NAVIGABLE STREAMS & DRAINAGEWAYS
DRAINAGE AREA LESS THAN APPROXIMATELY 300 ACRES**



First, the classification can be removed provided that the conditions outlined in Section (E) of the Sewer Service Area Amendment Process are met. This re-designation is considered a major change. Major changes have the potential for significant impacts on water quality and would require the concurrence of the East Central Wisconsin Regional Planning Commission and the Department of Natural Resources before these changes would become effective for the purpose of reviewing sanitary sewer extensions. Examples include:

1. Removal of any mapped wetland area for sewered development, unless resulting from an activity exempted by state administrative rules governing wetland protection [NR- 117.05(2)] or state approved rezoning of wetlands;
2. Reduction of a delineated floodway of any navigable stream or river, or removal of any area below the ordinary high water mark of a navigable stream, pond, or lake;
3. Total removal or change in the continuity of any corridor segment including floodways, wetlands, shoreland buffer strips or steep slopes adjacent to water bodies. The water quality benefit that was associated with the portion of the corridor removed must be provided in the development proposal.

In the second instance, the environmentally sensitive areas may be modified by a minor change. Refinements and minor changes would not require prior approval of the East Central Wisconsin Regional Planning Commission or the Department of Natural Resources. However, East Central would have to be informed of the change before it would be effective for the purposes of reviewing sanitary sewer extensions. East Central would then be responsible for informing the Department of Natural Resources of the change.

Refinements and minor changes are generally of two types. The first type involves changes resulting from revised, improved or more detailed background resource information to include:

- a) Improved or revised WDNR certified floodway delineations resulting from revised flood studies;
- b) Revised wetland boundaries on the Wisconsin Wetland Inventory Maps resulting from field inspections by WDNR personnel or resulting from an approved rezoning.
- c) The second type involves changes which would not seriously affect water quality and are the result of specific development proposals to include:

- d) Relocation of a non-navigable stream or drainageway as long as the environmental integrity of the stream or drainageway is preserved;
- e) Shortening of a non-navigable stream or drainageway based upon field determination of its point of origin;
- f) Adjustments to the widths of shoreland buffer strips along non-navigable streams and drainageways within the guidelines established in Exhibit 4;
- g) Changes which would reduce the width of shoreland buffer strips below the minimum guidelines provided there are locally adopted stormwater drainage criteria that establish corridor widths for drainageway preservation. Locally adopted criteria must be based upon sound engineering and environmental protection criteria; and
- h) Changes which result from utility or roadway maintenance or construction which meet the criteria set forth in NR-115 or NR-117. It is not the intent of the environmental corridors to prevent or obstruct maintenance, expansion or construction of transportation or utility facilities intended to serve areas outside of the corridors, needed to maintain or improve continuity of those systems, or designed to serve compatible uses in the corridors, such as park shelters or facilities. Facilities intended to serve new sewer residential, commercial or industrial development in the corridors would not be permitted.

It should be noted, that as of the date of this plan, ECWRPC will be considering revisions to the regional definition of Environmentally Sensitive Areas during the development of the regional "smart growth" comprehensive plan. This definition may include additional features based on water quality concerns. Communities with existing SSAs will be notified and offered an opportunity to give input during this process.

IDENTIFICATION & QUANTIFICATION OF EXISTING CONDITIONS

The ability to inventory existing conditions both quantitatively and qualitatively are paramount to evaluating land use and development trends and impacts. Aerial photos are the basis for conducting land use inventories for the individual SSAs. Comparing aerial photos (land use inventories) at different time intervals can establish trends in types and magnitude of land uses. East Central's 1980 land use inventory has been updated utilizing more recent photos (where available) or spot field surveys for this purpose. Acreages for major land use categories have been computer digitized and aggregated by section and township-range. Totals were also calculated for each unit of government within the planning area. In conjunction with the land use mapping

program, all city and village municipal boundaries, as well as sanitary district limits, were identified and transferred to the sewer service area maps.

Sanitary sewerage systems for all communities have been identified on the sewer service area file aerial photos. The location and size of all sewer collectors, mains, interceptors and forcemains are mapped in detail. In addition, the locations of all lift stations, pump stations and wastewater treatment facilities are shown. These maps are continually updated as new sewer extensions are reviewed by East Central.

Important for analyzing the planning areas, existing urban development areas were delineated as part of the original land use inventory. Urban development areas consist of all concentrations of development within the planning area, together with undeveloped lands which are either sewered or otherwise committed for development. These urban development areas are, in most instances, the minimal land areas which should be designated as sewer service areas.

The urban development areas have been further broken down into areas which are (1) both developed and sewered, (2) developed and unsewered, (3) undeveloped and sewered and (4) undeveloped and unsewered. In order to be classified as sewered, areas must be adjacent to public sewer lines, with the ability to connect either through private laterals or, in certain instances, private sewers. In general, lands within approximately 300 feet of a public sewer are assumed to connect via a private sewer lateral.

In addition to the development information, the existing sewer service area boundaries were identified to determine the location and amount of land currently available for development outside of the urban development areas.

In addition to the designations of environmentally sensitive areas (shorelands, wetlands and floodways), other areas with natural characteristics that could impact environmental quality or development potential have been identified. These areas have been termed areas with "limiting environmental conditions" and include areas with seasonal high groundwater (within one foot of the surface), floodplain areas, lands with shallow bedrock (within five feet of the surface) and areas with steep slopes (12 percent or greater). Unlike the environmentally sensitive areas, development is not excluded from land with limiting environmental conditions. The primary purpose of identifying these areas is to alert communities and potential developers of environmental conditions which should be considered prior to the development of such an area.

Complementing this information, additional data was collected on existing population, numbers of dwelling units, mixes and densities of residential development, existing employment by type and amount, and densities of industrial and commercial development.

Much of this information was available from the 1990 and later census materials; other information was gathered from state and local sources. This data is contained in East Central's information files for each sewer service area.

REFINEMENT OF GOALS, OBJECTIVES AND POLICIES

The conceptual and philosophical bases for sewer service area planning are the goals, objectives and policies. As stated earlier, the service area planning process has become much more complex since it was first initiated. In response to changing conditions, minor refinements have been made over time to the 1985 goals, objectives and policies (Appendix B). This effort was done in order to give direction to decisions involving the amount of growth in a given service area, especially the allocation and location of future growth.

FORECAST OF URBAN GROWTH

The forecasting of urban growth and development within the East Central region involves two primary analytical processes. These are 1) population projections and related dwelling unit and employment estimates, and 2) allocation of land use acreage. This process answers the question of the quantity and location of new growth. The process utilizes the sewer service area policies and various planning and development standards as a technical basis.

Population Projections

Population projections are the key factor in forecasting urban growth. The projections used are the 1990-2020 Department of Administration (DOA) population projections by five year increments for individual counties. DOA utilizes the cohort component method of population projection. These are the official state projections, consistent with U.S. Bureau of Census State of Wisconsin projections. The DOA county projections are required to be used as control totals in accordance with Wis. Admin. Code. NR-121 for the development of sewer service area plans. A detailed description of the population projection process is included in the East Central report Population Characteristics of the East Central Region, April 1994 and updated in 2000. The official DOA projections, first received in 1992, have been updated annually using the DOA annual population estimates for the counties and individual MCD's.

East Central has developed a process for breaking down the county population projections to the minor civil division (MCD) level. This estimating process uses the "share-of-the-county trending methodology." This methodology was used for all communities within the East Central region, with the exception of the Fox Cities, Sherwood and Fond du Lac. In these areas, a special procedure was used which established "urban area" control totals. These control totals were then broken down into Transportation Analysis Zones (TAZ's) in the Fox Cities and Sherwood areas and Special Analysis Zones (SAZ's) in the Fond du Lac area. This special projection process was needed because of the complex jurisdictional interrelationships of cities, villages and sanitary districts within these areas.

Residential Development

In addition to population projections, household size and housing densities are required to determine residential land needs. Household formation rates were estimated and translated into household size. The household size thus represents a typical dwelling unit which can be compared to population projections for estimating future dwelling units. The household size for the East Central region has been steadily declining and is anticipated to continue to decline. Thus, an anomaly occurs in which a community may not be increasing in population, but still is forming new households which require new housing construction.

Once household size was established, residential development densities and the mixture of single-family/multifamily uses was determined. The number of dwelling units per acre were determined from existing residential development densities for the three major urban areas. These densities were also used for larger outlying urban communities. Several smaller communities in the outlying areas were found to have less dense development and therefore a somewhat lower density was used.

The mix of residential development was determined from development and construction records from various communities as well as census materials for the urbanized area. The residential mix was found to vary greatly from community to community. Community specific mixes were used for freestanding communities; however, standardized splits for the Fox Cities, Sherwood and Fond du Lac areas were developed and applied within the growth forecast method.

Population projections divided by household size established the number of dwelling units. The number of dwelling units by type (single or multifamily) divided by the density per acre resulted in the number of acres of residential land required. The resultant acreage was allocated as residential growth for land areas within each planning area.

Non-Residential Development

Forecasts of nonresidential development were also based upon population projections for sewer service area planning. There is, however, a significant difference between the methodology used for the three urban areas and the outlying planning areas. Within the urban areas the population projections served as a basis for estimating future employment. These employment estimates were used in conjunction with documented employment densities (number of employees per acre) for various land use types and employment categories to determine acreage needs for future nonresidential employment. Similar to the household participation rates for calculating dwelling units, labor force participation rates were used to calculate employment for various employment categories. These employment categories were broken down into two types of nonresidential development consisting of commercial and industrial land uses. After future employment was estimated for commercial and industrial uses, densities were applied (employees per acre) and total acres of the land needs were calculated. This acreage was then allocated within particular planning areas.

In the outlying areas, a much simpler process for forecasting nonresidential growth was required because of deficiencies in labor force and employment data available for small communities. Furthermore, because of the small commercial and industrial base of these communities, a refined process for estimating future employment could be subject to extreme error.

Local initiative for promoting development is a greater factor in future growth than statistical trends. A simple forecast method was used which calculated the existing amount of nonresidential development per capita within the area then multiplying this amount by the population growth for the planning period resulting in the amount of non-residential acreage required.

Growth Allocation

After the amount of growth is calculated for residential and non-residential uses within each planning area, the process of allocating this growth acreage is undertaken. The allocation process (where growth should occur) is complex, and must integrate service area growth policies, planning standards and criteria as well as historical and market growth trends for a particular planning area. The allocation process establishes the future growth areas within each sewer service area.

A major product of the allocation process is the mapping of growth areas. Again, the Commission's GIS system was used to designate these growth areas. The following criteria and standards were utilized in the designation of growth areas:

1. All areas within a planning area which are currently served with public sanitary sewers shall be designated sewer service areas. Areas along existing and proposed (WDNR approved) sewer collector or interceptor lines (forcemains excluded) shall be designated sewer service areas. The depth of the sewer service area boundary line shall be to the average lot depth (maximum 400 feet) bordering the sewer or where average lot depths cannot be distinguished to a line 200 feet from the sewer line. Development within this area is generally considered to be serviceable by a private sewer lateral.
2. Unsewered areas of development within close proximity to existing sanitary sewer lines where the cost-effectiveness of the extension of sewers is not questionable shall be included in the service area. These areas have generally been designated as an urban development area.
3. Areas of existing development with approved wastewater facility plans shall be designated sewer service areas. (Note: Various areas of existing development previously designated may have been dropped because of lack of approved wastewater facilities plans.)
4. The acreage allocations of future development areas should approximate residential, commercial and industrial growth projections.
5. Environmentally sensitive areas shall be excluded from the sewer service area.
6. Holding tank service areas shall be designated for existing large holding tanks defined in NR-113 and for areas of existing development where no cost-effective alternative to the installation of a large holding tank is available. The cost-effective analysis is to be prepared by the owner. All large and individual holding tank wastes are to be disposed of in accordance with NR-113.

The standards and criteria for allocating future growth areas are policy based. These considerations are:

1. Urban development patterns should incorporate planned areas of mixed use and density that are clustered and compatible with adjacent uses.
2. The allocation of future urban development should maximize the use of existing urban facilities and services.
3. Future urban development should be encouraged to infill vacant developable lands within communities and then staged outward adjacent to existing development limits.

4. Future commercial and industrial development should expand upon existing areas and be readily accessible to major transportation systems.
5. The boundaries of urban development should consider natural and man-made features such as ridge lines, streams and major highways.
6. Residential land use patterns should maximize their accessibility to public and private supporting facilities.
7. Urban development should be directed to land suitable for development and discouraged on unsuitable land, such as floodplains, areas of high bedrock, and areas of high groundwater.
8. Environmentally sensitive areas shall be excluded from the sewer service area to protect water quality.
9. Future urban development should pose no significant adverse impacts to surface or groundwater.
10. Urban development should be located in areas which can be conveniently and economically served by public facilities.
11. The waiver of acreage allocations based on density standards for large lot developments will be considered if the installation of sewers is cost-effective, the community adopts a development plan and subdivision plat for the area specifying no smaller subdivision of parcels will be allowed.

Combined with the policy-based criteria for allocating future development areas were various considerations involving the direction of growth trends and short term "market" factors. These considerations primarily involved experienced judgments by planning staff and consultations with local planning officials.

Early in the planning process, a policy decision was made that the total allocated growth acreage for individual sewer service areas delineated in the 1985 adopted plans and subsequent amendments, would not be reduced in quantity. This policy was applied to all sewer service areas which have a sewerage system or which have WDNR approved wastewater facilities plans for a sewerage system. The impact of this policy is that the areas available for future growth in various sewer service areas sometimes were greater than the updated forecast growth which was to be allocated. The result of this policy is that there were fewer service areas where the existing service area boundaries needed to be expanded.

PUBLIC AND COMMUNITY PARTICIPATION

Citizen participation during the update of the service area plans was encouraged throughout the process. An ad hoc Technical Advisory Committee (TAC) was formed during the initial stages of policy development for the Designated Sewer Service Areas (urban areas). This committee met three times at critical stages in the process and provided a significant contribution to the refinement of the goals, objectives and policies.

General public participation from the Butte des Morts residents, surrounding towns and Winnebago County was sought during and after the process as proposed sewer service area boundary maps were completed. Public information meetings were held with local officials within the planning areas and associated sewer service areas. The purpose of sewer service area planning, the planning process, existing conditions of the service area and growth forecasts were explained. In response to any comments received from these meetings, the boundaries of various sewer service areas were modified in accordance with the technical and policy criteria and standards described earlier.

After the preliminary changes were incorporated on the GIS maps, letters and draft maps showing the updated service areas were sent to all communities within the sewer service areas. Communities were notified to respond to East Central before the service areas were addressed by the Regional Development Committee for approval. A final round of these public information meetings was also held prior to adoption by East Central's full Commission.

ADOPTION AND PUBLICATION OF FINAL PLANS

Each individual sewer service area is adopted by the East Central Wisconsin Regional Planning Commission as an element of the Commission's regional land use plan. After adoption, the plans are submitted to the Wisconsin Department of Natural Resources for certification as an element of the Water Quality Management Plan. After WDNR certification the plan becomes effective and copies of the final plans are distributed to the affected communities.

CHAPTER 5 - SSA AMENDMENT PROCESS

POLICIES AND PROCEDURES

The East Central Wisconsin Regional Planning Commission has adopted "An Amendment Policy and Procedure For Sewer Service Areas" to enable sewer service area plans to be amended in response to changing conditions and community plans. This procedure provides a flexible, yet equitable and uniform basis for revising sewer service area boundaries.

East Central recommends that a representative from the government entity requesting the amendment meet with East Central staff to discuss the proposal. Most documentation and questions needed for the evaluation of the amendment can be addressed at that time.

EAST CENTRAL REVIEW AND RECOMMENDATION

East Central's Regional Development Committee will review the proposed amendment within approximately 30 days of receipt of the request. The review will include a staff evaluation of the consistency of the proposal with East Central's amendment policies and criteria. The review will also include an evaluation of comments and recommendations received from local units of government and agencies notified of the proposal by East Central. The applicant may be requested to appear at the Regional Development Committee meeting if there are significant issues involved. The Regional Development Committee shall recommend approval or disapproval of the amendment. Upon approval, the amendment request shall be submitted to the Wisconsin Department of Natural Resources to request revision of the Water Quality Management Plan.

WDNR REVIEW AND APPROVAL

The Wisconsin Department of Natural Resources will review the East Central recommendations for the service area amendment. If the service area amendment does not involve an area greater than 1,000 acres or greater than 5 percent of the total service area the Department should approve the amendment and certify the water quality plan within approximately 45 days after submittal. If the proposal is over 1,000 acres or 5 percent and/or if the project involves the development of an environmentally sensitive area the Department may require the preparation of an environmental assessment statement under NR-150 with public comment period Type 2 Actions. This may lengthen the approval period to three months or greater. Once WDNR decision is made, and if approved, East Central can review sewer extensions and submit comments to the WDNR for sewer extension plan approval.

The formal amendment process includes the following elements:

Section I: Amendment Policies

- A. Sewer service area boundaries may be modified (acreage swap) provided there is no increase in the total acreage of the specific sewer service area.
- B. Sewer service area boundaries may be expanded provided there is a documented need for a sanitary sewer collection system for areas of existing urban development.
- C. Sewer service area boundaries may be expanded provided there is a documented need for sanitary sewers to serve a proposed unique facility or development.
- D. Sewer service areas may be expanded to provide communities with the flexibility to accommodate unanticipated short-term development. The community shall certify through plan commission action that the proposed amendment area is required for reasonable community growth and is consistent with adopted development plans.
- E. Sewer service area boundaries may be modified by the re-designation of previously identified environmentally sensitive areas consistent with all the following standards:
 - 1. The environmentally sensitive area is immediately adjacent to an existing sewer service area.
 - 2. Appropriate local, state and federal environmental permits are granted for the proposed development.
 - 3. Major re-designations shall pose no significant adverse water quality impacts. Major re-designations include:
 - a. removal of any mapped wetland area for sewer development unless resulting from an activity exempted by state administrative rules governing wetland protection [NR 117.05(2)] or state approved rezoning of wetlands.
 - b. any change which would reduce a delineated floodway of any navigable stream or river, or which would remove any area below the ordinary high water mark of a navigable stream, pond or lake.

- c. any change resulting in the total removal or in the continuity of any corridor segment including floodways, wetlands, shoreland buffer strips or steep slopes adjacent to water bodies. The water quality benefit that was associated with the portion of the corridor removed must be provided for in the development.
- 4. The re-designated acreage will be added to the service area total acreage.
- F. Sewer service area boundaries may be modified or expanded to correct an error in the maps, data, projections or allocations of the adopted sewer service area plan.

Section II: Amendment Criteria

Any proposed amendment shall be reviewed according to the following criteria:

- A. The cost-effectiveness of the proposed amendment compared to other alternatives. East Central may require this determination from the applicant.
- B. The environmental impacts of the proposed amendment shall be assessed in accordance with the criteria established in the Wisconsin Department of Natural Resources environmental assessment checklist.
- C. The East Central Wisconsin Regional Planning Commission will provide a water quality impact assessment and also evaluate the ability of the existing sewerage facilities to transport and treat the projected flows. East Central may also prescribe safeguards or impose additional conditions deemed necessary to protect the water quality in the area.
- D. Amendment areas under Section I Policy A & D shall have a common boundary with the current sewer service area and shall not create a void within the service area.
- E. Service area amendments under Section I Policy D shall use as guidance the following:
 - 1. The expansion area generally shall not exceed 20 acres for residential development or 50 acres for nonresidential development.
 - 2. Not less than 15 percent of the expansion area boundary must be common to the boundary of a reference area within the current sewer service area. This reference area must be three times larger than the acreage in the proposed expansion and must be at least 50 percent developed.

3. If any part of the reference area is part of a previously defined reference area, then the entire expansion area of the previous amendment should be included as part of the current reference area.
- G. The Commission may also prescribe safeguards or impose additional conditions deemed necessary to carry out the intent of the sewer service area amendment criteria.

Section III: Amendment Procedures

Proposed sewer service area amendments shall be reviewed according to the following procedure:

- A. Requests for sewer service area amendments should be made by the governmental entity that will be expected to serve the area. Units of government seeking an amendment to the sewer service area boundary should transmit a letter requesting the amendment to East Central along with the following documentation:
1. A map of the proposed expansion area and, if required, reference area or any area to be deleted (swapped) which affects the boundary modification;
 2. Estimates of existing and anticipated population, wastewater generation and means of collection from the area;
 3. A description of the type of development expected to occur;
 4. Ability of the treatment facility to treat the anticipated wastewater;
 5. methods of stormwater management for added service area and surrounding areas which may be impacted; and
 6. Documentation that all property owners in areas proposed to be deleted (swapped) were notified of this request by the unit of government seeking the amendment.
 7. Plan Commission or Board action as required under Section I Policy D.

- B. Based on this information the Regional Development Committee, designated as the review committee by the East Central's bylaws, will review the proposed amendment to determine whether it meets the standards set forth in the Sewer Service Area Amendment Process. If no significant adverse water quality impacts are involved, the East Central shall recommend approval of the Plan amendment and submit it to the Wisconsin Department of Natural Resources for State plan certification.

Section IV: Appeal

If an applicant feels that a hardship exists in the strict interpretation and application of the amendment standards and criteria, consideration may be given to providing relief through a variance subject to the following requirements:

- A. The hardship is significant and widespread owing to substantial pre-existing financial or legal commitments for sanitary sewer service.
- B. The major objectives of the sewer service area plans can be met. The appeal shall be submitted to the Chairman of East Central for action at a regularly scheduled meeting of the Commission. Further appeals may be submitted to Wisconsin Department of Natural Resources.

Section V: Definitions

- *Sewer Service Area:* A geographic area currently or anticipated to be served with sanitary sewers within the planning period as specified in the Sewer Service Area Plan element of the Water Quality Management Plan.
- *Existing Urban Development:* A geographic area with densities of development suitable for the efficient and economic provision of urban services such as sanitary sewer, water, transportation and storm drainage. (e.g. single family residential development greater than two units per gross acre)
- *Reference Area:* A geographic area currently within the existing sewer service area which is at least 50 percent developed.

- *Unique Facility or Development:* Interpreted to represent a development which was not anticipated or projected in the Sewer Service Area Plan but, which if constructed, will provide a widespread benefit to the entire service area. It may also include a development which requires a specific geographic location for which no other location can be utilized. (i.e. Airport Industrial Park in Outagamie County, EAA complex and state prison site in Oshkosh)
- *Expansion Area:* The geographic area proposed to be added to the existing sewer service area through the amendment process.
- *Cost-effectiveness:* Analysis of sanitary sewerage system alternatives. The analysis shall include monetary costs and environmental as well as other non-monetary costs.
- *Environmentally Sensitive Area:* Geographic areas consisting of all lakes and streams shown on USGS quadrangle maps and their adjacent shoreland buffer areas. Also all wetlands shown on the state Wisconsin Wetland Inventory Maps and floodways as delineated on the official Federal Emergency Management Administration Flood Boundary and Floodway Maps.

APPENDIX A - PUBLIC PARTICIPATION DOCUMENTS

Appendix Documents

1. List of Public Meetings Held
2. Community Facilities Committee Summary of Proceedings
3. ECWRPC Commission Summary of Proceedings
4. ECWRPC - Commission Resolution
5. WDNR Certification Letter

Butte des Morts Sewer Service Area Plan Update Meeting Record

<u>Date</u>	<u>Description</u>
May 15, 2001	Butte des Morts Sanitary District meeting held to discuss plan update initiation and its objectives. Much discussion focused on current Sanitary District policies regarding future development and impacts to existing WWTF.
July 17, 2001	Butte des Morts Sanitary District meeting held to discuss existing conditions and Sanitary District policies regarding development.
September 18, 2001 mapping.	Butte des Morts Sanitary District meeting held to discuss draft report and
October 11, 2001	ECWRPC Community Facilities Committee meeting with public hearing and adoption of resolution approving the Butte des Morts SSA Plan update (contingent upon Oct. 16, 2001 approval by the Sanitary District).
October 16, 2001	Buttes des Morts Sanitary District meeting held to approve the draft updated SSA Plan and map (see Oct. 17, 2001 letter)
October 26, 2001	ECWRPC full Commission meeting and adoption of resolution approving the Butte des Morts SSA Plan update.

SUMMARY OF PROCEEDINGS

Community Facilities Committee
East Central Wisconsin Regional Planning Commission
East Central Offices
October 11, 2001 – 10:00 A.M.

The meeting was called to order by Don Wilson at 10:05 A.M. Committee members present were:

Wilma Springer Calumet County
Sally Mielke Outagamie County
Lester Van Loon Waushara County
Don Wilson Marquette County
Richard Wollangk Winnebago County

Committee members absent:

Jane Van De Hey Outagamie County

Others in attendance:

Allison Blackmer Town of Harrison
Leon Church Casaloma Properties, In c.
Josh Van Lieshout Administrator, Village of Sherwood
Allen Davis Community Development Director, Town of Grand Chute
Dave Eisele Martensen & Eisele, Inc.
Eric Fowle ECWRPC Staff
Joe Huffman ECWRPC Staff
Kathy Thunes ECWRPC Staff

1. Welcome & Introductions

Mr. Wilson welcomed everyone to the meeting, introductions were made and the meeting was called to order at 10:05 A.M.

2. Public Hearing and Comment on the 2001 Sherwood Sewer Service Area Plan Update

Mr. Fowle presented the Sherwood Sewer Service Area Plan Update and briefed the committee members relative to Calumet County's and the village's involvement. As the draft mapping was reviewed, Mr. Fowle presented the projected growth and population calculations that supported the acreage allocation. In addition, the village had conducted a lift station service area study that justified the expansion of the planning area boundary. This boundary would set the stage for future sewer pipe sizing north of the village. Ms. Blackmer suggested that the planning area additions north of STH 114 be removed from consideration based on the Town of Harrison's future development strategy. This area includes the town hall which is currently on a private septic system, mini-warehouses that require no sewer and a fair amount of wetland area that is undevelopable. Ms. Blackmer felt it would be cost prohibitive to serve this area. Mr. Van Lieshout countered that the village would stage development to the north and the planning area was critical to designing sewer capacity requirements. This issue was debated further resulting in an agreement

that the town and village would work together to resolve the problem. A mutual decision was made to designate the planning area north of STH 114 as an undefined planning area. There being no further discussion the public hearing was closed.

3. Adoption of Resolution 20-01: Approving the 2001 Sherwood Sewer Service Plan Update

Mr. Don Wilson called for a motion to adopt the Sherwood Sewer Service Area Plan Update as presented. Sally Mielke moved to adopt Resolution 20-01 with the proviso that the planning area addition north of STH 114 be designated as an undefined planning area until further study renders its status otherwise. Lester Van Loon made the second. Motion passed unanimously.

4. Public Hearing and Comment on the 2001 Butte des Morts Sewer Service Area Plan Update

Mr. Fowle presented the Butte des Morts Sewer Service Area Plan Update describing the planning process and summarized the allocation and projection methodology. Mr. Fowle informed the committee that the plan update would not include any additional acreage for development. This conclusion was based on the sanitary district's request. It had been determined that the Butte des Morts treatment facility was nearing capacity and that treatment plant upgrades were not a consideration at this time. The district also felt that there was sufficient developable acreage within the current boundaries to accommodate future development. East Central staff concurred with these findings and developed the plan using the most current base mapping data. Mr. Fowle indicated that approval of this plan by the committee be contingent upon the Butte des Morts Consolidated Sanitary District's final approval. The BDMCSD is scheduled to meet on October 16, 2001. There being no further comments the public hearing was closed.

5. Adoption of Resolution 21-01: Approving the 2001 Butte des Morts SSA Plan Update

Based on the public hearing earlier Don Wilson called for a motion to adopt Resolution 21-01 that would approve the Butte des Morts Sewer Service Area Plan Update. Lester Van Loon moved to approve the plan update contingent upon the Butte des Morts Consolidated Sanitary District approval slated for October 16, 2001. Richard Wollangk made the second. Motion passed unanimously.

6. Grand Chute-Menasha West Sewer Service Area Amendment Request

Mr. Fowle presented the Grand Chute-Menasha West Sewer Service Area amendment request in which the Town of Grand Chute proposes to add approximately 85 acres. The proposal, if approved, would allow the sanitary district to serve this area slated for residential and public/institutional development. Mr. Fowle explained that the amendment request utilizes two policies: 1) Policy C, which allows for a unique facility and, 2) Policy F, which allows for previous mapping errors. The mapping error was due to re-designations in vacant developable lands based on the Town of Grand Chute's recently certified comprehensive land use plan. East Central was made aware of numerous parcels that are slated for public/institutional uses. The most recent Fox Cities SSA Plan Update had these same parcels designated as future residential development. This area totals approximately 77 acres and should be credited back to the Grand Chute-Menasha West SSA. Mr. Fowle went on to add that Policy C, unique facility, would be used to add the balance of the amendment request. The facility being proposed includes a new church and athletic fields. Mr. Fowle pointed out that the Village of Eden and the City of Shawano have previously invoked the

mapping error. It is expected that the remaining 37 acres,(due to the mapping error), would be placed within the SSA prior to Department of Natural Resources submittal. There being no further discussion or questions Wilma Springer moved to approve the request. Sally Mielke made the second. Motion passed unanimously.

7. Adoption of Resolution 18-01: Residential Development Policies Report

Ms. Thunes began by citing two previous completed in 1979 and the second in 1992. Today's action would approve and adopt an update of those reports. The updated Residential Development Policies includes three additional communities. This report is a collection of data from various communities that have in place residential policies. Ms. Thunes emphasized that the purpose of this report was to give communities an opportunity to evaluate their own residential policies and allow them to compare policies with other communities. Issues such as levels of service, development costs, development implications and cost sharing were discussed in this presentation. Subdivision planning plays a big role in a community's ability to effectively provide service. (A PowerPoint presentation was given to review changes to the plan document).

There being no further discussion Lester Van Loon moved to approve Resolution 18-01. Richard Wollangk made the second. Motion passed unanimously.

8. Review & Discussion of the Draft Comprehensive Planning Grant

Mr. Fowle explained to the committee member's east Central's on-going preparation of the Comprehensive Planning Grant application. The state assistance being offered will assist in the development of the Regional Comprehensive Plan. Elements, which pertain to the Community Facilities Committee, were distributed for members to review and discuss. Mr. Fowle described this committee's responsibilities as the comprehensive plan moves forward. Also mentioned was the full commission's consideration of the grant application later this month.

There being no further business the meeting was adjourned at 11:38 A.M.

SUMMARY OF PROCEEDINGS

East Central Wisconsin Regional Planning Commission
Outagamie County Courthouse, Appleton
October 26, 2001

- I. PLEDGE OF ALLEGIANCE
- II. MOMENT OF SILENT MEDITATION
- III. ROLL CALL

The meeting of the East Central Wisconsin Regional Planning Commission was called to order by Chair Donald De Groot at 1:33 P.M. Chair De Groot stated that the meeting will follow the revised agenda that was handed out. Roll call was taken showing the following attendance:

Commission Members Present

Merlin Gentz	Calumet County
Wilma Springer	Calumet County
Walter Cacic	Marquette County
Don Wilson	Marquette County
Brian Kowalkowski	Menominee County
Robert "Toby" Paltzer	Outagamie County
Sally Meilke	Outagamie County
Alfred Krause	Outagamie County
Donald De Groot	Outagamie County
Arlyn Tober	Shawano County
M. Eugene Zeuske	Shawano County
Clarence Natzke	Shawano County
La Verne Grunwald	Waupaca County
Duane Brown	Waupaca County
Norman Weiss	Waushara County
Lester Van Loon	Waushara County
Ernie Bellin	Winnebago County
Arden Schroeder	Winnebago County
Richard Wollangk (Alt. for Jon Dell'Antonia)	Winnebago County
Joseph Maehl	Winnebago County

Commission Members Absent

Clarence Wolf	Calumet County
Howard Zellmer	Marquette County
Randy Reiter	Menominee County
Ruth Winter	Menominee County
Tim Hanna	Outagamie County
James Schuette	Outagamie County
James Lewinski	Waupaca County
Ken Hurlbut	Waushara County
Yvonne Feavel (Alt. for George Sorenson)	Waushara County
Jane Van De Hey	Winnebago County
Mark Madison	Winnebago County

Staff Members Present

Harlan Kiesow	Executive Director
Ann Z. Schell	Assistant Director
Fred Scharnke	Principal Planner
Walt Raith	Principal Planner
Eric Fowle	Associate Planner
Ed Kleckner	Associate Planner
Denise McShane.....	Associate Planner
Elizabeth Runge	Associate Planner
Betty Nordeng	Planner
Kathy Thunes	Planner
Scott Konkle	Reclamation Specialist
Tom Faella	Information Technology Manager
Vicky Johnson	Administrative Specialist

IV. **MINUTES OF THE JULY 27, 2001 MEETING**

Mr. Natzke moved to approve the minutes of the July 27, 2001 meeting, seconded by Mr. Paltzer. The motion was passed unanimously.

V. **BUSINESS**

A. Steering Committee

1. Acceptance of the Summary of Proceedings for the July 27, September 25 and October 19, 2001 Meetings.

Mr. Gentz moved to accept the Summary of Proceedings for the July 27, September 25 and October 19, 2001 meetings. The motion was seconded by Ms. Mielke and passed unanimously.

2. Proposed Resolution No. 15-01: Authorizing the Commission as an Economic Development District to make Application to the Economic Development Administration for a Planning Assistance Grant and to Execute the Necessary Agreements

Mr. Kiesow stated that this resolution pertained to the Commission's routine request for planning funds from the Economic Development Administration, and that as the regional Economic Development District, East Central receive approximately \$52,000 per year for this function.

Mr. Cacic moved to adopt Proposed Resolution No. 15-01, seconded by Mr. Bellin. Passed unanimously.

3. Proposed Resolution No. 22-01: Adoption of the Annual Affirmative Action Program for Equal Employment Opportunities

Ms. Schell explained that the Affirmative Action Program is required by federal law and that it is intended to measure how well our pool of employees represents the gender and racial makeup of the labor force in the Metropolitan Statistical Area (MSA). She noted that due to East Central's small employment figures, as well as the low minority populations in East Central Wisconsin, very small variations in the employment of minorities and/or females can have a dramatic effect on that employment comparability. As of June 30, 2001,

East Central's technical positions were, and still are, under-employing females, relative to the labor market availability.

Mr. Wilson moved to accept Proposed Resolution No. 22-01, seconded by Mr. Weiss, passing unanimously.

4. **Proposed Resolution No. 23-01: Approval of the East Central Wisconsin Regional Planning Commission Grant Application for the Development of a Comprehensive Plan**

Ms. McShane indicated that this resolution addresses the grant application for a "Smart Growth" grant to financially assist in the development of the regional plan. Ms. McShane stated that the application consists of four parts: General Information, Funding Information, Project Criteria and Project Budget. She briefly reviewed these with the Commissioners.

Mr. Bellin moved to adopt Proposed Resolution No. 23-01, seconded by Mr. Van Loon, Passed unanimously.

5. **Status Report on Local Contracts**

Mr. Scharnke updated the commissioners on the status of existing contracts. He referred them to the Contract Status report distributed prior to meeting and walked them through the expanded format now being used to track projects under contract. The new format provides a better mechanism for tracking individual projects over time and also provides a basis for programming future projects. He pointed out that each year's billing target is the sum of contracts identified in the work program (typically about \$140,000 annually) plus any carryover work activities or unpaid billings from the previous year. As an example, he pointed out that the 2001 Billing Target of \$231,925 includes \$149,317 from the 2001 Work Program plus an additional \$82,608 from earlier projects. These earlier projects include completed contracts that have an outstanding billing balance as well as active contracts that either have been billed out and paid or have billable services remaining. Because project completion and billings often trail the end of a calendar year, the billing target itself is not likely to be met. Rather, he stated, the true measure of progress on meeting contract work objectives is whether inroads can be made on the amount of carryover dollars from year to year. Based on the amount of paid (\$55,646) and outstanding (\$105,289) bills in 2001, carryover for the year 2002 will be no more than \$70,990, a reduction of \$11,618 from 2001 totals. The carryover total could be substantially less if additional billings for ongoing or completed work are received by the end of the year. Whatever carryover total remains will be added to the 2002 Billing Target, currently \$139,371 based on the 2002 Work Program. Mr. Scharnke pointed out that if all the potential contracts come to fruition and if continued progress can be made on reducing carryover totals, East Central is already committing staff into the year 2004 for this work program element.

6. **Proposed Resolution No. 24-01: Authorizing the Commission to Enter into an Agreement with the Wisconsin Department of Transportation for the Preparation of a STH 23 (Sheboygan to Fond du Lac) Corridor Study**

Mr. Raith explained that STH 23 is already a four-lane divided facility from I-43 to Plymouth, at this time, and that there is already an enumerated project to expand the section from Plymouth to Fond du Lac to a four-lane divided facility. This project was enumerated through a somewhat politically-influenced decision, prior to the development of a corridor plan. Therefore, WisDOT has requested that East Central (Fond du Lac County) enter into a contract, along with Bay-Lake Regional Planning Commission (Sheboygan County), and working closely with District 3 staff, to consider the corridor as a whole, and do some long range planning.

Unlike some of our other corridor studies, WisDOT will take the lead role in analysis of the corridor and in the production of a study report. East Central and Bay-Lake's role will be to deal with public involvement and to inventory land use in the corridor. The study schedule calls for meeting with public officials very soon, to inform them the study and illicit their input. A public information meeting would follow in mid-2002, after data is collected, also to illicit input and involvement in the process. A study committee will also be developed to give input on the analysis and recommendations, as well as to review product.

Mr. Krause moved to adopt Proposed Resolution No. 24-01, seconded by Mr. Gentz, Passed unanimously.

7. **Budget and County Levy Status**

Chair De Groot stated that in August a letter was received from Mr. Paltzer, Outagamie County Executive, requesting that the county levy amount stay the same as last year. Chair De Groot referred to Item 5 of the Summary of Proceedings from the October 19th Steering Committee that states the decision of the Steering Committee, which was to retain the adopted tax levy rate and that the Commission would allow Outagamie County to be in arrears. This situation had been experienced once before with Menominee County. Chair De Groot noted that, in the Steering Committee's discussions, it was felt that by lowering the levy the Commission would be under the same type of predicament that everyone else would be when the levy is lowered; it is very difficult to restore the rate in the future. He indicated that the Steering Committee also stated that to lower the levy rate at the request of one county would be setting a precedent.

Chair De Groot stated that Proposed Resolution No. 25-01 was on the October 19 Steering Committee agenda and a motion was made, at that meeting that no action would be taken on the resolution and the levy would be maintained. Therefore, Resolution No. 25-01 was deleted from the Commission agenda.

Mr. Kiesow explained the tax levy rate has remained constant for ten years. The equalized value for the region came in higher than expected and that is where the larger increase in dollars was based. This results in a \$19,000 increase for Outagamie County, over last year's levy amount.

Ms. Mielke motioned to reduce the mil rate to .0026579 percent of equalized real property value versus the adopted rate at the July 27, 2001 Commission meeting, motion seconded by Mr. Paltzer.

Discussion ensued concerning the ramifications on the county boards that have already adopted their budgets with the new mil rate. Mr. Wilson stated that the revised agenda had not been voted on at the start of the Commission Meeting. Mr. Kiesow stated he felt the action to change the levy rate needed to be by resolution. Mr. Schroeder stated the revised agenda, therefore, should be rejected and the original agenda used. Chair De Groot stated he felt the agenda amendment was valid, however, an option the Commission does have is to act on the original resolution revising the tax rate.

7. **Proposed Resolution No. 25-01: Amending the Tax Levy of the East Central Wisconsin Regional Planning Commission** (initial agenda item)

Ms. Meilke withdrew her previous motion to reduce the mil rate, and moved to reinstate Proposed Resolution No. 25-01, motion seconded by Mr. Paltzer. Chair De Groot called for a roll call vote which resulted in a tie vote, 10 ayes, 10 nays. The motion failed on the tie vote.

8. **Status on Marquette County withdrawal from East Central**

Mr. Kiesow explained that Marquette County's status is a little different than the other seven counties, in that, approximately 20 years ago, the majority of towns in the County dropped out of the Commission by resolution. Enabling statute notes that, more than 50% of a county's land area must be willing to participate, for a county to automatically be a member. For a couple of years following those towns' resignation, the remaining towns did retain membership on an individual basis, and paid their dues accordingly. At that point, the County decided that they would pay the full county dues, collectively, for the sake of the County and those jurisdictions wishing to participate. This has been done through annual contracts ever since. In this way, Marquette County has maintained representation on the Commission, and functioned within the Commission as a member. Each year, the participating jurisdictions within Marquette County are sent a levy letter expressing that this is ultimately their responsibility, should the County decide not to pay. As we do not have a signed contract for 2002 with Marquette County, an action by the County Board to approve the Finance Committee's recommendation for withdrawal would result in a shift of a portion of those costs to the individual jurisdictions for 2002, as spelled out in the Commission bylaws. Each of the jurisdictions would then need to make a membership decision prior to July 1, 2002, if their intention is to drop out of the Commission in 2003.

B. **Economic Development Committee**

1. Chairman's Report.
2. Acceptance of the Summary of Proceedings for the October 4, 2001 meeting.

Mr. Brown moved to accept the Chairman's Report and Summary of Proceedings for the October 4, 2001 meeting, seconded by Ms. Mielke. Passed unanimously.

C. **Open Space and Environmental Management Committee**

1. Chairman's Report.
2. Acceptance of the Summary of Proceedings for the October 9, 2001 meeting.

Mr. Natzke indicated the Chairman's Report and the Summary of Proceedings for the Open Space and Environmental Management Committee were in the packet and moved for acceptance of them. The motion was seconded by Mr. Krause, passing unanimously.

3. Update on NR-135 – Regional Non-metallic Reclamation Program

Mr. Fowle briefly updated the Commissioners on the NR-135 Program. He introduced Scott Konkle, the new reclamation specialist hired to work on the program. Mr. Fowle stated the summer was spent getting applications in and sorted, issuing temporary permit letters which will be finalized when we actually meet with the individual owners. A database has been created which ties into the GIS system to make maps of the sites. Mr. Fowle referred to a table distributed prior to the meeting, stating that 211 sites have been permitted, with 78 claiming some sort of exemption. He explained that 155 sites have an “unknown” status, they have either not responded to previous mailings, or these sites are duplicate records in the database (i.e. a mine which lies on more than one parcel would show up as two sites, when in reality, it is only a single site.)

4. Waushara County Ice Age Trailway Plan update

Mr. Scharnke explained East Central is doing a Corridor Plan for the Ice Age Trail in Waushara County. The Corridor runs north and south in the western portion of the County. This work is being done under contract with the National Park Service. Other partners in the project include the Wisconsin Department of Natural Resources, the Ice Age Park and Trail Foundation and the local chapter of the Ice Age Park and Trail Foundation. The next step in the process is to host a public information meeting. Mr. Scharnke indicated prior to the public meetings, members from the local chapter of Ice Age Park and Trail Foundation, many who are familiar with the local landowners, will be contacting the landowners involved to better assess their interest in having the future trail cross their lands. The project will culminate with a published report. This document, which will need to be presented to the Natural Resources Board, is expected to be completed next summer.

5. Fox River activities and projects update

Mr. Kiesow stated funding for the creation of the Fox River Navigation System Authority was put into the 2002-2003 State budget. The Authority will be governed by a nine member board with one member from each of three state agencies, and six local representatives, 2 each from Winnebago, Outagamie and Brown counties. The six local representatives will be appointed by the Governor. The Wisconsin budget adopted allocates 2.8 million dollars to provide the State's share of the project as agreed to in the Memorandum of Agreement signed by the Governor and the Corps in September of 2000.

D. Community Facilities Committee

1. Chairman's Report.
2. Acceptance of the Summary of Proceedings for the September 11 and October 11, 2001 meetings.

Mr. Wilson moved for acceptance of the Chairman's Report and the Summary of Proceedings for the Community Facilities Committee, seconded by Ms. Mielke. Passing unanimously. It was noted a correction to the summary of proceedings for the October 11, 2001 meeting be made to indicate that Jane Van de Hey represents Winnebago County not Outagamie County.

3. Proposed Resolution No. 20-01: **Updating the Sherwood Sewer Service Area Plan**

Mr. Fowle presented a brief background on the Sherwood Sewer Service Area. He stated that significant growth is expected in the Sherwood planning area in the next 20 years. Estimates show approximately 600 person, although based on the last ten years of building permits, the increase could be greater than that. To accommodate the Village's existing land use plan, as well as some concerns by the Town, East Central worked with the Village to update the map as presented in the packet. Approximately 170 vacant acres have been added to the service area. Mr. Fowle stated that after a general engineering study of the unsewered area between the Village and Waverly it was determined that it would not be cost-effective at this time. Both the Town and the Village have agreed to this, and will take this into consideration in their future planning efforts. He indicated a large area (the area north of 114) was also added to the planning area as an undefined planning area.

Mr. Wilson moved for adopted of Proposed Resolution No. 20-01, seconded by Mr. Bellin. Passed unanimously.

6. Proposed Resolution No. 21-01: **Updating the Butte des Morts Sewer Service Area Plan**

Mr. Fowle explained that the Butte des Morts wastewater treatment facility is nearing capacity to treat areas within their current sewer service area. The district felt that there was sufficient developable acreage within the current boundaries to accommodate future development. The District has a policy in place that basically states the district will not increase the rate for the existing users based on new development proposals. With that strict policy in place, East Central did not change anything to the service area.

Mr. Bellin moved for adopted of Proposed Resolution No. 21-01, seconded by Mr. Van Loon. Passed unanimously.

7. Proposed Resolution No. 18-01: **Acceptance of the Residential Development Policies of Selected Communities in East Central Wisconsin as updated**

Kathy Thunes stated this document was an update to the 1979 and 1992 reports. The purpose of the report is so that communities can evaluate and compare their residential policies with other community's policies in our region. Ms. Thunes briefly explained the contents of the report.

Mr. Cacic moved to adopt Proposed Resolution No. 18-01, seconded by Mr. Grunwald. Passed unanimously.

E. Transportation Committee

1. Chairman's Report.
2. Acceptance of the Summary of Proceedings for the October 12, 2001 meeting.

Mr. Bellin stated that the Chairman's Report and the Summary of Proceedings for the October 12, 2001 meeting was in the packet and moved for approval, seconded by Ms. Paltzer. Unanimously passed.

3. Proposed Resolution No. 19-01: **In Support of a WisDOT Proposal to Declare State Trunk Highway 55/114, from USH 10 to Castle Street in the Village of Sherwood, a Controlled Access Highway**

Mr. Raith noted that East Central has long supported and assisted in access management activities regionwide. The need for access management is based, in large part, on traffic volumes and development patterns. He explained that increased development adjacent to STH 114, especially in the Sherwood area, has resulted in a significant increase in traffic. It has increased to the point that, combined with other criteria, WisDOT can declare access control under state law. The Department would not require the resolution, but it simply shows that East Central is in support of enacting access control on STH 114. Mr. Raith noted that the Calumet County Highway Committee supported the resolution, but the Calumet County Board did not pass it. Some discussion followed regarding reasons for not supporting the resolution. Mr. Raith speculated that some local officials might consider access control anti-development, but in reality, access control is about preserving the traffic carrying capacity of the highway. Access must be provided, but not necessarily directly to the highway. Strategies include combining accesses or providing alternative access to existing local road. The Transportation Committee agreed that access management on all highways should be encouraged.

Mr. Weiss moved for adoption of Proposed Resolution No. 19-01, seconded by Mr. Bellin. Passed unanimously.

4. Corridor Plan Updates

Mr. Raith briefly updated the Commissioners on the USH 45 Corridor. He indicated that construction as currently planned would create a bottleneck just north of CTH G. A primary recommendation is that WisDOT complete the 4-lane section from CTH G to Winchester as soon as possible. Mr. Raith explained that WisDOT is making a concerted effort to consider larger segments of the highway as evidenced by the number of corridor plans East Central is currently working on. The Department should look at complete corridors rather than segmenting projects. Major recommendations developed as part of the planning process were drafted in the form of a resolution and adopted by all jurisdictions adjacent to the highway including Outagamie, Waupaca and Winnebago Counties.

Mr. Raith stated that STH 21 would be considered for further study this year by the Transportation Projects Commission (TPC). The primary recommendation was that STH 21 be constructed as an "Expressway" facility from Oshkosh to, and including, a bypass of Omro. He noted that local jurisdictions along the corridor have adopted the recommendations by resolution and that the Transportation Projects Commission would be receiving information about the project. Local support is one factor that the TPC looks at when selecting projects and STH 21 has a high degree of support. He stated that the Department of Transportation prioritizes projects and presents them to the TPC. He noted that STH 21 was not selected for further study by WisDOT staff. He added that the TPC has the final word and information regarding STH 21 has been forwarded to all members.

Mr. Raith continued by updating the Commissioners on the USH 10 Corridor Study. The environmental and engineering studies are currently underway. It is recommended that USH 10 be constructed and/or converted to a "Freeway" from USH 41 in the Fox Cities to I-39 in Stevens Point. Mr. Raith explained that both East Central and North Central Regional Planning Commission have passed a resolution supporting the freeway design. Winnebago County and the Waupaca County Highway Committee have passed the resolution. The resolution goes before the Waupaca County Board on October 30th. The next step would be Portage County and the local jurisdictions adjacent to the corridor.

F. Regional Comprehensive Planning Committee

1. Chairman's Report
2. Acceptance of the Summary of Proceedings for the October 10, 2001 meeting.

Mr. Bellin moved to accept the Chairman's Report and the Summary of Proceedings for the October 10, 2001 meeting, seconded by Mr. Natzke. Motion passed unanimously.

VI. OTHER BUSINESS

VII. ESTABLISH TIME AND PLACE FOR NEXT COMMISSION MEETING

Quarterly Commission Meeting, January 25, 2002, 1:30 P.M., Winnebago County Courthouse

VIII. ADJOURNMENT

Ms. Springer moved for adjournment, seconded by Mr. Bellin. Motion passed unanimously. Meeting adjourned at 3:23.

RESOLUTION NO. 21-01

UPDATING THE BUTTE DES MORTS SEWER SERVICE AREA PLAN

WHEREAS, the East Central Wisconsin Regional Planning Commission has been designated by the Wisconsin Department of Natural Resources as the sewer service area management agency for the ten county East Central region, and;

WHEREAS, the East Central Wisconsin Regional Planning Commission has entered into a memorandum of agreement with the Wisconsin Department of Natural Resources to develop, update, and manage sewer service area plans for the designated area and select non-designated areas, and;

WHEREAS, the East Central Wisconsin Regional Planning Agency is preparing updated sewer service area plans for communities through the year 2020, and;

WHEREAS, the East Central Wisconsin Regional Planning Commission has held numerous public participation and community meetings for those areas affected during the planning process, and;

WHEREAS, the Sewer Service Area Plans will be submitted to the Wisconsin Department of Natural Resources and certified as part of the Wisconsin Water Quality Plans;

NOW THEREFORE BE IT RESOLVED BY THE EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION:

Section 1: That the Commission adopt the updated plan for the Butte des Morts Sewer Service Area and recommend Wisconsin Department of Natural Resources certification of the plan update, and;

Section 2: That the Commission provide continuing sewer service area planning and management functions including sewer service area amendments, the review of wastewater and sewer plans and the review of sewer extension requests for the Butte des Morts Sewer Service Area.

Effective Date: October 11th, 2001

Submitted By: Community Facilities Committee

Prepared By: Eric W. Fowle, AICP – Assoc. Environmental Planner


Donald De Groot, Chair



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary

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January 29, 2002

Mr. Harlan Kiesow
BCRPC
132 Main Street
Menasha, WI 54952

SUBJECT: Butte des Morts Sewer Service Area

Dear Mr. Kiesow:

We have completed our review and approve of the update to the Butte des Morts SSA Plan. This update does not involve any change in acreage for the SSA. Three towns are involved in the SSA: Vinland, Winneconne, and Oshkosh -- all of which are located in Winnebago County. Winnebago County should ensure that stormwater and construction erosion are controlled to protect surface and groundwater during and after development.

The approval of this revision does not constitute approval of any of the following:

- private sewage systems pursuant to Chapter ILHR 83, (WI Admin. Code),
- sewer extension pursuant to Chapter NR 110, (WI Admin. Code),
- authority to alter the bed or banks of any navigable waterway (Chapter 30, WI Stats.),
- certification for any wetland alteration (Section 401, Federal Water Pollution Control Act, and NR 103, 299, WI Admin. Code).
- takings of threatened and endangered resources pursuant to Wisconsin Statutes 29.415

Those approvals must be obtained separately from the respective agencies. In addition, storm water management plan development is required for any construction site activity disturbing five or more acres of land pursuant to Chapter NR 216 (WI Admin. Code).

Any person aggrieved by this approval has the right to appeal the decision. Wisconsin Statutes and Administrative Code establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to s. 227.52 and 227.53, Wisconsin Statutes, a petition for review must be filed within 30 days after service of the decision. The respondent in an action for judicial review is the Department of Natural Resources. This notice is provided pursuant to s. 227.48(20), Wisconsin Statutes.

Sincerely,

Charles R. Ledin, Section Chief
Great Lakes & Watershed Planning Section
Bureau of Watershed Management

c. Dan Helf- NER -Shawano
Yvonne Zobel, Butte des Morts SD



APPENDIX B – GOALS, OBJECTIVES, AND POLICIES

Goals represent common community ideals. They give statements of direction in which planning is aimed. Objectives are more specific targets along the path of satisfying community goals. Objectives may be measurable, adding to the community good. Policies are strategies for accomplishing the stated objectives. Specific policies can be used in the decision-making process.

As part of the updating process, the earlier set of goals, objectives and policies have been refined to provide more specific guidance for service area planning. The refinements are a result of additional community and technical advisory committee participation in the service area update planning process. The refinements also reflect various state and federal laws and regulations which impact sewer service area growth and development activities. They address three basic questions. How much development is anticipated to occur? What type of development can be expected? Where should this development occur?

Two overall goals have been identified. The first goal and related objectives and policies pertain to land use and urban development issues. The second goal addresses public facilities, specifically sanitary sewerage systems. Objectives and policies related to both goals point out the significant interrelationship between urban land use and sanitary sewerage planning and provide a sound basis for determining a community's future development and sewerage system needs.

GOAL

To encourage an orderly and planned pattern of community growth and development that will provide a high quality living environment.

OBJECTIVE:To promote a balanced and realistic allocation of land areas to accommodate current and future urban development needs.

Policies

- 1) The supply of land allocated for urban development should approximate current and future needs as determined from population, employment and land use projections.
- 2) Urban development patterns should incorporate planned areas of mixed use and density that are clustered and compatible with adjacent uses.

- 3) The allocation of future urban development should maximize the use of existing urban facilities and services.

OBJECTIVE:To promote compact communities which contain centralized, concentrated and compatible urban development patterns.

Policies

- 1) Future urban development should be encouraged to infill vacant developable lands within existing communities and then staged outward adjacent to existing development limits.
- 2) A greater proportion of subdivision development now occurring in rural areas should be encouraged within existing communities where urban services area are available.
- 3) Future commercial and industrial development should expand upon existing areas and be readily accessible to major transportation systems.
- 4) Urban development areas should consider existing political boundaries and jurisdictions.
- 5) The boundaries of urban development should consider natural and man-made features, such as ridge lines, streams and major highways.
- 6) Residential land use patterns should maximize their accessibility to public and private supporting facilities.
- 7) Urban development should occur only in designated urban service areas.

OBJECTIVE:To promote urban development which is environmentally sound and compatible with the natural resource base.

Policies

- 1) Urban development should be directed to land suitable for development and discouraged on unsuitable land, such as floodplains, wetlands, prime agricultural soils, areas of high bedrock and groundwater, prime wildlife habitat, unique scientific areas and areas of historical or archeological significance.
- 2) Environmentally sensitive areas should be preserved and protected from urban development.

- 3) Urban development should pose no significant adverse impacts to surface water and groundwater.

OBJECTIVE:To promote urban development in an efficient and economical manner.

Policies

- 1) Urban development should be encouraged at densities adequate to sustain reasonable urban service costs.
- 2) Future urban development should be located in areas which can be conveniently and economically served by public facilities.
- 3) Future residential development should provide an adequate variety of types, prices and locations of housing and convenience and choice in acquiring goods services.
- 4) Existing communities and their central businesses districts should be preserved and enhanced.

GOAL

To provide and maintain a full range of community facilities and services which are efficient, economical and environmentally sound.

OBJECTIVE:To promote sanitary sewerage systems which will effectively and economically serve urban development.

Policies

- 1) The number of waste treatment plants should be minimized to avoid duplication of facilities, institute economies of scale and lessen environmental degradation.
- 2) Urban development should be provided with sanitary sewer service which is reasonably sized.
- 3) Existing capacity in sanitary sewerage systems should be used before making substantial expansion or extensions.
- 4) Sanitary sewerage system construction and sizing should be staged to encourage lower capital investment and greater flexibility.

- 5) Sanitary sewerage systems should be provided for existing development whenever they are the most cost-effective alternative for addressing failing on-site disposal systems.
- 6) Gravity flow sanitary sewer and interceptor systems should be utilized whenever it is cost-effective.

OBJECTIVE:To promote sanitary sewerage systems which are environmentally sound.

Policies

- 1) Disturbances to natural resources should be minimized when constructing sanitary sewerage systems.
- 2) Constructing sanitary sewers through environmentally sensitive areas should be avoided whenever possible.
- 3) The design and construction of sanitary sewerage facilities should not promote development in environmentally sensitive areas.
- 4) Sanitary sewerage systems should meet water quality standards.
- 5) When feasible, sanitary sewer systems and stormwater drainage systems should be designed and constructed concurrently to achieve pollutant abatement, gain drainage benefits, and minimize disruption of natural resources.
- 6) Erosion and sediment control practices should be utilized in constructing sanitary sewer systems where the potential for erosion is high.